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Cleveland-Marshall College of Law

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# The GAVEL

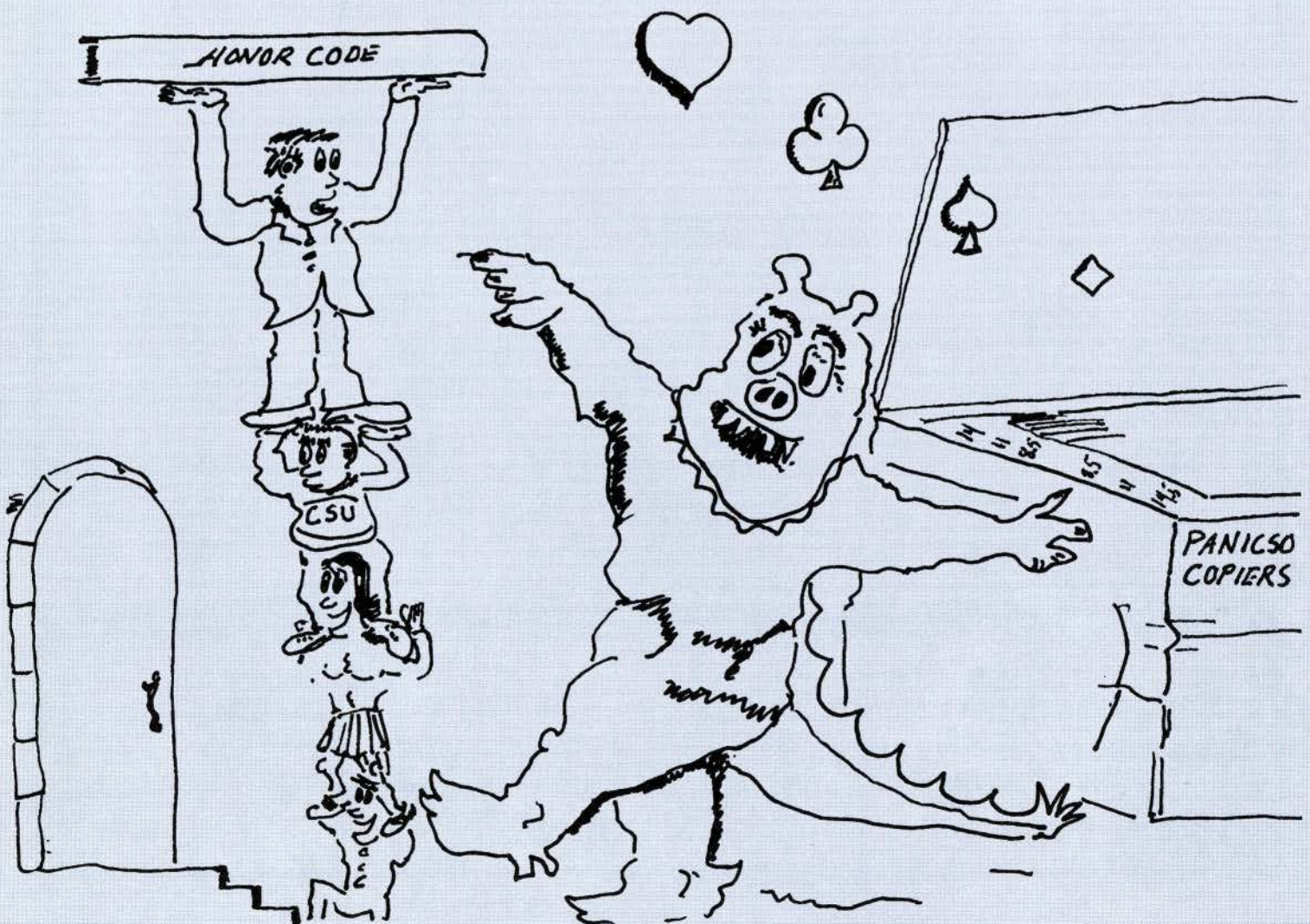
Cleveland-Marshall College of Law

Volume 37

Issue 5

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*Return of the honorable thing*



## Editor's note

It has long been rumored; now we know it's true: pre-determined grade distributions are policy at C-M. Policy which must be challenged because it is selectively imposed.

The GAVEL has obtained a copy of The College of Law Grade Distribution Report which is, according to one tenured faculty member, "extremely influential" in determining class grades. Pursuant to the Report, separate "guidelines" are established for First-Year courses and for Upper Division courses and Perspective Electives:

GRADE--First-Year Courses		Upper Division Courses	
Standard/Range Permitted		Standard/Range Permitted	
A	8% / 4% - 10%	12% / 8% - 15%	
B+	14% / 10% - 16%	16% / 13% - 19%	
B	19% / 17% - 23%	23% / 21% - 28%	
C+	23% / 20% - 30%	23% / 20% - 29%	
C	28% / 25% - 35%	21% / 18% - 27%	
D	5% / 0% - 8%	3% / 0% - 7%	
F	3% / 0% - 6%	2% / 0% - 5%	

On March 14, 1985, the law school faculty adopted these guidelines. According to the minutes of that faculty meeting, grades are to have a "reasonable" distribution. Grade distributions which fall within the guidelines are prima facie reasonable.

In the belief of our current administration, the purpose of the grade guidelines is to establish a "fair compromise between consistency among class sections and faculty discretion." In the context of C-M's grading mechanics, however, faculty discretion is, in the case of high grades, undermined. "Guidelines" become little different than mandatory policy since, after grades are submitted to C-M's Records Officer, they are forwarded to the Dean's office for approval. While Dean Smith would not allow that he rejected any grades last semester, at least two sets of high grades were "discussed" with the faculty member for failure to comport with the guidelines. The grades were re-submitted.

Our administration believes that counterbalancing faculty discretion with consistency among class sections somehow helps students. The facts, however, do not support this conclusion. Grades which were "discussed" last semester and grades which were rejected in previous semesters consistently were questioned because they were too high -- too many A's and B's. Moreover, a cursory examination of last semester's posted grades reveals that grade sets which do not comport with the guidelines because they are too low (few A's and B's, excessive C's and D's), notwithstanding their unreasonableness, are NOT challenged by the administration. Take, for example, one tenured professor's Estates & Trusts grades for a class of 60 students: only one A (1.6%) and only three B+'s (5%). Numerous other examples of selective (in favor of lower grades) application of policy are evident from last semester's grade postings. Is the failure to comport to grade guidelines due to low grades any more reasonable than failure to comport for high grades? We think not.

It is clear the C-M administration wants lower grades. What is not clear is why. Until this issue is satisfactorily answered, the grade distribution guidelines must not be selectively imposed to lower students' grades.

## The GAVEL

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We'll get in touch with you.

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# LCOP: Program gives access to non-traditional students



By Professor Robert Willey  
Chairperson,  
LCOP Committee

Our Legal Careers Opportunity Program was started in 1969 as a non LSAT-UGPA oriented admissions program, and has resulted in the recruitment of nearly equal numbers of minority and non-minority students over the nearly 20 years of its existence. Like other alternative admissions programs, it has increased the presence in our law school of racial and ethnic minorities and others for whom standardized tests are not appropriate measures. It has always admitted only fully qualified applicants, many of whom have indexes that are only one or two points below those of regular admittees.

Previous to such admissions programs, our experience was that white male applicants generally dominated law school enrollment. By 1969, nationwide litigation to integrate education, including legal education, had resulted in court ordered remedies relying

on racial classifications designed to eliminate racial discrimination in education. Cleveland-Marshall accepted, expanded, and applied those notions of integration to include women and minorities who had been unfairly excluded by admission programs that relied solely on UGPA and LSAT.

Minority concerns have been inadequately advanced and argued in legal education and in the legal profession; and admission standards which rely or relied on standardized tests and UGPA's are and were flawed. Educational Testing Service had warned us of the inadequacies of these measures pointing out that only 38 percent of those who predict to perform in the top fifth of the class actually did, that 55 percent performed in the middle three fifths, and the 7 percent actually performed in the bottom fifth. Relying solely on such flawed standards to the disadvantage of minorities seems nothing less than intentional discrimination.

Too, law schools and undergraduate institutions have regularly admitted marginal students who were athletes, children of alumni, donors, trustees and powerful political or publishing friends or those with unique and valuable life experiences; so deviation in admissions

from strict rank ordering based on test scores was and is regularly done.

LCOP has been used to recruit minority applicants and others who previously had been excluded from legal education. These included applicants who tested poorly because they first learned a language other than English; those who had graduated from college a decade before and did not benefit from a high UGPA which resulted from grade inflation; those who had testing problems because they attended substandard rural or urban public schools which left them up to three years behind their advantaged contemporaries in reading and writing skills; those who had testing problems because of physical disabilities or test-taking anxiety; and those who were educationally deprived because of economic, gender, or other discrimination.

As an educational and professional goal, we sought to diversify our student body to include all groups so that we could benefit by having the opinions of their members; and so that all groups might have law trained citizens and role models. Too, we felt a responsibility to include within the profession some who wanted to return to their neighborhood or rural area to provide legal representation to groups that would otherwise be unserved.

LCOP has been successful in adding many to our law school and the legal profession who might otherwise have been excluded. Since the quality of our school, especially our inner city schools, has continued to decline since 1969, the program is needed as much now as then. During the 1970's our law school minority student population reached a high of 125 students, declined to a low of 51 in the fall of 1983, and increased to a present enrollment of 74. With a renewed emphasis on recruiting this past year, we increased the first year minority representation by about 85 percent. At the same time, we increased the quality of this group just as we increased the quality of our regularly admitted enrollees. We expect to be able to improve both recruitment and retention each year in the future.

In summary, LCOP was designed as a needed corrective to admissions policies which relied on inadequate predictive tests and grades, and also as an attempt to remedy discriminatory practices in our society. It has worked well.



# C-M students awarded

Academic excellence of Cleveland-Marshall students was celebrated recently during the Academic Honors Convocation, held in the Moot Court Room. The awards, presented by the Committee on Awards and Competitions, faculty and administration, were in recognition of outstanding student scholarship for the 1987-88 academic year.

The awards presented were of two types: those based on academic achievement (grades), and those based on student writings. For the writing awards, outstanding student papers are pooled from classes, journals and organizations and judged by the Committee on Awards. While Committee Chairman Professor Joel Finer does not see the school's awards as classroom motivation for good papers, each paper is judged critically according to its contribution to law, analysis, research and writing style, and each award carries with it a cash prize. The student writing awards for the 1987-88 year are as follows: the Howard L. Oleck Award for distinguished legal writing, Diane K. Hale, "Man Bites Dog with Ohio's Vicious Dog Statute"; the Sidney A. Levine Award for best Legal Writing papers, Lee Tavill, "Scarlet Letter Punishment: Yesterday's Outlawed Penalty is Today's Probation Condition" and Lawrence K. English, "Liability for Post-Transfusion

AIDS: An Analysis and Proposal"; and the Reminger and Reminger Award for meretorious writing in law and medicine, Laurie Steiner, "Periodic Payment Awards: The Prescription for the Medical Malpractice Crisis in Ohio".

The academic achievement awards also are of two types: highest grades overall, and highest grades in particular subjects. These awards are sponsored by C-M and corporate sponsors. The academic achievement awards presented for overall grades in the 1987-88 year are: the Faculty Award for highest academic GPA, Class of 1988, Sandra L. Denman and Cheryl L. Farine; the Banks-Baldwin Company Award for second highest GPA, Class of 1988, Mark C. Silbiger and Kennee B. Switzer-Rakos; the Baker and Hostetler Scholarship for highest GPA at start of final year in law school, Carol A. Jones; and the West Publishing Company Hornbook Awards for highest GPA by class, Sandra L. Denman and Cheryl L. Farine for 1988, Carol A. Jones for 1989, Cathy Williams for 1990, and Deborah A. Wainey for 1991.

The academic achievement awards by subject are awarded to students with the highest grades in each section of a subject area. The subject awards are: the Judge Lee E. Skeel



Photo by R.T. Reminger, Jr.

**Cheryl L. Farine clutches many of the awards she earned during her law school days.**

Award for Property, Cheryl L. Farine, Barbara L. Miller, Mark C. Silbiger and Cathy Williams; the Charles Auerbach Memorial Award for Evidence, Cheryl L. Farine, Tom A. King, Brian F. McNamee, Mark A. Phillips, Luann A. Polito and Nancy F. Zavelson; the Judge James C. Connell Award for Criminal Law, Linda L. Bickerstaff, Jean K. Korman, Susan Shelko, Cathy Williams and Rosemary J. Wilson; the William K. Gardner Award for Civil Procedure, Susan M. Dobos, Paul A. Grodecki, Mary Seward, Amy L. Tomasch and Cathy Williams; and the Federal Bar Association Award for Constitutional Law, Jon S. Cortade, Brian P. Downey, Margaret M. Koesel, Simon A. Moldaver, Robert R. Myers and Rosemary J. Wilson.

Other awards by subject include: the Spangenberg Trial Practice Prize for Trial Practice and Procedure, Michael J. Krakar; the Suggs I. Garber Award for Business Organization and Taxation, Cheryl L. Farine and Orville E. Stifel, II; the Wall Street Journal Award for Business Association and Commercial Law, Cheryl L. Farine; the Wilson G. Stapleton Award for Property, Kenneth E. Nielson; the Richard C. Schafer Award for Clinical Program, Kathy G. O'Dell; the Banks-Baldwin Clinical Program Award, Kathy G. O'Dell; and the American Bar Association Book Award for Local Government Law, John J. Mack.

Several specialized honors also were awarded at the Convocation. These include: the West Publishing Company Corpus Juris  
*(Cont. to page 11)*



Photo by R.T. Reminger, Jr.

**Professor Joel J. Finer discusses the commitment and dediction needed by students to obtain the academic excellence recognized by peers, faculty and administration.**

# Excellence report boasts of C-M accomplishments

By Christina Janice

"Cleveland-Marshall College of Law is a Center of Excellence in research, teaching and service within the university and the law school and the legal communities." This is what Dean Steven R. Smith and members of the C-M faculty and administration set out to prove to University President John A. Flower in a Selective Excellence Report, submitted in December, 1988.

The C-M report was one of several such reports submitted by different segments of the University, in an attempt to establish a "Center of Excellence" as the focus for grants and development.

The 29 page report and its appendices listed the programs and resources of the college of law, as well as the achievements of its faculty and students.

Through the report process, a comprehensive collection of the activities and accomplishments of the C-M community were assembled, and Dean Smith found this collection to be "impressive." The C-M report was rejected by the President's Selective Excellence Committee. While Dean Smith found this rejection to be "a little hard to figure out," he stressed that the document "is considerably more important than this particular issue" as both a source of pride and a document to show donors in order to attract funding to the college of law.

The report is divided into discussions about faculty, curriculum, library, admissions, funding and placement. Attached to the faculty section of the report is an extensive faculty publications list that runs for 41 pages. The report also lists major litigation in which C-M faculty are involved, and asserts that C-M "has had more faculty argue and participate in cases before the Supreme Court than has any other law school in the country except Harvard."

The curriculum section of the report highlights the clinical legal education programs, the advocacy curriculum, the perspective electives, the health law curriculum, the law, politics and policy program, the street law program, the visiting scholars and exchange programs, journals and Moot Court.

The accomplishments of the Moot Court program are recorded. Since 1981, C-M has

entered 48 teams, of which five ranked first, five ranked second and sixteen ranked third in thirty-eight competitions.

In brief writing, C-M teams placed first nine times, second six times, third four times, and in the top ten nine times.

The report states, "There is probably no school in the country with a better moot court  
(Cont. to page 11)



Photo by R.T. Reminger, Jr.

Dean Steven R. Smith on academic excellence.

# Slow return of Legal Writing papers raises ire of students

By Jill Bangerter

Twentieth century British author Arthur Koestler wrote "Nothing is more sad than the death of an illusion," and many first year evening students have felt the impact of such a loss. My undergraduate years ended in 1972 and were followed by graduate school, marriage, the arrival of three children, and my establishment as a high school English teacher. Though throughout all these years, when I contemplated my future, I thought, how stimulating, how intellectual, how professional, how very exciting it would be to have the privilege of attending law school and ultimately fighting for "justice for all." As any high school teacher will affirm, the attempt to force adolescents to learn reading, writing, and thinking quickly dissolves youthful idealism. But because of such movies as PAPER CHASE and experiencing the mystique of the law profession, my illusion of law school remained -- until last year. My first year at Cleveland-Marshall irrevocably shattered this illusion.

As a senior composition teacher, I have discovered, from many years of teaching college-bound students how to produce a good composition, that the best method of improving student writing is to have the student write a great deal, comment on all that I can while zeroing in on faults as well as strengths, and having the student complete rewrites based on my comments. During the years when our English department was hit hard by layoffs and we became understaffed, our class sizes grew to an outrageous and impossible load, and the amount of five and six-paragraph compositions that I assigned decreased proportionately. It was during these "lean" years that I made my observations that the quality of my students' papers also declined, and my students were not writing on the level that previous students had been at graduation time. I attributed this to the fact that fewer papers had been assigned and received feedback with which to rewrite the papers, and the students could not learn from previous errors.

Last year, I observed a similar phenomenon with my own experience in the Legal Research and Writing course. With a great deal of nervous indigestion and clammy hands, I slaved over my first legal memorandum. My instructor was very knowledgeable and explained research techniques and other practicalities well. On the first night, we received a syllabus stating due dates for all papers as well as the return dates for graded assignments. This all sounded extremely professional and useful since, as a future lawyer, I knew it was imperative that we learn as much as possible about legal writing. I felt extremely unsure of the assignment that I ultimately turned in to our instructor, and the state of fear regarding the work held over until the next night we met for

(Cont. to page 10)

# Honor drive returns to Marshall

By Doug Davis

With the theft of law textbooks, commercial outlines and student notes during the fall semester, the push for a Cleveland-Marshall honor code is on again. A proposed honor code has been posted throughout the school and will probably be adopted sometime this spring.

A faculty-student committee organized last spring to develop basic ideas and concepts. Third-year student Tony Soughan said the committee looked at honor codes from other law schools as well as the American Bar Association's report on professionalism to formulate the proposed honor code.

Most law schools throughout the United States have honor codes, according to Student Lawyer (May 1988). The most common type of honor code is composed and enforced by a mixture of faculty and students, such as the one proposed at C-M.

Hostile rumors surrounding the proposed code are unfounded. The proposed code would not turn students into quasi-police. Students would be under no affirmative duty to report suspected breaches of the honor code. "The honor code actually protects students," Soughan said. Instead, the code puts an affirmative duty on professors to clearly explain all assignments, including collaborative efforts.

An obeyed honor code would provide greater freedom and flexibility for students, Soughan said. At law schools where honor codes are in force, proctored exams are unnecessary.

The proposed honor code also attempts to define plagiarism. For those not knowing what plagiarism is before entering law school, the ambiguity should be cleared after studying the definition of the proposed honor code.

Of course, the proposed rules still have room for further refinements and definitions. In part I. Examinations, the first sentence says, "students shall not cheat or take unfair advantage of other students while taking an examination." What does it mean to take unfair advantage? Law school breeds competition. Students are encouraged to use all legal means available to gain an advantage.

Part III. Unauthorized assistance: The honor code seeks to eliminate students'

giving of unauthorized assistance in preparing class assignments. This will create more confusion than it would relieve. Each professor would be required to specifically define what sort of assistance is allowable for each assignment. Does this mean using commercially prepared material would be a violation? What would this do to the informal discussions which occur. Small discussion groups are frequently invaluable to the learning process, especially during the first year of law school.

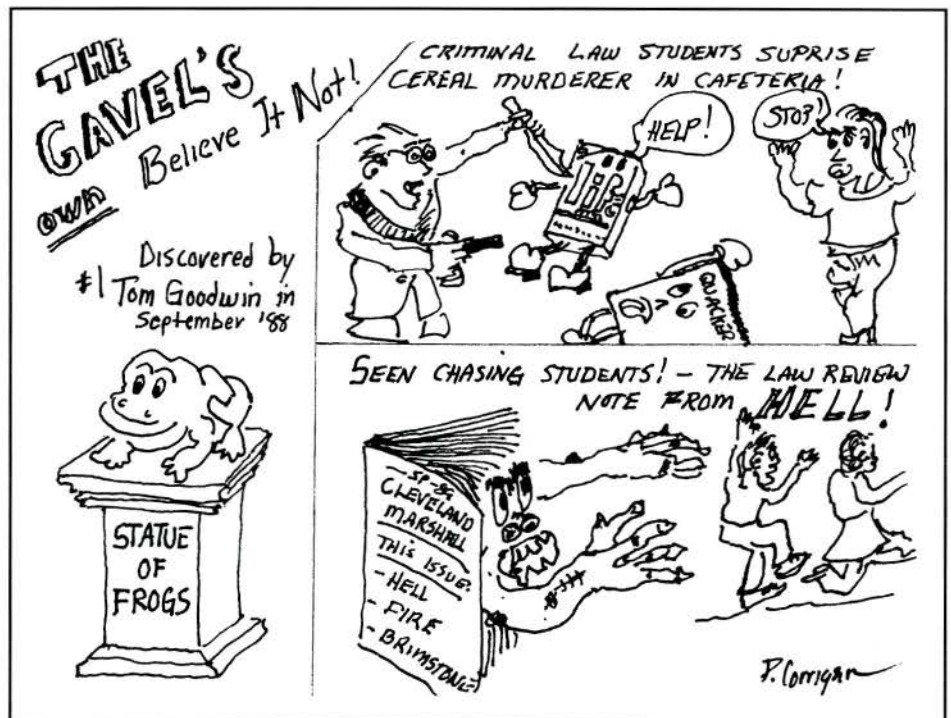
The proposed code also would prohibit students from submitting the same work for more than one course without express consent from the professor. It seems unfair to hold students to a higher standard than professors. Professors frequently use tests previously administered; occasionally test questions are lifted directly from casebooks and commercial study aids. Professors have also been known to take previously published papers, rework the paper and solicit it again to other publications. Anyone that has clerked for a law firm knows about form files. Of course the possibility exists the professor would allow the submission.

The code does take a strong stand against misuse of law library property. In addition

to prohibiting the stealing and destroying of law library property, it will also be a breach of the code to hide or make library materials unavailable. Hopefully, the sanctions accompanying this provision will be severe enough to discourage these practices.

Another troublesome section involves part VIII. Unauthorized recording. The section would prohibit electronic recording of any classes, lectures or non-public meetings without express consent of the professors or those involved in the meetings. Two real concerns are raised by this provision: copyright considerations and chilling the educational process. It would seem that tuition-paying students would have the right to memorialize the classroom experience in any manner without needing the consent of the professor. Most students take notes on paper, others use electronic devices.

Chilling the teaching environment because of the use of electronic recording devices by students may pose a serious problem. Professors may seek to avoid the Professor Cole incident at Dartmouth College, and adopt more conservative and traditional methods rather than  
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# C-M's library heads to the west

By James J. Drake

"Go west, young man." Such was the advice of Horace Greeley over a century ago and, if Dean Steven R. Smith has his way, such will be the direction taken by Cleveland-Marshall School of Law in the near future. Specifically, a new law/urban affairs library is in the planning and proposal stage. If successful, the library will be built behind the College of Urban Affairs across East 18th Street.

In an interview January 27, Dean Smith showed an artist's rendition of the proposed new library. It would be connected to the main Law School building by a bridge suspended over East 18th Street, allowing easy access to students without the risk of dodging the crazed denizens of Cleveland's urban canyons. As Dean Smith noted, the current library is limited by an insufficient number of small study areas, lack of bathrooms, and top shelves which are inaccessible to the general public.

The proposed new library would not only alleviate these problems, it would also allow the expansion of the current collection with new databases that are more specialized than the current LEXIS/WESTLAW systems. Of course, the book collection will also increase. Dean Smith pointed out that most people use the databases as quick indexes to find cases and other sources in a certain area and then go to the books to do the actual reading. The eye fatigue caused by prolonged staring at computer screens almost requires an alternative to the CRT.

In addition to students and alumni, the new library is envisioned as a source of

interaction and information for the community at large. Pursuant to this goal, Dean Smith will be meeting with community leaders at the state and municipal levels, as well as the university

level, to discuss funding for the proposed project. Dean Smith said that the project would probably require six years to complete. As he pointed out, any new building project must plan

*(Cont. to page 10)*

**Dean Steven Smith is a great believer in student vision as a guiding force in the growth of any college or university. While at Louisville, Dean Smith received many student suggestions that were later implemented in construction. To continue this tradition, Dean Smith would appreciate the submission of any suggestions for improvements to be incorporated in the new library. Simply drop off any suggestions you may have at the Dean's office on the main floor of the school. If you want a say in Cleveland-Marshall's future, the effort needed to make a suggestion must be expended.**



*Photo by R.T. Reminger, Jr.*

*Marshall Law building with the library as it stands today.*

## Help wanted: C-M faculty looks for a new face

Cleveland-Marshall has been deluged with resumes since last fall because of the announcement of an available faculty position. But, the pile was narrowed to five candidates and each was invited to spend a day on campus, interviewing with faculty, administrators and students.

In addition to the available faculty position, chairman of the Faculty Appointments Committee, Associate Professor Solomon Oliver, Jr., said the committee is also looking for a director of the Law, Politics and Policy program. That person would have a joint appointment with the College of Urban Affairs and have faculty rank. However, this search has not advanced as far as the one for the regular faculty position.

Oliver said the committee's first priority in selecting a new

faculty member was to choose the most competent candidates. The committee was not looking for a person with expertise in a particular area. The committee attempted to create a broad pool of candidates.

Four of the five candidates visited C-M before GAVEL press time. Brief biographies of each are as follows:

JENNIFER C. JAFF - J.D., May 1984 from Georgetown University Law Center. She was a staff member of the Georgetown Law Journal. Clerk for U.S. Court of Appeals Judge Danny J. Boggs, 6th Circuit. Visiting Assistant professor at University of Miami School of Law. Instructor at Vermont Law School. She has published six law review articles and co-authored two with Mark Tushnet.

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*Professor James T. Flaherty enjoys himself at last year's barrister's bash. The S.B.A. has set this year's bash for March 11. Tickets should go on sale Feb. 20.*

## Class of 1989 sets challenge

Cleveland-Marshall's class of 1989 will set precedent that will significantly affect the future operation of the law school.

The "Class of '89 Graduation Challenge" is a class-giving program established to assist in providing financial support toward improving and increasing academic opportunities for future students.

Graduates have a duty to make sure C-M maintains a strong reputation since every good thing that happens to the school enhances the value of the holder's degree, said Scott Spero, co-chairman of the committee. The juris doctor degree will be the most important asset each C-M graduate will possess on graduation day, he added.

The challenge is designed to give one the option of designating the pledge to an area of interest at the school. The choice is up to the graduate whether it is the career planning and

*(Cont. to page 9)*

## Another trivial annoyance

By Terence Taips

When I began attending Cleveland-Marshall this fall, I was intellectually if not practically prepared for the rigors of attempting to fit 24 hours of study, classes, and work into each day. Self-exile from my family with just a few hours for sleep on weekends were foregone conclusions. I had accepted the fact that I would face near bankruptcy paying for tuition and books.

What I wasn't prepared for was the myriad of trivial -- and not so trivial -- annoyances and realities of life as a law student. A few of the more vexing ones are:

**ATRIUM.** This area of the law building is an unfulfilled promise. Very few students actually spend any time here. For most of us, it is a traffic hub to be hustled through on the way to classes or somewhere else. The problem is that earth tones and little decoration leave the

area looking sterile and uninteresting. Perhaps something really different could be considered to spruce the place up -- like a sunken conversation pit. Something really wild, such as a fish pond, might get significant numbers of people to stop!

**VENDING MACHINES.** Any vending machine which refuses to provide change even where you slip two quarters in an effort to buy a 45-cent item should be banned. Why on earth should one have to be burdened with \$1 - \$5 in change when you have coin in hand?

**TYPEWRITERS.** SBA provides a typing room with typewriters in the library as a "service" to students. What is hard to understand is why only two (on a good day) out of six work. At least one has a dusty, time-faded sign announcing that ribbons are no longer obtainable for that model. Woe to the unwary student

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### SUMMER LAW STUDY

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## C-M to be National School

# Smith dedicated to improvement

By Mark Cervello

Dean Steven R. Smith has been at the helm of Cleveland-Marshall Law School for only six months, yet he is already concentrating on improving the quality and reputation of the school. According to Dean Smith, it takes plenty of hard work and dedication to transform C-M into what many people would call a "national" law school. However, the advantages of progress are well worth the extra effort.

Actually, the classification of law schools into "national" or "regional" categories tends to be a mythical concept: the American Bar Association, as well as other organizations, has no such classification system. Nevertheless, there are about a dozen or so law schools across the nation which have unofficially been classified as "national". Ivy league schools are good examples. Among the criteria for "national" classification are a wide geographical range of incoming students, a "better" faculty and facilities, more scholarships, and the use of national casebooks.

According to Dean Smith, C-M is a regional school that is making progress and is ready for the next step up.

"Much progress taken place over the years at C-M in regards to facilities, faculty, and the publicity generated from them, civic involvement, and research projects," explained Dean Smith. Indeed, the reputation of C-M among area law firms is excellent, with many recruiters claiming that they want to hire their fair share of C-M graduates. "C-M now has a very good regional reputation and now we want to spread that nationwide."

But the transition towards higher quality won't come easily. Many improvements need to be made at C-M, although Dean Smith seems to be pleased with many aspects of the school. Smith has high regards for the faculty and rates them as "very good." However, he claims that there is always room for improvement. "We can always improve our faculty by striving to attract high quality teachers with incentives such as competitive salaries. Also, present faculty members can improve their standing by doing more writing and publishing."

Dean Smith is less enthused about the facilities at C-M. "The facilities at C-M

remain a problem. An addition to the law school is desperately needed in order to house a larger placement office, law journal room, hearing rooms, and more space for seminars. Improvements are still needed in the library and some have already begun."

Fortunately, the road towards a higher quality school does not mean higher tuition for students. Along the same line, state aid to the school will not be increased. However, admissions standards may become more rigorous as more students compete for openings.

## Challenge...*Cont. from page 8*

placement center, the law library, a scholarship program, faculty research assistantships, Moot Court, Law Review, said Sean Gallager, co-chairman of the committee. The gift will help make it possible hire and retain outstanding faculty, to initiate significant research, to attract the best students and to increase C-M's visibility as it forges a path of excellence, he said.

Fellow students will contact students representing the challenge. Pledges over the next three years will be solicited, but the first pledge will not actually be payable until one year after graduation.

Lisa Gasbarre also co-chairs the committee. Any of these students may be contacted for further information.

## Trivial...*Cont. from page 8.*

who actually counts on finding a decent typewriter not already in use (with two more people waiting to use it) to get an assignment done in timely fashion.

**MAIL SLOTS.** The problem with mail slots is that they function all too well like a real mail box -- full of 90 percent junk mail. It is difficult to overcome the nagging fear that there just might be something important, like a note from one of your professors, in your slot. Happily, I have subdued my compulsive urge to check to about once every other week. I can also understand why upperclassmen appear to check their slots maybe twice a semester.

**LIBRARY.** Since it is unlikely the stairwells will be widened, they could consider putting in traffic lights. That way you wouldn't be caught midway, loaded down with books, and unable to maneuver. On second thought, however, this probably wouldn't work, although it would be a great learning experience. There would always be some hotshots racing up or down on a yellow caution. (Think about the great tort possibilities!)

**RECEPTIONS.** It seems that every other day, as you hustle toward the stairs to make class, you pass within grabbing range of wine, cheese, and other yummys temptingly laid out on long, low tables. Unfortunately, some obscure, unnamed function is going on and your conscience gets the better of you when you spot the inevitable small sign, "seminar participants only."

I could mention a number of other items, but the above is enough. Why is it that the simplest problems to correct almost never are? Frankly, I don't expect to see any changes, although everyone would be pleasantly surprised if there were. Hope springs eternal.

## Slow return...*Cont. from page 5*

class. To my chagrin, our instructor told us he had not had the time to grade the papers. There was a general moan throughout the class since I obviously was not the only one who had been agitated over the assignment, but we all realized that, since our instructor had a job during the day, as we all did, things often prevented us from doing what we wanted. However, the excuses continued throughout the entire year, and we did not receive this or subsequent papers back, with critiques, until a week before our second year of law school began. In fact, all of us were forced to write our briefs without having had the benefit of reading comments on our strengths or weaknesses. We had no opportunity to correct our mistakes, and we, therefore, found it quite difficult to improve by the year's end. This situation is outrageous in any setting, but for a law school to allow it borders on the ridiculous.

Receipt of my package of papers in August convinced me that my theory was correct in that the critical comments of an instructor in a writing course are instrumental in improving quality of writing. I had made the same mistakes throughout my papers. Although we were all given the opportunity to rewrite any papers we so desired, by the end of August most of us were so disgusted with the situation that we simply did not bother.

I had always heard that the reputation of Cleveland-Marshall College of Law was an outstanding one, but this situation with the legal writing sections has forced me to believe otherwise. One of the programs at our law school which is well-known and highly regarded is the Moot

Court experience. I had heard that an invitation to participate in Moot Court was an honor granted to the most outstanding students in the Legal Writing sections. During the summer, I received an invitation to participate and was congratulated on my performance in my legal writing course. This was, I was told, based "on teacher evaluations and observations." Because I had not yet received a grade for the course, nor had I yet had any papers returned to me, I was puzzled but nevertheless very excited. My curiosity, however, caused me to call the college office, and my bubble was burst when I was told that, because of the late grades, everyone in my section had been invited to participate. The letter was suddenly no longer the honor I had at first thought it to be.

I have attended enough college and graduate school that I realize that a great deal of red tape is a necessary factor in university life, particularly in an urban college. I had hoped, though, that law school would be somewhat more professional simply because if a law school is lax and produces lawyers who are incompetent, pretty soon that law school would lose its credibility. When situations such as late submission of grades and slow return of papers are allowed to take place, the only thing that could result is the lowering of the professional reputation of the college. Although I do not live in Cleveland, I was born here and have lived all of my life in the area, my children attend school in the suburbs, and we all enjoy the sophistication of the "big city." I care about Cleveland, and I care about Cleveland State. I would hate to see the reputation of Cleveland-Marshall cheapened to a ludicrous level because of laziness.

## Library...

*(cont. from page 7)*

for the next twenty-five years. Assuming a ten year useful building life, six to eight years would be required in preliminaries and construction. Another six to eight years would be required after the building's useful life to prepare a successor.

The new library would take up even more parking space. Asked about this additional burden to an already horrendous parking situation, the Dean indicated that a parking garage would be included as part of the project.

Although in the proposal state, Dean Smith indicated that a six-year time frame is currently being anticipated. Even though it will not affect any of us as students, this addition will be an investment in the future of the school and be an invaluable resource for graduates who remain in the Cleveland area to practice.

## Help Wanted...*cont. from 7*

JOHN F. HERNANDEZ - LL.M., Tax, May 1984 from University of Florida. J.D., May 1981 from Georgetown University Law Center. He was an editor of The Georgetown International Law Journal. He is currently in the Chief Counsel's Office of the IRS. Special assistant U.S. attorney, southern district of Florida. Former public defender. Adjunct professor at Florida International University. Instructor at IRS training school for Chief Counsel's Trial Attorneys. He has published one law review article.

DEBORAH A. GEIER - J.D., May 1986 from Case Western Reserve University Law School. She was an editor of the Case Western Reserve University Law Review. Order of the Coif. Associate with Sullivan & Cromwell. Clerk for U.S. Court of Appeals Judge Monroe G. McKay, 10th Circuit. Registered Nurse, Cleveland, Ohio. She has published one law review article.

GILDA F. SPEARS - J.D., May 1976

from Case Western Reserve University Law School. She was an editor of the Case Western Reserve University Law Review. Order of the Coif. Senior attorney with Eaton Corporation - employment/labor, litigation. Associate with Arter & Hadden. Cleveland Board of Education, 10th grade history teacher.

TAYYAB MAHMUD visited C-M after the GAVEL deadline.

### financial aid notice

despite pleas to desist, the central CSU financial aid office has again mailed the undergraduate financial aid kit to law students. If you received a Rosie Redtape kit please:

**DO NOT FILL OUT THE  
FAF!!!!**

To apply for 1989-90 financial aid law students should submit a 1989-90 GAPSFAS

## Code

*Cont. from 6*

methods rather than inventing and exploring new approaches to frequently dry subjects.

The last section of the proposed honor code will govern student conduct. Purposely obstructing a student from receiving a law school education will be a breach of the honor code. This includes stealing books, notes, outlines and threatening or intimidating other students. In addition to breaching the honor code, the perpetrator could incur civil liability as well as criminal penalties.

Faculty members are Professor Jane Picker and Associate Professors Lloyd Snyder and Lynne Henderson while the student members are third-year Tony Soughan and second-year Susan Gluntz. All comments, suggestions and proposed additions and deletions should be given to members of the committee or Paula Hruby in room 40.

## Excellent

*Cont. from page 5*

record over the past eight years.”

The section of the report concerning the library states that the Joseph W. Bartunek III Law Library is the second largest academic law library in Ohio, with over 250,000 bound and microform volumes, 3,200 subscriptions, and computer programs including LEXIS, NEXIS and WESTLAW, among others.

In admissions, the report boasts of a sixteen percent increase in applicants over the past year and a 50 percent increase over the past two years, with the mean LSAT scores rising from 29 to 32 and the mean undergraduate GPA rising from 2.96 to 3.05. Further, minority enrollment in the first year class has doubled, now representing thirteen percent of the incoming class.

In the area of financial aid, the report discusses both student scholarships and school grants. According to the American Bar Association, C-M has placed first in the amount of non-government gifts and grants awarded to public law schools in Ohio. C-M has received grants from the Gund Foundation and the Cleveland Foundation. In student funding, this year Congressman Louis Stokes began a minority scholarship fund. In placement, C-M surpasses the national average of 76 percent of graduates employed, with 93 percent of graduates employed. Nearly eight percent of these graduates are employed by large firms of 100 or more attorneys.

The report concludes by emphasizing a need for increased funding. “The quality of the law school,” the report states, “has in the last two or three years outstripped its resources.... As a Center of Excellence, the law school will have the opportunity to seek the resources to continue in the direction of enhanced quality.”

Although C-M is not the University’s named Center of Excellence, the Selective Excellence Report effort has yielded a process and a document that will be valuable to the college of law in its own efforts to attract funding in the future.

## Awards... *Cont from page 4*

Secundum Awards for contribution to scholarship, Matthew W. Nakon, Laura J. Steffee, Steven R. Yoo and Sheila M. McCarthy; the BNA United States Law Week Award for most satisfactory academic progress in final year of study, Retanio A. Rucker; the Carl B. Stokes Award for outstanding first year minority student, Cassandra Collier-William; the William H. Thomas Foundation Award for Delta Theta Phi Law Fraternity, Patricia L. Seifert; the William H. Thomas Scholarship for most deserving mid-law (neither first year, nor senior) student, Kathleen Dangelo; the Judge Lloyd O. Brown Scholarship to outstanding student, Carolyn Kimbrough Davis; and the Martin E. Blum Law Scholarship for first year student, Jay R. Faeges.

The achievement awards above carried with them a variety of prizes, including cash, books, coupons and subscriptions. Worth more than their “market value,” Professor Finer told the Convocation, these awards represent “the abundant intellectual energy, the fullness of your effort; the sacrifices of time, comfort and sometimes even relationships.... I hope when you look back on these awards,” he said, “you will remember that someone noted that the intellectual excellence they represent is only part of the whole person; that the complete lawyer is a complete human being.”

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