Trial Team victorious in annual cross-town rivalry

C-M wins three of four rounds to tie for first place in all-day competition

By Scott Davidson

Every law student should know to prefice the opening of an appellate court oral argument with “may it please the court.” Though competing in a trial competition, that was the opening statement of the Cleveland-Marshall Trial Advocacy Team. The Cleveland-Marshall Trial Advocacy Team pleased a courtroom of judges to tie for first-place overall at the Case Classic Mock Trial Competition held Saturday, Nov. 21. The C-M team won three of the four rounds it argued during the all-day competition at the Justice Center.

Case Western Reserve University School of Law’s Ault Mock Trial Team hosted the annual “cross-town competition.” Christopher Pantoja, a 2LE, took home the prize of Best Advocate from C-M. Pantoja played the role of a prosecutor who brought an insurance fraud case against Dennis Sloan, a rich oil tycoon accused of staging a jewelry burglary at his ranch. During its four rounds, the C-M team defeated competition from Case and the University of Cincinnati law schools. A total of 16 teams from C-M, Case, Cincinnati, the University of Akron School of Law, and the University of Toledo College of Law participated.

While other schools fielded up to six teams, C-M divides its nine-member group into two sub-teams. These sub-teams consist of four members each, with one shared alternate. Along with Pantoja, C-M team members include 2LE Ashley Jones, Allison Lawson, Christine Lederer, Udochi Onwuahiko, and Susanna Ratsavong; and 3LS Anthony Rich, Justin Rudin, and Judy Santora. Reminger Co., LPA sponsors the C-M team. Reminger associates and C-M alumni Adam Davis and David Valenti coach the group.

In February, the C-M team will compete at the regional competition of the Student Trial Advocacy Competition. The American Association for Justice sponsors the event. Should the C-M team win, it will advance to the national competition in New Orleans in March.

WHAT DO LAW PROFESSORS DO OUTSIDE OF THE CLASSROOM?

By Kevin Koruch

While law students tend to think of their faculty members as part-time teachers, the reality is that law professors are involved in a variety of activities outside of the classroom. A recent study conducted by the American Association of Law Schools (AALS) found that law professors spend a significant amount of time on research, teaching, and service activities.

The study surveyed 440 law professors in 2009 and found that the average time spent on research was 21% of their total work time. Teaching accounted for 48% of their time, while service activities, such as serving on committees or participating in community service, accounted for 21%. The remaining 10% was spent on administrative duties.

The study also found that law professors are more likely to engage in research activities as they advance in their careers. For instance, professors at the rank of associate or full professor spent a higher percentage of their time on research than those at the assistant professor rank.

The findings of this study highlight the importance of recognizing law professors as full-time professionals with significant responsibilities outside of the classroom. This can have implications for how law schools support their faculty members and how they allocate resources to various activities.

C-M Moot Court team opens doors to opponents, then dominates competition

By Kevin Koruch

Everything is easier at home. The rooms are familiar, the Cleveland State University Catering food is familiar, and everyone knows that East 19th Street is effectively an access road to the Central Parking Garage. Taking advantage of the comforts of arguing at home, the Cleveland-Marshall-Moot Court program dominated the Region VI National Moot Court Competition at C-M on Nov. 21 and Nov. 22. Both C-M teams advanced to the semi-final round of the 17-team competition and the team of David Sporar, Chelsea Mikula, and Chris St. Marie finished second overall, qualifying for the National Competition in New York City early next year.

The Case Western Reserve University Moot Court program’s place among the best in the region, gives the Cleveland-Marshall-Year of Law 2009, Chris St. Marie answers a question from U.S. District Court Judge Dan Aaron during the final round of the Moot Court Regional Competition, as other judges and St. Marie’s teammates Chelsea Mikula (center foreground), David Sporar (far left), and Leon Sporar (far right) look on. The team advanced to the national competition in New York. Photo courtesy of Dave Thomas.

Moot Court Night exhibits team’s prowess

By Jason Cebul

Students, faculty, and visiting undergraduates considering law school were given a treat Nov. 12 at the Moot Court Board of Governors’ 41st annual Moot Court Night. The event, which is designed to bring the Cleveland-Marshall-Moot Court program matches with trial oratory skills against each other in preparation for the regional competition. The teams argued U.S. v. Joanie Bais, a case that could have come straight from the headlines or a weekday soap opera.

The case, set in fictional Old York, concerned the attempted murder of its then-Gov. Marion Owens, who was forced to resign after being paralyzed by Bais, his 17-year-old ex-lover. Bais tried for first-place overall at the Case Classic Mock Trial Competition held Saturday, Nov. 21. The C-M team won three of the four rounds it argued during the all-day competition at the Justice Center.

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C-M undertaking new career planning initiatives

I appreciate that it is difficult for you to find a good law job in this challenging market. Many of our law firms have laid off associates. Some firms have curtailed or canceled their summer internship programs. And all law schools are carefully evaluating whether they have enough students to justify their business.

As a result of these market conditions, many of you may be wondering where and how to find a good job. I also suspect that some of you may even be wondering whether it was a good investment of time and money to obtain a law degree.

I am well aware of these concerns and I am fully committed to working with the SBA, the law school administration to discuss ways to improve your employment prospects.

The Student Bar Association has created a new committee that now meets regularly with the OCP and our Office of Career Planning. The purpose of the committee is to provide a formal mechanism for discussing the students’ interests and concerns about the law school’s placement programs. This committee also provides a vehicle for the law school administration to discuss our efforts to enhance our placement programs. Although this committee was only formed very recently, I am pleased with the progress we have made in working in collaboration with our students.

I have also been assisting Jennifer Blaga, the new OCP director, in an important initiative. Specifically, Ms. Blaga and I have met with the general counsel of six of the largest companies in Northeast Ohio. The purpose of these meetings is to ask each of the GCs to begin an externship program for select students in their law offices. All of these lawyers were very receptive to our request. As a result of this initiative, that by next fall, we will have externships in all six of these companies—and perhaps a few more. These externships will enable our students to gain practical legal experience while they expand their network of professional relationships.

As a result, these students will be in a much better position to compete for good law jobs in the future.

The SBA’s externship committee is just one part of a broader effort to improve our placement program. I have asked Ms. Blaga to prepare a strategic plan for our OCP. The initial draft of that strategic plan is now completed. The plan contains several strategic goals.

In conclusion, we intend to expand our on-campus interview program, increase the information we provide to our students about specific practice areas where good jobs may be available, and increase the number and variety of good externship and internship opportunities.

Second, we aspire to increase the geographic diversity of the employment opportunities for our OCP’s students and our (SBA). In order to achieve this goal, we intend to develop collaborative relationships with law firms in other major legal markets, create a career development network in several large metropolitan areas, encourage law firms in Cleveland to hire our students to work in their offices in other cities, and support students who want to attend job fairs in other cities.

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Dean MEARNS

Tis the season—or not?

H o p e f u l l y everyone had a good and relaxing Thanksgiving.

We are lawyers, however, which basically means getting a couple days off does not necessarily mean we get absolutely nothing—without feeling guilty about it, of course.

During this holiday season, SBA has been focusing its efforts on giving back to those fortunate in the surrounding community. In anticipation of the holiday, the SBA organized a food drive prior to Thanksgiving. The SBA also received donations from students, faculty and staff. The SBA was able to collect a substantial amount of food which it plans on donating to the Cleveland Foodbank.

Toward the end the week, members of the SBA and the Christian Legal Society volunteered their time and helped out around the street at a local church. I would like to thank all of those who participated in the food drive. In addition, I appreciate those SBA senators and members of the C|M|LAA that took time away from their schedule to help with the soup kitchen.

In the days of the semester to be jolly, the dreaded, yet inevitable, period has come—finals time. During the next two weeks, sleep will become optional, showers less frequent and human contact with the outside world at a minimum. On Dec. 22 we transform into internal beings, giving up exactly three days, well actually two, to get ready for Christmas when in all actuality all we really want to do is crawl in bed and sleep until next year. The good news!? On Tuesday, Dec. 22 the SBA will be hosting its End of the Semester Holiday Party. The event begins at 8 p.m. at Waterstreet Grill on W. 9th Ave. So, men wear festive holiday sweaters and ladies gather in the new SBA office in an area in which the SBA could better communicate with the student body…and move the merchandise.

SBA and C-M hope to open “store” despite old store’s legal challenge

By John Stydahar

In her column in November’s edition of the Gavel, Student Bar Association President Lindsay Wasko, gave an update on the new SBA “store.” Plans met a stumbling block, however, when SBA received pushback from Cleveland State University’s bookstore.

In her column, Wasko stated that “The SBA ‘store’ is moving along with the hopes it will be opened in the beginning part of November. The target opening date of early November has come and gone. The reason for the delay is a legal issue between Cleveland-Marshall and the CSU bookstore.

After reading Wasko’s column in the Gavel, a CSU alumna sent Wasko an e-mail that there was a potential problem with the contract between C-M and the bookstore, stating that bookstore has exclusive rights to sell merchandise.

SBA planned to introduce merchandise bearing the new C|M|LAA logo. The ‘store’ is to be located on the old food preparation space previously hidden behind lockers on the north side of the cafeteria. The area that was being converted quickly in Septembers, was not available, and we are confident that this diverse group of lawyers will enthusiastically assist us in implementing the final plan.

I share this information with you because I want to be sure that you know that we are aware of the challenges you are facing in these difficult times.

Finally, I hope that this information will provide some encouragement to you. Notwithstanding the present difficulties, I still firmly believe that being a lawyer is a worthy calling.

I hope that you will recognize that these challenges will create great opportunities for the men and women who pursue their dreams with courage and passion.
How to approach and organize law school exam writing

Legal Writing
Professor Karin Mika
THE LEGAL WRITING COLUMN

In giving advice on writing final exam answers, I have to start with the advice to write a two-part format: general advice on strategy, and specific advice on class. This is not the place to discuss the topic in detail, but rather how much time you have to do the task and what is the expected outcome. Thus, some general advice on both aspects is in order.

If there are three questions to do in three hours and the three questions are of equal length, then a relatively equal amount of time should be spent on each.

If there are two questions to do in three hours and one question is double the length of the second one, then the time should be spent proportionately.

The sub-divisions of time should also be appropriately calculated. With enough time to reread, think, organize, and finally write.

Almost all law school exams require as much time for thinking and organizing as for writing. Writing immediately after reading will generally result in poor organization or simply missing some of the elements.

Secondly, the best approach to writing a final exam answer is to tailor it to what your professor has asked you to do. Sometimes that is as overt as if a professor has given you a format example or a command (e.g., “Do not discuss damages?”), but sometimes it is more subtle, as in setting out the organization for the answer in the question posed. For instance, if the professor asks, “Discuss the issues presented by the fact situation,” then the answer should be divided by issues.

The best approach to deciding what each issue is in the question and how the rule applies to each issue is to first read the rule in context. If a rule is designed to cover black and white cases (e.g., A v. B for breach of contract, where A sues B for breach of contract, what result and why?) then the organization should start with a conclusion, then consider each of the parties, always be hinting at how to properly organize in whatever way the question is being asked. Remember also that the best advice in this advice section can give for writing law school finals is twofold: first, that in the law, the rule precedes the factual application, and also that “white space is your friend.”

Divide paragraphs logically between rule and analysis. Avoid streams-of-consciousness or situations where a rule is stated without application and the remainder of the rule is defined and may or may not be applied. Remember also that the exam questions will not be composed to test whether you can memorize elements, but whether you can apply the elaborations of the elements. Thus, you will not be asked the elements of contract, but might be asked to define the characteristics of an offer, and whether an offer did occur in a given situation.

Too often students equate issue-spotting with correct and incorrect, as if doing “Hidden Pictures” in Highlights Magazine (“I found the other breach per se issue in the Torts exam), but the best exam answers will also “spot” that duty might be defined by alternate theories as

SEE WRITING TIPS PAGE 9

SBA “STORE” CONTINUED FROM PAGE 2

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In response to the response from Dean Mears, “We have not met yet with the representatives from the bookstore. The meeting was just with university legal counsel and a university administrator.”

In that meeting, Wasko, SBA Treasurer Kevin Marchaza, and Dean Mears discussed details of the SBA proposal, so that university counsel can assist C-M in conversations with the representatives from the bookstore.

Dean Mears commented on the meeting, “I think there was some misunderstanding about the SBA proposal, so I was pleased that we had an opportunity to correct some misperceptions,” he said.

Based on that discussion, I am optimistic that we can structure a mutually satisfactory arrangement. We will try to reach an agreement between the SBA and the bookstore that will permit the SBA to continue selling CMLAW apparel in the same manner that all other students are permitted to sell in the bookstore. We will continue to permit the SBA to continue selling CMLAW apparel in the same manner that all other students are permitted to sell in the bookstore.

In addition, I am hopeful about the possibility of the SBA to continue selling CMLAW apparel. I am hopeful about the possibility of the SBA to continue selling CMLAW apparel.

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Tittle, and Andrew Yarger, C-M advocates represented two of the final four teams. St. Marie suggested that all C-M Moot Court contributors share in the teams’ victories. “I think the whole C-M Moot Court program really fosters success. There are high expectations for our entire program, but we’re definitely given the right tools to meet those expectations. From the peer coaching to the support of local firms, it feels like there are a lot of people who contributed to our success and the continued success of the program.”

Mikula similarly ascribed her team’s accomplishments to the group. “There really is no one person on our team to attribute individual success to. I believe the reason we are advancing to nationals is because we were truly dedicated to succeeding as a team and worked together on every aspect of the competition, including the brief writing. All three of us spent countless hours making sure the brief was presented in one cohesive voice and argument, and I think the dedication and ability to work together led to our success.”

Echoing the deferential character of his colleagues, Thomas mentioned some of the people who handled logistical details—including ordering the familiar CSU Catering food spreads—to put together the regional competition. “It was absolutely great to receive the support we did from our school’s staff during preparation. Special thanks to Ivana Batkovic, Louise Mooney, Mary McKenna, and Sandy Natran,” Thomas remarked.

In addition to nationals in New York, the Moot Court program has several upcoming competitions. One team will argue in February in the Stetson International Environmental Moot Court Competition, North America-Atlantic Round, in Maryland. The competition, which the C-M team of Danja Therecka, Carrie Lewine, and April Stephenson swept last year, focuses this year on marine mammals and oceans.

Two teams will argue in late February or early March on federal preemption constitutional law, in the regional rounds of the American Bar Association Appellate Advocacy Competition. Finally, one team will compete in March in the Wagner Labor and Employment Law Moot Court Competition, held in New York.

What all works for me is taking the first 30 minutes to read the entire case. If you can read it and get an understanding of where the court is going, you’ll save time the rest of the week. If you know the case, you can cut things out you aren’t interested in and cut things out you need to focus on. The longer you spend the more you can learn.”

The final piece of advice: “Don’t be afraid to ask questions. If you don’t understand something, say it. The professor will appreciate you being proactive.”

“Who else can you ask questions of? The other students, the other professors, you can always ask. If you don’t understand something the first time, never be afraid to ask again.”

Reading week started Dec. 4, and already, the libraries are packed but eerily silent. If you are wondering if you have forgotten something, fear no more. Here are some last-minute quotes to get you through the last week of the semester.

Good luck with finals!
The eight finalists the committee can’t push these interviews after the week,” Prof. O’Neill says, “but we regret that the interviews candidate. The last finalist is visiting Dec. 7. e-mail to encourage students to meet the M for an interview, the school sends an members’ consideration. Further, candidate completes for committee developed an evaluation form that each responses are also considered. Student committee members Jeffrey Kaman and Andrew Czarzasty Student committee members to listen to the candidate talk about his or her current research and to interject their talk with questions. It is an opportunity to both scrutinize and charm the candidate, as we want to carefully observe the candidate’s speaking abilities and current academic work, but want to sell them on Cleveland and our school.” After candidates present job talks, the faculty rates them on whether they are acceptable for further consideration, and then ranks speakers, to give Dean Mearns some sense of priority of candidates. Student responses are also considered. Student committee members Jeffrey Kaman and Andrew Czarzasty developed an evaluation form for each candidate completes for committee members’ consideration. Further, students are encouraged to meet the new faculty candidates, and interview them if they wish. Each time a finalist visits C-M for an interview, the school sends an e-mail to encourage students to meet the candidate. The last finalist is visiting Dec. 7. “We regret that the interviews are occurring during reading week,” Prof. O’Neill says, “but we can’t push these interviews after the exam period because they would be gone. These people are in demand.” The eight finalists the committee invited are extremely strong candidates, and reviewing their credentials was a humbling experience, according to Prof. O’Neill. “These candidates have been angling their careers toward an academic appointment. Some of them did teaching fellowships at prestigious law schools where they researched and taught, while others have worked at large firms or clerked for federal judges. We saw a surprising number of Ph.D.s,” he says. “The six finalists who have visited or are visiting C-M include Reid Weinbord, John T. Picenik, John G. New, Rachel Rebouché, Gwendolyn Majette, and Jennifer Bird-Pollan. Final recommendations to the Dean will be made at a faculty vote Dec. 10, after which the school will publicize the decisions. After months of searching for, interviewing, and analyzing hundreds of candidates, Professor O’Neill is looking forward to the end result. “The process is a way of ensuring there’s no diamond in the rough we haven’t spotted,” he says. “We owe it to the students and the school to get the best possible people.” Although these locales can be somewhat distracting, they are also wonderful places to get work done, mostly because there is little to speak of in the way of entertainment,” she said. Inniss also said that the Virgin Islands is a great place to experience “law on the ground.” “This is because the population of these islands is quite small and conflicts are often played out not just between the parties involved but among entire families,” she said. The process for Inniss can be really fast-the basic things for a paper can be done in two to three weeks. “When I get an idea I get a whole idea and hammer it out,” Inniss said. It’s the editing process that takes the longest. Another professor who has kept busy in and out of the classroom is Alan Weinstein. While teaching Land Use Control this fall, he has also been very busy with various other related projects. Weinstein is currently completing the 2010 edition of his treatise “Federal Land Use Law and Litigation,” featuring a new chapter on environmental land use. The treatise is co-authored with Brian Blaesser, an attorney with Robinson and Cole, headquartered in Hartford, Conn. He is also completing a study for the Brookings Institution that identifies and analyzes the barriers to intergovernmental cooperation among local governments in Ohio, and proposes ways in which those barriers can be eliminated or reduced. Taking a break from the reading and writing, Weinstein is also serving as an expert witness for the U.S. Department of Justice in a case in Ohio. The suit was brought by the Department of Justice against the city of Satsuma, Alabama, alleging that the city both discriminated against a group home for the mentally disabled and failed to make reasonable accommodations to its zoning policies for the group. To round out his list of ever-changing projects, Weinstein recently spoke at the 21st annual Northeast Ohio Planning and Zoning workshop in Westlake about regulation of adult entertainment businesses and regulation of digital signs and billboards. To see a list of what professors are working on and what they have recently published, visit the library website and click the “Faculty Services” link. Professors & faculty, The Gavel wants to learn more about you and your work. Please send us your interesting tidbits and ideas to gavel@cswohnio.edu.
**THE GIFT OF EXAM ADVICE**

**Professor Chris Sagers Says...**

1. Avoid Sagers’ classes like the plague.
2. Despite what you may have heard, our profession rather frowns on cheating (except of course on behalf of really wealthy clients).
3. Don’t drink until after finals.
4. My impression is that the best thing in the world you can do is study in groups as a major component of your preparation.
5. But also, write your own outline (I think the process of writing is more important than having the final product).
6. Feel free to use commercial study guides and outlines and that sort of thing, but try to consult more than one of them for any given class.
7. Especially in code-based classes, write, write, write. When I took Evidence, I studied by just writing out a summary of the entire FRE, rule-by-rule. By test time I knew every single rule cold, and that was probably the best grade I ever got.
8. Most law professors grade their exams by assigning a certain small number of points for each specific “issue” that a student correctly identifies, a small number of points for correctly stating the rule of law that applies to it, a small number of points for identifying facts that are relevant to resolution, and a small number of points for analyzing the issue well.

**9. NOTICE SOMETHING VERY IMPORTANT:** There is very little consideration given to identifying the “right” answer. The lesson is that you should not look at an essay question as your opportunity to give the “right” answer. Think of it like this: Answering an essay exam question is like a game of pinball. What you really want to do is keep that ball up there as long as you can, because every time you ring one of the bells (that is, spot an issue), you get a few points. Having said all that, remember that most profs will ask you, at the end of the essay question, a fairly specific little question (e.g. “On these facts, did Dan Defendant act negligently?”). You shouldn’t write anything that isn’t responsive to the specific question asked, because most of us won’t give you any points for that.

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**STUDENT VOICES**

**Hey, What Are You Doing Over The Holiday Break?**

*Photos & quotes from Tara Chandler, Co-Editor-in-Chief*

**“Storing up the last enjoyment I can before studying for the bar exam, and spending time with friends and family. Hopefully I can take a weekend road trip to Niagara On the Lake!”**

- Emily Hansa, 4LE

**“I’m staying with my Auntie and Uncle in Bel Air.”**

- Joe Shininger, 3L

**“Oh dear... My break plans are legitimate or not?”**

- Samantha Pauline, 4LE

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**The Libertarian Contrarian**

**Puppet strings of empire: Return to isolationist foreign policy?**

**Can you answer this seemingly simple question? Why were we attacked on 9/11?**

In his book, Dying to Win: The Strategic Logic of Suicide Terrorism, Prof. Robert Pape concluded every suicide terror attack since 1980. Pape concluded that the commonality to all suicide terrorist campaigns is “a clear secular and political goal: to compel a modern democracy to withdraw military forces from the territories that the terrorists view as their homeland.” The motive behind 9/11 was no exception. What much of the Islamic world finds objectionable is our military interventionism in the Middle East. It is therefore reasonable to question our rationale for that intervention. What compelling American interests make it worth the blood and treasure? The answer cannot be found in American interests, but rather in special interests. The three main beneficiaries of our Middle East foreign policy are Big Oil, the Military-Industrial Complex, and Israel. The Persian Gulf’s ties to the oil industry—and the dollars associated with it—are no secret. So too is the massive spending to support our military presence in the region. Perhaps less well known is America’s unique relationship with Israel. The 9/11 Commission Report concluded that the principal architect of 9/11, Khalid Sheikh Mohammed, developed animosity towards the U.S. “not from his experiences there as a student, but rather from his violent disagreement with U.S. foreign policy favoring Israel.” What is behind this foreign policy favoring Israel? The American Israel Public Affairs Committee (“AIPAC”) is universally regarded as the most powerful foreign-policy lobby in Washington. By definition, powerful lobbying influences government action. In this instance, AIPAC influences the US government’s use of military and financial resources in the Middle East. Despite its relative affluence, and a size approximate to Vermont, Israel receives more US aid than any other country other than Iraq and Afghanistan. The vast majority of this aid comes in military form. This has made America’s foreign policy in the region a partial proxy for Israel, producing tremendous resentment in the Islamic world. The issue is not whether Israel’s interests are legitimate or justified. The issue is whether the interests of a foreign nation—irrespective of who—should be a driver of American foreign policy. If we function as a proxy for a foreign power, expect to be targeted by the enemies of that foreign power. Should Americans kill and be killed to protect Israeli interests? Despite powerful special interests puppeteering US foreign policy, neither side of the political spectrum scrutinizes the underpinnings of our involvement in the region. Rather, a faux debate stateside centers on troop levels. Involvement in Iraq drags on, drone attacks into Pakistan have increased, preemptive war against Iran remains on the table, and there will now be a “surge” in Afghanistan. With the exception of a welcome change in rhetoric, Obama has not deviated from the foreign policy of his predecessor. Yet the liberal antia war movement, so vocal during the previous eight years, has all but melted into the walls. The right is equally deserving of criticism. Despite being doggedly opposed to big government, modern conservatives have been the strongest proponents of interventionism. Although they would not trust government to regulate a chicken coop, God-like faith was placed in the Bush administration to reshape the political, social, and religious power structures of the Islamic world. A dramatic but conceptually simple shift in American foreign policy is required—an adherence to left and right’s supposed respective values of peace and limited government. America must return to a pro-Wilsonian foreign policy of non-intervention, or armed neutrality. Bring U.S. troops home from the 150 countries in which they’re presently stationed; end all foreign aid—not just to Israel—but to all; end all sanctions; end all economic sanctions and embargos; engage in free trade and travel; be a friend to all, enemy to none. Although many may disagree with the argument outlined above, it must be conceded that our current foreign policy is financially unsustainable—particularly in the context of $2 trillion deficits. We can willingly return to non-intervention, or forcibly be returned as the Soviets were—by collapse under weight of empire.
**Conservative Argument**

*By Mike Borowski*

One of the things that has always bothered me about some of the arguments I hear in the Democratic Party is that they seem to suffer from short term memory loss. When President George W. Bush and his administration announced that it would try Khalid Sheikh Mohammed in a Federal Court, it was hailed as an historic decision. Now, the Obama administration has decided to try him in a military court and begged for the defendants to plead guilty to their crimes. The Obama administration has decided that it is in the best interest of the American people to try this military case and begged for the defendants to plead guilty to their crimes. The Obama administration has decided that it is in the best interest of the American people to try this military case and begged for the defendants to plead guilty to their crimes. The Obama administration has decided that it is in the best interest of the American people to try this military case and begged for the defendants to plead guilty to their crimes. The Obama administration has decided that it is in the best interest of the American people to try this military case and begged for the defendants to plead guilty to their crimes.
For many, watching football on weekends offers a welcome reprieve from the rigors of law school. Even when our teams aren’t doing very well, we still flock to stadiums, televisions, and online gamecasts, hoping that this might be the game in which a win changes the course of our team’s season. At the least, football provides an outlet for socialization and an opportunity to escape the stress of homework, jobs, and classes. Yet when one considers the nature of law school and football, the two of them aren’t really so different—perhaps that’s why we’re drawn to football! One similarity is how fluke occurrences can determine success or failure. Coaches work on gameplans for hours and so we outline and review until we know the material cold and solid, but a chance incident can overcome all preparation and require law students and football players to improvise to succeed. In football, weather changes or injuries force coaches to alter gameplans to deal with changed conditions for the school, and a professor may decide to focus an exam on an area not significantly covered in class, or to impose a word limit without warning. This may lead students to disregard exam-taking strategies and instead flip through their books to learn that area of the course before the timer shows 0:00 on the Exam4 software.

Another likeness is the need to maintain focus during extended periods of studying, whether the season be football or the semester. Successful football coaches know that the opportunity to host championship trophies at the end of the season is the product of daily hard work and effort when no one is watching. As law students know, law school is similar. Those who have had earned academic awards, obtained prestigious jobs, passed the bar, and achieved extracurricular victories can attest that success comes from long, lonely hours of studying and preparation in libraries on evenings and weekends. Although this effort at times seems fruitless, it often results in great triumph, like when people see the word “Passed” next to their names on the bar passage list. A final analogy is that past performance determines nothing. Fans of Michigan and Notre Dame football, in attest that their teams’ past victories have no bearing on their current players’ abilities to prefigure that success. Likewise, fans of the New Orleans Saints understand that futility and failure has not prevented the team from achieving an 12-0 record this season. Similarly, in law school, it doesn’t matter if one earned every CALI award or barely achieved the minimum 2.0 G.P.A.—what matters is whether the person did the necessary work to prepare for this semester’s exams. Past missteps do not write the story for the rest of our careers, and past triumphs do not guarantee a different outcome.

Though law school and football have many commonalities, there is one area in which they are distinctly different: football players work over Christmas break, but law students are done in mid-December. I have often wondered how law students manage to make up for lost time with family and friends during the holidays... and maybe watch some football.

Obtain a Legal Intern Certificate and represent clients as a Housing Clinic legal intern

For Most law students, going through law school is a means to an end, the end being the ability to have your own clients, do your own work, and go to court after graduation and the Bar. As a Legal Intern with the Housing Clinic, you can reach that end much sooner. Getting a Legal Intern Certificate is simple: finish 60 credit hours, and fill out the appropriate forms, and have a place to use it, voila! You can then represent your clients under supervision. The Fair Housing Clinic is a good place to start, because here, you represent people, who, in the most profound sense of the word, will need your help. And more importantly, though your work is supervised, it is your work, and you are mostly on your own. Here you are the Lawyer.

Cases are given to the Fair Housing Clinic from Legal Aid, and then assigned to you. Most of these cases are standard eviction cases, often for non-payment of rent. You represent the defendant. What makes the case interesting is, that’s because it is from Legal Aid, your clients are often indigent, or low income, and face the possibility of becoming homeless. Their opponents are not large rental businesses, who know the Fair Housing Act, but rather small time business owners who do not. As a result, you can have several legitimate counterclaims worth money, requiring you to fight the other side. Regarding representation, taking the case alone solves many problems. Some wrongful eviction cases are filed on the assumption that your client will not respond and lose by default. Taking the case stays the action, and will immediately keep a roof over your client’s heads.

After taking the cases, things move fast. You usually will be writing and filing the answer and counterclaim almost immediately, and then working through discovery requests. Through all that time, you must keep your clients informed, about what you are doing, and what you want to do in regards to your case, while following their directions. This is not easy work. The hours you put in will be long and necessary, mainly because the person in charge is you, and if you screw up, your client will suffer. Suffering in this case can mean a homeless shelter. You will also work with opposing counsel, which can be easy or hard, depending on your opponent. For the most part however, it is a straightforward business relationship. You submit your documents, and they will submit theirs. You argue, and they will. But they are opposing counsel and you are their adversary. Writing legal documents and motions changes when your opponents are real.

You will have to appear in court on your clients behalf. This can form the take of basic hearings, to trials over certain issues in the case, an example being your clients non-payment of rent. Most appearances are done in front of a Magistrate. While the procedures are not as fast-paced, you ask the questions, you bring the evidence. Your goal is to try and protect your clients interests. The thing that can separate winning from losing in the case is not inspired strokes of brilliance, or coming up with the perfect argument that will overcome your opponent. It is simply doing the job. Simply getting everything you need completed in every aspect of your case will allow you to win.

SBA, BLSA, and CLS combine to serve the community during the holiday season

By Tara Chandler

Though often overlooked by the impending doom of finals, the holidays bring with them a sense of help for those who need it more than ourselves. Every season Cleveland-Marshall organizations join in this initiative, and this year was no different.

The week prior to Thanksgiving the week of giving kicked off with the SBA food drive, encouraging donations from students, faculty and staff. Donation boxes were placed in Student Services and the Student Organization office. While there were no large donations, the multiple smaller contributions added up and combined into a substantial donation as the end result of the drive.

Other organizations that participated during the week included the Black Law Students Association and the Christian Legal Society. BLSA partnered with a homeless shelter for the entire year, which is located at 6100 Lakeside. One of BLSA’s initiatives earlier in the year was to serve in the kitchen, alongside volunteers from Manna Food From Heaven Ministry, which serves food on the second and fourth Saturdays of each month. While volunteering at these events, BLSA noticed that there might be a need for clothing in the coming months. Many of the homeless lack the proper attire for the harsh Cleveland winters. So, the idea for a coat and mitten drive was born.

The clothing Drive was very successful. BLSA collected over 25 gently-used coats and were happy to accept donations of new mittens and socks. Additionally, both BLSA and those in receipt of the donations were very thankful for the donations of business casual attire for the homeless. Because of the generous donations from C-M, the coat and mitten drive turned into a fully-fledged clothing drive. Some of the more unique attire collected included anything from leather Italian coats to leather boots with tags.

The week-long initiative concluded with a soup kitchen event. SBA President Lindsay Wasko presented CLS with the opportunity as far back as August, to volunteer alongside SBA for a soup kitchen this November. The event was held at Bishop William M. Cosgrove Center on East 18th Street and Superior Avenue. Six volunteers participated in serving breakfast at the event, including Aja Brooks, President of BLSA. Breakfast volunteers included 6,500 food items and brought in 135 a.m. CLS Vice President Cristian Bryant volunteered for the lunch slot beginning at 11:45 a.m. Everyone involved seemed to be very pleased with not only the results of the event, but also the sense of community they received as a result.

As Brooks stated: "The event was a great success. I had the opportunity to meet other students from Cleveland-Marshall, other organizations, and the community. Seeing so many people in need was a reality for me that was long overdue.”

It is safe to say that the holiday spirit is alive and well at C-M, generating benefits not only for those in need in the community, but also for the students. It certainly puts a new perspective on our own stressors this time of year.

Leaders from SBA, BLSA and CLS expressed thanks to everyone who contributed to the success of this initiative. More volunteer and humanitarian events are in the works for this upcoming Easter.
By Kevin Kovach

Experts criticize Federal Reserve monetary policy

In recent months, gold commercials have inundated cable television and talk radio. According to Walker Todd, Research Fellow at the American Institute for Economic Research, the price of gold has risen from $850 per ounce last fall to over $1,200 today. The precious metal’s exploding price led the Cleveland-Marshall Libertarians and the C-M Federalist Society to co-sponsor a Dec. 2 lunchtime discussion titled, “U.S. Monetary Policy: Going Exponential.”

Todd is a former C-M professor who served as an officer of the Federal Reserve Banks of Cleveland and New York. He joined Case Western Reserve University Professor Emeritus William Pierce in analyzing the Federal Reserve’s monetary policies and federal deficit spending. Pierce served previously as Chair of the Case Economics Department and is a former Libertarian Party gubernatorial candidate.

Stressing his view that the problems stem from Washington, D.C. and the banking-heavy northeast, Todd said “the existing Federal Reserve leadership needs to be booted out.” He quipped, “I’d like to see the Board of Governors hanged first…”

Pierce put federal deficit spending for the 2009 fiscal year at 9.9-percent, a figure topped only by spending during and immediately after World War II. He argued that while the economy can handle deficits of three-percent of gross domestic product “forever,” anything substantially higher “becomes real money.”

The economist predicted three economic futures. First, he expressed his “optimistic” view—that Congress controls spending and the economy grows. Second, Pierce mentioned “stagnation,” similar to the high-tax and stagnant economy in Japan during the 1990s. Finally, he feared the federal government could run “huge deficits to the point where no one wants U.S. Treasury bonds,” devaluing the dollar.

Todd pushed policy changes. He credited Rep. Ron Paul’s (R-Tex.) move to audit the Federal Reserve, but quoted the film “Field of Dreams,” saying, “go the distance…audit Fort Knox too.” Fort Knox is the site of the U.S. gold reserve and according to Todd, was last sample audited in 1978 and fully audited in 1955. Todd argued a full audit would tell investors the value of Treasury bonds.

He also urged a return to the 1933 Glass-Steagall Act, which separated investment and commercial banks. The 1999 Gramm-Leach-Bliley Act repealed Glass-Steagall and helped spur the mortgage crisis. However, Todd warned that current legislation heading this direction has problems. He commented that the “Congressional watchdogs” on banks, Rep. Barney Frank, Sen. Chris Dodd, and Sen. Chuck Schumer, represent Massachusetts, Connecticut, and New York, respectively. Alluding to those states’ dependence upon financial institutions, Todd sardonically asked, “was it any wonder that the largest banks were actually able to rent and pillage the Fed and the Treasury for whatever they wanted last year?”

Matt Bracey, C-M Libertarians President and Gavel columnist, organized the event and a similar program last year. He shared his thoughts on how things went.

“I was very pleased. We got a good turnout, but I always wish more people from the law school community would be interested in these events. I suspect as time goes on, and the problems the speakers talk about become more and more visible, more people will be waking up to these issues.”

WRITING TIPS

continuing from page 4

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Men were welcome guests at the Women’s Law Student Association meeting in November. Attendees learned sage advice from Diane E. Citrino and Marquettes D. Robinson during their presentation, “Cover Letters and Writing Samples: The Law Firm’s Perspective.”

Jill Presid President Nicole Lester discussed the organization’s business during the meeting portion of the gathering. Cleveland-Marshall’s Director of Career Planning, Jennifer Blaga, offered some brief tips on cover letters. She reminded attendees that she and her colleague, Bernadette Salada, offer students feedback when looking for internships, externships, and permanent employment.

After Blaga concluded, Citrino and Robinson, attorneys with Cooper & Walinski, in Cleveland, took turns and Robinson, attorneys with Cooper & Walinski, in Cleveland, taking turns discussing a variety of topics. They ranged from useful suggestions when seeking legal job offers to tips about looking over submitted application materials. They also distributed a packet containing examples of “good” and “bad” cover letters.

Robinson opened her segment of the presentation with an overview of common mistakes found in cover letters. She stressed that people speak differently than they write and that it would behoove applicants to remember this when penning cover letters. She urged applicants to avoid contractions and address cover letters to the proper people. Robinson also stressed that before applicants mention a specific area of law in a cover letter, they must first ensure that the firm does indeed work in that area.

Citrino suggested that applicants should stress why they would like to stay in an area where there might not be much incentive to stay, such as Toledo, where Cooper & Walinski have another office. She said that law firms are sometimes weary of applicants who are from a location that is much different from where they are applying.

In addition, Robinson offered a bevvy of minor tips that students might not initially consider. She suggested that a student should “do research on the firm” to which he or she is applying, use “nice paper” that is not smudged when printed, and refrain from submitting a cover letter if it is not requested. Robinson also emphasized that a writing sample should not be submitted until requested. Moreover, Robinson said that one should always have “another set of eyes” look at a sample, no matter how good you think it is.

Further, Robinson cautioned that if a piece has about 20-percent revision with outside help, the piece is “not exactly yours” anymore, quickly adding that this should be noted upon submission. She said that suggestions to samples need to be incorporated without plagiarizing, because students must be able to do the level of work that present in a writing sample. Robinson closed by noting that students should be familiar with the work they submit in case it is discussed during an interview, and that samples are typically between five and eight pages in length.

After the presentation, attendees received packets from the Office of Career Planning, to assist in creating application materials. The packets contained a plethora of advice, focusing on tips for resumes, cover letters, thank you notes, writing samples, and personal references.

The Women’s Law Student Association’s next meeting is slated for the spring semester. Vice President Sunny Nixon said that the group will conduct another workshop, “How to Market Yourself,” in January. WLSA will also co-sponsor the annual “Women in Law” panel with the Case Western Reserve University School of Law’s Women’s Law Students’ Association and the Women in Law section of the Cleveland Metropolitan Bar Association on Feb. 25. Nixon also mentioned the clubs’ annual scholarship awards, noting that members must be paid and active for consideration. Details on the scholarship essay are forthcoming.

Bar in mind: studying is a job

Make preparation a full-time task

Train students for the bar exam. In my many years of teaching, the question of working while studying has come up often. Now, given the recent economic downturn, this question comes up with even greater frequency. While I always advise students not to work while studying for the bar exam, I realize that some students simply do not have that luxury in today’s economy. Therefore, I have devised a more nuanced answer to that question.

If you are working for the bar exam should always be treated as a full-time job. That means that during the roughly two-month period from the start of your bar review course through the start of the exam you would be putting in a minimum of eight-hours a day, just like a real job. In fact, most students end up putting in more hours than that each day not to mention studying during the weekends.

Therefore, if you are working, you should absolutely take time off to study for the bar exam in order to give yourself the highest probability of success. Your goal is to free up as much time as possible for studying. Talk to your employer as early as you can so that they can reassign your workload to others in your absence. If you cannot take a solid two-month leave of absence, then perhaps you can negotiate a way to trim back your hours and still retain your job.

I have heard of employers who will allow bar applicants to have flexible hours to permit them to attend bar review lectures. I have also heard of situations where employers will let bar applicants study at their desks when the office is quiet so long as their employer is able to assist when needed. Every employer is different but the key is to find a way to free up time for you to study while making sure that your workload is somehow being handled. So be considerate of your employer’s needs and you may find that a workable compromise is possible.

What if your employer will not let you take time off? If you find yourself in a situation where you need to keep your job but your employer will not allow you any time to study during the workday, then you must start the process much earlier. Remember that you need to be able to put in the same number of hours as everyone else. So if you cannot do that in the two months leading up to the bar exam, then you need to begin studying much earlier so that you can put in the same number of hours over a longer time horizon.

See if your bar review course will allow you to order their books and other materials well in advance of the start of your course to give you extra time to review. If you can get your review materials at least four to six months before the bar exam that will give you more time to review the bar subjects, put together your flash cards, and do the necessary practice testing. Choose a bar review course that provides a home study option which allows you to get all of the lectures in audio or video format to review at your own pace.

The bar exam is hard enough without setting yourself up for failure. Therefore, if it is already less than four months before your bar exam and you realize that you cannot set aside the hours necessary to adequately prepare, you may want to postpone taking the bar exam for six months so that you can give yourself time for effective preparation.

I learned all I know about bar exam preparation from my father, Howard Rossen, who taught bar review for over 40 years. I am reminded of something he used to tell his students: “If you unable or unwilling to put in the necessary time and effort to be successful on this bar exam, then tell your friends and family that the bar exam is given in two parts. The first part is in July. The second part is in February.” Hopefully, that advice will not apply to you. Good luck.
Office of Career Planning shares information for the job search

By C-M Office of Career Planning

THE CAREER CORNER

Dear Career Planning: Can you clarify the different types of jobs available to law students? For example, an internship vs. an externship?

In today’s tough job market, you need as much practical experience during law school as possible. One key is to discern clear areas of job search to take advantage of opportunities available to gain experience. Externships, volunteer programs, and internships are normally sponsored by a specific employer. The employer usually provides these positions with professors not only to be a mentor to the student, but also to expand your network among attorneys.

For those who can work while maintaining your course load, keep an eye out for both paid and unpaid law clerk positions. Explore different practice areas so you can fine-tune your interests and strengths as you progress in your job search process. Many employers are willing to provide research and drafting documents in exchange for your time. Many firms or federal clerkships are part-time during the school year, while other positions can sometimes lead to full-time positions after graduation. These positions can provide you with experience and connections made during your educational and professional career. As familiarity and comfort with real world legal environments and clients increases, the positions will move from part-time to full-time during the school year. Some positions can sometimes be available for full-time positions after graduation and may be permanent positions after graduation. This also includes positions as a teaching assistant. Summer Associate positions are available in the private practice of law. Paralegals are also available for law firms and government agencies.

Internships: The term is used interchangeably with a law clerk. Internships are usually part-time positions on a temporary basis and may be paid or unpaid. Credit is not earned for internships, although the experience and connections made in an internship can enhance one’s prospects upon graduation and may lead to a full-time position upon graduation. Externships: Externships are unpaid placements with public interest entities (but not a law firm engaged in private practice of law) while earning course credits. Course credits are usually used interchangeably with a law clerk. Externships are unpaid placements with public interest entities and may lead to a full-time position upon graduation. Externships are normally sponsored by a specific association or organization seeking to expand leadership in their field. Usually lasting from a few months to several years, externships are typically offered to support living allowance along with benefits, relocation expenses, and sometimes loan repayment. Organizations often look for candidates with degrees who are starting out in their field and are interested in a defined, specific area of public policy. Do I get them and how do I send them? Unofficial transcripts can be obtained from Marcie Rechner, our law school records director. These transcripts neither contain social security numbers nor date of birth. You may scan the transcript to a pdf format in the student computer laboratory and then upload it. The documents section of Symplicity contains social security numbers, date of birth information, and identity theft issues. Do I get them and how do I send them? Unofficial transcripts can be obtained from Marcie Rechner, our law school records director. These transcripts neither contain social security numbers nor date of birth. You may scan the transcript to a pdf format in the student computer laboratory and then upload it. The documents section of Symplicity contains social security numbers, date of birth information, and identity theft issues. Do I get them and how do I send them? Unofficial transcripts can be obtained from Marcie Rechner, our law school records director. These transcripts neither contain social security numbers nor date of birth. You may scan the transcript to a pdf format in the student computer laboratory and then upload it. The documents section of Symplicity contains social security numbers, date of birth information, and identity theft issues. Do I get them and how do I send them? Unofficial transcripts can be obtained from Marcie Rechner, our law school records director. These transcripts neither contain social security numbers nor date of birth.

DID YOU KNOW:…that the federal government’s budget began Oct. 1, and that new positions are often posted on usajob.gov after an agency’s budget is known? To find Summer Honors positions or compliance positions go to usajob.gov and browse by agency, location, or occupation.

CAREER PLANNING CLASSIFIEDS

FOR MORE INFORMATION, SEE OFFICE OF CAREER PLANNING

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<td>Law Clerk/Internship/Summer Associate</td>
<td>U.S. Attorney’s Office, Northern District of Ohio</td>
<td>Cleveland, Akron,</td>
<td>5252</td>
<td>1/8/10</td>
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<td>Research Assistant</td>
<td>Michael Hogan, Esq</td>
<td>Lakewood</td>
<td>5230</td>
<td>1/12/10</td>
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<td>Associate Editor</td>
<td>Global Intellectual Property Watch</td>
<td>Cleveland</td>
<td>5176</td>
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<td>Legal Recruiter</td>
<td>Lumen Legal</td>
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<td>University Compliance Coordinator</td>
<td>Case Western Reserve University</td>
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<td>Assistant Director, Academic Success Program</td>
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<td>Las Vegas, NV</td>
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<td>Various</td>
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<td>Fellowship</td>
<td>The Greenlining Institute</td>
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<td>Legal Aid Society of Cleveland</td>
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1) **Classes start AFTER Memorial Day**
It is important for you to get a break between final exams and the start of bar review to avoid burnout. **Our Summer classes begins on Wednesday, June 2nd**, the Wednesday AFTER Memorial Day. You will have plenty of time off between graduation (May 16th) and the start of the bar review course. Our course concludes on Tuesday, July 6th, giving you almost the whole month of July off to review. Compare that with other bar review courses that usually start their classes too early and overlap with graduation and supplemental MBE courses.

2) **Get your materials early**
However, if you want to start studying earlier, we are the only course that gives you the option to get your materials now. We will even work with you early to get a head-start on bar review.

3) **LIVE Lectures**
Our Summer 2010 classes feature LIVE lectures from our Ohio-Based staff (including many of your favorite Cleveland-Marshall professors). Our class sizes are small and you are given the opportunity to ask questions during the lectures.

4) **100% Ohio-based Faculty and Staff**
We are the ONLY bar review course that features a 100% Ohio-based faculty and staff.

5) **No weekend classes**
Our class runs Monday through Friday only. We believe that students need the weekends to get caught up on course work and to do practice testing. Who knows, you might occasionally get to see your family and friends too.

6) **Convenient Location and Parking**
Summer 2010 classes are held in the Cleveland-Marshall Law School Building. We have arranged for you to park in the covered garages on E. 17th Street and E.19th Street. Therefore when our lecture concludes, you can go study in the law library or attend Dean Williams’ bar review sessions in the afternoons without having to move your car or pay for additional parking.

7) **It’s never too late to switch**
Already signed up with another bar review course? No problem. We will credit deposits paid to another course (up to $100). If you locked in a better tuition rate with another course we will match it. We also offer **Tuition Assistance** (call our office for more details).

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