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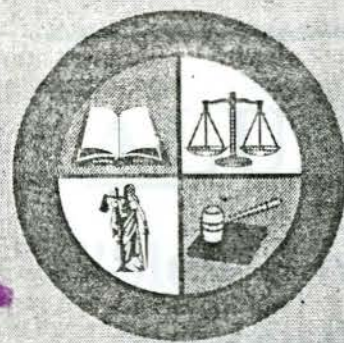
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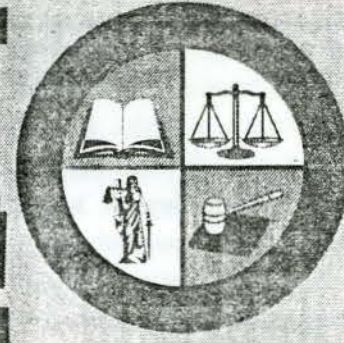
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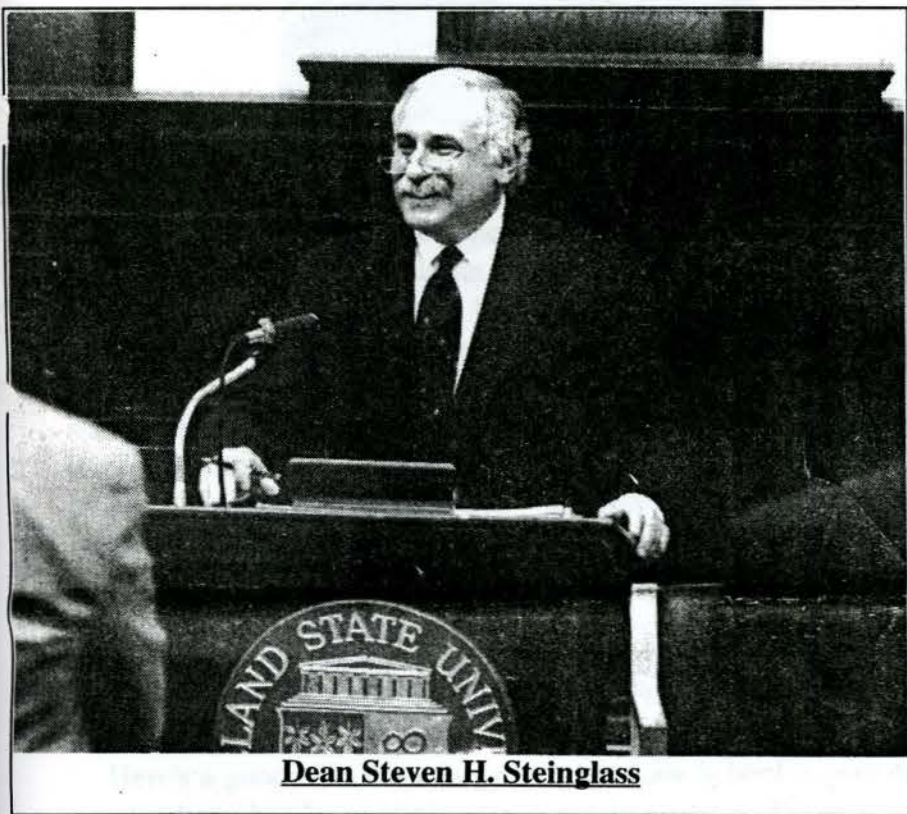


THE GAVEL



Volume 46, Issue 2 Cleveland-Marshall College of Law Nov., 1997

LAW LIBRARY DEDICATION CEREMONY DRAWS CAPACITY CROWD



Dean Steven H. Steinglass

By Steve Blount
Staff Editor

On Friday, September 26, students, alumni, and representatives from Cleveland's legal community filled the moot court room to near capacity to celebrate the dedication of our new law library.

Justice George W. White, a 1955 graduate of Cleveland Marshall, received a warm reception at the beginning of the ceremony when he said that Cleveland Marshall is a "training ground for future Judges." Later in his talk, he said that "information is not the key, but knowledge and discipline."

Dean Steinglass stated that, "the dedication and centennial celebration events are to recognize publicly the many forces that came together to make this new law library happen - Cleveland State's Administration, our alumni, the governors, and our friends in the general assembly."

The ceremony included a virtual reality presentation of the ribbon being cut, courtesy of our computer wizard, Wayne Hogue. During this presentation, a giant screen in the moot court room showed the ribbon as it was being cut. Following the ceremony, tours were given of the library, and for the day, over 4,000 people got to view our new library.

The library cost \$18.5 million dollars to build, is four stories high, has 85,000 net square feet, holds 400,000 volumes, and is the second largest academic law collection in Ohio.

Those in attendance included Chief Judge George W. White, U.S. District Court; U.S. Court of Appeals Senior Judge Nathaniel R. Jones; Ohio Supreme Court Justice Evelyn Stratton; Representative William Batchelder; Cleveland State University President Claire Van Ummerson; Provost Harold L. Allen; Law Dean Steven H. Steinglass; Law Library Director Michael Slinger; Associate Dean Frederick White; John Bartunek, for whom the library is named. Also in attendance were our reference and circulation staff including Marie Rehmar, Ellen Quinn, Schuyler Cook, Mark Gooch, Leslie Pardo, Michelle Morrow, Tom Hurray, and Connie Barry.

ing the rest of their legal futures in a split-second stare; others were taking pictures of their names which appeared on the rosters as if they were Vietnam veterans. The rest were disappointed students; some of which were teary-eyed while others were rushed outside of the building as if they had an important appointment or meeting to attend.

Cleveland-Marshall Bar Scores Drop Significantly

1/3 of C-M Students Fail the Bar Exam

By Jihad Smali
Staff Editor

On the morning of Friday, October 31, 1997, I was in Rhodes Tower in Columbus, a building which houses state offices and the Supreme Court of Ohio, for a scheduled interview. The significance of my presence on that day in Columbus, other than the fact that it happened to be Halloween, did not occur to me until I asked a uniformed building employee why there were so many people huddled on the main floor and so many more waiting to get visitor passes to go up to the third floor, where the Supreme Court and the Office of Admissions to the Bar are located, and he responded: "Today is bar-results day!"

My curiosity left me standing in line to get a visitor pass so that I could use the elevator to get to the third floor. There were some students with cameras and huge smiles on their faces contemplat-

ing the rest of their legal futures in a split-second stare; others were taking pictures of their names which appeared on the rosters as if they were Vietnam veterans. The rest were disappointed students; some of which were teary-eyed while others were rushed outside of the building as if they had an important appointment or meeting to attend.

According to one of the people working behind the counter, she had never seen so many disappointed people on bar score day. One-third (1/3) of Marshall students did not pass the Bar Exam!

The grim reality is as follows:

State	Passage Rate
Cincinnati	95%
Ohio State	86%
Case	79%
Akron	76%
Dayton	75%
Capital	75%
Toledo	67%
Cleveland Marshall	66%
Ohio-Northern	58%

TWENTY-NINTH ANNUAL MOOT COURT NIGHT WEDNESDAY, NOV. 12, 1997

The Cleveland-Marshall College of Law, Moot Court Board of Governors, is pleased to announce the 29th Annual Moot Court Night. Moot Court Night, to which all students are invited, will be held on Wednesday, November 12, 1997, in the Moot Court Room commencing at 7:30 P.M. Oral arguments, focusing on the effect of false statements to the Internal Revenue Service, the entrapment defense, and related constitutional issues, will be presented to a panel of judges by members of our National Moot Court teams. These arguments will be presented again, hopefully six times, during the Region VI National Moot Court Competition which will be hosted by Cleveland-Marshall from November 21 - 23 (Observers will be permitted only on November 23).

Team members Mark Bennett,

Rebecca DeSoffy, Linda Erkkila, Janene Patchen, Matthew Shuler, and Randy Taylor will argue before a panel that includes the Honorable Ann Dyke and Mr. John Liber. Faculty Advisor Kevin O'Neill will, no doubt, have his teams at peak level for their arguments which will be presented again during the Region VI National Moot Court Competition commencing on November 21, 1997. Judge Dyke, a graduate of Cleveland-Marshall College of Law, is a member of the Court of Appeals, Cuyahoga County. Mr. Liber, a senior litigation partner of Spangenberg, Shibley and Liber, is the President of the Cleveland Bar Association. All those in attendance will be treated to outstanding oral Advocacy and are invited to join the participants and judges at a wine and cheese reception following the oral arguments.

ALUMNI ADVICE

"Slow down, ...take a moment to breathe, ...and enjoy law school"



Donna M. Andrew '96

Well, I have been given the honor of writing in the Alumni-Column. I have to apologize in advance because as far as Alumni-advice goes, I am a little long on ideology and short on seasoned-wisdom. I think its curable, however. So here goes; words of wisdom from a snott-nosed, green horn whose been out of law school just long enough to actually miss that special green carpet in the classrooms upstairs. If its advice you want, well, by gosh, I aim to please.

Here's a good one. Slow down! I remember when I was a little (yes, for those of you who know me I was once little), I couldn't wait to learn to ride a bike. Then I couldn't wait to turn ten, you know, double digits. Then it was becoming a teenager, and off to High School. Yeah, my Dad's still not over that one. Next comes sixteen and high school graduation. Next is eighteen, off to college and bible study (of course by the time I turned eighteen it only meant I could vote, and that's not cool anymore anyway). Then the big one, 21. Yep, that was a parade of maturity (although I did finally learn to ride a bike). Then graduating from College and "Pow" (sooner or later) you find yourself reading this kooky article from, gulp, an alumnus. See your hole life only took a couple of sentences. And as each one came and went, were you satisfied, did you revel in it, did you throw out your arms, stick out your chest and say, "Wow, at this moment I'm really and truly satisfied." Of course not! To get where you are today you said things like "I can't wait till I can drive, then my life will really start." "I can't wait till I can go to the Bars, then my life will really start." and finally, "I can't wait

to get out of Law School, then my life will really start." Well folks, if that's what your waiting for, you might as well go home and watch Melrose Place. Hell, if you're going to live vicariously, it might as well include people like Billy Campbell and Amanda Woodward.

So what's my point? Enjoy law school. Enjoy life. Take a moment to breathe. You're in that great "time-freezer" and "time-disposal": Law School. "Gee, when Law School is over my life will be so great. I'll get a job and be an Attorney. Put *Esq.* after my name." Cool. HEY BUTTHEADS, LIFE IS GOING ON AROUND YOU AND IN EVERY TIME ZONE ITS FOR REAL. Can we try to enjoy it a little. Lighten up. Next time you pass someone on the street and you are about to plant your eyes firmly on the pavement, smile and say "hello." For those of you who are annoyed with my famous mantra, "you only live once," I guess I could give you real advice about the career path you've chosen. For instance, get into a courtroom, often. I bet there are several of you who have never set foot in the Justice Center. Don't worry, you're not alone. It was the Summer after my second year before I went over there. Take a walk over to the Justice Center one day and find a Judge on a bench. Walk in **quietly** and see what's going on. It is completely O.K. Just don't eat or drink anything in the Courtroom and DO NOT talk to your neighbor. Just sit, listen and soak it in.

Also good advice, get away from the darn Westlaw and Lexis

computers. Bone up on real legal research with, Oh My Gosh; Books. You see while a few of you will get posh jobs with big firms that can afford such luxuries, let me share a little lesson I learned the hard way. The second week of my first law clerk position I was assigned a really unique research assignment. The office I was working in had Lexis, so I signed on. Again and again. I never did answer the question, but before it was all said and done I had a very angry Office Manager to deal with asking about this six thousand (\$6,000.00) dollar bill I had rung up. It seems the office had not spent that much on Lexis the entire preceding year. OOPS. Point being, Lexis and Westlaw are not free outside Law School. Figure out the books.

Next piece of free advice (hey, you get what you pay for), don't place yourself in a Law School vacuum. Keep up your contacts with the outside world and beef up your contacts and network in and around the law school. Talk to visiting scholars, meet judges at school functions. If you don't already have one, **get a Mentor** through the Alumni Office. I may be biased because I have (yes have, even though I am out of School Vince Lombardo is still my Mentor, and more importantly, my friend) the best Mentor a Law Student and young attorney could ever ask for, but it really is a great way to get a contact in the legal community. Take advantage of every opportunity to improve and hone your interpersonal communication skills. These things cannot be underestimated in this career. You can spend three years holed up in the quietest corner of the Law Library, get the highest G.P.A., and without the ability to carry on a conversation with an interviewer about anything outside tort and constitutional law, you could have trouble landing that first key position. When preparing yourself for this competitive marketplace you must think in terms of a total, well rounded package.

Finally, my most heartfelt advice has to do with my most painful dilemma now that I have graduated. Student loans. Take a close lesson from me, student loans are for school expenses only! If you can, pay for school as much as possible with real money. If that is not possible make a stringent budget, get penny wise, and take out only as much as you truly need. Yes, Law School is stressful, and you don't want money to add to that stress, believe me, I know. But at the same time, that money stress isn't going

anywhere. It will be the most consistent and universal stress you suffer. I cannot emphasize this strongly enough: Student loans are meant for paying for school, not improving your quality of life. Take only as much as you truly need. It will make your life much, much easier after law school. And if any of you reading this are mega-rich single men interested in head strong, six-foot tall women, my phone number is Just kidding.

O.K. so you think Law School is tough. Walking around with those creases between your eyes. Not calling friends you had before law school because they simply couldn't understand the stress you are going through. Yeah, I'm sure they don't understand stress at all. Here's one I love. "Hey Bob, how's it going?" "Aw man, I've got so much work to do. Wilson wants me to read like a hundred pages, Snyder is giving another quiz in Evidence and I have an Exam coming up in E's and T's. If I make it through this week it will be a miracle. Hey, you going to Becky's tonight?" Yeah, law school is stressful. Get a grip. Work hard, but have fun. Stay focused, but remember in the average life span Law School will only represent about 4% of your time on this planet, what are you doing with the other 96%?

Biography of Ms. Andrew

Ms. Andrew is a 1996 graduate of Cleveland-Marshall College of Law. She is currently employed as the Assistant Director of Law for the City of Cleveland, Civil Division, and is a trustee of C-M's Law Alumni Association. Donna got her BA and MPA from Bowling Green State University, and has recently become a member of the Cleveland Bar Association's Young Lawyers Executive Committee.

THE GAVEL

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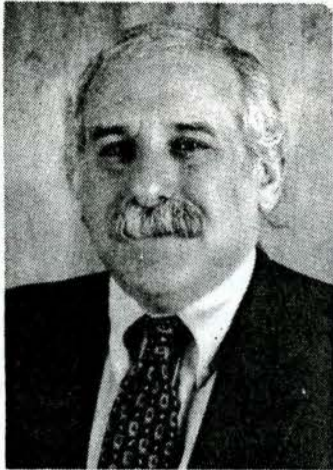
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Kevin Mooney

GAVEL ADVISOR

Prof. Thomas Buckley

Dean's Column



Dean Steven H. Steinglass

An abiding concern of law students is the job search. At the law school, we are proud of the employment record of our Office of Career Planning and the many services that Sonia Winner, Director of Career Planning, and Jennifer Blaga, Assistant Director of Career Planning, provide. But the quest for jobs does not begin or end with the Office of Career Planning: It begins with your entrepreneurial spirit, creativity, and willingness to work hard to find the job that best suits your talents and interests. In the end you and your academic accomplishments sell yourselves better than any of us can ever hope to do.

The Office of Career Planning will support and bolster your efforts. Moreover, because we believe that networking and community service are important tools in the job-search experience, many others on the faculty and in the administration will be assisting you in less technical ways to find employment by creating community service opportunities for our students and helping them to build networking relationships with members of the bench and bar.

For instance, on November 5, several faculty members and administrators traveled to Washington D.C., for a reception with our D.C.-area alumni and friends. This reception was one of a series of out-of-town alumni reunions we have each year. Their purpose is to foster good will, to keep our graduates informed about the law school, and to create job opportunities for our students interested in practicing law in the D.C. area. Sonia Winner, together with our other staff members, works especially hard on these trips promoting our students and taking student resumes to the various government and private offices where

our graduates are employed.

The Cleveland-Marshall Law Alumni Association and its Executive Director Mary McKenna are also great allies of students seeking jobs. Be sure to take advantage of any occasion the Association offers for meeting our graduates and networking. The Association has a great mentoring program that matches law students with graduates who act as mentors and friends throughout the law school years and often beyond.

Then in February, the Association and the Office of Career Planning sponsor a Marvelous Monday or Terrific Tuesday or Wonderful Wednesday (depending on the best day for the most people!) to give students an opportunity to meet and hear a number of Cleveland attorneys speak about their individual experiences practicing law in a variety of areas.

Volunteering is often a good way to make job contacts. This year Pamela Daiker Middaugh, Staff Attorney for the Law & Public Policy Clinic, is heading a Pro Bono Program which offers monthly opportunities for students to work in Cleveland and the suburbs on a number of projects. Among the Program's projects are helping resolve the legal difficulties of women prisoners about to be released or paroled from prison; working on Habitat for Humanity initiatives; teaching law in an outreach program to Cleveland public High School students and their teachers; and counseling parents and children living in the homes of the Cleveland Metropolitan Housing Authority. Not only will you enhance your resume and prepare yourselves for meeting the serious obligation of lawyers to serve the community, you

See Dean on page 11

MAKING PAPER

By Rick Collum,
Staff Writer

Once a person has been in the criminal justice system as either a law enforcement officer or a crook, that person becomes aware of the subtleties of the system. Basically, the individual learns how to get the most bang for his or her buck. This lesson was made clear to me about three years ago when I was the lead agent on an escape case. The escapee was Chester Mays, a convicted illegal possessor of explosives. Mays was originally arrested by the Bureau of Alcohol, Tobacco and Firearms (ATF).

How does an ATF arrest become the responsibility of the U.S. Marshals Service, you may ask. Well, all Federal Law Enforcement Agencies must turn their prisoners over to the U.S. Marshals Service after the prisoner has been arraigned by a Federal Magistrate. At that time, the prisoner becomes the responsibility of the U.S. Marshals Service until the prisoner is either freed or released to the Bureau of Prisons (BOP).

Due to a lack of Federal Correctional Facilities in the Northern District of Ohio, the Marshals Service contracts jail space from local police departments for the housing of Federal prisoners while the prisoner is being adjudicated. One such facility is the Lake County Jail.

Chester Mays was being held at the Lake County Jail while awaiting sentencing for a possession of explosives conviction. One evening while playing basketball during the exercise hour at the Jail, Mays injured his right leg. Pursuant to the contract with the Jail, the Jail is required to provide medical care to the prisoner. This medical care entailed taking Mays to the hospital for x-rays and an examination by a doctor. The doctor concluded that the injury sustained was possibly a strained muscle. After Mays was released from the hospital, a nurse escorted by Sheriff's Deputies wheeled Mays to the front door of the hospital. Suddenly, the physically impaired Mays found the strength and agility to leap from his wheelchair, as if be-

ing healed by a faith healer, and ran like a gazelle through the hospital parking lot making light work of obstacles such as parked cars and pedestrians. The Sheriff's Deputies quickly responded by chasing Mays on foot and calling for backup on their portable radios. Two minutes after Mays escaped half the Sheriff's patrol was at the hospital in search of the fugitive. Within five minutes from the time of the escape, Mays was found hiding under a car on the south side parking lot of the hospital. Obviously, the swift Mays must have lost his exuberance for the task he had undertaken.

It was my job to investigate the escape and determine whether a prosecution for escape was feasible. I spoke with the Assistant U.S. Attorney (AUSA), who prosecuted the original case against Mays, about getting Mays more time in jail. The AUSA asked how long Mays was "out of pocket" and how long would it take me to do the appropriate paperwork. The appropriate paperwork consisted of affidavits and prosecution reports which were finished within record time. Next, I testified in front of the Grand Jury as to the merits of the escape case. Soon after testifying, the Grand Jury came back with a true bill of indictment. A true bill of indictment basically means that a group of jurors believe that there is sufficient evidence to indict an individual for a crime. Subsequently, Mays was tried for an escape and received a five year minimum sentence to be served consecutive with his previous sentence. In the end, Mays received one year for each minute he was "out of pocket." On this occasion, the Federal Government definitely got the most bang for its buck.

After the entire process had been completed, I spoke with my Chief about the ease of the case. The Chief simply said, "it's all about making paper." As future attorneys, the entire student body of Cleveland-Marshall will fully realize the meaning of those words.

**DEADLINE FOR SUBMISSION OF
ARTICLES FOR THE NEXT ISSUE:
NOVEMBER 15**

GET TO KNOW THE FAIR EMPLOYMENT PRACTICES CLINIC

By Julie Nong

Do you know that the Fair Employment Practices Clinic has moved from Fenn Tower to the Old Library, just foot steps from your classes? Do you know that taking the Fair Employment Practices Clinic not only gives you those necessary credits to graduate, but also provides a wonderful, step by step, hands-on experience in the legal arena? Allow me to share with you my experiences thus far at the Clinic and the reasons why I think you should make use of this great resource available right here at Cleveland-Marshall Law School.

First, let's take an overview look at what the Fair Employment Practices Clinic does and how it operates. The Clinic provides legal services to the public including interviewing, counseling, referrals, and actual representation before administrative agencies and/or courts. As the name indicates, the Clinic handles cases involving unfair treatment of an employee, usually as a result of discrimination on the basis of race, sex, age, national origin, handicap or some other prohibited basis. A large number of the Clinic's cases are referred to it by other attorneys or nonprofit organizations operating in the greater Cleveland metropolitan area.

The central focus of the Clinic is the representation of plaintiffs by law students before administrative agencies, in settlement negotiations, and in court litigation when settlement efforts fail. Its purpose is to provide students, prior to graduation, with the opportunity to develop competencies both in practicing skills which a lawyer must have, and in making the type of judgment calls with which an attorney is always confronted. In keeping with this purpose, the objectives of the Clinic are not only to provide students with an opportunity to interview and counsel live clients, investigate their claims, draft pleadings and other legal documents, interview and prepare witnesses, negotiate and present legal argument on their clients' behalf, but also to teach students the ability to recognize and to resolve issues of professional responsibility and legal ethics that arise within the context of their clients' cases.

This Fall semester is my first semester at the Clinic (a student generally must commit two semesters when taking the Clinic). Depending on how many credits (3,4, or 5) you would like to take, you must also spend a number of hours (6, 10 or 14, respectively) working at the clinic. This is where the fun begins.

During my first week at the Clinic, I was assigned to work with

Ariel Flores, Dawn Krebbs, and Cathy O'Malley in drafting testimony for an agency hearing in Columbus regarding a proposed rule that would mandate a criminal record check upon any persons considered for a position providing care to an older adult or a child with a home health agency. I had no idea where to begin. I never had any kind of legal experience. I wondered what I was supposed to do with this new regulation. Personally, I think there ought to be more regulations like this. I would not want someone who had committed a crime to take care of my grandparents or children.

Fortunately, I was not working on this alone. One of the things I like most about working in the Clinic is that I was able to discuss my assignments with my teammates who are just students like myself. We are still experiencing and learning ourselves. In this respect, it is somehow easier to share with each other what we know and what we don't without feeling uncomfortable about disclosing our shortage of knowledge in certain areas. Furthermore, the professors at the Clinic evaluate a student's work and provide guidance and directions whenever necessary.

While working on the criminal record check regulations, I had the opportunity to learn about Community Re-Entry, a ministry for ex-offenders which provides practical assistance such as employment opportunities and rehabilitative programs to ex-offenders seeking to return to the community after a period of incarceration. The program has demonstrated that with careful selection, responsible supervision, and proper training, ex-offenders can successfully work in the community and provide a variety of important services. The proposed rules which would prohibit a home health agency from hiring ex-offenders who committed certain crimes range from misdemeanor to felony. While the provision would allow some exceptions if certain conditions are met, the conditions are very harsh and would permanently disqualify an applicant even if he had committed only a misdemeanor crime and has been successfully rehabilitated.

As a matter of common sense, it is obvious that employers are not standing in line waiting to hire ex-offenders, but rather only provide an opportunity to ex-offenders who successfully demonstrate that they have been rehabilitated. Thus, the position of the Clinic in representing Community Re-Entry is to draft testimony suggesting some changes that would allow ex-offenders who

Continued on page 5

Law School Is FUN!!

By Bob Garrity

OK so I never thought I would be saying that, or for that matter, writing an article about getting involved in law school organizations and extra-curricular activities. As a matter of fact, I was so apathetic in high school and undergrad, all I wanted to do was to party and convince my friends not to get involved. What a difference fourteen years can make on one's outlook on life. I am the last person that I or anyone who knew me before would consider as outgoing. I had taken the term "couch potato" to an all new level.

When I moved to Cleveland last year from Madison, Wisconsin to attend Cleveland-Marshall, my thoughts were to go to class, not meet anybody, get grades good enough to graduate and get the hell out of Ohio. My plans have been altered drastically. I went to class, made friends, got involved in student organizations, got great grades and...well, Cleveland is cool. My apathy was gone, and I really had fun being a part of student groups. If nothing else, it took my mind off of the boring subjects I was attempting to study. In other words, it gave me another excuse to procrastinate about briefing cases.

My first foray into the world of academic activism was via the political arena. I threw my hat into the ring for a Student Bar Association 1L senatorial position shortly after classes had started. I didn't expect to win, and it was really the thrill of the race that inspired me. I did win however, and I have never been the same since. My friends will attest to that. But seriously, I enjoyed helping decide weighty issues and plan SBA parties! My constituents were able to

approach me for advice or give suggestions on how things could be done better by the SBA. My new found notoriety helped me get more familiar with professors so that after grades were posted and I needed to beg for a higher one, we were already well acquainted.

My ego got such a boost by being in SBA, I decided that I needed even more involvement. I joined the Environmental Law Association and the Christian Legal Society in an effort to save the planet and myself at the same time! The former being more likely to happen before the latter. Other available groups include: Black Law Students' Association, Jewish Law Students' Association, Criminal Law Society, Lesbian Bisexual Gay Law Students' Association, Hispanic Law Students' Association, Student Public Interest Law Association, Business Law Association, Delta Theta Phi Law Fraternity, Women Law Students' Association, American Bar Association and the Asian Pacific Islander Law Students' Association (say that one fast three times). Or if any of those don't turn you on, start up a new group of your choice. Maybe the CMD (Cleveland-Marshall Deadheads)? OK, it was just a suggestion.

My point is, that there is a lot to do right here at C-M that can help you survive law school and have some fun at the same time. I am not trying to become a cheerleader, but I just know getting involved made the first year of school fly by. So get out there and attend a meeting of one of the aforementioned groups. If you don't like what you see, I'll bet the couch and TV will still be there, or you can always get your stool back at Becky's.



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J. Patrick Browne Scholarship: \$1,000.00

A \$1000 scholarship is available for the 1997-98 school year in the name of the late Professor J. Patrick Browne.

Applicants must meet the following qualifications:

- * Must be a 3rd or 4th year law student;
- * Must be a non-traditional student, i.e. part-time student, and/or 30 years of age or older, and/or establishing a second career;
- * Must have applied for financial aid through the Law Financial Aid Office; and
- * Must show academic improvement in your law career.

Qualified applicants should submit a 1200 word light-hearted essay extolling the virtues of procedure, i.e. "Why worry about substantive law when one has Civil Procedure available?" The winning essays from 1996-97 are on file in the Law Library for your perusal.

The recipient will be chosen by Eunice Clavner and Chris Guarniere, scholarship founders. Questions should be directed to Ms. Clavner and/or Ms. Guarnieri at 781-7400 or 771-7767.

Essays are due by 12:00 Noon on Wednesday, December 31, 1997.

Please submit essays to the Law Financial Aid Office Room 41/42.

Fair Employment Clinic

continued from page 4

have been successfully rehabilitated to have an opportunity to be considered for employment.

So I have acquired some background information for my assignment, now what do I do? My research skills have never been more useful. I can finally put them into actual use. The testimony is in two weeks, and I have just received the assignment. We have yet to schedule a meeting with the client to discuss the new proposal and its effects upon them. Talk about deadlines and pressure! This time, it's no longer just another assign-

ment for class, but an actual assignment from a real client. Practical experiences, that's exactly what you get when you enroll in the Fair Employment Practices Clinic.

I'd like to tell you more about the Clinic, but I have another interview with a potential client next week and I need to prepare for it. Now you see the reasons why I would encourage you to take advantage of this great resource available right here at our law school. If you have any questions, please stop by (we are located in the basement of the Old Library) or call Professors Kowalski at (x4825) or Beggs at (x3948).

SUPREMES OFFER GREAT SHOW IN D.C.

By Starr Agle

After reading Supreme Court case after case, opinion after opinion, concurrence after concurrence, dissent after dissent..... why not see and hear first-hand the nine people whose names are so familiar?

I decided to do this over spring break- and while you're not likely to achieve the tan you might at St. Padre's Island or Cancun, late March is a great time to visit D.C.- the weather is not too cold, and the Cherry Blossoms are just coming out.

I learned a number of things from my trip to D.C. One is it is really important to PLAN in order to see the Supreme Court, if you are coming in from out of town. Perhaps I've seen Animal Lagoon's Family Vacation one too many times, but I was not going to drive out there only to discover that it was closed. I called months ahead to ensure the court would be arguing the week of Spring Break. The clerk I spoke to was very helpful and friendly-about a week later I received, in the mail, a listing of the court's scheduled arguments for the '96/'97 term as well as case summaries. Normally the court argues Mon-Wed. during weeks it hears arguments. But, as with most schedules, it is not written in stone and is subject to change.

Fortunately, I called again just a month before the break- the court still was to argue that week but only on Monday. While some reserved seats can be ordered ahead of time for groups, generally it is first come first serve- which involves simply standing in line before the Supreme Court building. Approximately the first 50 in line will gain entrance.

The Supreme Court building is truly beautiful and fitting for our nation's highest tribunal. The words "Equal Justice Under the Law" are written over the entrance and the building is pristine white - in the sun it appears to be even "whiter" than the other memorials and buildings. On either side of the many marble steps are two seated marble figures. The left is that of a female figure, "the Contemplation of Justice." On the right sits a male figure, "the Guardian or Authority of Law". However, the true beauty of the building was not as apparent at about 5:20 A.M when I arrived to "join the line". As it happened, there was no line as yet. It was still dark out and it was freezing. Several times until the public was allowed

through the doors at about 9:30 A.M. frost bite seemed inevitable. One of the policemen stationed at the stairs to keep the line in order helped to pass the time by telling those in line anecdotes from the past that had occurred on these steps- such as the arrest of Larry Flynt. In hind sight it probably would have been possible to have had two more hours of sleep and to have avoided much of the early morning freeze and still have seen the argument. Yet, for cases which present a high degree of public interest and/or intrigue, such lines can begin to form the night before. For instance, the Clinton v. Jones case, argued on January 13 this year, caused a line to form the evening before the argument. Its issue:

Must litigation of private civil damages action against the president, arising from acts that allegedly occurred before he entered office, be deferred in all but the most exceptional cases until the president leaves office? Another case of great public interest argued on January 8, was Vacco v. Quill which asked:

Whether the Fourteenth Amendment's equal protection clause permits states to ban physician-assisted suicide, while allowing terminally ill, mentally competent patients to refuse artificial life support?

For cases such as these, it is not unheard of to have great numbers of people in line- who some sometimes "camp out" the evening before in order to seek entrance to the court room the next day.

Fortunately the cases I heard were interesting but not of such great public interest. Two cases, each one hour in length, were argued. The Supreme Court works like clock work. Right at ten, as reflected by the large clock positioned directly above Chief Justice Rehnquist's chair, the Marshal of the Supreme Court calls the court to order. Instantly all nine justices appear from behind the curtains and the court launches into action. Initially the Clerk of the Supreme Court swöre in members of the Supreme court bar. While this was somewhat tedious to listen to it was dispensed with quickly. The most interesting case argued was State of Wisconsin v. Richards which came to the court from the Supreme Court of Wisconsin. This

See Supreme on page 10

What is LCOP?

by Cheryl Wiltshire

LCOP, Cleveland Marshall's Career Opportunities Program, according to the Cleveland State University Bulletin: Cleveland-Marshall College of Law Issue 1995-97, is "a special admissions program for applicants whose background and experience deserve special consideration." Participants of "the program," take Criminal Law during a seven week summer period and during the fall take all the first year required courses except Property.

On the evening of March 4th, 1997, I received my first acceptance letter to law school from Cleveland Marshall. Not only was I excited, but I was actually looking forward to getting the so called "head start" through the LCOP program. Little did I know that I was to be participating in a program that seemed to be a source of shame, controversy, animosity and pride for the program's participants and those outside of it. During the seven week program, I would leave criminal law feeling smart, confused, stupid, and often asking myself why I was subjecting myself to three years of feeling like this. I soon came to realize that I was not alone in my quest for an answer.

I still have not come up with a good answer to that question, even though I am currently in my second month of law school. While I was internally cross-examining myself, some of my classmates were trying to figure out how to explain to the other first year students, entering in the fall, why they were not taking Property or Criminal Law. I was made aware during the summer that my participation in the program was going to be commented upon and questioned in a negative manner. Personally, this was never something I felt merited my attention, I was more concerned about surviving certain professors and their courses. The aim of the LCOP program, according to the 1995-97 Bulletin, is to provide an avenue for "applicants whose test scores or academic records are not strong, but whose skills, accomplishments, and other qualifications merit consideration." To many, the aim of LCOP is affirmative action repackaged. Ever since the implementation of affirmative action programs, these programs have been a source of heated debates formally and informally. However, this article is not a discussion on the pros and cons of affirmative action.

Whether the LCOP program's underlying purpose is to compensate certain groups for past discrimination is not something I lost sleep over. However, I think it should be noted that both Black and White students have benefitted from the program. I am just glad that out of the many law schools I applied to, Cleveland-Marshall's admissions committee felt that I was worth taking a chance on. For those students who are ashamed of their participation in the program, this summer and past summers, I just want to ask you one question: Why are you still here? "I feel it is a great program, I even recommended the program to a friend," commented Heather Taylor, a regular first year student. However, not everyone agrees with Ms. Taylor. During the first week of regular classes, I was repeatedly asked by regular first year students not in the program why I wasn't in their Property and Criminal Law class or if I was a part-time student. I would answer by saying that I was not required to take Property until my second year and that I took Criminal Law during the summer. A fellow LCOP student, upon hearing my response, asked why I was telling others that I was in the program. I was surprised that this individual took offense to my somewhat indirect answer to a legitimate question. I also took part in several conversations where students flat out denied their participation in the program. I can only tell you how I feel and felt about that by asking this question once again: Why are you still here? The individuals on the LCOP committee should be made aware that their efforts to add diversity to the student body at Cleveland-Marshall is being used when necessary and then discarded as a coat of shame. Maybe, I should have titled this article "Why are you still here?" However, I leave it up to those individuals wearing the coats of shame on their shoulders to struggle with that question. I am not suggesting that the recipients of the program walk around with badges of disgrace for all to see. I am merely suggesting to those individuals that they not be ashamed of what they are and of how they got here, and for them to stop treating LCOP as if they were never a part of it. I am grateful to the Admissions Committee for giving me the opportunity to study law at this

See LCOP on page 9

THERE'S HEALTH CARE ON CAMPUS!

By Eileen Guttman, RNCNP

"What do you mean - there's health care on campus? I didn't know anything like this was available here at CSU."

Unfortunately, this statement is heard all too often here in Health Services. Many students have no idea that Health Services (which is a department of Student Affairs) provides health care comparable to what they would get in a private doctors office at no cost for the visit itself in most cases. There are minimal charges for lab tests and prescription medications.

"So where are you located and what sorts of things can we come there for?"

Health Services is located in Fenn Tower room 503. Services are available by appointment by calling 687-3649. Some same day appointments are reserved for those patients who are ill and those are available by calling that day beginning at 8 a.m. Individuals who are registered CSU students are seen

for sore throats, coughs, bladder/vaginal infections, birth control pills, sexually transmitted diseases, shots, & blood tests among other minor illnesses &/or injuries. We also offer physical exams at a nominal fee (\$15) for jobs, school, or other reasons.

"Besides saving us time and money, what other reasons are there for going to Health Services?"

There are many reasons to use the services here at Health Services. Our patients tell us that the quality of care that they receive is better than what they got at most other community health care providers. They also remark that the wait to get an appointment is much shorter here. Health Services is staffed by nurse practitioners and a physician to better serve your health care needs.

Here's to your health! Please call us at 687-3649 if you have any questions. We look forward to serving your health care needs.

IN THE TRIAL OF C. MICHAEL O'MAONAIGH

By K. Michael Mooney
Staff Editor

Why? I repeated to myself, aghast in the ignorance-
Because the pogroms of the 30's labeled Grandda as third class citizen
and he had to take it;
Because while held down his wife was raped by British Army patrol;
Because you blinded my mother when the CS gas reigned supreme,
And slapped her with a metal boot,
And flamed her kitchen and her dreams;
Because ninety percent of your convictions are from coerced and
tortured confessions,
And the other ten percent, well, some of them are dead;
In trials with no juries,
But you label us criminal?
Because you tortured my Da and scratched away his tongue,
But the words would not escape him,
While coughing blood from the lungs,
And an accidental but aimed bullet,
Betrayed the backside of his head,
Before the brains splattered onto his shoelaces,
He was long dead;
Because my fiancée lies just six plots from my Da in the heavy dirt of
the Milltown,
Because you murdered her in the crush of Orange Order parades;
Because you forced us to fall in love in a war zone,
Because my only visits to her find me weeping on her grave,
Hoping the tears will penetrate the soil and comfort her in her eternal
sleep;
Because I am Oglai na hEireann,
That is why;
And you ask me why,
And so it seems on this day,
When you sentence my next fifty years away,
England,
I've only one wee question for you, ... *Why?*

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Book #28 Ar Fainne

The Deaths of Princess Diana and Mother Theresa Touched Many

By Gary Norman

The past few weeks have not only been unique for me but for the world too. As you already know, two well-known ladies died during the time period. One lady was an inhabitant of the wealthy sector of world society, whereas the other lady was an inhabitant of the impoverished sector of world society. Although the two ladies (Princess Diana and Mother Teresa) were creatures of two vastly divergent cultures, they did hold the same love for life in common.

There are some who believe humans die in ratios of three. Although this sounds like a silly American superstition, I have noticed it to be true. Although there is a curious part in me that contemplates who might next fall victim to the dagger of the Grim Reaper, I shift the powers of my mind to my more religious side and think how morbid such thoughts are. If it was within my personal powers, I would enact a divine law that would declare no one would ever have to die again, but only the Lord has those powers, so it is important we live life to the fullest.

Princess Diana and Mother Teresa died doing what they did best and that is living. I would now like to turn to a brief discussion of their lives.

Princess Diana managed to acquire fame and fortune in her life, while at the same time living a sincerely restricted and lugubrious life. She was the daughter of a prominent family in England. She had always declared from her earliest days that she either wanted to become a dancer or a princess. She eventually accomplished the goal of becoming a princess, due to her sexual and moral purity. It is now widely accepted as fact that Prince Charles married her, because she was a virgin. This one fact evinces

the differences between the American and English governing classes; whereas the American governing class endeavors to marry their children on the basis of love, the English governing class blatantly marry their children on the basis of who is the most qualified to produce a male heir to the throne. Princess Diana surely did pay for falling in love with a monarch. Although she feasted from the fatted calf and drunk from a vintage bottle of wine for a brief time, she also had to endure the coldness of the royal family, the uncontrollable

licentiousness of the prince, and several other problems, stemming from her interaction with the royal family including but not limited to eating disorders. She had finally carved out a real existence for herself, when the probable negligent driver at the press struck her down in the prime of life. She will certainly be missed by millions.

Although she was divorced from Prince Charles, she still received state like funeral arrangements. I recall awakening on the morning of the funeral and going into my family's kitchen, where my brother Charles described the funeral to me. It started early in the morning and was broadcast at several points during the day. She was buried in a private ceremony in a cemetery near her home, but the public memorial service at West Minster Abby was impressive. I could personally relate to the buildings and places on the television, because my dad and I visited London three years ago. The English loved her so much that they even played the bells of West Minster Abby for her memorial service. I am as far away from becoming a monarch lover as humanly possible, but the memorial ceremony even brought a tear to my eye. May God bless and keep her.

Although the princess was a special lady, an even more special lady died during the same period. She was born into poverty, so she eventually decided to go into a profession that could help others. This important life choice was influenced by her Roman Catholic religious background. God eventually gave her the calling and she joined a nunnery.

Just like another famous Catholic Saint, she eventually shifted her career focus to founding an organization to ameliorate the conditions of the poor and infirm.

She named her order the Sisters of Charity. She received two major world accolades for her work on behalf of the forgotten. She won a Nobel Peace Prize in 1979 for her humanitarian activities. She also won the President's Medal for Freedom in 1994. I told my mom soon after the announced death of this wonderful lady that I believed the Pope is a great human in his own right, but Mother Teresa is an even better one. As she once said, "The poor do not need our sympathy, the poor do not need our charity, they unfortunately, I can not describe

her funeral for you, because I did not get the opportunity to view her funeral as I had to either study for Torts or meet meet my friend for tutoring in Legal Writing. However, I would like to relate a brief story about this lady that evinces her spunk. It is to the following group that she will be missed the most.

Although she won the prestigious Medal of Freedom from the President, it did not deter her from turning around at the dinner for the said medal and scolding the first couple about their policy on abortion. No matter what your opinion on this critical issue, you almost have to agree it takes a truly lively lady to engage in such an argument.

This has been a brief memory of two unique ladies who died during the time period of late August and early September. Although these two ladies were from vastly divergent backgrounds, they endeavored to make the world a better place to live. It is from their demise that I am reminded that God has a plan for me, and it ought to be my goal to live up to this divine plan by using my future law degree to promote the public good.

CALENDAR OF EVENTS

- Nov. 8** MPRE Seminar Moot
Court Room, 8:45a.m.-
1:00 p.m.
- Nov. 9** SBA Meeting, Room 11,
6:00 P.M.
- Nov. 11** Veterans day, No Classes
- Nov. 14** MPRE exam
Deadline for graduation
photograph payment
- Nov. 19** Silent Auction
Graduation photos taken,
8am - 8pm
- Nov. 20** Silent Auction
Graduation photos taken,
8am - 8pm
- 1998 St. Petersburg
Summer Law Institute
Meeting, 12:15 pm,
Room 224a
- Nov. 22** BLSA meeting, 1:00
- Nov. 23** SBA meeting, Room 11,
6 pm
- Nov. 27** No Classes,
Thanksgiving

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Why Join the Ohio State Bar Association as a Student Member?

Association Publications

Associate News - quarterly newsletter designed specifically for student Members of the OSBA

OSBA Report - weekly publication featuring the latest Ohio Supreme Court and appellate court decisions

Ohio Lawyer - bi-monthly magazine featuring general interest articles

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Visit the OSBA at www.ohiobar.org and take advantage of: searchable case-law, on-line publications, discussion forums, a searchable member directory, career development information, and more!

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Attend the OSBA annual convention for free, network with area attorneys at district meetings, and attend career development seminars as an OSBA student member.

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Submit a four page essay and you could win a \$1,000 or \$1,500 scholarship.

Value

Student membership in the OSBA is just \$25, including your weekly issue of the *Ohio State Bar Association Report*.

To Join visit our Web site at <http://www.ohiobar.org> or call the OSBA Member Services Department at (800) 282-6556.

Fall Interview Program Survivor

By Bob Garrity

Yes, it was close, and I almost lost my identity by being seen in a suit, but I can be counted as another survivor of The 1997 Cleveland-Marshall Fall Interview Program. The well organized affair was offered through Cleveland-Marshall's own Office of Career Planning. Prestigious law firms were dangled in front of me to entice the surrender of my resume. I fell prey to the lure of high rise offices with views of the lake, valuable artwork on walls with mahogany trim and lists of famous and well to do clients. Greed was taking hold and I was sucked into the vacuum of groveling at the feet of seemingly successful hiring attorneys. After all, they work for successful firms so they must be too, right?

Well, after my first couple of interviews, I realized that some of these hiring partners or interviewers probably drew the short straw and had to trudge over to old C-M and talk to the over eager but somewhat frightened batch of 2 and 3L's. As I watched them leave, some interviewers were visibly worn out. I certainly didn't envy their having to look at a dozen or so shiny, super scrubbed faces hoping to leave an impression. Even I dressed up for the occasion, although I only put my suit on for the actual interviews themselves and refused to spend the day in it.

Day after day, as the program continued, firms streamed in and out of the new library trolling for a few minnows. The OCP did a fantastic job of orchestrating the entire event. But I became discouraged after the first week as I noticed a decrease in the number

of orange notification forms in my mailbox. Had they forgotten about me? Were my resumes lost? Doesn't anybody love me? I felt like one of the misfit toys left at the North Pole on Christmas day! Finally on the third week of the program, the coveted orange forms began showing up in my mailbox again! After I had disparaged the firms who passed over my resume, I praised the ones still interested. The ones that "got away" will never know what they could have had. My ego was bruised, but it's their loss. I would've been the best damn clerk they ever had, writing stellar memos, doing the most in depth research, going to Indians games and even being the designated driver after the company picnic and other assorted fetes put on by the firm!

But I digress, the interview program was an experience I won't soon forget. The opportunity to get some big league interview practice in the friendly confines of my home field was much appreciated. Now all that's left to do is wait for the mail and see if second interviews are warranted, or if notice of rejection is to be served. I have gotten two of the dreaded one paragraph "thanks but no thanks, we have confidence you will go far" letters. I have yet to hear from the interviewer who impressed me the most. Hopefully he felt the same way and is drafting a letter of good news as I write this. In the meantime, I will stick with my two loyal employers who like me just the way I am...dressed in jeans. At least they know how good they have it!

STUDENT BAR ASSOCIATION ELECTIONS: LEGITIMATE ATTEMPT AT REPRESENTATION OR CHILDISH FARCE?

By Cheryl Wiltshire

The Election

On Tuesday September 30th and October 1st, elections for first year Senators were held. The basement level of the law school was turned into what seemed to be a school of sharks during a feeding frenzy. Upon leaving class, students were bombarded by a sea of candidates and their representatives, hungry for votes. Some representatives were trying to entice potential voters with candy and unrecognizable name recognition. One candidate showed how deep his pockets went and how far his influence reached by affronting his representatives with a blown up photo of his likeness. Another group of candidates used the word 'SEX' on their posters, handbills and Email sites as an attention getting device. Yes, this group of students went as far as to Email messages to the entire first year class, quite violating the privacy of students and possibly breaking school policy. First year student Karen Smith commented, "That is not the type of Email I want to receive...I found it offensive." Even though the candidates were not totally original in their tactics, they deserve some credit for being persistent.

However, according to the SBA's Constitution, Bylaw 11: Elections, Section 10:

"Candidates may sit at a designated table in the student lounge with handbills during the election hours to answer questions...no representatives may campaign for the candidate in the student lounge during the election voting period." The candidates came to law school to learn the law; however, they have managed to not only break the law, but to make a mockery of it.

The Process

Sometime during mid-September or thereabout, posters could be seen throughout the basement level of the law school announcing the search for candidates for first year Senators. The potential candidates were asked to pickup and file an application which would place their names on the ballot. The Sunday prior to the election, exactly two days before voting was to occur, candidates were only then allowed to bring themselves to their constituents attention through the posting of signs. When the time came to prey upon their constituents for votes, the candidates took their positions and attacked.

Problems with the Process

How can students vote for Senators without knowing who the candidates are and what their goals are? The SBA may argue that the time allotted for campaigning and voting was sufficient given the forum. However, the voters were short changed by this time restriction. As voters, students should have been given enough time to get to know the people who are going to be proposing and enacting legislation, authorizing and appropriating funds, and, among other responsibilities, representing students on some level in academia. Constituents not only deserve to be given proper time to get to know the candidates, but it should be a requirement.

Moreover, not only were the voters left in the dark, but the candidates seemed to be just as unaware as well. Many of the candidates were not quite sure as to what the process entailed. One former candidate, Stephen Coulter, reiterated this by stating that he did not know exactly how many seats were available for Senatorships, who his opponents were, and if only persons within a specific first year section could vote for a candidate or candidates from that section. Maybe the SBA had a legitimate reason for leaving the rules of the game vague and ambiguous; however, the vagueness and ambiguity of the rules caused this years electoral process to suffer from symptoms of confusion and chaos. Furthermore, according to an anonymous source, one SBA official was quoted as saying, at the close of voting, that there was a problem with the ballots, because there were marked ballots lying around outside of the locked ballot box. Were the mysterious ballots included in the official count? If not, exactly how was this problem resolved?

To think that yours truly actually considered candidacy, my Jane Hancock was even submitted (now there is a scary thought). I soon thought better of this decision and withdrew, deciding to wait until a later time when I knew for sure what such an important position required. Perhaps, some of the other candidates should have considered this as well. "First year students, do you know who you voted for and why?"

CONGRATULATIONS TO THE WINNERS!



FIGURING OUT WHO FLUNKED THE BAR, AND OTHER FUN THINGS TO DO IN OUR SPARE TIME

By Steve Blount
Staff Editor

Every year on Halloween, strange mists rise from graveyards throughout Cleveland, like vultures looking for a dead carcass, and gather around the front of our main office, with tears streaming down their faces, as they look at a sheet of paper to see which of their former fellow students passed the bar; or more truthfully, to figure out, by a perverse process of elimination not unlike that used to figure out other people's grades, which of their friends flunked.

Not that I haven't ever engaged in this kind of crust-wiping behavior myself, maybe once or twice, but after three and a half years of witnessing this, and other similar kinds of acts, I am beginning to wonder how much good it has done anyone. I am not surprised to see that the people who get the choice jobs are also the nicest, in addition to being the best students. I think that in the end there is a lot to be said for *true* legal talent, but there is also a lot to be said for hard work and decency, and recognizing that in a rightly competitive situation, in the end, what you give is often what you get back, and not just on an exam. Some of these best students tell me that people don't want to talk to them anymore. I think anyone who acts like this ought to be ashamed of themselves.

If things aren't bad enough already, the administration recently decided to post lists showing the students in the top ten and twenty percent of each class. I was told this was done so that we can "cheer our fellow students." After hearing this, I left the office laughing so hard that I was almost hit by a truck while crossing the street to get a gyro. To anyone who is not on it (I was not eligible to be, since I am a fourth year student, and they were not on the lists), I am sure that this altruistic thought is about as comforting as a frozen shirt, and realistic as an igloo in the Sahara. At least now we can figure out, again by a perverse process of elimination, who the real Law Review and Journal of Law and Health students are. I think it would be more democratic if we simply grouped people in tens, starting with the top 10 percent of each class, and working our way downwards into the 20s, 30s, 40s and 50s. (Hey mom, guess what, I finished in the top 51st percent of my class!) Or better yet,

simply list the students in the bottom half of the class so that we can by elimination figure out who the smart ones are.

The reason I object to this is that it just shoves down the throats of the 80% of the people not on the list the idea that they are losers, when I'm not really sure that they are. Then again, perhaps it is a good thing that we now have an honor roll, since there aren't any other ways to, in my view, justly give credit where it is due. However, I have heard that there are petitions going around requesting that there be honors at graduation, and an awards ceremony, by golly. I would like to recommend that if they should decide to have such a ceremony, that there should be an F. Lee Bailey award for highest score on the MPRE, a Ford Pinto award for best paper in products liability, The Dalkon Shield, to be awarded to the student with the highest score in torts, the Jeffrey Dahmer award for excellence in Criminal Law, the Michael Milken award for highest score in Securities Regulation, and Cleveland Marshall's highest honor, the P.T. Barnum Chair of Scholarly Discourse. Some of the more professional schools, like UCLA and Rutgers, have scrapped honors at graduation altogether, because of the hard feelings it presents.

So far, everyone I have talked to, including some who are on the list, have told me that they feel the same way that I do. I just hope that the administration will at least read what I have to say before they push the honor curve down into the dreaded fifties, layout the graduation composite according to class rank, send singing telegrams to the people in the top and bottom ten percent of each class, or dream up some other silly ass method to stoke the sad but inevitable feeding frenzy one sees around here.

LCOP, cont'd from page 6
institution. For those of us who want to actually practice law, all that should matter is that we pass the bar examination; whether or not we were admitted to law school through the LCOP program or regular admissions should be irrelevant. How we got here is not as important as what we do now that we are here.

MAKING OUR NEW LIBRARY BUILDING WORK

By Professor Michael Slinger,
Law Library Director

It has been more than two months since our new Law Library Building opened for business, and I am pleased to report to you that the building and its furnishings have been very well received by nearly all who have seen it or used it. Like any new building, we the occupants are still trying to finish a few things that didn't get done during the construction project, and we are also trying to determine what works and does not seem to work in the building. No one has a better perspective on what is working or not working than do the students, faculty and other patrons who use the Library on a regular basis. Therefore, we on the library staff are greatly appreciative when you share your observations and comments with us. There are several ways to do this:

1. There is a suggestion box at the circulation desk;
2. Please feel free to talk to me or any member of our staff; or
3. Drop me an e-mail at michael.slinger@law.csuohio.edu

We are all rightfully proud of our new Law Library Building. The impact of this Building has done much to upgrade our image, both internally and to the outside world. The staff of the Law Library understands that the primary reason we have such a fine new building is to better satisfy the needs of our students and faculty. The library staff is committed to being as supportive of the needs of our library users as possible. I hope everyone understands that the Law Library tries to accommodate the needs of so many with a minimum of rules and regulations. Where we do feel the need to establish a rule or regulation, it is done only to make sure that the Law Library collection and furnishings are protected, or to insure that all will have access to our precious library resources. I would like to take this opportunity to remind those few people who need reminding that the library rules on beverages and food are in place to protect materials from being damaged and to attempt to stop the infesta-

tion of vermin. However, knowing the desire of many students to drink a beverage while working in the Library, I made a policy change when I came here two and one half years ago to relax the absolute prohibition and to permit beverages if they were in spill proof containers. I believe this was a quite reasonable accommodation and I am pleased to see most of those bringing beverages into the Library are following this rule. Unfortunately, it seems as of late a growing number of persons are not following the rule and are therefore putting our collection, our new furniture and equipment, and the continuation of allowing drinks in the Library at risk. It is my responsibility as Law Library Director to ensure that the Library is not at risk because of spillage related problems. We must therefore insist that the spill proof container policy be complied with by all patrons who wish to drink a beverage while they are in the Library. If the policy is not respected, we will have no choice but to once again absolutely prohibit drinks in the Library. I don't think anyone wants to see this happen so I implore all of you who are not complying with the policy to do so immediately.

I also want to remind those of you who have gotten into the habit of putting your feet on the Library furniture, that this furniture must last for quite some time, and it is simply wrong to risk damaging it in this way. Also, please consider how it looks to others when they come in to the Library and see the furniture used in this way. We have been entrusted with a wonderful facility and it is up to each and everyone of us to treat this building and its furnishings with respect and care. As persons who have the benefit of a facility built with taxpayer dollars we all have a special obligation to see that we do not abuse what the citizens of this state have generously given us.

Thank you all for your cooperation as we work to make the Cleveland-Marshall Law Library the best Law School Library in the country.

GAVEL STAFF WRITERS

The Gavel is seeking interested students to become staff writers for this publication.

Staff Writer status is achieved by having two previously unpublished articles printed in the Gavel prior to the spring elections. All Staff Writers are eligible to run for one of three editor positions. **All editors receive a full tuition stipend.**

If you are interested, stop by the office, LB 23, or call 687-4533.

CENTENNIAL CELEBRATION AT ROCK AND ROLL HALL OF FAME

By Steve Blount
Staff Editor

On Saturday, September 27th, over 500 faculty, staff, students, alumni, and friends of the law school met at the Rock n'Roll Hall of Fame to celebrate the one-hundredth year of law school at Cleveland Marshall.

Dean Steven Steinglass and President Clair Van Ummerson greeted the guests as they arrived at the door. A buffet dinner was split up on three levels of the Museum, and people danced to music played by the band Eugene Ross and Company. Later in the evening, Dean Steinglass and Tina

Wexler cut a birthday cake to celebrate the event.

This was a eventful week for our school, with all the Class reunions going on, the opening of the new library, and the centennial celebration, and many of our alumni, who once could be heard cursing our school through their teeth as students (a requirement by law for all law students) could be seen with smiles on their faces, wishing they could once again sit in our rib-shaped lecture halls, checking out the guys/girls in the classes, and catch a few holdings from some cases as they worried about their bright futures.

IN THE JADING PROCESS

By K. Michael Mooney

When lull of law school tightens,
When the ideology bastion crumbles in the fold,
When it seems the professor would be better served,
If he would just put on a damn puppet show-

"Vosburg kicked me! Ow! Hey, man, I'm going to sue you!"
"Go ahead, you'll never win, you worm!"
"I'll get you, Vosburg, I'll get you!"
"No way, man, cause I'm the reasonable man, and besides, it wasn't intentional!"

Does it really matter the substance of the journey,
Or the crafting of the law from application-
Do you think the book learning and the GPA will really save you?
Ha!

A sail with no wind sits stagnant in the silence,
A tree with no roots stands only to fall;
if you can't initiate and engage the knowledge in a pragmatic and practical
action,
The fruit of that tree will catch worms,
Eat itself away;

Beware - do not become a law student who sheds his humanity,
The law does not chose us,
We are people who have chosen the law-
(At least some of us)
Priorities must begin with the individual spirit glancing away in the eyes,
For we have to live in the real world-
Or the young attorney will just simply marry the law,

Will divorce the spouse,
Will lose the affection of children,
Will not be able to buy his way out of this chronic identity crisis,
(But will be able to show off his Mercedes Benz, neat, cool, huh?)
Callous and calibrated,
Angry and disassociated,
Is he;
Though not me;
I long to breathe the abundance of my life,
And the law?
It is just a career just like garbage collecting is a career,
A few notches below what is really important in this world-
For what kind of a man am I?
How am I treating my family and the woman I love?
This is what is really important,
Not if I can brief a Supreme Court opinion;

Caught up in the jading process,
Sometimes life beckons and demands the energy in full;
So I'm not the ideal student of the month,
Thank God,
For I've had other things going on besides law school,
And I am tired-
So the next time you think about calling on me,
Do us both a favor,
Don't bother-
I might just choose to pass.

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Book # 28, October 11th, 1997

Supremes

Continued from page 5

case has something of interest for everyone: criminal law, criminal procedure, constitutional law and civil rights. The case involves the "Knock and Announce" Rule which generally imposes a duty upon police, with a valid search warrant, to 'knock and announce' their presence, allowing the occupant of the dwelling a 'reasonable' amount of time to answer the door. The question was whether the Fourth Amendment allows a blanket exception" to this rule under "exigent circumstances".

The Supreme Court of Wisconsin held that such a blanket exception was constitutional when the police were searching premises of individuals reasonably believed to be drug dealers. The facts of the case allowed for colorful and thought-provoking dialogue between the attorneys and justices. On New Year's Eve of 1991 the Madison police did not knock on the door to Steiney J. Richard's hotel room. They burst in upon him at 3:40 a.m. Richards, a 19 year old from Detroit, was arrested after jumping out of a window. The Police found 130 packets of cocaine in his hotel room and he was sentenced to 13 years in prison.

Miguel Estrada, a Clinton administration lawyer, argued in favor of allowing no knock searches whenever police have a reasonable belief that they will be in danger or that drugs could be destroyed during the (approximate) 10 to 20 second interim between knock/announcement and entering.

In addition to following the argument, it was entertaining to simply observe the justices. Many of them were as I had imagined. Justice Ruth Bader Ginsburg appeared very attentive, thoughtful and posed questions often as hypotheticals. Associate Justice Antonin Scalia appeared laid back, at times amused by the proceedings, and his sense of humor and outspoken nature showed through. At one point, an attorney, advocating strict adherence to the "Knock/Announce" Rule, went so far as to suggest that the police could turn off the water of the building before entering the premises, to avoid the possibility of drugs being destroyed by being flushed down the toilet. Scalia took this opportunity to observe that "At his house when the water is turned off, you still get one good flush." Most of the court room burst into laughter. It was refreshing to see that even our nation's top court has a sense of

humor and levity.

Court decorum is strict and security is thorough and efficient. After entering the "Great Hall" the hall leading to the court room, you immediately surrender a number of personal rights. Newspapers and other papers, once allowed in the courtroom, no longer are as the rustle and movement is distracting to court members. No pencils, large bags, hats or coats are allowed inside. The court room floor is well-covered with unsmiling men in suits and headphones who carefully watch over the crowd.

The Supreme Court also has a museum and observation area downstairs which is open to the public. One item of interest is the "spiral staircase". While it is not in use, the public is able to lean over the banister, look directly upward and receive a sort of a Alfred Hitchcock-like Vertigo experience as the elliptical spiral stairs curve upward in a seemingly endless, dizzying pattern. Such self-supporting structures are very rare. The Paris Opera House and the Vatican have similar structures.

When the court is not in session tours are given every hour on the half hour. These tours are not tours of the building, (most of the building seems to be off-limits to the public) but involves sitting in the court room itself as an intern describes different aspects of the court- including its history, architecture and function in our legal system. Wanting to get a complete Supreme Court experience I attended one of these tours. I discovered that anyone who has taken Constitutional law is likely to learn little new from the tour. However, if you want to attend in order to stump the college-age intern with a profound, complex constitutional legal question about the court, that is an option. Yet, the "tour" was a way to pick up some information about the court which I had not known, such as the fact that the Court did not have a building of its own until 1935, despite its importance to our legal system during its previous 145 years of existence. All in all, a visit to the highest Court in our country is eye-opening and thought-provoking. I now find upon reading Supreme Court opinions I no longer feel they originate from some distant, unknown, faceless court. They are from OUR Supreme Court- we have the right and privilege not only to read its opinions, but to visit and see the law in the making.

"LEGALESE" A Crossword Puzzle

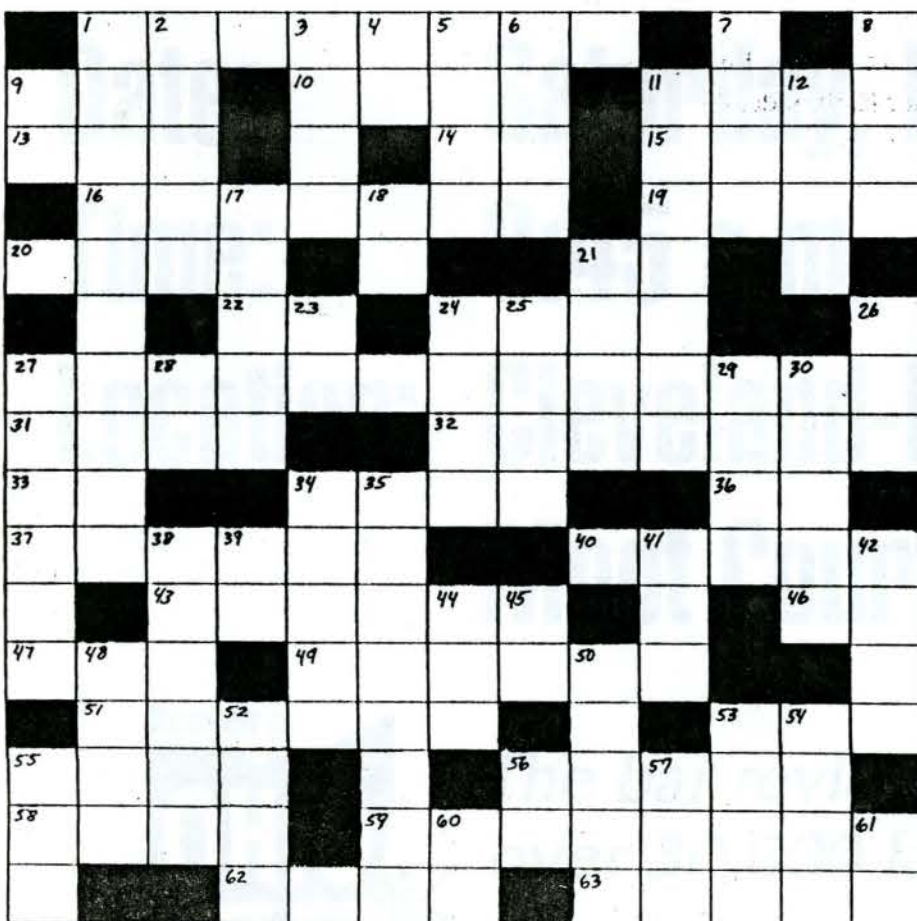
By Eileen Sutker

DOWN

ACROSS

- | | |
|----------------------------------|-------------------------------|
| 1 Real or personal | 1 Following the legal method |
| 9 Almost an amendment | 2 Radio detection and ranging |
| 10 Vowels | 3 Before scope or cardium |
| 11 Open to arguments | 4 Good or true (Gr.) |
| 13 Cash on demand abbr. | 5 Unlawful sexual intercourse |
| 14 Public relations abbr. | 6 Civil wrong |
| 15 Revise and correct | 7 ___ et forma |
| 16 Pres. advisors | 8 Kreuger or Preminger |
| 19 contendere | 9 European Community (abbr.) |
| 20 none | 12 Greasy |
| 21 Foreign Service abbr. | 17 De ___ non |
| 22 Elemental nickel | 18 Nota bene abbr. |
| 24 A Jewish time period | 21 Not State govts. |
| 27 Science of Law | 23 Tense of "to be" |
| 31 Haj Author | 24 Type of argument |
| 32 Apprehension of bodily harm | 25 eg. erato |
| 33 Prosecutor | 26 ___ aside; void |
| 34 Under UCC control | 27 Decided or ruled |
| 36 TV Lawyers' site | 28 Tiny State |
| 37 Thin hard icings | 29 ___ and void |
| 40 Mea | 30 Applauds |
| 43 Habeus ___ | 34 Deliver papers |
| 46 eg. Rd., ave., Blvd. | 35 Rigor or harshness |
| 47 Another professional | 38 After offer |
| 49 jury selecting process | 39 two or more counsel |
| 51 Extreme degree | 41 Fair, public or exclusive |
| 53 Pick one | 42 THE GOAL |
| 55 Brand dog food | 44 One (Fr.) |
| 56 Mentally quick | 45 Yes (Sp.) |
| 58 Whole or entire | 48 Norway city |
| 59 ___ of the circumstances test | 50 Fit for a king |
| 62 sunbeams | 52 ___ dire |
| 63 Rental agreements | 53 ___ alia |
| | 54 Grosses less expenses |
| | 55 Consumed |
| | 56 Location |
| | 57 After sen- and crocod- |
| | 60 Orifice or mountain ridge |
| | 61 Part of Baliff's cry |

(Answers on page 8)



Dean's Column, continued from page 3

will also often find yourself working and networking with some very committed attorneys.

The uses of a Juris Doctor degree are many and varied, extending far beyond the traditional law practice. Thus Ms. Daiker Middaugh's Program and the Office of Career Planning are planning a job fair later in the year to expose students to career opportunities in non-traditional legal jobs. Many employers from all sorts of unexpected workplaces come to these forums and students often find their expectations for employment after graduation enlarged. During the winter break, Associate Dean Jack Guttenberg brings future attorneys and the local bench and bar together in his highly acclaimed three-credit Trial Advocacy Program, an intense 11-day experience in which each year 60 law students learn first hand the finer points of representing clients in the courtroom from some of the most knowledgeable men and women in the profession. There is a great deal of give and take in the Trial Ad sessions as students agree

cases before actual judges and are videotaped and afterwards critiqued by lawyers and judges. Dean Guttenberg has offered the Program for a number of years, and it meets always with success.

Finally, don't be dismayed by bleak stories of a poor job market. The statistics from the Office of Career Planning would encourage the most pessimistic of job seekers: 88.9% of the 96.4% members of the class of 1996 participating in the Office's survey reported employment in the first year after graduation. These figures are a tribute to the Office of Career Planning and to the real job-finders: the students of Cleveland-Marshall College of Law.

Nevertheless, the Office of Career Planning is the best place to begin. Make an appointment with Ms. Winner or with Jennifer Blaga, the Assistant Director of Career Planning, to learn what the Office's services are, how to research job opportunities, and what you need to do to get an interview during the fall On-Campus Interview season.

OSBA Law School Student Scholarship

Applications for the 1998 OSBA Law School Student Scholarship must be postmarked by Jan. 15, 1998.

Eligibility

All associate student members of the Ohio State Bar Association are eligible to submit an application for the OSBA Law School Student Scholarship. Non-members may apply for membership when submitting an entry by including a completed membership application and dues. An associate membership application form may be obtained by calling the OSBA Fax-On-Demand Service at (888) 872-2329 (toll free) and requesting document number 202, or by visiting the OSBA Web site at <http://www.ohioabar.org>.

Answer this question

All scholarship applicants must answer one essay question: "Is there any aspect of the legal system you feel needs improvement and why?" Essays must not exceed four typed, double spaced pages.

Awards

Two scholarships will be awarded: One award for \$1500 and one for \$1000.

Deadline

The application form and essays must be postmarked no later than Jan. 15, 1998. Winners will be notified as soon as judgment is complete. Names of the scholarship recipients will be published in *Associate News* and *Ohio Lawyer*.

Rules

All essays must be the original work of the student. All entries must be accompanied by a completed entry form or a copy of it. If you need a copy of the application form call (800) 282-6556 (in Ohio) or (614) 487-2050.

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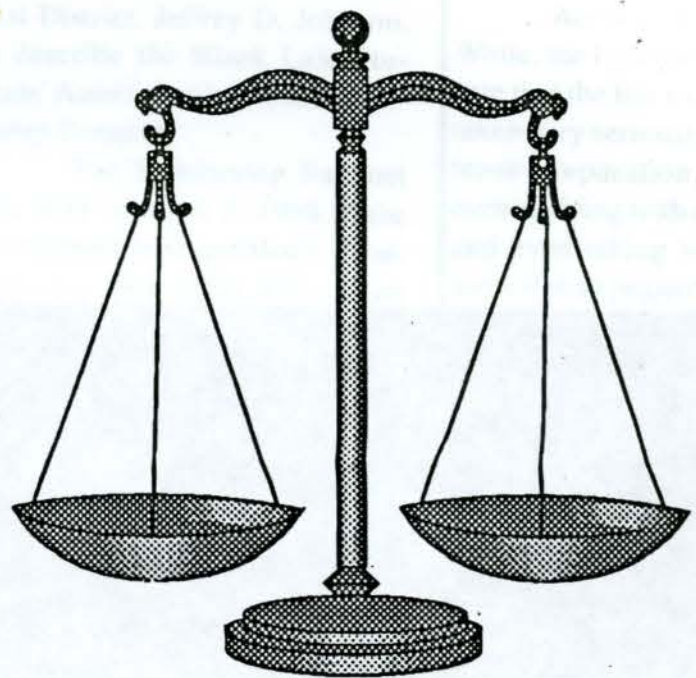
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Time: 8:45 a.m. - 1:00 p.m.

**Location: Cleveland-Marshall College of Law
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