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**1973 Vol. 21 No. 5**

Cleveland-Marshall College of Law

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# The Gavel

O Duty!  
Wouldst thou had  
the visage of a sweetie  
or a cutie!

--Ogden Nash

The Student Newspaper of The Cleveland State University College of Law • Cleveland, Ohio

Volume 21 • No. 5 • Jan. 9, 1973

## WERBER IS AN ASSISTANT DEAN



Asst. Dean Werber

## FRESHMEN ENROLLMENT DECLINES

News Release from the ABA

The American Bar Association reported on Dec. 11, 1972 that enrollment of first-year (freshman) students in the 149 ABA-approved law schools dropped this year by 2.9 percent, despite an increase of 7.7 percent in overall law school enrollment.

However, the decrease did not apply to women first-year law students, whose number increased 27.3 percent from 4,326 to 5,508 this year. The total number of women law students rose by 35.9 percent from 8,914 in 1971 to 12,172 this fall.

Total enrollment in law schools approved by the ABA jumped from 94,468 last year to 101,664 this fall. This was due largely to a 26.3 percent increase in the size of the third-year class, from 22,404 in 1971 to 28,311 this year. When admitted in 1970, this class hiked law school enrollment by 20 percent, the first indication of the recent surge of interest in law as a profession among students throughout the country.

The decrease in first-year enrollment, from 36,171 in 1971 to 35,131 this fall, does not indicate waning student interest in the law, according to University of Texas Law Professor Millard H. Ruud, consultant on legal education to the ABA.

He explained that record increases in the number of first-year students admitted during the past two years have now resulted in higher enrollment levels among second and third-year students, accounting for the 7.7 percent increase in total enrollment. To prevent further

overcrowding, he said, many law schools have found it necessary to accept fewer incoming students than last year.

"Most of these schools reported that in the last year or two they had intentionally or inadvertently admitted a larger than normal entering class," he said. "To hold the total enrollment at a number that could be adequately served by the present full-time faculty and law school facilities, this year's entering class was reduced in size."

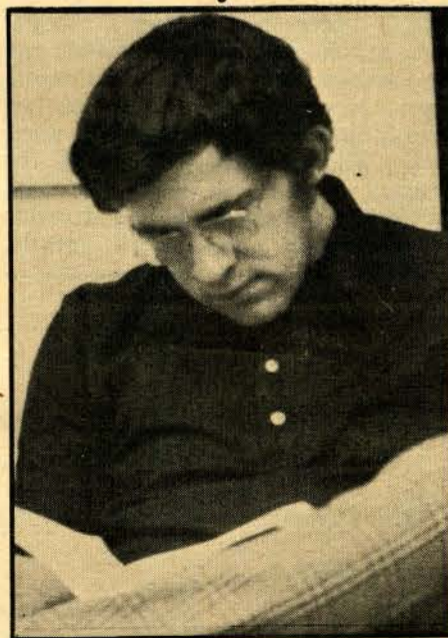
The decrease is even more significant, he added, if the two law schools approved since last year are not counted. If the 586 students enrolled in these two schools are excluded, the 147 law schools approved as of last year have decreased their first-year enrollment by 1,626, or 4.5 percent.

"This occurred at a time when the demand for legal education, as measured by administrations of the Law School Admission Test, was increasing by nearly 12 percent," Professor Ruud said.

Only two law schools reported "unfilled seats" this year, totalling 27. In 1970 there were 659 unfilled seats reported, and last year 87.

Professor Ruud said statistics for schools not approved by the ABA are incomplete. However, he added, "the unapproved schools have been the beneficiaries of the inability of approved schools to accommodate the further increases in demand for legal education."

## FIRST WEEK of SECOND QUARTER



## NOTICE

Law school seniors who have not received an application for graduation may pick them up from Mrs. Martin in the University Tower 1201 or the Graduation Office in the Fenn Tower 408.

## WOMEN ATTORNEYS SPEAK

by Phyllis Marcus

Recipes for success were shared recently by leading women attorneys in Cleveland with women from Cleveland State University and Case-Western Reserve University Law Schools. The home of Gale Siegel, who heads CWRU's clinical legal education program, was the setting for this informal gathering. Carol Turoff and Nancy Shuster presented their experiences in raising a family while pursuing careers in law. Marion Nathan told of how by having her own law practice she was also able to head a corporation.

Judge Sarah Harper, who highlighted the evening, expressed great disappointment because so few women are becoming trial attorneys. Her views were shared by Jean Capers who felt that being a woman attorney was a definite advantage in the court room. All lawyers present agreed that this was an exciting time for women to be in the field of law and encouraged all the women students to pursue their various interests in the law. This was further illustrated by Jane Picker who has just started the Women's Law Fund, a firm that is dealing with sex discrimination. Judge Harper continued by stating that there were presently four judgeships vacant in Ohio and hoped that Governor Gilligan would appoint a woman to at least one of these positions. There are presently very few women judges in Ohio. So inspired by Judge Harper, our own Professor Aldrich is presently seeking one of these vacancies.

The evening proved to be a pleasant and informative experience for all women who attended. Similar meetings with the women from CWRU Law School are in the planning for the future.

## QUERY: WHY

IS THE 6th FLOOR  
OF  
UNIVERSITY TOWER  
SEALED OFF?

# President Walker Writes

by S. Walker  
SBA President



The role of President of the Student Bar Association has been an apolitical one both within the school and without. Yet I find it exceedingly difficult to remain so. There are many who have remained apathetic to the demands of change necessary in this school and have justified such on the basis of the unimportance of what we do here and on the limited time which we spend here. These same people will excuse themselves from participation in society once they finish here. This seems an inescapable conclusion because one determines what one would be by what you have been, by what you have done and by what you are. You may believe that everything we do here is irrelevant. But surely you cannot ignore what is happening outside the school. That is something that is relevant and does concern you both as future lawyers and as American citizens. Even to the most casual observer it must be becoming painfully obvious that we have been lied to by the national government. What has happened to the campaign promises of '68 and '72? Please refrain from attacking my naivete simply because I have some belief in the spoken word. Can the desires of so many go totally unnoticed? We were promised a peace but the war goes on, and on, and on. We have been quiet too long. We have listened too long. We have watched too many die too long.

This, unfortunately, is not the only governmental breach of trust. The causes of the deaths at Kent State, Jackson State and Southern University have been squelched. Three and one half years have passed since the system of justice, which we desire to become a part of, has done nothing. There have been no federal grand jury investigations. Why? Are we not entitled to know exactly what did happen and who were the people responsible. And let us not so quickly forget Attica. What's been done to alleviate any of its causes?

As the new year starts, I suggest that there is not much to be thankful for. The system of government established nearly 200 years ago seems to be totally inadequate to handle today's needs. Much as the administrators of this school have ignored past requests for explanation, so too has the national government. And by so doing they jeopardize their very existence. To ignore so many for so long cannot long endure and will cause to crumble what so many quiet Americans have cherished so long. I ask that the people in this school to actively participate in bringing about the necessary changes in this school and in the country. To abstain is also to act, and you may not like the results.

DOES ANYBODY IN THE C+ RANGE (9%) HAVE THE ISSUE IN THIS CASE??



D-F  
C- D-F A B  
C B+ C- A- B D-F  
B- D-F C C+  
A C B C

## ANOTHER EDITORIAL DEAN?

by Lila Anderson

And yet another dean has been appointed to the ever-expanding administration of the Cleveland Marshall College of Law. Assistant Professor Stephen Werber is this year's addition. Having gained experience as Chairman of the Financial Aid Committee, Assistant Dean Werber's specialty will be the administration of financial aid to students. This will supposedly enable Dean Tabac, who had previously handled that area, to devote all his time and energy to being the "students' dean."

Although we appreciate the abilities of Stephen Werber and believe that he possesses all the potential necessary to be an able administrator; we, nevertheless, feel that his appointment is a dubious one.

After all, how much room at the top is there? The administration and faculty are already overcrowded with money specialists, viz., a director of financial aid (Barbara Sper), a budget and accounting director (Marlene Stovicek), the Financial Aid Committee, and the official sympathetic listener to students' financial problems (Dean Tabac). Of course, there is Mr. Greenwood, too, who handles a little bit of everything as assistant to the Dean (Christensen, that is). It is definitely possible that the addition of Assistant Dean Werber to oversee all of the above could lead to greater fragmentation within the administration, and moreover, might lead to greater confusion on the part of students.

But the main reason why Werber's appointment is a dubious one is because we feel that this law school cannot afford to lose another good teacher from its faculty. Who will teach the second-quarter of Civil Procedure now? Who will teach Conflicts next year? (Richard Markus stepped in for Werber this quarter).

Perhaps Mr. Werber can do more for students in financial aid than he can as a teacher. But until that is proven, his absence from the classroom will be sorely felt.

by  
Steven Walker

During the summer a schedule was issued for the forthcoming academic year. It was issued at a time that left little opportunity upon which to act. That schedule was instituted without any student participation whatsoever and with only extremely slight faculty input. We were told that the changes made were for our own good. The scheduling techniques were said to be made for "pedagogical" reasons. But what are those reasons? That single classes be cut down from three hours long to two classes of one and one half hours each, back-to-back. The four credit hour course that accompanies these two courses, in a regular schedule, is given twice a week, two hour sittings each. The basic change then, is that students will have classes four nights a week on a regular basis. The discarded and pedagogically unsound schedule required a student to be at school three nights a week and an additional night every third week. He was not, however, down at law school at least four nights a week every week. For the most part, the student had time off during the week to prepare for classes and to attend to his-her other duties, work, family,

and perhaps extracurricular activities here at law school. It is true that such a system was difficult and required quite a bit of dedication. But this added burden of one more day down at law school on a regular basis is more than just one more hardship to be overcome by night law students. It is, and will be, just enough of a hardship to force some people out of work or out of law school, and to discourage many others from ever attempting to endeavor to better themselves by obtaining a legal education. The schedule just simply requires a little too much extra on an already burdened worker. Do any compelling advantages advance? This extra burden though supposedly not intended to stifle night education may do just that. Making night school increasingly burdensome does not equate to making night school increasingly demanding. Night students have in the past, and will in the future, maintained the same excellence demanded during the day.

It was requested of the students to indulge this first time, to give the system a chance. We have indulged, and we have received notice by first year students as well as those who have already voiced their opinions previously. We no longer request that such scheduling system be re-evaluated, we demand that the scheduling scheme be discarded and the system which had worked reasonably well be re-instated.



### The Gavel



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# SUTTER STARS AT AWARDS CEREMONY

by Lila Anderson

The annual presentation ceremony of student prizes and awards was held on December 5, 1972 at the Holiday Inn. Professor Charles Auerbach, Chairman of the Committee on Student Awards and Competition presided at the ceremony. Other Committee members present were Asst. Prof. Barnhizer, Asst. Prof. Garee, Asst. Dean Sierk and student member Phyllis Marcus.

Without a doubt, the highlight of the ceremony came when B. Richard Sutter received the Chief Justice Emeritus Samuel H. Silbert Award of \$100 for Writing Contributing Most to the Quality of the Law Review. Mr. Sutter announced that he was donating his award to the Cleveland Marshall Chapter of the Law Students Civil Rights Research Council so that it might continue to serve the law school and the legal community in the coming year. (Most of us should remember the outstanding efforts of Dick Sutter and Bruce Elfvin as co-chairmen of LSCRRC.)

The other awards were as follows:

Faculty Award, Highest Academic Grade Average, Class of 1972, James A. Griffin.

Banks-Baldwin Company Award, Second Highest Academic Grade Average, Class of 1972: A. James Quinn.

W. E. Baldwin Award, Most Deserving Graduate, Class of 1972: Robert P. Merino.

Ohio State Bar Foundation Award, Highest Academic Grade Average in First One-third of Law School Courses: Kenneth A. Seaman.

Ohio State Bar Foundation Award, Highest Academic Grade Average in Second One-third of Law School Courses: Barry R. Laine.

Land Title Guarantee & Trust Company Awards, Outstanding Students in Real Property: Kenneth A. Seaman, Richard N. Tatelman.

Judge Lee E. Skeel Memorial Award, Outstanding Student in Personal Property, Roger A. Katz.

West Publishing Company Corpus Juris Secundum Awards, Greatest Contribution to Scholarship: Class of 1972, Bruce E. Gaynor; Class of 1973, Peter Zawaly, Jr.; Class of 1974, Terence L. Saron.

West Publishing Company Hornbook Awards, Highest Academic Grade Average: Class of 1972, James A. Griffin; Class of 1973, Barry A. Laine; Class of 1974, Mitchell Rosen; Class of 1975, William H. Hunt.

Sindell Tort Competition Prizes, Best Paper in Torts or Evidence: First Place, Arthur L. Kraut; Second Place, Donald J. Ladanyi.

Spangenberg Trial Practice Prize, Outstanding Student in Trial Practice and Procedure, Robert F. Frijouf.

War Veterans Bar Association Award, Veteran Entering Final Year, Highest Academic Record, David A. Fegen.

Suggs I. Garber Awards, Courses on Business Organization and Taxation: Highest Academic Grade Average, Donald R. Larson; Second Highest Academic Grade Average, James R. Murphy.

B.N.A. United States Law Week Award: Most Satisfactory Academic Progress in Final Year of Study, Thomas J. Konet.

Wall Street Journal Student Achievement Award: Graduate with Highest Academic Grade Average in Courses on Sales, Commercial Paper, Agency and Corporations, James A. Griffin.

Central National Bank Award, Outstanding Student in Negotiable Instruments Course: Barry R. Laine.

Judge James C. Connell Award, Outstanding Student in Criminal Law: William H. Hunt.

Sidney A. Levine Award, Best Paper in Legal Writing Course: First Place, Ann S. McFarland; Second Place, James G. Joseph.

Ohio Title Corporation Award, Best Law Review Article on the Law of Real Property: Joseph Gibson.

Chief Justice Emeritus Samuel H. Silbert Award: Writing Contributing Most to the Quality of the Law Review: B. Richard Sutter.

Delta Theta Phi Award: Law Review Article Most Useful to Practicing Lawyers: Arthur L. Kraut.

W. H. Anderson Co. Award, Graduate Contributing Most Meritorious Law Review Article: Ranelle A. Gamble.

Dean's Moot Court Spring Competition Award, Outstanding Oral Argument: First Place, Arthur H. Hildebrandt; Second Place, Sandra S. Logan.

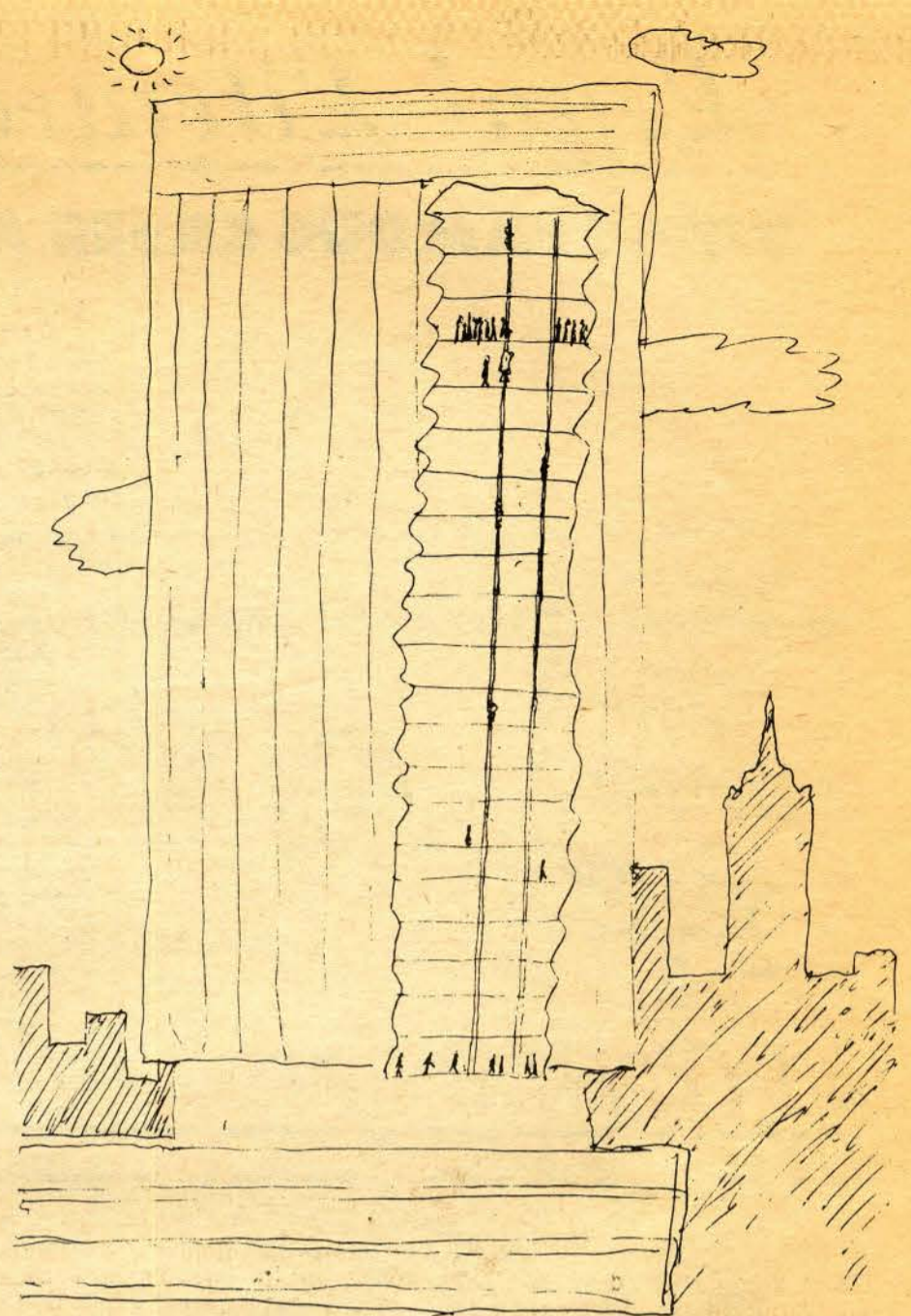
Law Alumni Assn. Moot Court Spring Competition Award, Outstanding Brief Writing: First Place, Thomas O. Gorman; Second Place, Nancy J. Balzer.

West Publishing Company Moot Court Award, Outstanding Students in Moot Court Program: Bruce B. Elfvin, B. Richard Sutter.

## SECOND WEEK OF SECOND QUARTER



## THIRD WEEK OF SECOND QUARTER



ARTIST'S CONCEPTION OF 300-FOOT FIREMAN'S POLES TO BE INSTALLED BY 1979 IN UNIVERSITY TOWER TO MEET THE DEMAND FOR MORE EFFICIENT TRANSPORT.

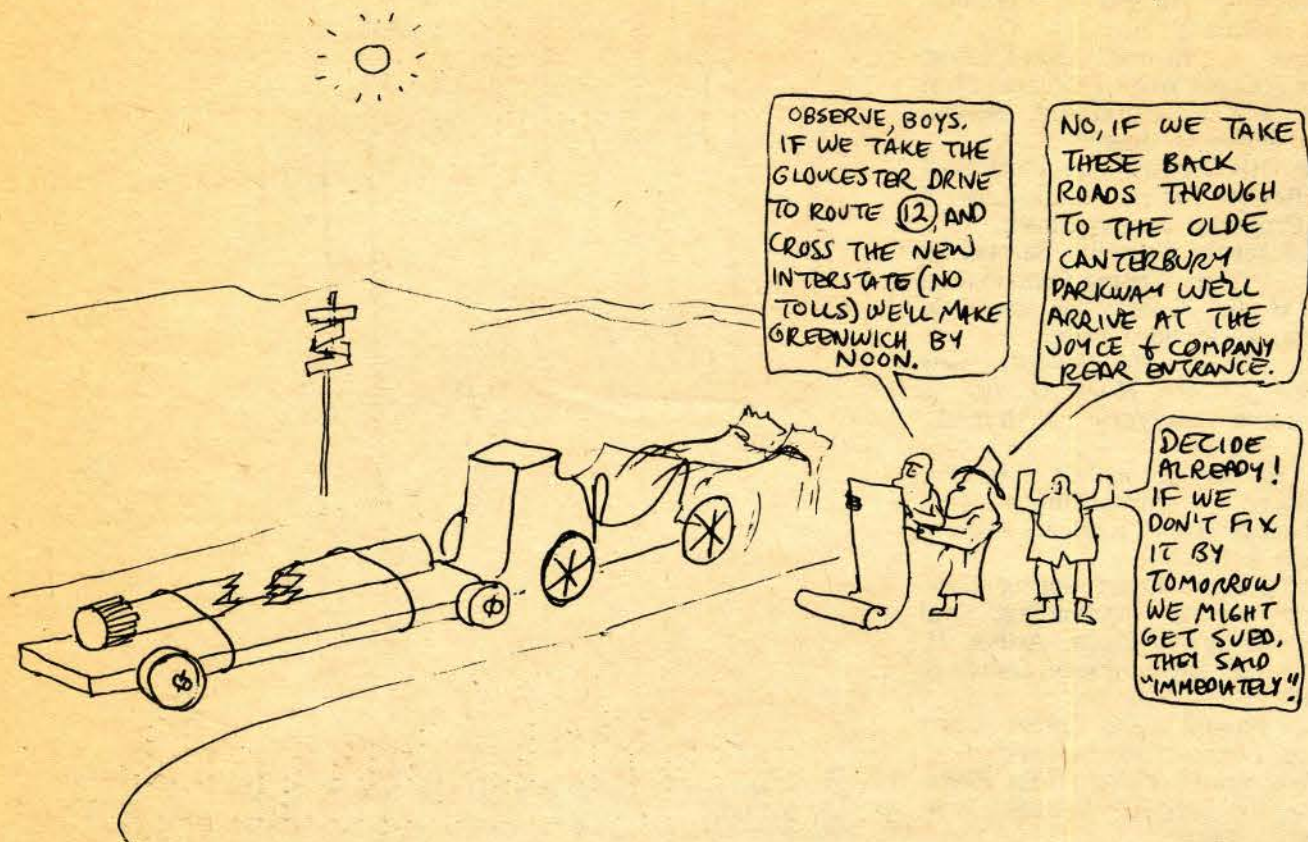
# Legal Literacy Quiz

## WHICH FAMOUS CASE IS THIS? (MORE ON PAGE 4)



# Legal Literacy Quiz

## WHAT FAMOUS CASES ARE THESE?



## EDITORIAL

by Lila Anderson

The schedule of courses now in effect requires an evening student taking two courses to attend class four nights a week rather than two nights, as under the old system. This method was particularly directed at the incoming first-year students. The educational philosophy which underlies the Administration's attempt to keep students at the Law School four nights out of the week is that the student becomes more integrated into the Law School milieu and legal method generally when his involvement occurs on a regular day-to-day basis. It is also felt that a shorter class period enables the night student to research and study for a few hours in the library after class and still leave school by ten o'clock.

Although the philosophy is certainly a valid one, many night students have strong objections to it. They feel that coming to class four nights a week is more of an inconvenience than an integrating factor in their law school career.

The argument is made that more course material can be covered, discussed and digested in three hour sessions than can be in a ninety-minute sessions, as spread out during the quarter. A three-hour class allows the professor to deal with an entire concept or an entire chapter. This allows the students to grasp the course as a whole with greater facility and understanding than does a ninety-minute session in which a concept is usually left half-explained at the end of the class and must be re-introduced and redeveloped for the next two or three classes to come.

However, the counter-argument for shorter and more frequent classes carries equal weight. Although a concept might remain half explored by class discussion and one-quarter understood by the individual student after ninety-minutes, there is one or two days' time until the next class during which the student can pursue the problem on his own through the casebook and other sources. By the next class the questions and understanding of the problem that he has developed give greater depth to group discussion and the lecture and give him a broader perception of the material.

However, spending four nights away from home and family is still difficult to accept, no matter which educational philosophy the night student chooses to follow.

But Stephen Walker notwithstanding, perhaps the spirit behind many night students' desire to be at the law school as little as possible is the same spirit that precipitates complacency with a trade school education.

## The Gavel

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