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1969 Volume 17 No. 5

Cleveland-Marshall College of Law

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THE GAVEL

"The Voice of Cleveland-Marshall"

CLEVELAND-MARSHALL LAW SCHOOL

1240 Ontario Street • Cleveland, Ohio 44113

Vol. 17 - No. 5

April 15, 1969

Governor Signs Merger Bill

By Sheldon Katz

On March 25, 1969, Governor James Rhodes signed into law the legislation authorizing merger of Cleveland State University and Cleveland-Marshall Law School. The bill becomes effective on June 24, 1969. The name of the law school will be Cleveland State University, Cleveland-Marshall College of Law. Cleveland-Marshall's endowment will remain in trust for scholarships, faculty salaries, and research.

The law school will be budgeted in accordance with the current, usual Ohio allotment of fifteen-hundred dollars per law student to state law schools. Tuition probably will decrease, but the exact figure is not yet known. In all probability, the College of Law will follow the Cleveland State quarter system. For those who have not experienced the quarter schedule, it is designed to start later in the year and end before the middle of June. Each quarter would end prior to a vacation, *i.e.*, prior to Christmas and the Spring breaks. This would mean that the holidays could be enjoyed to their fullest, since there are no finals upon return to school. Watch for the next issue, which will contain a more detailed story.

BULLETIN: Dean Gaynor recently suffered a heart attack. The Dean was hospitalized at the Cleveland Clinic for a period of three weeks.



He is now resting at home for another three weeks and must "take it easy" thereafter. This is standard procedure for cardiac patients. The medical communiques are the customary "doing fine," which are really non-committal. As rest is the best cure, he is not seeing any visitors, as yet. As we go to press, he reports, "I feel fine."

Publisher Recognizes High Grades

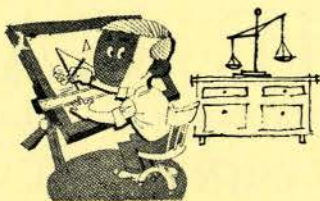
The following students have been awarded a volume, each, of American Jurisprudence, by the Lawyers Coöp. Publishing Company. These awards are given each semester to the student attaining the highest grade in each class section.

Course	Section	Professor	Student
Business Associations	Day	Boskey	Richard Galex
"	A	Boskey	Carmen Marino
"	B	Chitlik	Norman Stark
"	C	Houston	Elliot Levine
Commercial Law I	Day	Murad	John Talbott
"	A	Murad	John Hyland
"	B	Morton	John Winchester
"	C	Morton	James Blaszak
Conflict of Laws	A	Sogg	James Adams
Contracts I	Day	Goshein	Warner L. Jackson
"	A	Winters	Martin Despins
"	B	Winters	Byron Van Iden
Criminal Law	Day	Murad	James Komorowski
Damages	A	Stuplinski	Kenneth Rothgery
Estate & Gift Taxes	5X	Sierk	Norman Baxter } Harold Polster }
Evidence	B	Cohen	Carol Mosher
Gov't Regulation of Business	5X	Emerson	Donald Elardo
History and Methods	Day	Gaynor	Joseph Gambino
"	A	Gaynor	James Wilkens
"	B	Gaynor	Robert Sevts
Oral Advocacy	516	Markus	Robert A. Wood
Patents & Copyrights	514	Teare	John Maxey
Property I	Day	Flaherty	James Komorowski
"	A	Sutin	Clayton Leroux
"	B	Flaherty	Howard Gordon } William Kohner }
Tax I	Day	Goshein	Mrs. Deborah Goshein
"	A	Sierk	Paul Gaudin
"	B	Sierk	James Phillips
"	C	Goshein	Harry Haber
Torts I	Day	Oleck	David Richards
"	A	Cohen	Keith Bevan
"	B	Boskey	Bruce Gaynor
Trusts	C	Dyke	Julian Greenspun } John Harkins }
Wills	A	Rippner	Robert Egger
"	B	Rippner	Alan Shorr

THE GAVEL

C. Ellen Connally
Issue Editor

J. Norman Stark
Editor-in-Chief



STAFF

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Barry Schonberg

Sheldon P. Katz
Brian W. Phillips

Howard L. Oleck, D.P.L.
Faculty Advisor

APP—ADVOC

Twenty-eight students recently shared a rewarding experience by competing in the Appellate Advocacy course coordinated by Professor Ann Aldrich and her two research assistants, Vivian Solganik and Pierre Grieselhuber.

The students were given two highly debatable problems: one dealing with labor law and the other with torts and conflicts of law. Eight teams were divided into competing groups of appellants and appellees. To circumvent any scheduling problems and to create an atmosphere of keen competition the day division was pitted against the night division. Each student researched and wrote his own brief, and then the combined talents of the team produced a final brief upon which their arguments were based.

Throughout the competition many distinguished members of the Cleveland Bar Association, such as Judges McMonagle and Wasserman, the Sindell brothers—and Rabe, Heath, and Riemer—as well as Professors Auerbach, Boskey, Cohen, Dyke, and Goshien, provided a professional atmosphere by acting as judges.

As the program was administered this year, Appellate Advocacy could be substituted for a student's legal writing requirement. At least six of the participants, however, undertook a legal writing project in addition to appellate advocacy, and the remainder were exposed to legal research and writing in the preparation of their briefs for the advocacy course.

We, the undersigned, were among the twenty-eight participants. We express no opinion as to whether an appellate advocacy program should be voluntary or involuntary, or whether it should supplement as an alternative to legal writing. We do feel, however, that it is a valuable legal experience, and should be retained, in some form, in the curriculum of Cleveland-Marshall.

J. Ciocia
K. Duffy
R. Galex
H. Greenfield
R. Phillips

For the Record...

AALS inspection for C-M membership was made in mid-March by a committee of Profs. Bykstra (U. of Calif., Davis), Kepner (Rutgers), Cohen (U. of Pa). Chairman of AALS Accreditation Committee this year is Dean Toepfer (CWRU Law School).

PROF. ARNOLD H. SUTIN has been awarded a fellowship to attend a summer seminar sponsored by The Foundation For Economic Education, Inc. The Seminar will be held in Irvington-On-Hudson, New York.

TWO ADMINISTRATIVE OFFICE ASSISTANTS starting work this month at C-M are: Helen Marody (Alumni Office Assistant), Kathy Brocco (Secretary).

C.S.U. ADMINISTRATORS have been at C-M almost daily, for several weeks, coordinating details of merger of the Law School into the University. (*Vital statistic*: our new school colors are green and white.)

LAW STUDENT DIVISION membership had risen to 17,001 as of Feb. 25. The division also reports that 1,500 students have joined professional Sections since recent action made student Section affiliation available.

Meanwhile, regular ABA membership has been increasing at a record rate. The Committee on Membership reported that from July 1, 1968, through February, 1969, an average of 1,085 lawyers per month were elected to membership.

FOUNDATION INVESTIGATION BEGAN AT C-M

By C. Ellen Connally

The Plain Dealer recently featured several full page stories about various persons who NOW recommend bold suggestions that Foundations' abuses of tax exemptions and corporation law should be stopped by Congress. Everyone apparently forgets that investigation of foundations began HERE at *Cleveland-Marshall in 1960* with a law review article concerning foundations. This led to the Patman Committee Congressional Investigation in 1961-1962 at C-M, using 30 students and recent alumni. NOW, EVERYBODY is claiming credit for the bold investigation and recommendations for changes in law, *except the ones who really did it*. IT WAS EVER THUS . . .

THE GAVEL

Cleveland-Marshall Law School

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Mrs. Estler Testifies On Proposed Abortion Law Change

Mrs. Robert Estler, better known as Donna, senior bookkeeper of Cleveland-Marshall, testified Wednesday, March 19, before the Ohio Legislature's House Health and Welfare Committee regarding the bill on abortion law. This bill would permit abortion operations only in the event ". . . the continuance of the pregnancy would gravely impair the physical or mental health of the mother or that the child would be born with grave physical or mental defects, or the pregnancy resulted from rape or incest." Two physicians must file a certificate of their belief in the "justifying circumstances" at the place where the abortion is to be performed.

Mrs. Estler expressed her personal opinion that the bill could not include all the circumstances under which this should be legalized. A doctor is the best judge of a woman's health, and he must be given enough freedom within the law to make the decision he feels would be best for mother and child. She also stated that the provision which requires the opinion of two doctors is good because it assures that the decision will not be made in haste. She does not feel that it will be made lightly either, because doctors, generally, are aware of the impact any decision in this area could have.

Since incest and rape are both illegal in the state of Ohio, because the people of this state feel that these acts are undesirable, they would also feel that the products of such acts are undesirable.

In a course taken at Miami University, Mrs. Estler was told that each year there are one million abortions in the United States, 98 percent of which are illegal. If two percent are in the state of Ohio, there are 20,000 abortions each year in this state. These figures are probably low because they are two years old and Ohio has a large population in relation to some of the other states. If Ohio's law remains as it now stands, it would seem to condone such actions.

[Note: Mrs. Estler's testimony, and the personal views of those who agree or disagree with her, are their own. The Law School takes no position on this question.]

THOUGHT-BACKS AHEAD

Alan Jay Rom

And you say to me be a stranger,
Hide the truth from my eyes,
As you drive up to wealth in a cadillac,
Shielding the sun from inside.

But you don't know the dirt on the streets,
The twisted faces, broken hearts.
Then you say I live in a world of my own,
As you try to set me apart.

Because I don't like your dreams,
What I want your money can't possess,
Peace, love, and truth to seek,
Pleasure, freedom, life to bless.

MIN-ZO YOON

by Sheila Kahoe

C-M's student body is known to have a rather international flavor. One representative of this influence is Professor Min-Zo Yoon of Seoul, South Korea.

Mr. Yoon came to the United States to study American law. He received his Bachelor of Laws and Master of Laws degrees from Korea University College of Law. From 1965 until June, 1968 he was a Professor of Law at Korea University College of Law and also at Choon Chun College. He taught public law; labor law in particular. In June of this year he hopes to receive a Master of Comparative Law degree from C-M. After that, Mr. Yoon says his plans are very indefinite, although he would like to study one more year in the U.S. Mr. Yoon finds that his most serious handicap is the English language. When he first came to the U.S., his only experience with English was with the school-book, grammar-oriented variety taught in Korea's lower schools. He attended an orientation program at Princeton University.

By now he can cope with rudimentary English, but Mr. Yoon admits that he sometimes feels very isolated. This is especially true in class if someone uses a slang or idiomatic expression. "I would like to laugh with the class, but usually I do not understand. Even if I can figure it out, it is by then too late," he says.

Mr. Yoon finds that the American people are generally kind and willing to be helpful. He has special praise for his Cleveland Heights roommate, Bill Buss, a CWR law student. "Bill was in the Peace Corps and understands the problem of living in a foreign country. He helps me with the law, but especially with my English."

One of Mr. Yoon's most pleasant memories will be of Cleveland attorney Russell E. Leasure, and his family. The Leasures have opened their home to Mr. Yoon. From them he has learned what the American family is.

Mr. Yoon reported that the most striking difference between Korean and American law schools is the friendly rapport between teachers and students in the American schools. This close relationship is "very good, very useful." Mr. Yoon also finds the case study method very effective and would like to introduce something of this nature into the curriculum of Korea's law schools. Of course, he says, there would be the problem of adaptation. "Korea is a civil law country. More than that, Korea does not have its cases accurately systematized, as with your digests, for instance. Still, Korea's law studies are very theory-oriented, and I believe it would be useful to look at the case method for ideas."

Mr. Yoon's only negative impression of the U.S. is the lack of a close relationship between neighbors.

Min-Zo Yoon feels that his study in the U.S. will be an invaluable experience to be remembered all his life. C-M's student body is certainly richer because of his gentle presence.

C-M Hosts Sixth Circuit March 6, 7,



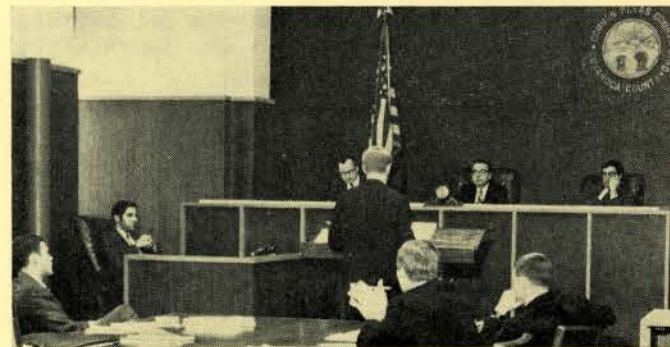
Rep. Bud Doyle entertains delegations from Memphis State and Toledo as C-M Student Bar President Al Purolo (right) looks on.



Delegations from Cincinnati, Toledo, Wayne State, Cleveland-Marshall and Salmon P. Chase Law School.



C-M Student Bar Vice President Pat Morgan caucuses with delegations.



Memphis State and Wayne State compete as Chief Justice Iove presides, while C-M student, John Shoop (left) sits in as bailiff.



C-M Student Bar Representative, Avery Friedman, greets Congressman Charles A. Vanik (D-22) before his speech.



Distinguished Prof. Howard L. Oleck introduces Attorney Gerald Gold, (left) and Judge Robert Duncan of the Ohio Supreme Court (right).

ABA-LSD Conference 8, 1969



C-M Student Bar President, Al Purolo moderates discussion of "Student-Faculty Relations."



C-M's respondent team of Al Rom and Bill Goldstein meet Toledo as Chief Justice Gerald S. Gold presides.



National Sixth Circuit Vice President Pat Morgan exchanges quips with C-M Trustee, Honorable Angelo J. Gagliardo of the Juvenile Court.



Assistant Attorney General of Ohio addressed conference. Also pictured to the right of Justice Duncan is The Reverend James A. Griffin, Chancellor of the Diocese of Cleveland and also a student at C-M.



C-M Class Rep. Rich Gale expresses views on "Police Ride Along Program."



Second Place Award goes to the University of Cincinnati's Respondent Team, pictured here with their coach, Prof. John Murphy (center).

Prof. Oleck Tours European Law Schools

By C. Ellen Connally

Disting. Prof. Howard L. Oleck is touring European law schools from April 5 to 26, as follows: Universities of Lisbon and Coimbra, in Portugal; and in Spain, Universities of Seville, Granada, Madrid, and Salamanca. Last year he visited the law centers at the Inns of Court in London, and also at Paris, Amsterdam, Heidelberg, Geneva, Munich, Innsbruck, Lateran (Rome), and Madrid. The year before, it was the Canadian law schools of Montreal U. and McGill, Quebec (Laval U.), Ottawa, and Toronto, plus Osgoode Hall in the latter city. He already has visited about half of the law schools in the United States. He reports that his reception by deans and professors is invariably most cordial, and sometimes their hospitality is overwhelming.

Visitors from other law schools, when they come to C-M, also are "wined and dined" most cordially. This mutual welcoming of visiting faculty men, by all law school faculties, is one of the finest evidences of the fraternity of law professors and lawyers all over the world. As Prof. Oleck has worked right through every summer at C-M in the past 13 years (though not obliged to do so), he takes his vacation-busman's holiday trips when he can. "I'd be bored sick, not working all through a summer," he said. "The Puritan ethic, that says 'Work, for the Night Is Coming' (as in the old hymn), may not be the easiest way of life, but I don't know any more satisfying one," he concluded.

Legal Aid Institutes New Program

By Daniel Silver

The Legal Aid Society of Cleveland recently started a new program, offering legal assistance to patients in greater Cleveland psychiatric hospitals. With the assistance of hospital administrators, Legal Aid offices have been opened in three area institutions, with a fourth to be opened soon. These offices are staffed on a part-time basis, and are under the direction of Attorney David Strand of the Legal Aid Society. The hospitals have given their complete support to this project, and have suggested that it does have a therapeutic value. It gives a patient an opportunity to talk with someone he can trust and on whom he can depend. Aside from the therapeutic value, many patients have valid legal problems. These services are available for all patients who would ordinarily qualify for Legal Aid assistance. As to those who do not qualify, they are referred to private attorneys.

The program, according to Attorney Strand, is unique in that it is probably the most comprehensive of its kind. The only limitations on the type of problem handled are that all fee-generating cases, such as tort actions, are referred to private attorneys. Although the caseload is varied, the most common problem is that of the commitment of patients to mental hospitals. Under Ohio law, before a person is consid-

Bio Sketch on Prof. Carroll Sierk

Avery Friedman

Good career counseling represented one of the most influential factors in motivating Carroll Sierk in undertaking the study, practice, and ultimate teaching of law. "But," commented Cleveland-Marshall's experienced "new" professor, "having originally intended to specialize in taxation, I did it in reverse. I received my LL.B. (magna cum laude) from St. Mary's University in 1953, and while I taught a course in business law, I was working for my B.B.A. in accounting."

After receiving his B.B.A. (summa cum laude) and C.P.A., Mr. Sierk served as chairman of St. Mary's University accounting department. Through 1965 he served as Assistant Dean and Associate Professor of Law at St. Mary's, writing several law review articles and co-editing "Texas Cases on the Law of Agency" with E. A. Raba, Dean of St. Mary's University School of Law.

Professor Sierk moved to Macon, Georgia in 1965, where he became Associate Professor of Law at Mercer University. At Mercer Mr. Sierk wrote numerous short articles on federal, state, and local taxation, administrative law, and business associations for the *Mercer Law Review*.

Upon his arrival in Cleveland with his wife, Jane, and sons, John, 8, and David, 5, in June, 1968, Professor Sierk instructed a summer seminar in current taxation problems, which he states he used as a "springboard" at Cleveland-Marshall in instructing in his area of specialty, taxation.

In assessing certain aspects of Cleveland-Marshall's curriculum, Professor Sierk supports the present administrative review and would like to see courses in taxation expanded, particularly in the area of graduate studies.



Prof. Carroll Sierk

ered to be legally insane, it is required that he or she have a probate hearing before referees appointed by the Probate Court.

Although the new program has been in existence only for a very short time, certain inherent problems have been revealed, especially in the area of probate hearings. In the past, few patients have requested legal counsel, either due to ignorance or indifference. The result has been that many people have been probated solely on the testimony of a single hospital doctor, with very few appeals being taken. In essence, what has happened is that individual rights have given way to expediency. When the proper cases do arise, these problems will be tested through Habeas Corpus actions.

PROF. EDWARD CHITLIK

Avery Friedman



Prof. Edward Chitlik

Edward Chitlik brings to Cleveland-Marshall Law School a wealth of knowledge and experience, both in government administrative law and private practice. He is a new full-time member of the Cleveland-Marshall faculty, having assumed his duties in January, 1969, following prior service as a lecturer.

Professor Chitlik's interest in the law is a life-long one. Upon his graduation from Western Reserve Law School in 1942, he served with the Office of Price Administration, Rationing Division, Washington, D.C. In 1943 he transferred to the Criminal Division of the Department of Justice, serving under Assistant Attorney General Tom C. Clark, later Attorney General of the United States and subsequently Justice of the United States Supreme Court. While in the Criminal Division, he supervised prosecutions involving integrity of government operations, including (but not limited to) offenses against the government, false statements, illegal wearing of uniforms and insignia, and impersonation of Federal officers. He was instrumental in formulating the United States Government's legal policy position with respect to military versus civil jurisdiction in theaters of war.

Following service in the Criminal Division, Professor Chitlik served in the Anti-Trust Division of the Department of Justice, under Wendel Berge, and was assigned to the investigation and preparation of the General Electric and Westinghouse Cartel suits in New York City. In 1945 he returned to Cleveland as Assistant Regional Attorney of the War Man-Power Commission and later served as a Hearing Disputes Officer of the War Labor Board. He left government service in 1945 and has since engaged in the private practice of law.

Having served as President of the Cuyahoga County Bar Association (1957-58) and an ex-officio life-time member of the Board of Trustees of that organization, Professor Chitlik is actively engaged in a number of interesting legal educational programs. He chairs a faculty committee, consisting of himself, Dean James Gaynor, Professor Kevin Sheard, and Distinguished Professor Howard Oleck, to study the feasibility of a series of lecture-symposia on civil rights and dissent within law and order. The lecture-symposia would be open to the public, and it is contemplated that representatives of the clergy, ethnic groups, public officials, and Cleveland-Marshall law school faculty members would participate for the purpose of demonstrating and explaining to dissidents the various means of expression and demonstration within the law.

PROF. HYMAN COHEN

Avery Friedman

After graduation in 1954 from C.C.N.Y., and after a two year stint in the Army, Professor Hyman Cohen reflected on his decision to enter law school: "I entered law school (New York University, 1959) to derive whatever benefits I could from a legal education. Whatever hesitation I had about entering upon a career in law disappeared when I found the whole blend of inspiring literature (the case law), the analytical approach, the competitiveness, the discipline, the idealism, traditions, and history in the study of law the most stimulating of academic challenges."

After graduation, plus four years of private practice, Professor Cohen served in the Regional Counsel's Office of the United States Housing and Home Finance Agency from 1963 through 1965. Among his functions were the rendering of advisory opinions to local public agencies on various problems confronting them, assisting in litigation affecting the Urban Renewal Administration, and recommending legislation to the Washington, D.C. office.

From 1965 to 1967, Professor Cohen returned to private practice and also taught business law courses in the graduate business schools of the City College of the City of New York, and at Pace College, before becoming an Associate Professor of Law at Cleveland-Marshall. With regard to teaching, Professor Cohen stated why he has developed a tremendous affection for torts: "As it is the basic substantive course for first year students, it gives me the opportunity to introduce the uninitiated to the analysis, attitude, technique, and dynamism that makes law an exciting study. It is at that time when the mold of professional spirit and temperament is cast for the student."

The role of Cleveland-Marshall Law School in the community is of significant concern to the professor. "The urban law school should be one of the most relevant institutions in the community. Cities like Cleveland are in trouble—big trouble! With the skills, energy, and idealism symbolic of a law school and its students (those are the pretensions, anyhow), what better sources are equipped to assist in solving the massive problems generated by what is euphemistically called 'urban decay.' The action is in the cities, and where the action is you will usually find the lawyer as important participant. I have every expectation that with merger with C.S.U., Cleveland-Marshall will be performing more than its share of the work in what should be an obligation to assist a desperate client, the city of Cleveland. In that regard I look forward to the offering of urban-problem oriented courses in the student's last year at the law school."



Prof. Hyman Cohen



SUZANNE KENNEDY
Senior Secretary



GLORIA OGLETREE
Receptionist & Secretary

Introducing



DONNA ESTLER
Senior Bookkeeper



JANE McDONOUGH
Bookkeeper

The Office Staff



KAREN SCOVRON
Assistant Registrar



PASCALIA BOUKIS
Secretary

PROCEDURE DESK QUICKBOOK—P.D.Q.

(Formerly "Law Clerk's Handbook")

By Brian W. Phillips and J. Norman Stark

ISSUANCE OF SUBPOENA AND SUBPOENA DUCES TECUM

Filing Procedure, Common Pleas Court, Civil Branch, Cuyahoga County, Ohio.

In the process of a case it may be necessary to call a witness for testimony on the client's behalf, or compel a hostile witness to appear for questioning. If the witness is needed for questioning, then a Subpoena must be issued. Where the witness and his records, books or writings, are required, then a Subpoena Duces Tecum must be issued. In the practical application a Subpoena is generally issued only when the witness does not (or will not) voluntarily appear.

I. REQUISITES—SUBPOENA.¹

1. One must fill out the Subpoena form, available at the Clerk's Office in the Common Pleas Court, or if desired, the attorney may use his own form, providing it contains all of the required information. The Subpoena must be directed to the person named therein, with his address, and it must require him to attend at a specified time and place to testify as a witness.² (See Form No. CC 138, illustrated.)

2. Cash: \$1.00 for *each party* to be summoned.

PROCEDURE

1. Take the Subpoena and cash to the Summons Counter at the Sheriff's Office, Room 150 of the County Courthouse, and submit it to the Clerk. It is advisable to file the Subpoena not later than the *morning before* the desired appearance. This filing method usually enables the Subpoena to be issued that afternoon, and this gives the witness ample notice.

2. Pay the Clerk \$1.00 for *each party* to be summoned.

II. REQUISITES—SUBPOENA DUCES TECUM.

1. The same Subpoena form used in the above example may be used here, or the attorney may type the necessary information, with the needed changes of "Duces Tecum" added. When issuing this type of a Subpoena it is necessary to state with *some degree of exactness* just what books, records, writings, etc. the witness is required to bring. If the list of items is voluminous, it is to the attorney's advantage to type out the Subpoena following the Court form, illustrated, as a guideline. If the items desired are not specified, the Subpoena may be subject on a Motion to Quash by the opposing party.

2. The Clerk will request the original and one copy for *each party* summoned.

3. Cash: \$1.00 for *each party* summoned.

PROCEDURE

1. Take the *original* Subpoena Duces Tecum and one copy for *each party* summoned to the Sheriff's Office, Summons Counter, Room 150 of the Court House and submit them to the Clerk. Again, it is advisable to file not later than the *morning before* to give the witness ample notice.

2. Pay the Clerk costs of \$1.00 for *each party* summoned.

In conclusion, it is recommended that the attorney be prepared to receive the witness punctually at the time and place specified, and to expedite proceedings and questioning without undue delay to the furtherance of the client's interests and courtesy to the witness.

¹ Ohio Revised Code § 2317.11-2317.35

² Ohio Revised Code § 2317.13

REVISED CODE, SECTION 2317

THE STATE OF OHIO, } CUYAHOGA COUNTY } ss.	In the Court of Common Pleas PRECIPE
vs.	Plaintiff } No..... } Defendant }
TO THE CLERK:	
Issue subpoena for the person....named below:	
Attorney for	
To	

To insure taxation of their fees, witnesses must report each attendance to the cost clerk at Window #9, Room #150 on the first floor of the Court House.

Section 2335.06 of the Ohio Revised Code provides that on demand a witness shall be paid one dollar by the party at whose instance he is subpoenaed before being required to answer said subpoena. Witnesses are entitled to receive \$3.00 for each attendance, plus five cents per mile traveled to and from his place of residence. Such fees are taxed as costs and mailed to the witness upon payment of the costs.

You are required to attend on the.....day of.....A. D. 19..... at.....o'clock.....M., at Court Room No.....in the Court House in the City of Cleveland, located at Ontario Street and Lakeside Avenue in said County, before our Court of Common Pleas, to testify as witness on behalf of..... in the above entitled case and not depart the Court without leave. Fail not under penalty of the law.

WITNESS, EMIL J. MASGAY, Clerk of our said Court of Common Pleas, and the seal of said Court, at Cleveland, this.....day of.....A. D. 19.....

EMIL J. MASGAY, Clerk of Courts
Robert L. Lachard, Deputy Clerk

CC-138

Moot Court Interviews May 5th

By Kenneth A. Bossin

Professor Hyman Cohen said recently that there were a number of openings for next year's Moot Court Team. Professor Cohen will again be the team's advisor, with Professor James Boskey assisting him.

This year's team consisted of sixteen members. Eight of these members argued either in the regional round of the National Moot Court competition or at the Sixth Circuit Convention of the Law Student Division of the American Bar Association. Each member of the Moot Court team had an opportunity to argue at least three times before a three judge panel. The judges for these arguments were professors and outstanding attorneys from the Cleveland area. Also, each member of the team had an opportunity to get practical experience in researching a specific legal problem and writing a legal brief.

Professor Cohen indicated that greater responsibility for the planning and organization of the Moot Court Program should and would rest on the students. A Student Moot Court Board has been established, made up of students with experience in Moot Court, who will aid in the selection of participants in Moot Court and act as advisors to the new members.

Selected for membership on the Student Moot Court Board have been day student Alan Rom and night students Kenneth Bossin and Vivian Solganik.

The Student Moot Court Board will interview those students interested in participating in Moot Court during the next academic year.

Students may sign up for interviews for the Moot Court Program in the Administrative Offices. All interviews will be held at 5:30 p.m. in the Moot Court office, Room B-8, starting May 5th, 1969.

Court Sets Unique Seminar

By Avery Friedman

A unique criminal law seminar series was recently initiated in Cleveland through the cooperation of the Cleveland and Cuyahoga County Bar Associations and the Cuyahoga County Common Pleas Court. Entitled "Defense of the Poor," it was held on March 8, 15, and 22 in the Criminal Courts Building on East 21st Street, without fee, and open to law students and practitioners.

The program was innovated by Judge Bernard Friedman, who stated: "There is a great need to accclimate lawyers to give effective assistance to indigents and to be knowledgeable. Law schools are lacking in teaching the practical aspects of criminal law." He added that, to his knowledge, no comparable program has been initiated in the United States by any court, and expressed the hope that such seminars will continue through the sponsorship of bar associations and law schools. Gerald S. Gold, Esq., was Chairman.

Among the speakers were Gerald Messerman, former associate professor at Ohio State University, who spoke on "Professional Responsibility to Clients"; Elmer Giuliani, Chief of the Public Defender's Office, who spoke on "Introduction to the Defendant"; and Adrian Fink, prominent criminal law attorney, whose subject was "The Decision to Plead." Others who spoke were Bernard A. Berkman, Counsel for the American Civil Liberties Union (on "Search and Seizure: Posing the Problem"), Clarence Rogers, Chief Police Prosecutor for the City of Cleveland (on "The Decision to Charge"), and S. J. Young, Chief Investigator for the Public Defender's Office.



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