Follow this and additional works at: https://engagedscholarship.csuohio.edu/lawpublications_gavel1970s

How does access to this work benefit you? Let us know!

Recommended Citation

https://engagedscholarship.csuohio.edu/lawpublications_gavel1970s/62

This Book is brought to you for free and open access by the The Gavel at EngagedScholarship@CSU. It has been accepted for inclusion in 1970s by an authorized administrator of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.
ACTION AGAINST STRONGSVILLE BOARD OF ED.
by I. Anderson

In the spring of 1972 the English department of Strongsville High School submitted its recommendation to the Strongsville Board of Education for a secondary text to be used in the high school's modern literature course. Catch-22 by Joseph Heller was the recommended choice. The English dept. presented to the Board of Education for approval. When the Board met in May the members voted approval of every text submitted, with the single exception of Catch-22.

The English dept. then recommended that God Bless You, Mr. Rosewater by Kurt Vonnegut Jr. be adopted for use as a secondary text. The school board's reaction to this suggestion was to forbid the adoption of God Bless You, Mr. Rosewater as a textbook, library book, or any other supplementary reader. Moreover, at the same meeting the Board recommended the immediate withdrawal of the book Cat's Cradle by Kurt Vonnegut Jr., which previously had been used as a textbook at the high school, although never legally approved by the Board.

Finally, in August, the Strongsville Board of Education superseded itself by voting to ban Catch-22 from the libraries of Strongsville schools.

This exercise of apparently unconstitutional restraint on the freedoms of speech and press prompted the ACLU to sponsor a class action on behalf of the students of the Strongsville schools against the school district. The action, brought in the U.S. District Court for the Northern District of Ohio, Eastern Division, seeks to enjoin the school district and members of the Board of Education from forbidding the use of certain textbooks and supplementary materials within the schools they maintain. Since it is a prior restraint against activities protected by the Constitution.

Although the ACLU filed the complaint, Asst. Prof. Stephen Werber has since become the pro bono primary counsel for plaintiffs, with the permission of the Dean. Associate Professor Lizbeth Moody and Adjunct Professor Howard Besser are acting of counsel on the case. And another member of the CSU Law College community is playing a major role in the case; Susan Lee Minarcini is the first named plaintiff in the style of the case. Ms. Jo Ann Minarcini, Susan's mother is a first year student at the law school. She is acting next as friend of the court in behalf of her daughter who is a student in the Strongsville school distric.

The action taken by the Strongsville School Board in banning such impolite and offensive works of contemporary American literature is, at best, absurd, and at worst, horrifying. Perhaps a clue to the Board's decisions lies in the fact that one of its most influential members, Arthur Cain, is a chairman of the American Independent Party and a member of the John Birch Society. Small wonder that the Board found the views expressed by Joseph Heller and Kurt Vonnegut Jr. was distasteful and unfit for young people. Yet how much can standards of educational excellence, not to mention the First Amendment, mean to the school board of Strongsville when their criteria for approving the syllabus of an English course becomes each author's social and political philosophy rather than his literary merit?

P.S. The Board's recommendations for secondary English textbooks were the autobiographies of Captain Eddie Rickenbacker and Travels With Charley by John Steinbeck.

MOOT COURT EXPLAINED
by A. Hildebrandt

In the spring and in the spring of 1972 the Moot Court Board will extend to all first-year day students and first and second year night students an open invitation to join the Moot Court Program. The only requirements are to have completed Legal Bibliography and Brief Writing-Oral Advocacy Courses.

Explaining the Program and all the changes which have occurred this year can be accomplished by answering the two following questions:

1. What is the Moot Court Program?

Moot Court develops and integrates a student's ability to research, write, and argue a problem much like what will be necessary in the day-to-day practice of law. The Program covers three areas:

A. Intracollegiate competition. Members of the Moot Court Team compete in a series of arguments to determine the members of the following year's intracollegiate teams.

B. Intracollegiate competition. National and regional competition in which the team members have a chance not only to gain personal experience and honors but to impress the C.S.U. Law School in competition with the other law schools in the nation.

C. Curriculum involvement. Team members assist the professors in the Brief Writing-Oral Advocacy Courses in developing the first-year students' ability to research and to develop the necessary skills of an advocate.

Very basically, this is what the Moot Court Program is all about. With this in mind, we move to question number two:

2. What will be required if you join?

The program for any one student spans two years for which credit hours are given. In the first year after joining the team, the member will compete in a Fall Oral Advocacy Competition using the Brief prepared by the student during Brief Writing-Oral Advocacy Courses. The member will participate in helping to keep the Brief Writing-Oral Advocacy courses and the Spring Competition to determine who will be on the interscholastic teams.

During the second year of the program, the member's skills will be channelled into any or all of the following three activities:

A. Intracollegiate teams;

B. Assisting BW-OB;

C. Setting up the Fall and Spring Competitions.

The Moot Court Program is in the process of changing to better serve the students and the Law School. Everyone who is willing to share the burden is welcome!

More information will be published in the near future and any questions concerning the Program will be answered in the Moot Court Room on the 9th Floor of University Tower.

AUERBACH ESTABLISHES EVIDENCE AWARD

The grand old man of the Cleveland-Marshall College of Law faculty, Professor Charles Auerbach, has recently donated $500 to establish an annual award for outstanding achievement in the study of the law of evidence. The award will be given annually to the student who best demonstrates, through his final exam in Evidence, a thorough knowledge of the area indicative of the ability to apply and use the legal concepts in the courtroom.

Professor Auerbach said that he hopes to increase the fund within the near future so that two awards can be made each year, i.e., one to a day student and one to an evening student.
LEGAL WRITING: Not suggested for first year students, none are in writing legal memoranda must be developed first, as well as the faculty for legal research-ing. An excellent course for Law Review article preparation. (Prof. Olock)

TORTS TREND INSTITUTE: A four hour, two quarter course. In two quarters of torts one absorbs an amorphous mass of general knowledge in the area. The teaching faculty solidifies one's knowledge in torts, transforming it into a specific and effective instrument to deal with newly developing areas of tort law. In the first quarter of the student will be assigned a topic and will outline, critique, and develop the theories and social benefits of tort law. The second quarter the student will present a formal brief on the topic. Seminar topics include over 22 students. (Prof. Olock)

JURISPRUDENCE OF BLACK AMERICA: The course will be co-conducted by Prof. Aldrich and Donald Smith. It will cover international decisions and legal documents pertinent to Black Americans in view of the international schools of legal philosophy.

TRUSTS: The rights, responsibilities, and duties of beneficiaries in a trust relationship from trust planning, creation and dissolution. Trusts have been a popular course for first and second year students.

LAW AND BEHAVIORAL SCIENCES: A study of the impact of society on the legal system and of the legal system on society; an analysis of the legal system as a social system. Since this course is one designed to examine the basis for a legal education, it is recommended as being of greatest benefit to the second or third year student. However, any broken-hearted first year student may attempt to negotiate with Prof. Landever who teaches the course.

MOOT COURT SPRING INTRASCHOLASTIC COMPETITION by A. Hildebrandt

To further the expansion of the Moot Court Program at C.S.U. as quickly as possible, the 1973 Spring IntracIScholastic Competition was open to any second-year day or night student or third-year night student at the law school. Any student who enters will be required to research, brief, and argue the problem which will be released some time during this winter quarter. The purpose of the Competition is to determine the teams for the various interscholastic competitions for the academic year 1973-74. Any student who competes in the Competition will be invited to join the Moot Court Team. Academic credit will be given for participation on the Moot Court Team for the school year 1973-74. The only requirement to enter is that the student must have completed Legal Bibliography and Brief Writing-Oral Advocacy courses. The Moot Court Team is planned to develop and integrate analytic, research, briefing, and oral advocacy skills in the day-to-day practice of law. The interscholastic competition supplies an excellent forum to test these skills against other law schools.

The Moot Court Team is looking forward to a spirited competition. More information will be published in the near future and any questions concerning the Competition will be answered in the Moot Court Room on the 9th Floor of University Tower.

PRESIDENTIAL MEMORANDUM

by Stephen Walker

President S.B.A.

I find it discouraging that the Dean, the Chairman of only one committee, finds it unnecessary to call that committee to meet once during the entire year. The function of this committee is to update and change the by-laws of the faculty and determine the rules by which the faculty is to be governed. Perhaps this is not a sufficiently important area.

As head of the school he has failed to lead. I have asked for the abolition of the tenure system in professional schools. Perhaps this is too harsh. However, during the time he has been here, even we could not have overlooked the glaring shortcomings of the tenure system.

There has been no action taken or attempted to discipline unprofessional conduct or to establish who will have the responsibility of enforcing such guidelines as set down by the Professional Standards Committee. If enforcement is left to the Dean, I fear it will go the way of so many other student rights. I regret that I have grown so skeptical but have given up trying to force the administration to do their work as the administration refuses to do their best. I will continue to walk against the tide.

The views expressed herein are those of the newspaper or its by-lined reporters. Unless specifically stated, they do not reflect the views of anyone else.

EDITOR'S NOTE:

STEPHEN WALKER WISHES EVERYONE A HAPPY VALENTINE'S DAY!

The views expressed herein are those of the newspaper or its by-lined reporters. Unless specifically stated, they do not reflect the views of anyone else.

EDITOR'S NOTE:

STEPHEN WALKER WISHES EVERYONE A HAPPY VALENTINE'S DAY!

The views expressed herein are those of the newspaper or its by-lined reporters. Unless specifically stated, they do not reflect the views of anyone else.

The views expressed herein are those of the newspaper or its by-lined reporters. Unless specifically stated, they do not reflect the views of anyone else.

The views expressed herein are those of the newspaper or its by-lined reporters. Unless specifically stated, they do not reflect the views of anyone else.

The views expressed herein are those of the newspaper or its by-lined reporters. Unless specifically stated, they do not reflect the views of anyone else.

The views expressed herein are those of the newspaper or its by-lined reporters. Unless specifically stated, they do not reflect the views of anyone else.

The views expressed herein are those of the newspaper or its by-lined reporters. Unless specifically stated, they do not reflect the views of anyone else.
Professor Hyman Cohen
will speak on
"A Lawyer Looks At Israel"
Sunday, Feb. 25, 1973, 11:00 A.M.
Hillel Club, 11291 Euclid Ave.
by Holding Caulfield

All of a sudden I began to get the old exams on the brain again last night. I got them on my brain, and I swear, I couldn't get them off. Good old law school exams. They always make me puke a lot, they really do. I'm very nervous and all, most of the time anyways, and after all that studying, there's not much else to do besides puke your guts out or pretend you're Paul Newman in 'The Young Philadelphians'. I do that quite a lot when I'm depressed, pretend I'm a hotshot lawyer out of some phoney movie, I mean. It kind of makes me realize that a bunch of crummy exams isn't something to commit suicide over, for Christ sake! Anyhow all that puking and daydreaming gets so damn boring after about an hour that I just go back to the old law books for a little excitement and all.

If you really want to know about exams, the first thing you should do is study your ass off for them and forget about all that phoney stuff about writing terrific exams that the old post-graduates feed you. Jesus H. Christ, they think they're giving you garbage like that, before the exam comes. It's also boring as hell sometimes. But I guess it is about the best way to study, if you don't mind killing yourself and staying up all night for about two weeks. Anyways if I wasn't knocking myself out over that damn outline for a couple of weeks, I'd just be puking my guts out and daydreaming most of the time. I really would.

Anyhow, this exam hysteria always bores the hell out of me after a while. I can never figure out whether or not it's phoney. But either I get so damn scared or so damn busy studying and outlining, for God's sake, that I never get the chance to figure it out. You really have to be careful about how scared and nervous you get before exams, you really do. If you don't watch out, it'll ruin you. And it'll make you puke too; it really will.

—News Release

Court of Appeals Judge John V. Corrigan will be the subject of a special tribute by the Cleveland Bar Association at a testimonial luncheon to be held in the ballroom of the Sheraton-Cleveland Hotel at noon on Tuesday, March 13, 1973. Lawyers, fellow judges, and the business community will join to honor the jurist for his "total effort and dedication in the improvement of the system of justice."

Said Bruce Griwold, President of the association, "Judge Corrigan has been an important element—and often the most important element—in virtually every effort to improve the system of justice in Cleveland."

"Judge Corrigan was chairman of the Supreme Court's Advisory Committee which undertook the massive work of revising Ohio's Civil Rules of Practice. He is presently serving as Chairman of the Ohio Criminal Justice Supervisory Commission and is a member of the Administration of Justice Committee. He was a major force in the campaign for a new Justice Center, and now heads a special committee on courtroom design. Of particular great importance has been his service on the executive committee of the Cleveland Bar Association's Court Management Project whose goal is to develop one of the most advanced court management systems in the country. His service as Presiding and Administrative Judge of the Common Pleas Court during that period has helped immeasurably to the success of the Project, said Griwold."

"Although he has been elected to the Court of Appeals, he is still aiding these projects. For all these reasons, we felt it fitting to hold a testimonial luncheon in his honor to give the profession and the community the opportunity to show its appreciation for the services he has rendered well above the requirements of the positions he has held," said Corrigan.

The Cleveland Bar Association and the St. Ignatius-Loyola Alumni Association, the Fellows of the Ohio Bar Association, and the Cleveland Municipal Court Judges have joined the Cleveland Bar Association in honoring Judge Corrigan.

The luncheon will feature a special address by Holding Caulfield, President of the Cleveland Bar Association. The luncheon will be followed by the presentation of several special awards to Judge Corrigan by Holding Caulfield, President of the Cleveland Bar Association. The luncheon will be followed by the presentation of several special awards to Judge Corrigan by Holding Caulfield, President of the Cleveland Bar Association.