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CHRISTENSEN LOOKS AT HIS TERM AT C-M

by John Richilano

"The right time to leave for me, as good a time as any for the law school."

These are the words soon-to-be ex-dean Craig Christensen chose to characterize his now familiar decision to leave Cleveland-Marshall for the Deanship at Syracuse. In his wake he will be leaving a school whose present stature, whatever it is, can largely be attributed to him, a rapport with the university which never quite materialized, a new law building which I'm sure he thought at times would never materialize, and a lot of concrete and dirty air. Syracuse is no ivory tower, but it is smaller, has a better student-faculty ratio, (who doesn't, when you think about it?) and the position of Dean will, according to Christensen, entail fewer hassles. What kind of hassles? Oh, the usual residuum of animosity spawned when old meets young, traditional meets progressive, and either side can't out do the other in ego. In the jerry-mander ing halls of C-M Christensen hopes to leave behind the pettiness of paperwork as well as personalities. He laments the hand-holding he constantly found himself relegated to, the personalization of bona fide disagreements among many members of the faculty. "You have to be Dean of a whole school, not just a faction," he said, noting that many faculty members preferred the latter. The administrative burden has cut into his penchant for teaching, though he readily admits that his first love is administering. "I'm too impatient to see changes vicariously as a teacher. I like administering legal education."

In many ways, the Dean has been foist by his own petard. His primary goal here was to put the law school "into the mainstream of legal education." The programs he fathered to further this end, and dealing with the repercussions among fac-

MOOT COURT TRIUMPHS

by David Shrager

Recently three members of our Moot Court Team gave us cause for renewed self-esteem by winning the Nugel Tax Competition, predominantly attended by law schools of the "eastern establishment."

David May, Candace Monty and Alan G. Ross placed first among the thirteen entrants. A two round competition was utilized. After having won preliminary rounds against New England College of Law and Brooklyn Law School, Cleveland State University faced the State University of New York at Buffalo, the host school, in the championship rounds.

After a closely fought and excellently presented final round, Cleveland State University was declared the winner.

Needless to say, such a victory would not be possible without a tremendous amount of preparation & research. The problem involved the tax consequences of a transfer of a beneficiary's income interest in a trust, the sale and leaseback of realty and the effect of tax avoid ance motives as to both transactions, required a great deal of expertise. In developing this expertise the tax team benefitted from Professors Goshien and Tabac who judged and analyzed the practice rounds.

DICK GREGORY

Dick Gregory's vision of the world features the CIA in the role of the agency for the rich. The principals in the relationship are the Rockefellers, Mellons, DuPonds, Fords, etc.; the controllers, if not the owners of all the wealth producing concerns in most of the 'free world'.

Parts of the world are under going cultural upheavals but some stability is necessary to carry out the vast enterprise that is American business. The CIA keeps things cool for the wealthy.

GREGORY SAYS THAT:
The CIA will do anything to maintain the necessary order. It will overthrow Third World governments in order to install a sympathetic (easy to bribe) powerful (leader of the armed forces) person who will allow American business to prosper.

It encourages the brainwashing of America's population to perpetuate the myth that war means peace and that building up a weapon supply is the most effective way to gain a peace. The cold war was, and is, brilliant in terms of increasing profits.
My beautiful professor (with nostalgia, please).

Forgive me for being so late in writing, but I have not forgotten nor will I ever forget you, my beautiful professor, my prince charming, my scholar...

The nasty things that students were saying about you made me cry and stay up nights. So saddened was I to know that some even had the audacity to write things that thought you that my indignation finally became touched with guilt: after all I was married... How can anyone feel love for you, my scholar... I will never know!

All I had to do was to look at you; you made my day every morning with your announcements, your posture, your hair, your clothes. Ah! I could almost see that body underneath... I used to wake up thinking of you, wondering whether I was still dreaming, then rush and anxiously wait for you to make your entrance upon my dreary life. Although some told me you were hungry for admiration from anyone, I never accepted that fact, and I blindly believed all your pomposity was meant to impress only me. I was bewildered, and you knew it, and you loved it...

You were so beautiful that I walked up to you one day, as in a trance, and shamelessly, yet boldly, arranged your collar in class. I didn't think, I didn't care: your image was and had to remain one of perfection. It was impossible for me to escape your magnetic aura, and although there I sat mouth and eyes half open as if paralyzed by your compelling presence, my imagination took me on fantastic voyages over land and sea... Yet, when I regained consciousness at times, I managed to take down a tremendous amount of data, hoary chestnuts, and other pearls of wisdom floating from your beautiful lips. Yet, down deep in my heart, I am convinced that you gave me an "A" for my admiration of you, and not because I was the best. You made me feel so happy and vindicated when you gave your lowest grades to those undeserving and ungrateful who could not possibly be refined by your wisdom or enchanted by your voice. As a matter of fact I was stunned by the grades you gave me, I expected so much for so little; you were so easy to love. . .

Looking back I realize what a peasant I must have been before I took your course; now I feel reassured and self-confident. Not only did you further my education by encouraging me to go to concerts at Severance Hall, you also showed me how to read Proust, how to understand Joyce, and how to interpret Kafka! You will be pleased to know that I have become so smart that I have just bought a Volkswagen that looks like a Porsche! Thanks to you my transformation has been thorough and miraculous. After six months of intellectual intercourse with you, I am glad to say that so much of you rubs off on me. I can now impress my own friends and talk about the Big Apple and Columbia in equally colored terms, I can drop names like Canner (I even tried Leah) and create a riot. Although I never heard of Kedegger I managed to drop the first plums about existentialism among my friends. Some were awed, many were duly impressed, but... a couple left the room.

Now that our affair has climaxd so perfectly, you have become, my beautiful professor and my prince charming, increasingly involved with your scholarly research, and your appearances have unfortunately become scarce. But I have the consolation of keeping you in me forever, of almost becoming you. . .

Lucky are those who will next fall see your face every day, and live in ecstatic anticipation for your intellectual quizzes for nine long months. . .

Best remembrances and kindest thoughts from your beloved,

Marilyn Stencil

Cleveland State University has done it again. It has selected Terry So For long time, it has needed a new C-M decal that would be easy to place in the Wallace-Reagan genre. He goes beyond them, however, because he claims to be a "moderate" or what the media has chosen to label a "new southerner." To us, it's the same old stuff, both from him and from C.U. In keeping with their penchant for blunder and shortsightedness, the University has decided on Sanford to speak at Public Hall on June 15th to a class with a strong minority enrollment, swept away by a pyrrhic notion that any presidential candidate will suit a speaker's platform. The students at C.U. deserve better than this. Accordingly, the Gavel urges a boycott of the commencement ceremonies at Public Hall on June 15th to 1) punish Mr. Kitchin's ignorance and insensitivity to its students and the community, and 2) to appropriately respond to an event which would certainly beضيف Sanford, but hardly any of us.

We sense that there will be a boycott of another kind—out of sympathy. The Great Benjamin Cardozo looked down from the clouds with delight recently when one of his apostles, Hyman Cohen, was chosen as Acting Dean. "Cardozier," an Professor Cohen says, was a man who clarified legal concepts and laid down rules that are followed to this day. Professor Cohen is also a great clarifier and enthusiast of the law. The law is Mr. Cohen's life: his lectures ring with a tenseness and seriousness that spell commitment. Yet Mr. Cohen is also a human being, he never attempts to deliberately embarrass students or degrade them. He has a genuine rapport with each first year class as he occasionally digresses about his experiences in New York. He is a humane perfectionist who has the admiration of the majority of those who have been fortunate to have had him. He cares about people in his quiet way.

Hyman Cohen should be selected full-time, while still teaching to the greatest extent possible. It seems senseless to scour the country for a "Super Dean" when we have a good one already. Cohen has the energy, intelligence, and drive that, along with the new law building and an increasingly better faculty, will make Cleveland Marshall into a first rate law school.

Marilyn Stencil

Cleveland State University

Cleveland, Ohio 44106

DEAL SALES NOW BY MAIL

Regular school-hour sales of the new C-M decal have ended until next fall. The decals are still available, however, by sending $1.05, plus a self-addressed, pre-stamped envelope to:

Charles Schollenberger
1990 Ford Dr., #508
Cleveland, Ohio 44106

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THE GAVEL STAFF: TLOCOCUS

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BY STANLEY MUSZYNSKI

I feel it my duty to say goodbye to fellow students, faculty, and administration members, after three years of study here at Cleveland-Marshall College of Law. I choose the pages of the Gavel for my farewell because a number of times in these past three years, I was compelled to express my views in these pages on matters of law which touched my conscience.

It was over one-third of a century ago, that I was graduated from the University of Warsaw Law School with a master's degree, and was a practicing attorney in my native Poland and then later in South America. Now, having had the distinction of being the oldest member of my class, I feel totally rejuvenated having followed the law and having found happiness at my second alma mater from which I am due to graduate this June.

As Justice Holmes said, "One day of experience is worth more than a thousand pages of books," I have merged both doctrines in my studies here, having experienced both areas and having joined the past and the present.

I believe that I succeeded if not by grades, which are one measure of academic achievement, than by my deep knowledge of law, which unfortunately does not in many cases find adequate grades of appreciation.

I have one message for you to carry in your memory: that law is the backbone of our very existence which is based on law and order. The law is independent of geographic boundaries, and exists as a fiber and integral part of our culture and civilization. In essence, the common law orbit, as the vehicle of the law's noble ideals and ends, is that law in conflict with its changes, you will be less of a lawyer every day.

1. STUDY: Law is continually being transformed. If you do not follow its changes, you will be less of a lawyer every day.

2. THINK: Law is learned by study, but it is exercised by thought.

3. WORK: Law is arduous toil put in the service of justice.

4. FIGHT: Your duty is to fight for the law; but in the day when you file the law in conflict with justice, fight for justice.

5. BE LOYAL: Be loyal to your client, whom you must never foresake until he proves to be unworthy of you. Be loyal to your adversary, even when he is disloyal to you. Be loyal to your nation. In short, all the facts, must rely on your word, and, as far as the law is concerned, at one time or another, we must have confidence that you trust him.

6. BE TOLERANT: Tolerate the truth of others as much as you would have others tolerate your own.

7. BE PATIENT: Time will vindicate those things which are done with its collaboration.

8. HAVE FAITH: Have faith in the law as the best instrument for the co-existence of men; in justice as the normal destiny of the law; in peace as the generous entity of justice; and above all, have faith in freedom without which there is no law; no justice and no peace.

9. FORGET: Advocacy is a struggle of passions. If in each combat you will make us a credit to our profession, we sanctify the law or degrade it. It is only our pursuit of the law's noble ideals and ends that will make us a credit to our profession.

The famous Spanish legal scholar, in his message to the posterity of lawyers, expressed his ten commandments which I will cite below:

THE LAWYER'S TEN COMMANDMENTS

1. STUDY: Law is continually being transformed. If you do not follow its changes, you will be less of a lawyer every day.

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The purpose of Moot Court is to develop those skills, both written and oral, necessary to become a competent appellate lawyer. In addition to gaining three credit hours and fulfilling the curriculum requirements for a skills course, Moot Court provides an opportunity to test one's talents against advocates from other law schools, thus building confidence as well as providing a great learning experience.

In the past two years, Cleveland Marshall's Moot Court Team has developed one of the best Moot Court programs in the nation. This past year, the Team placed third in the Niagara and second in the Jessup, as well as taking top honors in the Mogul Tax Competition.

Applications are now available in the Moot Court office (CB 1002) for next year's team for first and second year students (day and evening). Requirements for applications are the successful completion of brief writing and oral advocacy, a 2.5 G.P.A. and a desire to work long and hard to polish those skills necessary for the successful practice of law.

GREGORY, From P.1

The CIA killed Marilyn Monroe in order to silence her prior to her confirming to the Senate that she and JFK were having an affair. It was felt more important that the President be untouched by scandal.

JFK was killed by the CIA because Kennedy wanted to challenge the Eastern Establishment's control of the Agency. Ted Kennedy was set up for a scandal to 'neutralize' his taste for revenge.

Scientists in the defense community have developed the potential to control the forces of the weather. The earthquake in Nicaragua was their first project.

And a warning, the transmitter in your telephone can be turned on at any time, even when the receiver is on the hook.
There has been but one topic of conversation which has never failed to engross the inhabitants of the Chester Building. Of course it is Grades.

GRADING GUIDELINES!

Three and four years ago the magic phrase at C-M was Grading Guidelines. The upperclass people (not the posh variety) spoke passionately of the struggle to establish the Grading Guidelines. They practically made the first year class feel guilty for not being here during the 'hard times'!

Student pressure was met by administrative approval and the result was a quota system that I'm sure would be of interest to grade-grubbers. The whole subject was a quota system that I'm sure was discussed with the legislature. "She got A's? You're kiddin'.

Above all of that 'grade-grubbing.' Some professors may have thought they were just 'weeding out' those students who didn't belong. But it you think about it they were probably just nervous and acted accordingly.

Who got what? and Why?

The major force behind this new phase are disgruntled students who feel 'punished' because they receive the mandatory low grades. (Remember, according to grading guidelines about 1/2 do well per course). These students look around, see how tough it is to get work and feel that these C's are not going to be of any help.

THE DEAN, From P. 1

Dean Christensen's reasons for leaving aren't earth shaking. When he came here from Michigan four years ago, he considered himself a radical. He did succeed at "turning things upside down." After his arrival it seems to be the real reason for his discontent. He saw on the wall, and when the Syracuse offer came around, well...

It's not without its challenges, as he tritely put it in his resignation letter. To accept a deanship where 3 others have preceded in the past is an acceptance of a challenge. There, he says, he has a reputable faculty, one which he feels he has the support of. "Never accept a deanship where you don't have the support of the faculty." In the case of Syracuse, he has learned from his experience here. He also believes that Syracuse has a greater potential for impact on the community, both academic and lay, by way of interdisciplinary programs, pro bono among the faculty, and influence with the legislature. "We took a beating in the legislature this year," he said.

Some other points the Dean touched on:

- He never wanted to get rid of the night school. He just wanted to make it better.
- He confirmed the $78,000 cut in library funds, but the budget at present represents a "holding operation." He has never made a major decision without consulting Hyman Cohen, the appointed interim dean. Cohen has always been supportive of Christensen, and the Dean feels Cohen is equal to the task of his new office.
- He has had too many emotions about leaving. His four children see it as an "adventure."

The Gavel wishes Craig Christensen well in his new endeavor. His influence upon Cleveland-Marshall will be felt for some time.
David Schrager conducted the following interview with the Associate Justice during his recent visit to C-M. This is a much abridged version.

**Reporter:** Do you think that, as we approach the next Presidential Succession we need new regulations on the Supreme Court to deal with a physically or mentally incapacitated Justice who does not choose to step down?

**Justice Stewart:** I would off-hand think that might take a Constitutional Amendment. The Constitution provides that all Federal Judges serve during their good behavior and I suppose having an accident or an illness is not bad behavior. A Federal Judge, in other words, can be removed under the present provisions of the Constitution only by impeachment and I don't think I would be in favor of a Constitutional Amendment to that situation. We have dealt with the situation in the past, it is a situation of not having a full Court. It is necessary in a temporary situation and I think that in all honesty the Court is keeping up with its work and doing its work as it has in the past when we've been short-handed.

**Reporter:** Do you expect Mr. Justice Douglas to step down because of his age, or does he see it to be a lengthy one?

**Justice Stewart:** I just don't know. I can tell you this, Mr. Justice Douglas has a stubbornly strong will and spirit. You may remember that as a little boy he had polio and he recovered from that and became an outdoorsman and a mountain man. Some 20 years ago he had a serious accident, people thought he was going to die then. Every rib in his body was broken, and he came back. And he's a very vigorous man with a very strong will and character and spirit, and I wouldn't be at all surprised if he comes back from this.

**Reporter:** The Chief Justice to the effect stated that Federal Courts are now being used as a bus league facility to train trial lawyers for private practice. From your own observation do you concur with that opinion and if so, what can be done to more adequately prepare the new trial lawyers? . . .

**J.S.:** We think the law schools have programs. I am going to be participating in one this evening. Not directly having to do with trial litigation but do have a temporary litigation. But law school programs can be helpful but, of course, like every thing else, people learn with experience and if that's what the Chief Justice was saying, that's certainly true with a lawyer, doctor, minister and I don't know about a football player. It's not been my experience that the general run of American lawyers are incompetent, I think they are good lawyers, but they are not necessarily litigating lawyers. They are in other areas of the profession. Not every lawyer is a litigator.

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**Rep.:** From reading recent Supreme Court cases and from following the general work of the Court it seems that the amount of the case work that is being handled by the Court is growing enormously. Do you see that there is a great problem that some sort of amendment will have to be constructed to alleviate this work, or do you think that the Court will be able to handle the case load?

**J.S.:** I hope the Court will always be able to handle it because I think one of the very precious values of the Supreme Court of the United States in American society is its simplicity. The fact is Mr. Justice Brandies once said that distinguishes the Supreme Court from the other two branches of government in Washington is the fact that on the Supreme Court we do our own work. It's simplicity in other words. And he wasn't meaning to denigrate the other two branches, their policy making branches. The Supreme Court is responsible for every comma and every semicolon in every opinion that has his name on it, it's own work. I think that simplicity in our big nation of 200 million people is a very valuable ingredient to keep. And secondly another very valuable ingredient of the Supreme Court is its accessibility and its known accessibility. The fact that some ratcheted fellow in a prison somewhere in the United States can scrawl out a note and send it to the Supreme Court in Washington and know that we will read it. And I would hate to see those qualities disappear. I would hate to see our Court become just another bureaucratic institution, and I think that requires a great deal of effort on the part of the members of the Court, hard work and love in order to preserve the qualities of which I have spoken. And I don't find the work intolerable. It does demand hard work and long hours. It's more than doubled in the relatively short time I've been there in terms of the number of cases. But I don't find it intolerable.

**Rep.:** As you travel around the country, what do you see as the chief weakness in the judicial side of the law enforcement process in this country?

**J.S.:** Well, first of all I don't travel much around the country. As I indicated a minute ago, the job I have keeps me pretty close to Washing-:

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**Justice Potter Stewart**

The employment picture for June graduates has brightened only slightly. People are finding jobs but only after difficult research, hard work, and much frustration. Incomplete statistics suggest that by mid-June about half of the class of 1975 will be employed.

Clearly the job market is not flourishing for brand new attorneys. It would be foolish to predict if, when, and to what extent the market will open up. Probably the most encouraging fact is that students who do not have outstanding academic records are finding employment as readily as those with impeccable academic credentials, albeit the forser have been compelled to work harder, do more research and import more prospective employers. As at, careful planning and meticulous research pay off.

In looking to the future, the annual summer placement visits by recruiters from law firms and other potential employers is developing. The first visit is scheduled for September 5. The quarter starts so late . . .

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**BY WALTER GREENWOOD**

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The Bar Association of Greater Cleveland is establishing a placement service for attorneys late this summer. In most cases interviewees require resumes at least one week in advance of the on-campus visit, resumes should be submitted to the Placement Officer by September 20, 1975 in sufficient copies to provide a resume for each interview. In this connection, the Placement Officer is available to assist in the development of resumes and will be happy to review drafts.

Schedule of interviews and sign up procedures will be published late in the summer when the schedule is firm.

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Schedule of interviews and sign up procedures will be published late in the summer when the schedule is firm.
Instead of the usual end of the year summation of what has been accomplished, the Gavel wants to let its readers know exactly what we have not done. The following is a list of ideas that never materialized in print or elsewhere.

We never ran a series looking at C-M graduates to determine what they are doing now and how they remember their school years.

Photo-Funnies was a popular idea that never got beyond the talking stage. We planned to 'teach' servile procedure via pictures. Planned topics included 'Where is the court house and how to get there and who to see when you are there.'

Full page pictures of the editors of the Gavel was an idea dismissed as too self-indulgent.

Our interview with Howard Oleck, a story explaining the People's College of Law in Los Angeles and Part III of the Role of the Radical Law Professor and Radical Lawyer were never printed. We don't know why.

Despite an entire year of planning, appointments and 'We really should do it!' we never taped and transcribed a conversation of C-M women employees giving their views on students, faculty, the administration and sexism in the law school.

We are sure everyone would have enjoyed seeing childhood pictures of Steven Werber.

A gossip column dealing only with the meaningful relationships between students and faculty was discussed more times than anyone can remember but was and is thought to be beneath the false dignity of the Gavel.

EXPOSING CMIT

The Cleveland-Marshall Investigative Team (hereinafter referred to as CMIT) came into being mid-Winter Quarter of this school year, in response to a need to obtain highly secret information. CMIT was organized as the investigative arm of the Student Tong. (The student group which protects fellow students from unwarranted sub-guideline grades through the use of unrestrained violence).

For the past 1-1/2 quarters, the CMIT Team has engaged in other extensive, and clandestine investigations. Subjects and topics under investigation have run the gamut from well-known members of the Law College to veritable unknowns, from the important to the silly.

The present "Team" consists of two full-time operatives (Operatives nos. 1 and 2) complemented by a staff of 15 part-time or quasi-operatives. Full fledged operatives run the CMIT Team Control Central, whereas the quasi operatives are spread throughout the various social and economic strata of the Law College and Greater Cleveland. Persons wishing to join the CMIT Team are invited to attend the annual rush that will be held June 7, 1975, at the University Center Building, Rm. 325.

We have in our files an exclusive collection of the various types of footwear worn at law school that is practically begging to be printed.

The Gavel had high hopes of branching out into the realm of televised journalism. A practice show to be used in connection with next years orientation program was never filmed.

Here is an idea that we hoped to act on and then cover for the Gavel. A lawsuit was almost filed to enjoin the trustees from spending the money from the C-M fund as they have been doing.

An "I'm Partial to Marshall" revolutionary awards banquet was never held.

2nd ANNUAL FAREWELL ADDRESS

From the Editors: John Richiliano and Bruce Rose

When, in the course of human functions, one feels compelled to move one's bowels, a time comes when one feels greater satisfaction would be wrought by excreting one's thought onto paper.

Alas, it is in this anímus that I write my farewell address. It has been said that has appeared on these pages in a diuretic manner: much flowing, strained, with little substance and great viscosity.

Yet, how else can one report on events of such constipating significance?

It has further been said that these pages have amounted to a breach of conspiratory duty to inform.

Yet, in the binding of this law school, does one turn for quick relief from the excesses of law professors and the discomfort of the law?

Amen, Amen I say to you, it is the Gavel, the paragoric of the people.

--Montague Beefeve

OUR SPECIAL THANKS TO TWO PEOPLE, WITHOUT WHOSE SPECIAL TALENTS WE'D REALLY BE IN TROUBLE; (CHERIE KEIFPER, AND ARNIE FINKELSTEIN)