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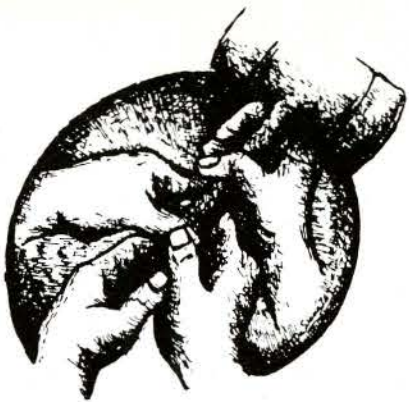
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THE GAVEL

"Students trained in the Langdell case method system resemble prospective dog breeders who never see anything but stuffed dogs."

--Judge Jerome Frank

Vol. 25 No. 1

The newspaper of the Cleveland-Marshall College of Law, Cleveland State University

October 4, 1976

Let 1,000 Flowers Bloom

By Martin Schnieder

The Committee of 1000 represents a novel concept in student self-government, one unique to Cleveland-Marshall--a refreshing change from the illusion that has pursued us since our high school student council days.

At C-M any student may speak, vote and offer proposals at the joint S.B.A./Committee of 1000 meetings, regardless whether he or she is an elected SBA member. In fact, there is little distinction between the elected and their electors.

The Student Bar Association reorganized itself two years ago to include all law students. The resolution of March 4, 1975 (reprinted below) established a Committee of 1000 to which all law students automatically belong, simply by virtue of being students. Thus, there is a corporate student body which meets regularly for discussion and action.

The Committee of 1000 has power to do most things the SBA can do. The SBA and Committee of 1000 meet jointly, and all proposals, including appropriations of money, are first considered by the Committee. Except in money matters, the Committee's decision is the will of the student body; the Committee's procedural rules and decisions on such matters as postponements, recesses, the closing of debate, appeals from rulings by the chair, etc., govern the joint SBA/Committee of 1000 meetings. Committee resolutions which require money or incur debt require a separate ratification vote of the elected SBA members present at the meeting. If the SBA withholds its consent, then the

Committee may place the issue on the ballot, for decision by the student body.

By establishing the Committee of 1000, the SBA sought to permit, though not to require, all interested students to participate in student body affairs as freely and effectively as the elected SBA members themselves. A student's right to speak, offer proposals or vote, it was thought, should not depend on the outcome of elections, but derives simply from his/her status as a student at Cleveland-Marshall. No other justification is required.

It was the torpor which infects so many student assemblies that prompted the SBA to seek some means to reinvigorate our student government. For several months, a select committee of SBA members studied the problem. The Committee of 1000 Resolution was the result.

The fallacy underlying most student government organizations we have encountered since grade school is their analogy to a legislature. What our teachers failed to realize when they chartered our student governments as object lessons in civics was this: that the purpose and power of student assemblies is completely different from that of Congress or a state legislature. It is the province of a legislature to make laws, to raise and support armies, to treat with foreign powers, and to promote trade among the nations. As government bodies, they can compel obedience to their decisions and can reward or punish the

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Dean Search Continues

By Gail Natale

C-M should have a new dean by the first of the year according to Prof. William Tabac, chairman of the reconstituted eight-member dean search committee.

The law college has been without a permanent dean since the resignation last year of Craig Christiansen. Prof. Hyman Cohen has been serving as interim dean since July, 1975. Cohen is not interested in the job permanently and, as a member of the new committee, he is precluded from applying, Tabac said.

During the past academic year several candidates were recommended and interviewed and about half a dozen visited C-M to meet with students and faculty. The field was narrowed last spring to two--James P. White of the Indiana University School of Law and Lewis R. Katz of the Case Western Reserve University Law School. White refused the appointment and Katz, who was not the faculty's first choice, was said not to be acceptable to C-M President Walter Waetjen.

"We expect to bring in quite a number of candidates to meet with the faculty, students, alumni and President Waetjen," Tabac said. Meetings with Waetjen differs from procedure last year when the CSU president met only with finalists. "We hope to have the position filled by January 1st," Tabac said.

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Weiss Reports on LSD

By Carol Weiss

George Kuhlman and I, who worked this summer for the Cleveland Bar Assn., attended the Law Student Division (LSD) meeting held in conjunction with the ABA's annual meeting in Atlanta August 7-10, as self-designated representatives of C-M.

The LSD had 24,000 members at law schools throughout the country at last count. It is governed by a Board of Governors consisting of 13 circuit governors elected each spring at regional conferences. C-M and other Ohio and Michigan law schools are in the 6th Circuit whose governor is Peter Simmons, a second-year student at the University of Dayton School of Law.

Simmons, incidentally, supplied C-M applications for LSD's low-cost group health insurance program--a ready-made tailored-to-law-students solution to CSU's failure to find a health insurance carrier this academic year.

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C-M WAS WELL REPRESENTED AT THE FIRST official meeting at the Cuyahoga County Justice Center--a Bar/Media Conference sponsored by the Cleveland Bar Assn. C-M people attending included (L-R) NBC News reporter Alice Neff (2E), Bar Assn. employee Carol Weiss (3D) and George Kuhlman (2D), Bar Assn. Executive Director and C-M alumnus Peter Roper and Gavel Associate Editor Gail Natale (2E), discussing the First and Sixth Amendments, free press and fair trial. Other C-M students at the Sept. 11 session were Geri Smith (2D) of the court management project and Painesville Telegraph reporter Jim Speros (1E). J.F. terHorst, one-time press secretary to President Ford, told participants that the only way the press can be free and responsible is to be independent.



THE GAVEL

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WC Unites Women

By C. Vlack, S. Weeks, and S. Nesta

The Women's Law Caucus sponsored an orientation for the new women law students on Sunday, Sept. 26 in the University Center. The program, Resources for the Woman Law Student, was designed to bring women from C-M together with women from the Greater Cleveland legal and academic communities. The keynote speaker was Cleveland Municipal Court Judge Ann McManamon.

McManamon, a C-M alumna, emphasized the need for more women in the legal profession. She also stressed the need for "real sensitivity among all lawyers" to current social problems, such as the treatment of juveniles within the legal system and of women convicted of misdemeanors. The judge pointed out that a woman convicted of a third degree misdemeanor, such as soliciting, is sent to Marysville to be guarded by unqualified "\$10-a-day hired hands" where medical care is unavailable even to pregnant women. McManamon expressed optimism that such conditions will become a part of the past with the new Justice Center and an increased awareness among attorneys.

Judge McManamon is running for Cuyahoga County Common Pleas judge. A Women's Caucus spokesperson urged anyone interested in working on her campaign to call her bailiff, Beth Zone, at 621-6345 or 741-7072.

Resources Discussed

A panel composed of women from C-M and CSU discussed resources for women law students available at C-M and CSU such as the professionally staffed counseling center, available to all students, but of which many law students are unaware, similar comments were made concerning Hillel's counseling program.

Women representing Cleveland Women's Counseling, Women's Space and the Rape Crisis Center discussed their medical referral services and support and counseling programs, such as the battered wives project and the legal program conducted by women attorneys on the third Saturday of the month.

Throughout the afternoon, the sixty women who attended the orientation discussed experiences as women professionals, as women in law school and as women at CSU. Those who attended believe it was a good way to get to know each other and expressed relief that the orientation assuaged

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Editorial Methods & Madness

This issue of the *GAVEL* is directed primarily toward the first year law students, in recognition of the common problems they will face and to suggest some common solutions.

Most of us come to C-M pleased with ourselves for at least getting in; some feel they deserve to be somewhere better. But whether or not one prefers to be here, rather than at a different law school, is immaterial to the tasks ahead. From now on, learning something and remaining well adjusted while doing it are everyone's own personal challenges. It is this way at all law schools--for the same reasons.

The first reason for this challenge is that law school is an alienating experience. It is alienating to different people for different reasons. To some, much of the law they are asked to digest is based on oppressive values. To others, the attitude of some of America's most competitive products (that legal training makes them the rightful heirs of an elite class) is a depressing experience second only to the grade game.

Another similarity among law schools is the instructors. C-M's faculty have counterparts at other law schools. This law school has many high-quality, hard working instructors; those who disagree have allowed personal bias to cloud their objectivity. It is disconcerting to discover that C-M has its fair share of deadwood among faculty members whose teaching is uninspired and careless; all too often their student's response is careless and



uninspired. Such teaching is unpardonable but it is not indigenous to C-M. In frustration one will be tempted to learn teachers and exam taking rather than the law. Fear of increasing one's work load, injuring one's grade or hurting a proud and fragile ego will cause a reluctance to push such an instructor for the quality education one deserves.

A final characteristic common to all law schools, and from which the faculty gains its control over the student is the basic insecurity of the student. Tremors of inferiority and fear of the future can give one the soul of a bootlick, not to mention ulcers, if the pressures are allowed to intimidate one. But again, one stands in the same shoes as the 30,000 other law students expected to graduate in the Class of 1980.

These observations are offered not to denigrate the institution of law school in general or C-M in particular. C-M's strong affirmative action policy, the influx of talented new faculty and increasingly gifted students are indicia of this school's potential. My purpose is to warn of the bad experiences one may encounter if one loses perspective while learning the ropes.

To the extent one succumbs to the alienation and fear and ignores rip-off teaching in the name of ease, s/he will be left with a bad taste. In order to make law school a positive experience, students should support one another with a sense of solidarity, rather than capitalizing on each other's seeming loss; students should respond in kind to C-M's many hard-working instructors; yet they should not forfeit the knowledge offered in a particular course because of uninspired teaching.

Justice Holmes once observed that society is reflected in its justice system. As law students, we must adjust to the conditions here, for as lawyers we will be responsible for the mirror which law and society hold up to each other.

Canal Zone Controversy

By Jack Kilroy

Although Ronald Reagan's recent criticism of the U.S. negotiations over the status of the Panama Canal aroused much public sentiment, he ignored several considerations of international law. Actually, the notion that the U.S. owns the Canal Zone is not accurate. The 1903 U.S.-Panama treaty was not a cession of territory--it was a grant to the U.S. to build and operate a canal with the right and authority to operate and maintain the canal as "if it (the U.S.) were sovereign of the territory ..." That treaty was by no means the final authority of our status in Panama, vis-a-vis the Canal Zone.

In 1936, the U.S. and Panama modified the 1903 treaty to read that the zone is "territory of the Republic of Panama, under the jurisdiction of the United States of America." Further, in the current canal talks, Ellsworth Bunker, who heads the U.S. negotiations team stated: "It is clear that under law we do not have sovereignty in Panama. The treaty of 1903 did not confer sovereignty." Thus, the contention that we are being asked to give away U.S. property is erroneous by our own admissions.

Additionally, the legality of the United State's acquisition and maintenance of its present position in Panama is questionable. According to precepts of international law, coerced or "unequal" treaties are invalid. Professor Quigley, who specializes in international law at OSU, cites the

canal treaty with Panama was drafted by the U.S. ambassador to Panama by Phillippe Bunau-Varilla, who headed an earlier, but unsuccessful, attempt by a French company to build a canal. It was no secret that Bunau-Varilla wanted to recoup the French investment in the prior project. His draft was more favorable to the U.S. than the treaty rejected by Columbia. In addition, a diplomatic delegation sent by the Panamanian government to Washington informed U.S. officials that Bunau-Varilla had not been authorized to negotiate a treaty. At this time the U.S. employed the threat of withdrawing U.S. warships, which would have inevitably led to the retaking of Panama by Columbia. The threat was successful. Thus, Panama's consent to the 1903 treaty was gained by a threat of extinction as an independent nation. Such coercion negates the freedom of will of a contracting party and renders the treaty voidable. This conclusion is based on the right of self-determination, now firmly entrenched in international law. Therefore, even if the 1903 treaty is considered to have been valid when concluded, it can be voided based upon the right of self-determination. That the U.S. will adopt such an attitude is unlikely in light of our current involvement.

Today, within the 550 square miles of the zone, the U.S. has constructed 13 military bases, stationed 14,000 troops and installed southern command-headquarters for the U.S. military in Latin America.



following scenario as the coercion involved in the U.S.-Panama treaty:

After the Spanish-American War, when a canal became commercially and militarily desirable, the U.S. negotiated a treaty with the Columbian government (which owned the isthmus at that time) giving the U.S. the right to build a canal. The Columbian Congress, however, rejected the treaty as too one-sided in our favor.

After being rejected by Columbia, U.S. officials met with Panamanians interested in separating from Columbia and encouraged them to stage a coup. The U.S. helped the Panamanians to revolt against Columbia; U.S. warships hovering off the coast prevented the Columbian navy from interfering. The

Negotiations for the revision of the 1903 treaty began in 1964 after U.S. troops in Panama killed 22 anti-U.S. demonstrators. Negotiations began in earnest in 1973 after the U.N. Security Council received 13 affirmative votes "to conclude without delay a new treaty ..." The U.S. cast the lone veto.

In the talks, temporarily halted because of Reagan's criticism, the U.S. has sought to extend its control another 50 years. The Panamanians want complete control within 5 or 10 years.

Editor's note: Source material for this article was obtained from John Quigley, Professor of Law, Ohio State University.

women

many of their apprehensions about law school.

Future WC Programs

The Women's Law Caucus looks forward to a fall program on "Women in the Courts". Various programs featuring women working at all levels of the legal community will be presented throughout the fall. The first of these will be on Oct. 20 and Oct. 21 when Judge McManamon will return.

Women who missed the orientation program but desire to know more about the organizations, programs and resources available to them should stop by the Women's Caucus office (0079).



NLG Prints Divorce Book

By Rita Fuchsman

Divorce and its related problems affect a growing portion of American society. As with most other areas of the law, those people able to afford high legal fees are assured of effective and personalized legal assistance. For low-income working women and women on welfare, this specialized and highly personalized legal assistance is unavailable. However, divorce is a time when counseling, advice and particularly moral support are most needed. Recognizing this need, the Domestic Relations Project of the National Lawyers Guild was created.

The goal of the project is the establishment of a divorce clinic where members of the Guild will counsel women currently going through or contemplating a divorce, dissolution or separation, as well as women who have completed the process but need counseling and support from other women.

A Domestic Relations manual is being written by members of the Guild for use in the clinic. Additionally, the manual will analyze the sexism which exists in Domestic Relations law as written and as practiced and how to deal with it.

The manual will also feature sections on custody and the rights of lesbian mothers --problem areas which are becoming more prevalent and on which little has been written.

An objective of the manual is to demystify Domestic Relations law by explaining what happens at each step in the divorce and why. Thus, women using the booklet will be able to make informed choices regarding alimony, custody and other problem areas.

While preparing the manual which is based primarily on Ohio law, members of the Guild interviewed Domestic Relations Court judges and referees and consulted with attorneys who specialized in Domestic Relations practice.

Faculty Pay

By Gail Natale

The highest paid member of the C-M faculty is Carroll H. Sierk, assistant dean and professor of law whose 1976-77 salary is 33,800.

Prof. Hyman Cohen, according to public records at the CSU main library, earns \$31,500, a 10.5% increase over his salary of \$28,500 for the 1975-76 school year. Neither figure includes premium pay for Cohen's service as interim dean of the law college. Such figures were not included in the personnel budget dated June 28, 1976.

Salary figures were also not available for persons hired since June and for visiting and adjunct faculty.

Cohen, Sierk and Earl M. Curry Jr., assistant dean and associate professor, are the only C-M faculty budgeted to earn more than \$30,000. Curry's 1976-77 salary is \$30,950.

In addition to Sierk, Cohen and Curry, eight faculty members are receiving more than \$27,000 for the current school year--Ann Aldrich, Thomas D. Buckley Jr., Edward Chitlik, James T. Flaherty, Kevin Sheard, Samuel Sonenfield, Robert J. Willey and Bardie C. Wolfe Jr.. All but Wolfe, law librarian and associate professor, are full professors. Wolfe's salary is for 12 months, the others for nine.

Sheard, at \$28,050, is the highest paid professor outside of the

NAME, RANK	SALARY 75-76	SALARY 76-77	%RAISE
Aldrich, Prof.	26,000	27,500	5.7
Babbitt, Vis. Assoc.	N/A	N/A ⁴	N/A
Baker, Assoc.	22,500	24,450	8.6
Barnhizer, Assoc. ⁵	22,000 (asst.)	23,600	7.3 ¹
Browne, Prof.	23,000 (assoc.)	25,000	8.6 ¹
Buckley, Prof.	25,570	27,450	7.3
Chitlik, Prof.	26,000	27,150	4.4
Cohen, Prof. ³	28,500	31,500	10.5
Crockett, Asst.	21,000	22,300	6.1
Curry, Assoc. ²	29,000	30,950	6.7
Dyke, Assoc.	17,750	17,950	1.1
Flaherty, Prof.	26,250	27,400	4.3
Friedman, Assoc. ⁵	21,500 (asst.)	LOAFY77	
Garlock, Assoc.	23,000	24,350	5.8
Goshien, Prof.	24,250	25,650	5.7
Kuhns, Assoc.	22,500	LOAFY77	
Landever, Prof.	24,750	26,200	5.8
Landsman, Asst.	--	19,500	---
Lazarus, Assoc. ⁵	23,366	24,750	5.9
Leiser, Assoc.	22,250	23,800	6.9
Messerman, Asst. ²	21,250	22,750	7.5
Migliore, Asst.	20,000	LOAFY77	---
Moody, Prof.	25,750	LOAFY77	---
Murad, Prof.	26,000	26,500	1.9
Picker, Prof. ⁵	25,000	26,700	6.8
Ruben, Prof.	25,500	26,950	5.6
Sheard, Prof.	26,750	28,050	4.8
Sierk, Prof.	32,000	33,800	5.6
Sonenfield, Prof.	25,750	27,000	4.8
Tabac, Prof.	23,500	25,650	9.1
Terrill, Assoc.	22,500	23,850	6.0
Weidner, Assoc.	22,000	LOAFY77	---
Werber, Prof.	23,250 (assoc.)	25,250	8.6 ¹
Willey, Prof.	26,000	27,500	5.7
Wolfe, Assoc.	26,000 (asst.)	27,800	6.9 ¹

1--Includes increment for promotion..

2--Includes work as Assistant Dean.

3--Does not include premium pay for serving as interim dean.

4--Not available.(Vacant visiting assoc. budgeted for \$24,100)

5--Includes clinic work.

LSD Report

Besides publishing the monthly Student Lawyer magazine, LSD sponsors workshops for SBA officers, a national client counseling competition and law student services matching funds. LSD also involves students in the activities of the organized bar at all levels.

A workshop on law school placement conducted by Gary Munneke of the National Assn. for Law Placement discussed a prime concern of all law students. Post-graduate placement requires considerable thinking about being a lawyer. Knowing how to work with clients is an important part of a job. Tactful aggressiveness was urged to overcome barriers. Letters and resumes should be followed up in person.

It was pointed out that inflexible geographic preference is the greatest barrier to placement but there are jobs available in rural areas.

PROXY FOR GRAVENS

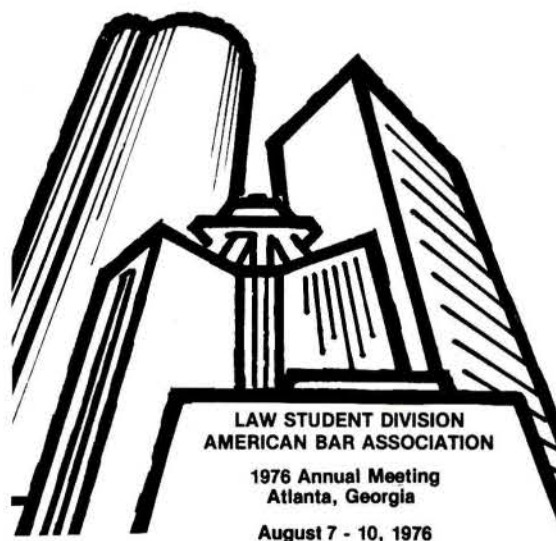
At the SBA Presidents' caucus meeting I sat in proxy for C-M's SBA President Terry Gravens and heard Ashley Brown of Dayton tell that the Ohio Federation of Law Schools was established last January. The Federation, consisting of Ohio's nine law schools, sought to eliminate the Ohio Bar exam because of the exam's consistently high scores.

C-M is the only school that did not participate in either the Dayton or Cleveland meetings of the Federation earlier this year. A Columbus meeting, to be addressed by Ohio Supreme Court Chief Justice C. William O'Neill, is scheduled this fall.

The Presidents' Caucus approved a motion, later passed by the Board of Governors, asking for \$1000 for operating costs to compile a comprehensive SBA survey. The 43 law schools represented at the convention listed their strengths and weaknesses. Harvard, American University in D.C. and St. Louis University were the only schools to list placement as a strength!

An enjoyable workshop on "How to Start and Build a Law Practice" was

conducted by Jay Foonberg of the ABA section on Law Office Economics who explained the necessity of, *inter alia*, getting a client's fee letter in writing, billing relatives and



employees by the Discount Rule, invoicing clients by explaining services on paper and learning to quote a lump sum fee. He also discussed several ethics questions.

U.S. Supreme Court Chief Justice Warren E. Burger introduced a trial demonstration of *Rex v. Preston* (1770) based upon the first of the so-called "Boston Massacre" murder trials in which John Adams successfully defended the captain of the British guard who fired upon the people of Boston. A jury of reporters returned a verdict of acquittal on the murder charge and was hung on the manslaughter issue.

Carl Stern, NBC's Supreme Court reporter and a C-M alumnus, spoke at a luncheon sponsored by the Bar Activities section chaired by Peter Roper, executive director of the Cleveland Bar Assn. and past-president of the Cleveland-Marshall Alumni Assn.

dean's suite. All full professors earn at least \$25,000.

Prof. William Tabac received the highest percentage increase next to Cohen--9.1 from \$23,500 to \$26,650. The smallest increases were given to Assoc. Prof. Theodore Dyke, 1.1%, and Prof. Leroy Murad, 1.9%.

Fourteen faculty members received raises of 6% or more--Prof. J. Patrick Browne, Buckley, Cohen, Jane Picker, Tabac and Stephen J. Werber; Associate Prof. Joan Baker, David Barnhizer, Curry, Harvey Leiser, Jerry A. Terrill and Wolfe, and Assistant Profs. Ulysses S. Crockett Jr. and Gale S. Messerman.

The raises for Browne, Werber, Barnhizer and Wolfe included increments promotions to the next highest rank.

According to the records only two faculty members--Dyke and Stephen Landsman, new assistant professor--are paid less than \$20,000.

JOBS

The annual Careers Day Panel, sponsored by the Cleveland Bar Association, will be held at C-M in the Student Lounge on Friday, October 8, at 3:30 p.m. The purpose is to provide first year students with insight into career options open to young attorneys. The panel is composed of representatives of small, medium and large law firms, a sole practitioner, a government attorney, etc. who discuss employment practices, career opportunities and expectations of a new attorney. A question and answer period follows the presentation. According to Walter Greenwood, Director of Law Placement, given the competitive job market, "this presentation serves as an excellent vehicle to assist law students to analyze their career goals" and to focus on means to achieve them.



Committee of 1,000 news & comment

conduct of citizens. In short, a legislature exercises the power of the state.

The role of a student organization is far different. The SBA/Committee of 1000 (or any similar student group) is far closer in purpose and function to a labor union or service organization than to a legislative body. The fact is, these organizations simply do not "legislate." Instead, they contract for services, organize social events, bring speakers; they express the sentiments of the body via resolutions and provide a vehicle for the group's political expression. The formal freedoms which students share with their fellow citizens--to organize, assemble and debate, to petition (including initiative petitions), to contract with others and to pool their resources, to seek redress in the courts--are powerful tools when used effectively, but they are not powers of government. No labor union, fraternal organization or corporation does less; but none pretend to be legislative assemblies. They provide the services their members need and desire. They choose from their number those they will entrust with the day to day administration of the body's affairs between meetings. But in so doing, their members do not yield the right to participate actively in the life of the organization or to control its direction at/by their meetings. The membership remains supreme; the elected administrators, subordinate.

If the analogy between a student organization and a legislature is a fallacy, the misconception stems from the concept of representation itself. Representative or republican government is premised on the hope that the people will choose men of superior ability to fill positions of power. The people vest an elite with the full power of the state. This elite--the government--legislates on behalf of the citizenry. Indeed, for all practical purposes, it is the citizenry, except on election day. The mass is thought to be too numerous or too ignorant to make important decisions or to manage their own affairs. Supposedly, the representatives keep in touch with the needs of their constituents and make the decisions their constituents themselves would have made. In practice, however, the representative is accountable to the public only at the ballot box, and the deterrence of defeat at the polls is but an indirect means of control, in any event. Unfortunately, SBA members seldom seek re-election.

We are post graduate students studying to be attorneys. The lives and liberties of our future clients will depend upon our abilities as advocates, as representatives. Yet, we were asked to believe that we were not capable of representing our own ideas concerning student services. Some tell us we could do so only through intermediaries no more qualified than ourselves to hold such positions. The Committee of 1000 Resolution has changed that deplorable situation. When a body politic numbers little more than a thousand, does it make any sense to assume that a handful, haphazardly chosen, are more suited to the task of decision-making--especially where the issues are uncomplicated and require no specialized knowledge?

Student representatives are seldom, if ever, accountable or even amenable to the students who send them. Few even know even who they are. They represent only themselves, though this is not entirely their own fault. Representative government requires organized and coherent political communities. Without them, "representatives" are nothing but a crude poll, a sort of random sampling of student opinion. To assume, in such a setting, that duty, gratitude or interest will bind the members to their constituents is to hope for too much. The situation is particularly absurd in the case of first year students. They are expected to "elect representatives" whom they have known scarcely a month, if at all.

There is, however, an even more serious objection to government by a few students. To force a thousand law students to speak and act through forty is to disenfranchise 960. With a quorum of 21, a mere 11 SBA members could, and often did, speak for a thousand students--when a quorum could be obtained at all. How could such a usurpation be justified, especially among persons of relatively equal ability? Does it not make far more sense to allow any interested student to speak his piece, present his proposals and to vote at student body meetings?

Considerations like these prompted the SBA to create its Committee of 1000. The Committee reaffirms the dignity and importance of each student, both absolutely, and for his/her potential contribution to the welfare of the whole. "There is one thing that may be said for the Many," wrote Aristotle. "Each of them by himself may not be of good quality; but when they assemble, it is possible that they may surpass--collectively and as a body, although not individually--the quality of the best few."

Since its creation two years ago, attendance at fortnightly SBA/1000 meetings has more than doubled. The previously elusive quorum is now easily attained. Participation in student affairs has increased as more students realize they have a stake in their own future as a group. Perhaps most encouraging of all, the student body has abandoned its preoccupation with parochial concerns and now makes occasional forays beyond the walls--into the political life of the country in which we find ourselves.

The Committee of 1000 seeks to utilize the power of the students' single greatest asset--their numbers; for only through the combined contribution in time, energy and talent of significant numbers of students will any improvement of conditions here result.

Committee Of 1000 Resolution (Adopted 4 March, 1975 by the S.B.A.)

Article I.

There shall be a standing committee known as the Committee of 1000, which shall be composed of all students of Cleveland-Marshall College of Law.

Article II.

Section 1. The Committee shall have power to do all things within the competence of the S.B.A., except for--

- (1) matters requiring the appropriation of money or incurring of debt,
- (2) amendments of the S.B.A. Constitution or By-laws, or
- (3) discipline of S.B.A. members,

which subjects shall require ratification by the S.B.A.

Section 2. In cases where the Committee desires to appropriate money or incur debt and the S.B.A. withholds its consent; the Committee may submit the issue to an election of the student body, which election shall be by ballot.

Article III.

Section 1. The Committee shall meet semi-monthly, except summer term, at a time determined by the S.B.A.

Section 2. Special meetings of the Committee may be called by--

- (1) the S.B.A. president,
- (2) a majority of the S.B.A. officers,
- (3) the S.B.A. or,
- (4) twenty-five Committee members by a petition submitted to an S.B.A. officer, who shall convene the Committee within seven days.

Section 3. The purpose of special meetings shall be stated in the call, but other business may be transacted.

Article IV.

Section 1. The president of the S.B.A. shall preside at meetings of the Committee, and in his absence, the vice-president or other member chosen by the Committee.

Section 2. The secretary of the S.B.A. shall be secretary of the Committee.

Section 3. The Committee may make and enforce rules for the transaction of business and conduct of members.

Section 4. Twenty-five Committee members shall constitute a quorum to do business, but a lesser number may adjourn from day to day.

Section 5. The Committee shall meet on the Cleveland State University campus.

Article V.

- (1) The Faculty may designate one of their number to attend Committee meetings as an observer;
- (2) The Dean or his delegate may attend Committee meetings as an observer;--except in those cases which may, in the Committee's judgment, require secrecy.

Movies

CSU Film Society

The Thin Man 8:00 p.m. Oct. 8,9
Topper

call 687-2450 for more info

CWRU ZUBERMAN FILMS (Schmitt Hall) \$1
Shadow of a Doubt 7:00 p.m. Oct. 7
Young and Innocent same Oct. 7
Blazing Saddles same Oct. 8

CWRU Film Society (Strosacker Aud.) \$1
Lady of the Lake 2:00 p.m. Oct. 10
Brother Against Brother same

Gavel recommends "Smile"

Funny, satiric view of an American phenomenon--a small-town beauty pageant.

The Heights Art Theatre
Oct. 17 at 3:00 p.m.
\$3

(a benefit for *What She Wants*)

note: important announcements about prerequisites, Careers Day, and small section courses are located throughout the *Gavel*.

SBA VOTE

The senatorial elections for the Student Bar Association are to be held October 13 and 14. Polling will be centrally located in the student lounge on the second floor of the Chester Building. Polling hours are:

Tuesday, October 13

10:00 a.m.-2:00 p.m.

5:00 p.m.-8:00 p.m.

Wednesday, October 14

10:00 a.m.-2:00 p.m.

5:00 p.m.-8:00 p.m.

Self-Nomination blanks for First-year Day, Second-year Day, Third-year Day, First-year Evening, Second-year Evening, Third-year Evening, and Fourth-year Evening students will be available October 4th-8th, at the SBA office where they will also be received.

Dean Search

Tabac declined to name any of the dozen or so current candidates but he said none of those considered last year is now a candidate nor is any member of the committee eligible.

The current search committee consists of Tabac, Cohen, C-M faculty members Lizabeth Moody, on a one-year leave of absence from Marshall to teach at the University of Toledo, Bardie Wolfe and David Barnhizer; SBA President Terry Gravens, Prof. Allan Warren of the business school and Dr. Karl Wasmuth.

The position pays between \$40 and \$50,000/year, Tabac said, "but people don't generally look at the money in seeking such a position." A Cuyahoga County Common Pleas judge earns \$34,000 and a Federal District Court judge earns \$42,500 per year.

Candidates include practicing attorneys, academicians and judges, said Tabac. "The position is not limited to lawyers," he said, but "a strong academic and scholarly background is required."

Students and alumni are encouraged to recommend potential deans but Tabac suggests that the candidate be consulted before s/he is recommended. Names may be submitted to Tabac in CB 1026 or other members of the committee.

Studying more?
Enjoying it less?

By S. Schoenberg and M. Bryn

Most first year core courses use the casebook method of instruction. Although reading and briefing the cases in your text may be a valuable exercise in learning legal analytical skills, it often does not prepare the student for law school exams.

Exams

Although it is dangerous to generalize concerning any specific prof's law exam, certain general precepts are usually applicable.

The majority of law school exams are based on a fact problem. What profs look for, in varying degrees, is the student's recall of legal principles, as well as the ability to apply these principles through a process of organized legal reasoning to the unique facts presented.

Basically, there are 3 types of law exams. In an "issue oriented" exam, time is at a premium because issues are numerous. The object of the game is to regurgitate all possible issues and arguments, often at the expense of in depth legal analysis.

When, however, the prof places a premium on analysis and writing style, a student may not be expected to raise all possible arguments--emphasis should instead be placed on a coherent legal analysis of the major issues presented.

Lastly, there is the multiple guess-opinion exams (you guess the prof's opinion).

Remember 2 things - read each word carefully (any one can get you into trouble), and prepare your test-taking battle-plan beforehand to conform to the type of exam given (exams are on file at the library circulation desk).

Study Aids

There are a wide range of study aids available, and one can go broke trying to purchase all of them. Some of these aids will be recommended by law profs and others will be frowned upon, if not outrightly condemned.

Study aids are placed in a caste system by legal educators. The hier-

archy breaks down approximately as follows:

Hornbooks - some are better than others: they generally give black letter textual treatment of past, present and future trends in the law. Nutshells - abbreviated hornbooks; respected by most and great for those who get into \$6.95 paperbacks.

Outlines - some swear by them, some swear at them; Gilberts-- most popular but also Coif, Sum & Substance for black-letter overview; Legal Lines and Zientz for casebook outline.

Cans - Rejected by all legal scholars



but accepted by many students as "better than nothing". Often inaccurate (especially American Digest series).

Most study aids are on reserve in the library--check them out and decide for yourself. Don't overlook your own outlines, classnotes and study groups.

Just remember - you're as good as they are and when in trouble, shoot from the hip.

KILROY IS HERE

Jack Kilroy has been named associate editor, layout, of the *Gavel* for the fall quarter. Kilroy, 23, is a second year day student. In addition to the *Gavel*, Kilroy has been active with the C-M chapter of the National Lawyers Guild and is on the staff of NLG's Guild Star and the Plain Press, a Near West Side Cleveland community newspaper.

Kilroy joins Editor Michael G. Ruppert and Associate Editor Gail Natale as the C-M student newspaper's editorial board.

course info

Assistant Dean Earl Curry has asked the *GAVEL* to remind all students to check the list of prerequisites before signing up for elective courses.

Failure to comply with the requirements or failure to gain an instructor's waiver of the prerequisite will result in no credit for the course, Curry said.

He also reminded first year students that they should be enrolled in one--and only one--small section course--those whose section numbers begin with 6 (61, 62, 65, 66). Anyone enrolled in more than one small section first year course should see one of the assistant deans--Curry, Gale Messerman or Carroll Sierk.

HELP WANTED

DEAN, 1000-student urban midwest law school, university affiliated. Academic background, wisdom of Solomon, asbestos skin required; law degree helpful. \$40-\$50M/yr. Apply w/resume to Prof. William Tabac, Cleveland-Marshall College of Law, CSU, Cleveland 44115.

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