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Planning to Leave?

By Elaine Vorobel, SBA Placement Committee

Students graduating this year are reminded that a few details must be taken care of before they can graduate and take the bar.

Most important, the student must have completed 126 quarter credit hours, including the core curriculum, a professional responsibility course, an institute, and a skills course. Every student must make an application for graduation. It costs $20 and personal checks are acceptable. The deadline for persons graduating in Fall Quarter, 1976 and Winter Quarter, 1977 should have made application by January of 1977. Applications for persons taking the bar was November 1. Persons taking the July bar have until April 1 to register.

Second, third and fourth-year students needing application forms must now obtain them directly from the Supreme Court of Ohio. First-year students may still pick up the forms in the Administrative Office.

Persons planning on taking the Ohio Bar Exam must register to take it for a $40 fee. Only certified checks or money orders are accepted. The deadline for registering for the February bar was November 1. Persons taking the July bar have until April 1 to register.

M.D. Examines Law

By Mitchell W. Leventhal, M.D.

Medicine and Law are often called two of the "learned professions." This may be the only similarity between the two. Those who attempt to compare the two usually insult someone. Thus, at the risk of insulting everyone I will attempt to tread my way between Scylla and Charybdis.

I should think it impossible for my law student colleagues and my future erector legal colleagues to grasp the depth of my observations without first considering some of the undercurrents that move medicine along its path. My first encounter with "organized medicine" (first day of medical school) left me with little doubt that I was to have bestowed upon me the precious gift of the opportunity to enter the "highest calling of society"—"the profession of medicine." To wear a white shirt and dark tie, I was led off somewhat like a veiled virgin and taken before the medical steering committee. It was here that I was implicitly informed that if I were allowed the privilege of their company and any favor that they might bestow upon me, I was from that time forward to conduct myself in a manner that expressed my eternal gratitude.

Moreover, it was not just a school that I was entering, but a "monastic way of life" that would demand of body and spirit that were mortals would have been unable to adapt. I was finally anointed with the tools of my calling; the stethoscope and black bag (donated by a local drug firm), had been lifted to a higher plane of existence.

It is often said that medicine is a jealous mistress who does not tolerate other women. In legal parlance, medicine was to become a life tenant upon my physical and mental being, and she was to be accompanied with unreasonable deathly force.

The story of Dr. Cushing, (a Card- 
doc of medicine) and his chief resi­ dent (a position equivalent to that of the Chief Justice of the Supreme Court) is often recounted to young medical students. It is said that the chief resident informed Dr. Cushing one day that he was engaged to be married. Dr. Cushing promptly proceeded to fire the chief resident for unprofessional conduct.

My first day of law school was to hold many surprises and frustrations. I entered the appointed place where all freshman law students were to meet, delighted at the thought of entering law school. I expected to find pomp and circumstance; instead I found the school newspaper editor drenched in dungarees and t-shirt babbling and attacking his professors (God grant mercy on the medical student who would be so presumptuous). I was led in the wrong place. No, there was Dean Cohen. I expected to find dignity; instead I found the school newspaper editor dressed in dungarees and t-shirt babbling and attacking his professors (God grant mercy on the medical student who would be so presumptuous).

The newspaper of the Cleveland-Marshall College of Law, Cleveland State University November 1976

This may seem like an indictment of the legal profession, but emphatically not. It took me approximately one year to begin to understand the legal profession, and I now find it to my liking. (Please don't tell that to my medical colleagues.)

Marshall Lowest

C-H, with 162 grades among the more than 1200 persons who passed the July, 1976 Ohio bar exam, ranks lowest among the nine Ohio law schools with an 84% first-time passing rate and 88% overall.

The state pass rate was nearly 90%. OSU, with one failure, passed 99% of its first-timers, 98% overall. CWRU passed 92% of its first-timers, 88% overall.

Of C-H's grading taking the bar for the first time 157 passed, 30 failed. Five repeaters passed while nine failed. Other Ohio law schools are Akron, Capital, Cincinnati, Dayton, Ohio Northern and Toledo.
Students who are confined to wheelchairs are attending our law schools and this is, of course, a fine thing. While those chairs do something to overcome a handicap in providing mobility where once there was none, it is not true that attending school is as easy for them as it is for their walking fellow students.

It would appear to me consideration of the extra effort in pushing an unmotorized chair to the library might well cause a handicapped student to skip that trip which would be made without thought by a walking student.

I therefore suggest that the law school community establish a fund by voluntary contributions which will be used to buy a motorized wheelchair to be left at the school if and when any student who needs it while on the university property.

Obviously there will be problems of maintenance, but these can be met as the need arises. You may count on me for a contribution.

Sincerely,

Kevin Sheard

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The requests from the various groups totaled close to $17,000. BALSA, which is sponsoring a National Convention in conjunction with Case Western Reserve Law School, asked for approximately $4,000 for this convention as well as approximately $2,500 for its annual expenditures.

The NLG asked for close to $3,500 for a variety of projects which included both speakers and projects. The Women's Caucus requested $1,250. The SBA which sponsors over 20 committees and picks up the tab for orientation and other events that involve the total student body, asked for almost $7,000, a large portion of which goes for the Speakers Committee.

A general fund of $1,850 was set up to cover those unpredictable costs that might arise during the course of the SBA fiscal year. This fund was also set up to act as a cushion to give the new SBA administration (elected in April) some financial breathing room.

An error in drafting the SBA budget was made in that the officers neglected to include some basic operating costs. These were to be funded out of the general fund which would have left a balance of around $800 prior to the SBA Senate vote.

An error in drafting the budget were any of the SBA officers interested in using this general fund to pay for the Law Review $1,000 Lunch.

The policy decision was simple; we have limited resources and must see that the benefits conferred by SBA funding will be spread among the multitudes, subject to the vote of approval of the SBA Senate.

Once the initial SBA budget recommendation was defeated by a 20 to 19 vote, a motion for a division of the budget requests was made and passed. What were the final results?

The result of compromise was the slash $1,150 on its regular budget and received $500 support for its special national convention. BALSA also received $300 on a contingency basis from the SBA general fund for its convention; the contingency being its not being able to come up with funds from another source. I promised to assist them in looking for collateral sources, but they have been working to this end since Oct. 31.

The NLG received $1,000 from the regular budget plus an additional $350 from the general fund for its Ball Seminar.

The Women's Caucus budget was similarly increased by $100 from the general fund; however, since its initial budget request was reduced by $100, it ended up with its original figure (with the exception that the SBA officers had increased telephone appropriations for all groups). The SBA received an appropriation which, with the exception of the diminished general fund, was technically all it asked for. However, due to the error in figuring the initial budget, the SBA was left out in the cold as to some basic operating expenses, plus the fact that no guarantee that the succeeding administration (elected in April) would have a penny to work from April to June of next year.

The problem that I have is not with what happened during the budget meeting, rather it is with Ms. Fuchsman's interpretation of what happened. This Law School student body is a small community composed of 1235 people. I know many of them. I know Terry Gravens, Mike Otto, Chris Dittmar and Carol Weiss. I also know, and am friendly with, Rita Fuchsman.

I feel that there is no room for petty arguments over the few scraps that the University has placed on the SBA table and it does good to argue with friends once the SBA has voted on the matter. A line was drawn between what everyone wanted and what everyone received. The fact of the matter is that like it or not, the SBA is short of money. There are two ways of looking at this situation. We can look backward over our shoulders and rehash the budget and fight about it all year long, or we can take a positive, mature attitude and evaluate what we have and do the best possible job with it.

The SBA dilemma is clearly mapped out and it is my suggestion that those who would like to discuss political "reactionary overtones" of the budget meeting do so. Please count me out for I am too busy trying to make things work.

Bill Corvo
The election for the Presidency of the United States is over; the people have spoken, and they have selected Jimmy Carter. I voted for Ford. I consider myself to be a Republican moderate, caught somewhere in the Party ranks between Gerald Ford and Charles Percy (Sen. Illinois). I have been active in Republican politics for eleven years and have worked in several local, State (Conn.) and National campaigns. I was disappointed in the Ford loss and am left somewhat perplexed by the Carter victory. I will leave the election analysis up to Scammon and Wattenberg since they are better equipped to make sense out of several hundred million votes than I, and will discuss instead my fears and hopes for a Carter Presidency.

The first problem that I have with Jimmy Carter is that—after listening to more radio and television commentary than I care to think about—I still don’t know what it is that Jimmy Carter wants to do.

In foreign affairs Carter does not seem to be too far away from the Kissinger attitudes approach. He made some rumblings during the campaign that sounded like “support any friend oppose any foe” but these were few and did not characterize his foreign policy approach on the whole. I do know that one of his earliest supporters was an old New Dealer and former Truman Administrator participant, Milton Katz, Prof of International Law at Harvard. If Katz is consulted and listened to then we can expect a pragmatic approach in foreign relations that would involve strengthening our ties in Europe, particularly France.

I anticipate that the Soviet Union will instigate a crisis, somewhere, to see the new President’s reaction. It is here that Carter’s unknown qualities, both good and bad, will be tested and it is here that I am the most concerned because Carter seems to have a quick temper—jump first and apologize later. He will have to temper his emotions to respond well to a foreign crisis. Quite frankly I would have preferred a more even-tempered individual in the White House.

The American people have been force fed the concept that a President must be a “man of action”, implying quick action. Carter, in his campaign tried to convey this image to the American people. I would have preferred a more subtle balancing style, one which would preface the “man of action” with the “man of thought”.

On the home front Carter has conveyed an ambiguous image; he favors continued on p. 4

Carter Victory

3 Views

Carter is O.K.

By Dennis McDonough

As a product of the politicized campus atmosphere which characterized the turbulent and revolutionary decade, my politics manifest a revolution toward governmental stagnation—the standard of the Ford Administration (albeit an improvement over the reactionary-imperialism of his predecessor). The government, for too long, has hung over this country like stagnating air heavy with industrial pollutants. Maintaining a status quo favorable to a constantly shrinking segment of the population, it weighs heavily upon the people as a burden to social progress and change.

The people have rejected deliberate maintenance of the status quo and have cast their ballots for a man who will, as Carter once directed a staff member, “Proceed and be bold.”

A failure by President Carter to move forward with the bold promises of his campaign will be betrayal of those voters, like myself, who were not persuaded to cast a protest vote or reaffirm the status quo.

Carter has promised to streamline the obese federal bureaucracy. Hopefully, this will be his top most priority, for, to effectively confront the plethora of problems plaguing this country, a government that can move swiftly is essential. Attacking unemployment and inflation, improving the welfare system and implementing national health insurance cannot be accomplished while the federal bureaucracy is paralyzed by fat and impenetrable direction.

We should expect the new President to propose genuine tax reform which will more equitably distribute the burden of supplying the nation’s coffers; by this I specifically mean a greater actual contribution by the well-to-do, and a lessening of the burden now carried by the working class.

A reform I would personally like to see proposed (but which I’ll never see from a centrist President) is the abolition of the intrafamilial transfer of accumulated wealth from generation to generation. Realistically, however, Carter would do well to establish as a national goal adequate legal representation for all citizens. One of the more ignominious characteristics of the present legal system is that money buys justice, and poverty justifies jails, among other things. Thus, something along the lines of a federally-sponsored legal aid program is desperately needed by a country where the majority of its population cannot afford legal representation.

There are other progressive changes I would like to see but cannot expect from a major-party President. Primarily, I envision a presidency of vitality under Carter that confronts and attacks the problems facing a nation recuperating from the atrophic effects of Republican rule.

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No Change

By Jack Kilroy

In the past presidential election, the American public was afforded the opportunity of choosing which candidate will ignore our problems for the next four years. I chose to vote for a left-of-center candidate and had the satisfaction of voting my principles instead of voting for the “lesser of two evils.”

Although left-of-center candidates are generally not regarded as serious candidates, Dr. Benjamin Spock, Vice Presidential candidate of the People’s Party, remarked, “We’re more serious than the Democrats and Republicans. They only want to win elections. We want to change the country.”

The major parties exist to win elections, not to produce meaningful solutions to the nation’s problems. “Election day, the final vote tally is ultimately what the campaign is all about,” states the Democratic Party Campaign Manual of 1974, which continues “all campaign activity should focus on producing the maximum number of favorable votes for your candidate.”

On the other hand, leftist candidates have proposed meaningful solutions to problems such as: the overextended power of the federal government; the lack of accessible, qualitative, integrated education; the growing shortage of adequate housing in the cities; the increasing power and control which giant corporations exercise over our economy; millions wasted on the military budget; fluctuating cycles of recession, inflation and high unemployment; and the continuing policy of inequality throughout the nation. Democrats and Republicans both have had their chances to solve the nation’s problems. The Republicans have given us depression, recession and repression. Nearly every Democratic president in the 20th century had the United States involved in a major war. Neither party has produced significant changes to benefit the vast majority of the American people.

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3

YOU WONT HAVE JERRY FORD TO KICK HIMSELF AROUND ANYMORE...
Obviously, medicine and law seem to be—and perhaps are—the opposites of each other in their thought and perceptions of the world. Neither profession should be judged the parameters of the other, nor in terms of right and wrong. Rather they must be judged by how well they prepare themselves to accomplish their traditional goals; in law it is advocating, in medicine it is healing.

Medical school instills a strong sense of discipline and dedication while law school simply does not. Law school, on the other hand, requires that one be a mental gymnast, while medical school does not. Medical school requires physical and emotional stamina, while law school does not. Law school requires an integration of thought and an overall conception of events that medical school does not.

We are in many ways what we need and have to be. Lawyers are adversaries for their clients and must learn to advocate, attack and understand their clients in an earthly manner. Physicians are healers of their patients and must learn to aid in illness and reduce illnesses, all of which must be done in a somewhat aloof and detached manner.

Medicine is entrusted with the physical and mental well-being of those souls that are presently with us. Law is entrusted with the ethical well-being of not only those presently with us but those who unfortunately (for them) are yet to come into existence.

In the Law we create today will surely live the rule that those after us must live by. In theory, it seems to me that between the two professions, it is the law that has the more important and active part to play in society. Why this has not been accepted by the lay public I have no answer for. It should be obvious why physicians and nurses are adversaries for their patients and must learn to advocate, attack and understand their patients in a purely physical manner. Physicians are healers of their patients and must learn to aid in illness and reduce illnesses, all of which must be done in a somewhat aloof and detached manner.

While it is true that many lawyers and physicians have come to understand and communicate with each other, some needs to be done (as always). Something more than a frail pontoon bridge must be constructed between these two professions, and those who know me will attest to the fact that I am only straining so far. Without such communication, the one who stands to be the big loser (usually the patient, who being neither lawyer nor physician will be crushed if and when these two professions ever collide head-on.

Carter?

What can we expect of Jimmy Carter? We can be sure that Carter will appoint a new cabinet. We can be sure that Carter will no longer permit Susan and Liberty to reside at the White House. We can be sure that Carter will not ask for your vote ever again.

Carter will lust (in his heart) after sensible nuclear energy policy. He will acknowledge as an expert in the field and has recognized the grave danger of widespread use of nuclear power without people controls. We can hope for an improvement in the economy and a reduction in the high rate of joblessness. Carter is likely to propose better social services—but will they be effective without treating the roots of the problems? Carter has gone on record as being against Senate Bill One and other repressive legislation which the outgoing administration favored. We can also expect Carter to end the practice of appointing lobbyists for big business to the Federal judiciary.

Certainly, Carter will not be as bad as the Nixon-Ford administration. However, Carter will do nothing to end the absurd levels of military spending, arms sales and meddling in the affairs of other countries. Carter will do nothing to reduce the concentration of wealth in the hands of a few, the control of our economy by giant corporations and the continued destruction of the environment.

Until the Democrats and Republicans provide a serious approach to America's problems, I will vote for my principles.

Change?

The Humphrey-Hawkins Bill, but not too much; he personally does not like busying but wouldn't oppose it; he does not like high unemployment but admits that it will have to stay high for the first three years of his administration. The reality of Carter's domestic problem for the future lies in the coalition that gathered to elect him—big labor, the urban areas, the deep south. They are strong groups with sometimes competing interests and they will be calling in their IOUs the same time. (Witness the emergency meeting of the U.S. Mayor's Conference in Chicago, the week after the election to put Carter on notice for urban demands).

In order for Carter to achieve a portion of his goals he will need very strong support in the Congress. Even though the Democratic Party has powerful control over both houses of Congress, I don't think Carter has the political machinery to pull that group of special interest representatives together, at least not in his four year term.

One thing is reassuring (and sometimes disconcerting) about Carter is the fact that he appears to be an extremely practical individual who would not hesitate to use the brains and talents of a myriad number of anxious volunteer egg heads without feeling that he owes them anything for the use. This is a particularly harsh quality that some of the best (and some of the worst) Presidents of the past have had, Franklin Roosevelt in particular. It is one of those qualities without which a President cannot control his administration.

By coincidence it is this very quality in Carter, of administrative ruthlessness, that raises the small hairs on the back of my neck. If Carter can keep his aim on those issues which he alone defined in his campaign and is careful not to let himself fall prey to the "I am the President" syndrome (observed by most Americans during the Nixon administration), then he may achieve some moderate degree of progress. If he succumbs to the pressures of the coalition that elected him or if he ends up caving-in to a money spending Congress, then he will not succeed in his goal of reducing the bureaucracy, inflation or unemployment. For the moment, I give him the benefit of the doubt and await anxiously the balancing act he will have to perform if he is to match his campaign rhetoric with his actions.

Correction

Lloyd O. Brown Scholarship

In the last issue of the Gavel a notice concerning the Brown Scholarship stated that the scholarship is "available to needy second and third year students." The scholarship, however, is only for minority students. Apply to;

Lloyd O. Brown Scholarship Committee c/o Mr. Carl Chancellor, Chairman Illuminating Company Cleveland, Ohio 44114

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