



### From over center to Justice Center

Take it from former Browns linebacker Dick Ambrose '87: Making a major career change requires hard work and persistence. CAREER, PAGE 6

### The complete, unabridged Veterans Day primer

What was Armistice Day? Why is Veterans Day on Nov. 11? A West Point grad and 2L gives us a history lesson. SIDEBAR, PAGE 11



### Summertime with Scalia

2Ls Chris Pierre and Jess Gamiere studied in Europe last summer — and learned law first-hand from perhaps the next 'Mr. Chief Justice.' The virtues of studying abroad. LAW, PAGE 3

ANNUAL GUIDE TO STUDENT ORGANIZATIONS P.4



# THE GAVEL

VOLUME 49, ISSUE 3 ■ DECEMBER 2000

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

## White eyeing two deanships, stepping down as dean in June

By Ann Vaughn  
STAFF WRITER

Associate Dean Frederic White revealed recently that he is awaiting word from Tulane University and the University of Dayton on whether he will be selected as the dean of their law schools. He has applied for both positions.

Regardless of the outcome, White will take a leave of absence from Cleveland-Marshall at the end of this semester. He said he accepted an offer from former C-M Dean Steve Smith to serve as visiting professor at Smith's new law school, California Western School of Law, for spring 2001.

White said he will return for graduation ceremonies here in May 2001, but will resign his post as associate dean on June 30. If he is not selected as full dean at either Tulane or Dayton, White will resume his teaching duties as professor of law at C-M.

White is one of three finalists for the deanship at Dayton's law school.



NBC's Tim Russert, a 1976 C-M graduate, shows off his now-famous tote board on Election Night. He spoke at the law school a week later.

## Alum recalls election, TV moments

GAVEL STAFF

After making news history on Nov. 7 by using a simple tote board to explain the presidential electors to a national audience, NBC personality and 1976 Cleveland-Marshall graduate Tim Russert spoke about Election Day and other moments in his television career in a speech here Nov. 14.

BUSH  
vs.  
GORE  
2000

"I take small pride that my little tote board was more accurate than the computer," Russert said at the breakfast speech. Turn to page 2 for the story.

### More on the election:

Columnists Ross Matlack, Paul Petrus and Maureen Connors weigh in on the Florida foibles, pages 8 and 9.

## Budget woes threaten C-M

### Hiring freezes already in place; library to see deepest cuts, say staff

By Ed Pekarek  
STAFF EDITOR

While Cleveland State budget cuts are being felt at Cleveland-Marshall in the form of law library cutbacks and a support staff hiring freeze, the worst may be yet to come.

C-M administrators have been projecting scenarios to absorb CSU's ongoing cutbacks in the aftermath of the PeopleSoft computer problems and the resultant depletion of CSU budget reserves.

"From the top down, every [department] must look at their budgets with scenarios of 2, 4, 6 and 8 percent cuts across the board," said Dean Steven Steinglass. "The current budget revenues are less than expenses, which leads to cuts to hold the reserves."

In October, John J. Boyle III, CSU's interim vice president of fi-

nance, issued an internal memo that stated CSU auditors cautioned that "the university is depleting its reserves at a rate that threatens solvency." Auditors have mandated that CSU meet its \$138 million budget this year and replenish the university's reserves.

Currently budget cuts are affecting law students only minimally, according to Steinglass. "There are a couple of positions — secretarial and library positions — that have not been filled because of the freeze, which is designed to bring this year's budget on target. That is the major development for this fiscal year."

Steinglass said the law school is taking a closer look at faculty travel expenses and at the use of research assistants to keep a better handle on expenditures. "We are

See BUDGET, page 3

## 2L Pluth hospitalized after suffering stroke

By Dave Steiner  
STAFF WRITER

2L Teresa Pluth was hospitalized at Meridia South Pointe Medical Center after suffering a stroke Nov. 16. Those close to Pluth report that she is now out of the hospital and is recovering at home.

Donations to help defray Pluth's uncovered medical expenses may be deposited at any local Huntington Bank, including the location at Cleveland State's University Center, under the Teresa Pluth account.

A benefit social and concert for Pluth is also currently in the works. The event will take place at Becky's on Thursday, Dec. 21. Local artists scheduled to play the benefit are Tap the Bow, Curve, Simoom, Jim Miller and at least one other unconfirmed act. 2L Mike Cheselka will emcee the event.

More details will be provided at a later date.



Theresa Pluth

## Despite C-M's lower grades, job outlook rosy

By Kevin Butler  
STAFF EDITOR

A simple Web search of one of Cleveland's five largest law firms shows that 13 attorneys there are Cleveland-Marshall graduates, while four times as many attorneys — 52 — received their legal training from Case Western Reserve University.

Although those results are not nearly scientific and do not account for C-M's presence in the Cleveland legal community at large, the figures may demonstrate how C-M students look on paper compared with Case Western students. And if top legal recruiters are looking for high grade point averages as the main factor, Case students have a certain edge.

A look at the grading curve at each school begins to tell the tale. C-M professors are instructed to give no more than 48 percent of first-year

### A comparison of grading guidelines at Case, C-M reveals who gets the A's. But do employers care?

students A's or B's and no more than 62 percent of upper-year students the same grades. Case Western has a uniform curve for all years, requiring professors to give A and B grades to 65 percent of the students.

"The guidelines are not mandatory but advisory," explained C-M Associate Dean Jack Guttenberg. "They are set up to provide faculty with guidance and to give them a range within which certain grades should fall."

Even still, only 45 percent of C-M's May 2000 graduates finished with a grade point average above 3.0, according to information provided by Jayne Geneva, C-M's director of career planning and a proponent of a

higher grading scale at the law school. Compare that with Case's published statistics: 65 percent of the May 2000 class graduated with above a 3.0.

"C-M's curve is lower than most graduate and professional schools," Geneva said. "Many schools have resorted to giving higher grades as a way to enhance their students' résumés."

Law professor and moot court adviser Stephen Werber, who was a member of the committee that drafted C-M's guidelines, explained that he grades toward the high end of C-M's curve. Still, he warns against inflating students' grades.

"There are no benefits from a higher grading standard," he said. "Higher grades for poorly achieving students would be recognized for the farce it would be."

An April 1998 report by Brett Martin in *National Jurist* revealed

See GRADING, page 6

## Plenty to do over upcoming winter break

By Steven H. Steinglass

Though many of you have families and jobs calling for your attention during winter break when you have almost a month to yourselves, I want to suggest that



### The Dean's Column

you use this time between semesters to continue preparing for the career that awaits you at the close of your law school years. There are still a few openings in the intersession trial advocacy course, which begins Dec. 29 and ends Jan. 13. Open to second- and third-year students, future lawyers often find this intense two-week, three-credit course one of the most valuable experiences of their legal education.

Trial advocacy plunges students into their lives as litigators, as they learn trial strategies that begin with jury selection and proceed through closing argument. The course is taught by some of the city's finest and most helpful lawyers and judges, many of whom have been participating in the course for over a decade.

One of the most instructive features of the course is its use of video cameras that film students as they practice their skills in simulated trials. The faculty and students then critique these videotaped sessions as they capture students' strengths and unmask their weaknesses. The course ends in a mock trial before a judge in his or her courtroom in the Justice Center. If you are in search of a capstone educational experience, trial advocacy might just be what you're looking for. Talk with Dean Jean Lifter or Dean Jack Guttenberg.

Another way to enrich your law school education during the intersession is to participate in some of the volunteer opportunities offered by the pro bono program. In November, program administrator Pamela Daiker Middaugh arranged to have representatives from more than 50 community agencies here to talk to our students about the legal profession's obligation to serve the public through volunteer service. These community organizations are rich in the diversity of their missions — from service at a shelter like Templum House to packing and distributing food through the Food Bank. If you missed the pro bono fair, see professor Daiker-Middaugh about these experiences.

The intersession is also a time when you can study alone or in groups in a less hectic setting, either preparing for next semester's classes or preparing for the ultimate test: the Ohio bar examination. Above all, don't forget to have a wonderful holiday, spending your time wisely and well.

Steinglass is dean of C-M.

# Russert returns from Beltway

## Washington bigwig recalls Election Day, NBC moments

By Kevin Butler  
STAFF EDITOR

Legal training at Cleveland-Marshall underpinned the career of the law school's most recognizable graduate, an admission Tim Russert shared with his audience here at a Nov. 14 breakfast.

Russert, the 1976 Cleveland-Marshall alumnus who captivated a nation when he co-anchored Election Day coverage with Tom Brokaw a week earlier, shared details during the speech about the election, moderating NBC's "Meet the Press" and serving as chief of the network's Washington news bureau.

His work on Election Night made him the talk of the nation. Russert shunned the high-priced digital graphics used by NBC to explain the state-by-state electoral tally — in favor of using a dry-erase board and marker.

"I was amazed at the way it connected with people all across the country," he noted. "I take small pride that my little tote board was more accurate than that computer."

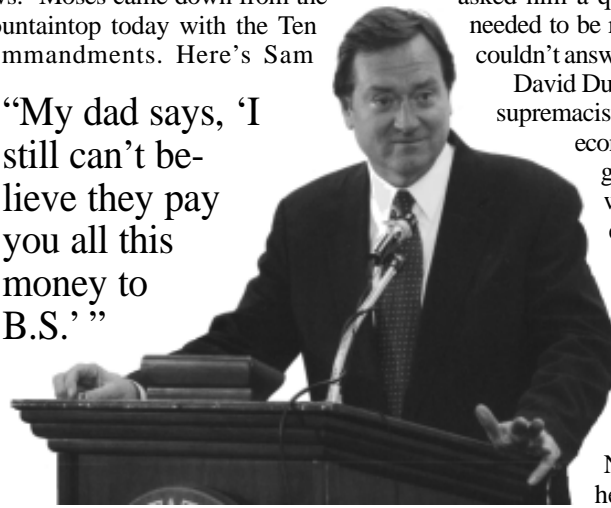
That phenomenon alone may account for the fact that both the Smithsonian Institute in Washington, D.C., and the Newseum in Arlington, Va., have asked Russert for his board, a request he refused until the election is fully settled. "I'm still using it," he said.



Tim Russert '76 with NBC anchor Tom Brokaw on Election Night. Below, Russert addresses the Cleveland-Marshall audience on Nov. 14.

Russert's speech was peppered with self-deprecating humor: "David Brinkley recently reminisced that the way television news would cover Moses nowadays would be as follows: 'Moses came down from the mountaintop today with the Ten Commandments. Here's Sam

"My dad says, 'I still can't believe they pay you all this money to B.S.'"



ED PEKAREK—GAVEL

Donaldson with the three most important."

Russert said his blue-collar dad in Buffalo doesn't buy his son's Washington influence and fame. "My dad says, 'I still can't believe they pay you all this money to B.S.'"

Now co-chairman of the C-M annual fund drive and its national advisory committee, Russert said his coursework in the legal clinic here was valuable.

"The legal clinic was vital to me in understanding how the real courtroom works," Russert said, adding that the clinic was a chance to "take the scholarship and the textbooks, and mesh it with the human side."

Russert recalled the three most memorable interviews in his ongoing career at "Meet the Press."

Budget reformer Ross Perot rethought his 1992 presidential campaign strategy and eventually dropped out of the race when Russert asked him a question about what actually needed to be reformed in government. He couldn't answer.

David Duke claimed he had buried his supremacist past and was running as the economic candidate for Louisiana governor. When Russert asked who the state's three largest employers were, Duke stammered under the pressure and later lost the race.

And Russert led President Clinton to issue a sound warning to North Korea, which was teetering on invading South Korea. North Korea capitulated after hearing Clinton's threat.

## Davis to teach IP law to Albanian magistrates

Travel warnings that reveal recent widespread armed robberies and political as well as economic unrest have not deterred Cleveland-Marshall professor Mickey Davis from accepting an offer to educate judicial magistrates in Albania.

On behalf of a group funded by the U.S. State Department, Davis will help prepare written materials to educate the magistrates about intellectual property law, a task that will require him to spend 10 to 14 days this December in one of Europe's most impoverished countries. The State Department has issued a travel warning cautioning U.S. citizens against travel to Albania, stating that organized criminal gangs are "endemic to all regions" and "gangland-style assassinations can erupt without warning."

While Davis is confident he will help provide adequate resources for the magistrates, his message beyond the material is that Albanian officials should not focus on protecting international intellectual property. He said that the request for him to go to Albania is a response to

the pirating of intellectual property, such as CDs, that comes from the United States. Countries that are at a low level of economic development have more important problems than to expend their judicial resources on safeguarding intellectual property, Davis explained. "It is not in their interest to protect international intellectual property." "They will get excellent training materials," Davis said, discussing the impact of his efforts on the country's judiciary. "However, they have little or no intellectual property of their own to protect."

### Notes in Brief

**Heading to Albania: Davis** — They will get excellent training materials," Davis said, discussing the impact of his efforts on the country's judiciary. "However, they have little or no intellectual property of their own to protect."

— Frank Scialdone

**Werber to step down as moot court adviser** — After 20 years of coaching C-M's Moot Court Board of Governors to victories in regional and national competitions, professor Stephen J. Werber

announced Nov. 21 he will resign his position as advisor after spring semester 2001.

"My work with the Board of Governors has been the most rewarding aspect of my work as a member of the C-M faculty for over 30 years," Werber said in a written statement. "It has been my privilege to work with over 400 highly talented and dedicated professionals."



FILE  
Werber: resigning from moot court

over 400 highly talented and dedicated professionals."

**Rieger, Holdsworth fare well in environmental tourney** — Despite winning all four rounds of appellate arguments, 2Ls Peter Holdsworth and Mat Rieger finished in the quarterfinals of the fifth annual Stetson University International Environmental Moot Court Competition, held Oct. 26-28 in St. Petersburg, Fla.

The C-M team missed the semifinals on points only and its brief won first place.

Twenty teams from law schools around the country and overseas participated in the competition. Holdsworth and Rieger defeated teams from India and Kansas.

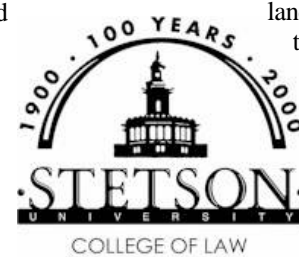
Their brief will be excerpted in a newsletter of the American Bar Association.

**Student groups and bar association fund new art** — A major addition to C-M's growing art collection was recently acquired with donations from various law student organizations and the Ohio Hispanic Bar Association.

Hector Vega's two-dimensional "Cleveland Millennium" was purchased for the atrium with contributions from the OHBA, Asian-Pacific Islanders Law Students Association, Gavel, Hispanic Law Students Association, Student Bar Association and Women's Law Student Association.

"Cleveland Millennium" features notable Cleveland landmarks, including the West Side Market and Severance Hall. — Ann Vaughn

**Best brief: Rieger, Holdsworth at Stetson tourney.**



# Summertime with Scalia, J.

Study abroad programs let law students hobnob with top judges, see the world

By Christopher Pierre  
CONTRIBUTING WRITER

After seeing nothing but the walls of the law library for my first year, I felt an overwhelming need to get out and see the world, but I still wanted to use my summer responsibly. Studying law abroad for the summer was the perfect solution.

After much deliberation, I decided to join the "Capitals of Europe" study abroad program sponsored by the Dickinson School of Law of the Pennsylvania State University. I was sold on the program because it allowed students the opportunity to travel and experience the culture of various capitals of Europe like the Hague, Brussels, Strasbourg, Vienna and Oxford — all while being taught by various judges, lawyers and scholars from around the world. We studied the framework and proceedings of the European Union and had the opportunity to interact with U.S. Supreme Court Justice Antonin Scalia.

My friend, 2L Jess Gamiere, accompanied me on the trip and was present when Scalia taught our seven-day separation of powers class in Vienna. "Undoubtedly, the most unique aspect of the



COURTESY JESS GAMIERE AND CHRIS PIERRE (2)

At right, 2Ls Jess Gamiere, left, and Chris Pierre pose in London during their summer study program. Above, Justice Antonin Scalia of the U.S. Supreme Court teaches their separation of powers class.



course was the fact that the author of many of the opinions we studied was standing at the head of the class "explaining what he meant," Gamiere recalled.

Jess said interacting with the associate justice was the most significant moment of his first year. "Justice Scalia was standing right in front of us telling us why the court came to the conclusions it did, or why he disagreed with the 'incorrect' opinion of the majority. It was absolutely surreal."

Because our experience study-

ing abroad was profitable and a lot of fun, here are a few insights into considering a summer program like ours.

**Why spend the summer studying law abroad?**

- Experience the culture and history of any place in the world you've ever wanted to visit.

- Learn from and interact with Supreme Court justices and lawyers and scholars from around the globe.

- Build friendships with students from across the country.

- Avoid the pressure of finding summer employment.

- Give yourself a great conversation piece for job interviews.

**Where do I find information on study abroad programs?**

The career planning office offers pamphlets on various programs, but more extensive listings can be found online on such sites as [WWW.STUDYABROAD.COM](http://WWW.STUDYABROAD.COM). The bulletin board just outside L.B. 12 displays information about many programs.

**How do I choose a program?**

It is very important to consider the classes and the number of credit hours offered, the host country, the time frame and the professors. Many programs feature special guest lecturers.

—With Jess Gamiere reporting

# We're Nuts

**Holiday Gifts Delivered Anywhere**

**6 PACK STACK \$58.95**

- ▶ Jumbo cashews
- ▶ Deluxe mixed nuts
- ▶ Holiday pistachios
- ▶ Pee Wee jelly beans
- ▶ Chocolate raisins
- ▶ Hard & filled candies

**3 PACK NUT STACK \$32.95**

- ▶ Jumbo cashews
- ▶ Deluxe mixed nuts
- ▶ Holiday pistachios

**3 PACK CANDY STACK \$28.95**

- ▶ Pee Wee jelly beans
- ▶ Chocolate raisins
- ▶ Hard & filled candies

**Plus much more!**

**Order by phone (216) 595-1287**

- Visa/MC welcome.
- Call soon for Christmas delivery.
- Delivery charges may apply.

We're Nuts, LLC is owned and operated by Cleveland-Marshall 3L Mike Heller.

**\$3 OFF** with this ad (\$20 minimum)

# BUDGET: C-M cuts back support staff, periodicals

Continued from page 1 —

trying to monitor more closely the use of student assistants — whether it be research assistants or students employed in the library," he said. "We also want to make sure that the travel dollars are spent wisely; we are being much more careful."

There are no firm projections yet as to the extent of the cuts that will take place next year, although cuts could range widely. "An 8 percent cut would be disastrous," said Steinglass. "Cuts at the lower end would not be filling positions — faculty or support positions. When you get to the 8 percent level it is not possible to make cuts at that level without eliminating people — that means faculty positions."

CSU President Claire Van Ummersen said while the administration determines the cuts, each academic unit will determine its own priorities with help from interim Provost James McLoughlin. McLoughlin has "unfrozen" the assistant director of academic technology position at C-M. The frozen position was thawed only after a direct appeal by C-M leaders.

Steinglass said no course cuts have been discussed.

The Ohio Inspector General examined last year's budget and found no criminal wrongdoing. However, CSU's independent auditor, PriceWaterhouseCoopers, has yet to certify the annual statement. Van Ummersen attributed

the auditor's refusal of certification to the depleted reserve fund, which was approximately \$18 million two years ago. "The current reserve is approximately \$8.8 million, but will be around \$5.6 at the end of fiscal year 2001," she said. "Our auditors require \$7 to \$10 million in reserve as prudent."

The law library budget has taken much of the brunt, including the freezing of the open acquisitions librarian position. Steinglass said the library has been under the same budget for at least five years. The library staff also lost a few positions to the freeze.

"The library staff unionized in direct response to CSU placing budget constraints squarely on the staff's back," said librarian Laura Ray, past vice president of CSU's professional staff organization. "Claire Van Ummersen is notorious for cutting library budgets. She only approved the new law library after the ABA threatened to revoke C-M's accreditation and [former C-M dean] Steve Smith had to request a show cause hearing."

Faculty e-mails and a memo obtained by the *Gavel* confirm the rumored acquisition cuts.

An October memo from law library Director Michael Slinger called for nearly \$73,000 in serial cancellations. Volumes to be cut are in core areas such as torts as well as specialties.

—Reporter: Frank Scialdone

NOT SO COMFORTABLE WITH YOUR CASUAL LOOK?



WE CAN HELP YOU LOOK AND FEEL GREAT WITHOUT THE "COOKIE-CUTTER" DEPARTMENT STORE APPEARANCE AND WITHOUT PAYING OUT THE ASS. SO COME IN AND ENJOY FINE IMPORTED FABRICS, GENEROUS PRICING AND TRULY INCOMPARABLE SERVICE WHICH WILL HAVE YOU COMING BACK FOR MORE.

\*Cleveland-Marshall student discounts.

**M LANG EXECUTIVE ATTIRE**  
*You Know You Could Look Better*  
1275 Euclid Avenue @ Playhouse Square | 216.771.4197  
free parking available

## THE GAVEL'S Annual Guide to Student Organizations

Stop for a moment while you're here in law school. Look around. Scores of students are padding their résumés by selling bakery or editing scripts or scheduling speakers. When you're ready to join them, bookworm, use our handy guide below.

### ■ American Bar Association

The ABA is a voluntary membership association of attorneys and one of the most active lobbying groups in the country. Cleveland-Marshall students are eligible for membership in the ABA's Law Student Division. The membership offers many benefits, such as *Student Lawyer* magazine, low-cost health insurance and free or inexpensive publications that will help you in law school and afterward. Contact the Student Bar Association for information.

**Contact:** Genesis Brown,  
*genesis.brown@law.csuohio.edu*

### ■ Asian-Pacific Islanders Law Students Association

As a group, Asian and Pacific Americans represent the fastest growing segment of the U.S. population. This group has only recently entered into the legal profession in significant numbers. The Asian Pacific Islander Law Students Association was formed to address the concerns of Asian students as well as to provide support to its members. APILSA welcomes and encourages all students, not only those of Asian descent, to participate in activities aimed at educating individuals about the many issues affecting Asian Americans.

APILSA offers a forum for its members to meet Asian-American lawyers working in the Cleveland area through guest speakers and through close ties with the Asian American Bar Association of Ohio.

**Contact:** Ann Vaughn, *ann.vaughn@law.csuohio.edu*

### ■ Black Law Students Association

The Black Law Students Association is a national organization with chapters at law schools across the country. The C-M chapter of BLSA sponsors and cosponsors various educational and social events throughout the year. Its biggest event is the BLSA Scholarship Banquet, which is held every year in April. Although BLSA's primary purpose is to provide assistance in preparation and retention of African-American law students, BLSA membership is open to all students.

**Contact:** Marquetta Johnson

### ■ Christian Legal Society

The Christian Legal Society is a group for students interested in discussing the interaction of law with Christianity and integrating it into their way of life. All law students are encouraged to attend meetings and share how the law relates to Christian beliefs.

**Contact:** Christopher Pierre

### ■ Cleveland State Law Review

Law reviews are the scholarly journals of the legal profession. At least four times each year, the

Cleveland State Law Review publishes articles of both local and national significance. Students are invited to join the law review as associate members at the end of their first year of legal studies by ranking in the top 10 percent of their class or by successfully competing in a summer writing competition following their first year. During the first year of law review, associate members assist the editorial board in publishing the law review and produce a comprehensive note on a topic of their choice.

**Contact:** Kim Kastner,  
*kimberly.kastner@law.csuohio.edu*,  
(216) 687-3978

### ■ COERSAGE

COERSAGE (formerly the LesBiGay student group) changed its name last year to be more inclusive of all students, both gay and straight, who support equal rights for the gay, lesbian, bisexual and transgender (GLBiT) communities. Approximately half of our current members are gay or lesbian. It is our goal to increase awareness of GLBiT civil rights issues both inside and outside the C-M community.

Whenever we host an event like voter registration, a bake sale or a semester social, we display information on the state of the law as it pertains to the GLBiT community in the form of statistics, new statutes and cases. We were represented at Cleveland's gay pride festival and we sponsor speakers that promote GLBiT issues. It is also our goal to provide networking opportunities within the GLBiT legal community. We are currently looking into different ways to become more affiliated with Ohio Human Rights Bar Association and other GLBiT community organizations.

**Contact:** Michele McKee,  
*michele.mckee@law.csuohio.edu*

### ■ Criminal Law Society

The Criminal Law Society consists of students and recent graduates interested in both prosecutorial and defense aspects of the criminal justice system.

The C-M chapter of CLS is not limited to those with a defense-oriented point of view; rather, the group is designed to accommodate all students with an interest in criminal law. CLS was formerly the C-M chapter of the Ohio Association of Criminal Defense Lawyers.

**Contact:** Mat Rieger, *criminal-law-society@law.csuohio.edu*

### ■ Delta Theta Phi

As an international professional law fraternity, Delta Theta Phi provides students the opportunity to network with alumni through social functions, participate in charitable events and build relationships with fellow law students.

**Contact:** Brett A. Miller,  
*b.miller@reminger.com*, (216)  
687-1311 ext. 2509

### ■ Environmental Law Association

The goal of the Environmental Law Association is to promote awareness within the legal community of threats to the quality of life for the people of Northeast Ohio and the world. We will strive to achieve that goal through social functions, fund-raising activities, and other activities.

**Contact:** Dan Markey,  
*daniel.markey@reminger.com*

### ■ Federalist Society

The Federalist Society is a conservative and libertarian group founded on the following principles: that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is the province and duty of the judiciary to say what the law is, not what it should be.

The Federalist Society seeks to promote these ideas by inviting speakers from across the country to come to C-M. Students who find themselves at philosophical odds with the faculty and administration will find the Federalist Society to be beneficial. In addition, for only \$5 students will receive a quarterly newsletter and a subscription to the Harvard Journal of Law and Public Policy, which is one of the three most widely circulated law reviews in the country.

**Contact:** Maureen Connors,  
*maureen.connors@law.csuohio.edu*,  
(216) 447-8825

### ■ Hispanic Law Students Association

The Hispanic Law Students Association creates and maintains a local and national network between practitioners and C-M students, and serves as a voice for the concerns and opinions of the Hispanics in educational communities. One of the group's projects involves a mentoring program for young Hispanic and Latino people.

**Contact:** Zulma Zabala

### ■ International Law Students Association

The International Law Students Association promotes an understanding and recognition of the principles of international law and seeks to educate students about international law, organizations and institutions. Through a variety of programs, ILSA serves as a forum for the exploration of international issues and areas of interest. Programs include speaker events, networking opportunities and international law moot court participation.

**Contact:** Moira Arsenault,  
*moira.arsenault@law.csuohio.edu*,  
(216) 523-7247

### ■ Journal of Law and Health

The Journal of Law and Health is a law journal devoted to publishing timely and informative articles in the area of health and the law. Two issues of the journal are published each year. After the completion of their first year, students ranking in the top 20 percent of their class are automatically extended invitations to join the journal as associate members. Students may also join the journal staff upon successfully competing in the annual summer writing competition.

Associate members' duties include subediting articles submitted for publication and writing two case comments or a note that is evaluated by the journal's editorial board. The note is a student manuscript which focuses on an area or issue in the law relating to health. Often the note proposes a solution to a current problem and has an analytical emphasis. The note must be of publishable quality to be accepted. If the note is accepted by the current editorial staff, the student joins the editorial board for the following year.

**Contact:** John Geffert, *john.geffert@law.csuohio.edu*, (440)  
884-5669

### ■ Justinian Forum

The Justinian Forum is a bar association representing attorneys and judges of Italian-American descent in Cuyahoga County. The student organization was developed to work in conjunction with the bar association to promote and foster understanding of the roles of Italian-Americans in matters involving social justice issues. Members are invited to attend and participate in all functions of the bar association. The chapter works to elevate and maintain the standards of integrity and honor among the student body, while promoting legal, cultural and social activities.

**Contact:** Angelo Russo,  
*angelo.russo@law.csuohio.edu*

### ■ Libertarians

The purpose of the Libertarians association is to learn and educate in areas of individual liberty and individual responsibility, as envisioned by Ben Franklin, Daniel Webster, James Madison, other founding fathers, the Federalist Papers and the U.S. Constitution, particularly the Bill of Rights.

**Contact:** Kris Lucskay,  
*lucskay@geocities.com*, (440)  
734-5027

### ■ Moot Court

The Moot Court Board of Governors is a program designed to develop and refine brief writing and oral advocacy skills. Students participate in interscholastic competitions, which are judged on the quality of written briefs and oral arguments.

Any student may become a member of the moot court board by completing advanced brief writing and successfully competing in the upper division spring intramural competition. To compete in the competition, second-year students must enroll in advanced brief writing in the fall semester. Between 12 and 18 individuals are invited to join the board. The balance of board members (0-6) are selected through a first-year intramural competition which is coordinated with the legal writing program. Qualified first-year students compete interscholastically as second-year students with the advice and assistance of the board.

Moot court, an excellent opportunity to develop and refine advocacy skills, brings recognition to C-M and helps its members make nationwide contacts at the competitions.

**Contact:** Maria A. Citeroni,  
*maria.citeroni@law.csuohio.edu*,  
(216) 687-3980

### ■ Student Bar Association

The Student Bar Association is the voice of the student body, oversees student groups and organizes social and educational programs throughout the year. Four officers are elected in the spring semester; senators are elected or appointed in the fall.

**Contact:** Matthew J. Hite,  
(216) 687-2339

### ■ Student Public Interest Law Organization

The Student Public Interest Law Organization (SPILO) addresses issues regarding community service and pro bono work and endeavors to provide students with exposure to work experience and careers in the public service field. SPILO is a sponsor of the C-M First Monday program and runs the Street Law program, in which law students team up with teachers to give high school students a basic understanding of the law.

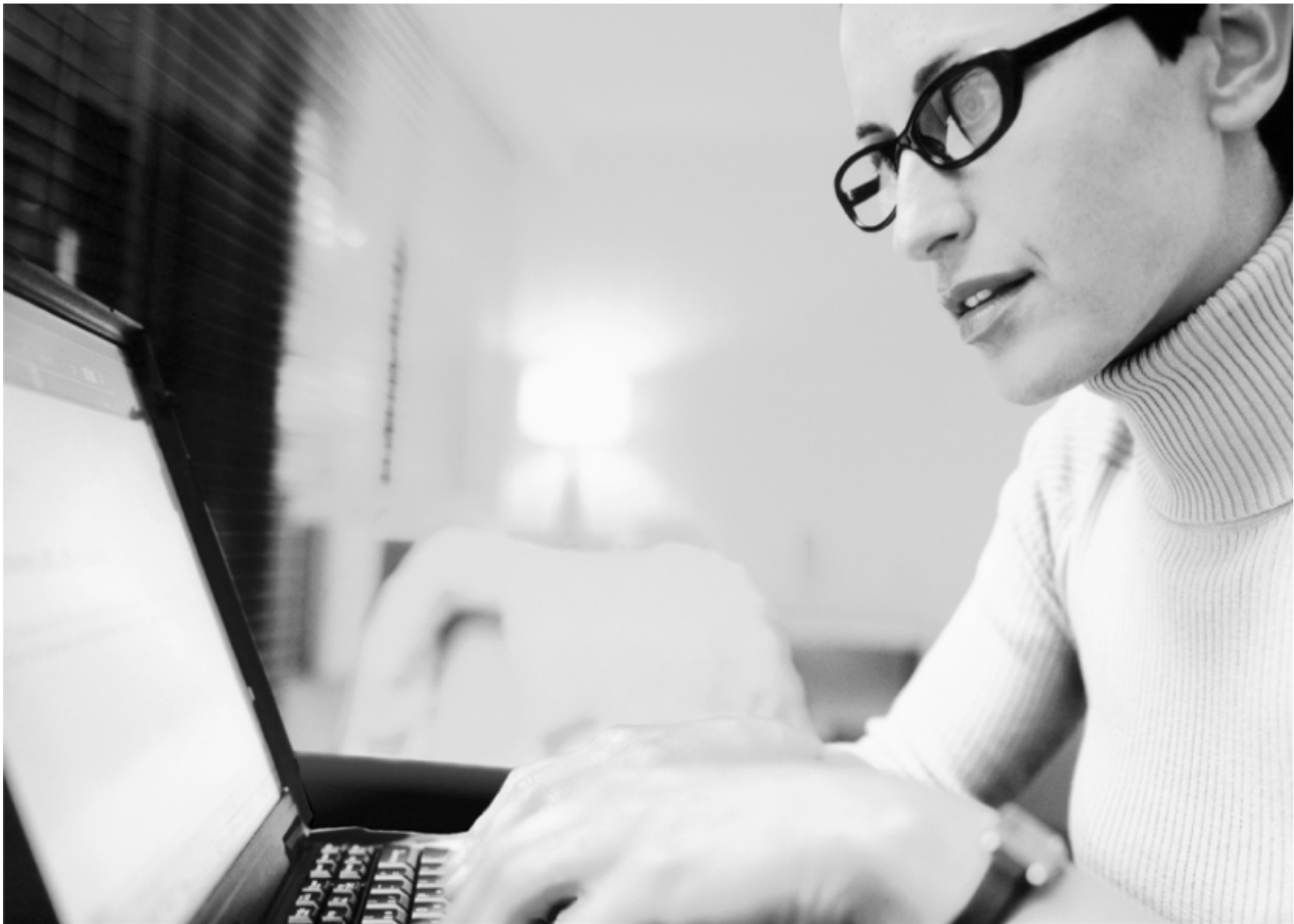
In past years SPILO has raised funds and collected supplies to benefit Providence House, a local crisis nursery and women's shelter. SPILO intends to continue its work with Street Law and Providence House, to add projects benefiting the homeless and to aid local elementary school students needing help in reading.

**Contact:** Jennifer Lukas  
*Jackson, jennifer.lukas@law.csuohio.edu*

### ■ Women Law Students Association

The Women Law Students Association (WLSA) strives to promote awareness of women's and societal issues and sponsors the annual Mock Trial, a silent auction with Delta Theta Phi and guest speakers.

**Contact:** Angela Wiggins,  
*angela.wiggins@law.csuohio.edu*



## Get a Jump on Next Semester.

Over 5,000 books in stock, everyday.

### Save Time, Save Money Order Over Break!

Order 24 Hours a Day!

Same Day Shipping

*(for orders received before 3pm CST)*

10-15% Off Publishers' List Price

No Sales Tax *(outside Illinois)*

Free Standard Domestic Shipping  
on Student Orders Over \$100

### These Courses and More

- Administrative Law
- Appellate Advocacy
- Conflicts
- Constitutional Law
- Criminal Law
- Evidence
- Family Law
- Federal Law
- Insurance Law
- Intellectual Property
- Products Liability
- Professional Responsibility
- Remedies



<http://store.law.com> or 800.628.1160

## Two proven stress-busters for final exams

By Karin Mika

*Q: Any words to deal with the stress of preparation for midterm and final exams?*

A: Stress is one of a law student's worst enemies because it is so consuming that it has the potential to shut down the mind. That, of course, isn't such a good thing to happen either in preparing for an exam or taking an exam! The object is not to fall prey to stress in the first place, which is tough advice to give since most of the students in law school owe their past academic success to a high level of concern about grades.

There are several techniques to deal with stress when it occurs. The first one is somewhat self-deprecating — try to appreciate the insignificance of your existence. In a hundred years, exactly who will care whether you missed a citation point on your research exercise or got a C (or worse) in criminal law? How much will anyone care in 10 years? How much will *you* care about this moment in 10 years, or even a week from now? While I do not advocate asking yourself, "So why bother today?" I do advocate trying to live with a perspective that this very moment might not be that significant as time passes.

A second way to deal with stress is by slowing down time. Stop viewing life in terms of what happens down the road, but what can be done at the end of the day, hour or minute. The more stressful the time period, the less forward into the future one should look.

As a personal example, last summer my father was ill and hospitalized at the Cleveland Clinic. I became responsible for his admission, dealing with the doctors and keeping him happy. While he was in the hospital, my days consisted of getting the kids to where they needed to go, dealing with my mother's hysteria, coming to the law school, grading, meeting students, teaching class, doing my thing at the clinic, picking up the kids, filling in my mother, heading home, and planning to do the same thing the next day. And the cats managed to get fed too.

Rather than getting myself wrapped up in what had to be done by the end of the day, I focused only on that task. When the task itself was multidimensional, I started focusing on components of the task — things like, "Put on your coat; make sure you have the car keys; close the door behind you; walk toward the garage."

Law school midterms are the same thing. If you focus on all the things that need to be done in the long run, it will be so overwhelming that you will probably give up before trying. If you focus only on the moment, in the end you'll be surprised at what actually gets accomplished.

*Mika is the assistant director of legal writing at C-M.*

# A different sort of gridiron

**I**N TODAY'S RAPIDLY CHANGING economy people seem to change careers more often than they change long-distance carriers. Labor statistics show that the average person will change careers seven times during the course of his or her life. Even though a career change may offer the promise of a new and better

Whether from the NFL or nursing, career changes require real persistence.

By Dick Ambrose

for seven years, having graduated from the University of Virginia in 1975. By the time I began to settle into my first semester at C-M, the strike ended. It was the week before Thanksgiving and I had to choose whether to maintain a full course load, miss classes due to football and see my grades decline or reduce my schedule and try to pick up my

**Alumni Advice** tomorrow, effecting that change is sometimes a difficult proposition. But the old adage that "persistence pays off" is advice that is just as sound today for the career changer as it was in the era when people used to get a gold watch for working their whole life for one employer.

The practice of law has attracted the attention of many career changers because of its appeal as a learned profession and because of the respect it enjoys among most members of the general public. This is what drew me to the law and what encouraged me to seek admission to law school when I was already involved in a successful non-legal career.

I recall the feelings of fear and trepidation in 1982 when I was attempting to bridge the gap from my career as a professional football player with the Cleveland Browns to that of a law student at Cleveland-Marshall. The NFL players strike of 1982 provided a window of opportunity for me to attend my first law school class less than 24 hours after hearing Gene Upshaw, president of the NFL Players Association, address a Monday Night Football audience announcing the strike and the players' demand for "55 percent of the gross." (The players demanded that the owners spend a minimum of 55 percent of the NFL's gross revenues on player salaries and benefits.)

I had been accepted to C-M for the 1982 fall semester, but didn't think I would actually become a law student that year unless I was either released by the Browns or suffered a career-ending injury. Fortunately, I was wrong on all counts. Even better, classes didn't start that year until mid-September, so I was able to attend the first day of classes. The only thing good about the longest strike in NFL history (57 days) was that the timing

Law school was a welcome change from battling 270-pound linemen, says Ambrose, but still tough. was almost perfect.

Among my first memorable law school experiences was torts class with professor Stephen Gard. For some reason, professor Gard wanted me to brief the case of *Hackbart vs. Cincinnati Bengals*, which dealt with an on-the-field assault committed by Bengals running back Charles "Booby" Clark on the unsuspecting Dale Hackbart of the Minnesota Vikings. I'm sure my status as a Browns player had nothing to do with my selection for this assignment — right.

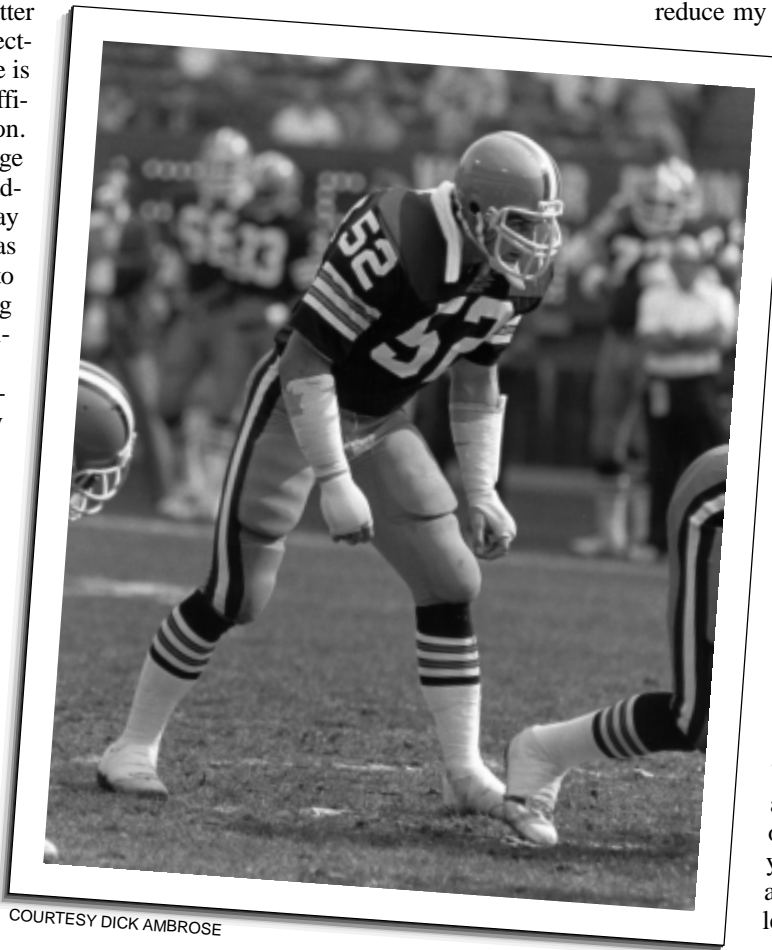
Law school was a welcome change from running into 270-pound linemen (they're even bigger now), but it was still difficult to adjust to learning by the Socratic method. I had no prior exposure to the legal system and was the first in my family to have anything to do with the law. I had also been out of school

core courses in off-seasons and with night classes in later years. I chose the last option.

It took longer to do it this way. I had to switch from the day to the evening program and then back again. When I attended evening classes I was impressed and encouraged by the number of students who held down regular jobs during the day as accountants, police officers, insurance agents and even independent business owners. All of these individuals were seeking a legal education either to become members of the practicing bar or to benefit from the way law school teaches students to look at all aspects of a problem, analyze its strengths and weaknesses and then be able to argue both sides. Upon graduation, these individuals would bring their unique backgrounds and experience into the practice of law, making them better lawyers with an ability to appreciate and understand more than just the legal needs of their clients.

It is difficult to devote yourself to one career while exploring the possibilities of another, but for those who hang in, who put in the time and the effort, persistence pays off. Whether you become a lawyer with a broad background of prior experience or a member of the community at large who possesses insights that only a legal education can provide, the destination is worth the journey and you will be a better person for the experience.

**■ About Dick Ambrose:** Ambrose, a 1987 C-M graduate, is a partner in the law firm of Nischwitz Prembridge & Christ Co., L.P.A. in Cleveland. Prior to joining the legal profession, Ambrose played middle linebacker for the Cleveland Browns from 1975 to 1985, earning the nickname "Bam-Bam" for his hard-hitting style. He lives in Westlake.



COURTESY DICK AMBROSE

## Grading: Case, C-M students earn different marks

Continued from page 1 —

that Case Western was the only Ohio law school listed among the report's "easiest graders," with 10 percent of its students receiving a 3.7 and 50 percent receiving a 3.2 or higher. In that report, all other Ohio schools showed the top 50th percentile beginning with a GPA of below 3.0, including C-M.

"According to the *National Jurist* article we do not have an unusually low grading curve," Guttenberg commented. "Many schools are much lower than ours."

Unrelated figures obtained from the National Association for Law Placement show that C-

M was near the middle of Ohio's schools by GPA in 1999, and that Case Western gave the second-highest grades behind the University of Cincinnati.

These grading statistics are of little concern to Werber.

"The legal community is well aware of the admission practices of CWRU and C-M. Our best students, those who the major firms would consider, have GPAs with the numbers needed to have the door opened," he said.

Even if C-M students' GPAs are lower, Geneva noted, class rankings bet-

ter indicate how a student has performed.

"Our office is working very hard to help students create résumés that reflect the skills law firms are looking for,"

Geneva said. "Last year we told students to be sure to include class rank with their GPAs on the résumés so that employers would see what a 3.5, for instance, meant at C-M."

Geneva points out that the hiring trends seem to be leaning back in C-M's favor. "We have gradually gained entrée into virtually all of the major firms in Cleveland and many outside of here," Geneva said. "As these initial hires continue to amaze employers, more and more will be hired, especially as C-M grads are made partners and put on hiring committees."

### GPAs of Ohio law schools

School	Top 10%	Top 50%
Cleveland-Marshall	3.50	2.97
Case-Western Reserve	3.65	3.17
Akron	3.29	2.83
Capital	3.42	2.88
Cincinnati	3.69	3.34
Dayton	3.21	2.63
Ohio Northern	3.53	2.95
Toledo	3.47	2.86

Source: National Association for Law Placement. Grade point averages are based on the May 1999 graduating class for each school. Ohio State did not provide figures to the NALP.

# Yahoo.com ad

## Adjunct profs demonstrate the importance of being earnest

By Daniel Pope  
STAFF WRITER

You see them in the halls with collars loosened, briefcases in hand. They have worked a full day but are coming to class. They get out their books, review their notes and collect their thoughts. When class begins, they look up at 20 or more students of various ages and experiences looking back at them. I don't envy the adjunct professors but I appreciate them.

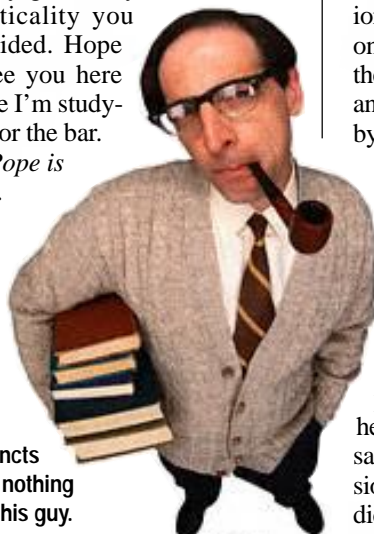
The reason I like adjuncts is that they have many of the same problems students do. They have to pay for parking and search for a spot in the parking garage at 6 p.m. They get a mailbox instead of an office. Most of the information they receive about the law school and the university is secondhand or by memo. They have deadlines and commitments outside of school, which rule their mood in class. By the end of the semester they are as happy as I am to be finished with the class.

I value the diversity of experience adjuncts bring to class. They were in court today. They took a deposition yesterday. They wrote a motion after class the day before yesterday. They are current. They know the local judges, what flies in the courtroom and what will get you in trouble with a personality or two.

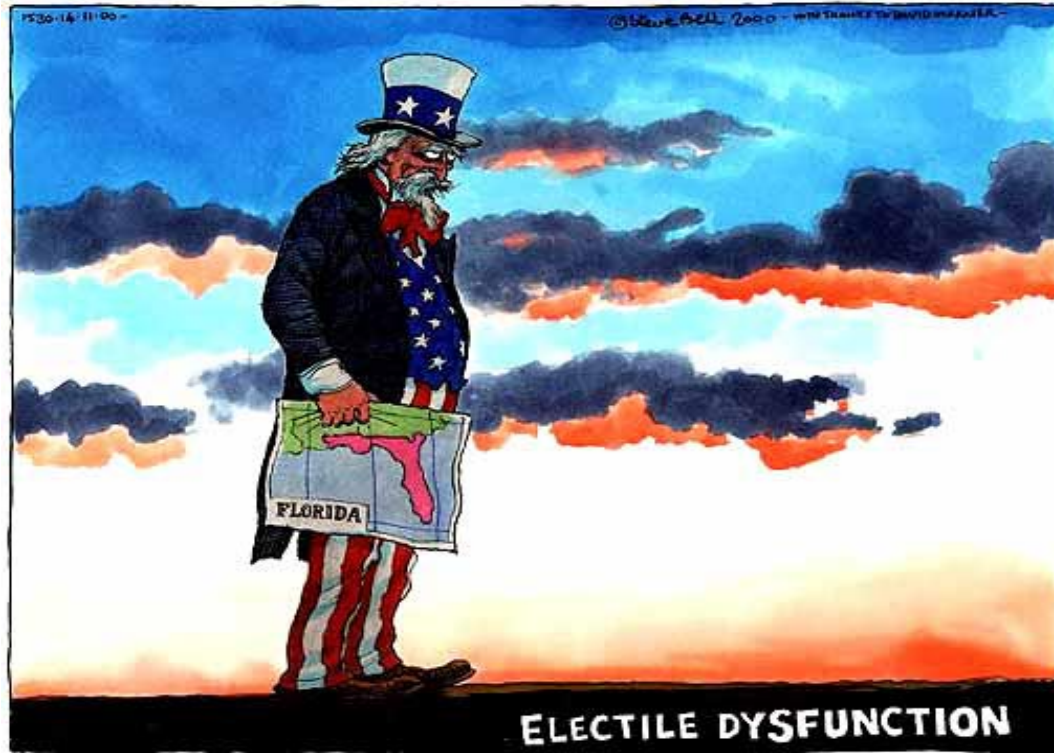
Most adjuncts were evening students, which makes me wonder if evening classes are habit-forming. I have enough habits without that one. Still, they step up to the plate to teach from their experience and their mistakes. Sometimes the latter is the better lesson. They aren't here for the money and the benefits. (I am not sure who is.)

There is a rumor the school will be cutting back the number of adjuncts due to the university's current financial difficulties. Hopefully, it is simply a rumor. With due respect to the full-time faculty, high-caliber adjuncts are the best value-added benefit this school has to offer. The library comes in a close second. So here's to adjuncts whose classes I've had and those whose classes I haven't had. Thanks. Thanks for the diversity, generosity and practicality you provided. Hope to see you here while I'm studying for the bar.

Pope is a 4L.



Adjuncts look nothing like this guy.



STEVE BELL—GUARDIAN NEWSPAPERS

## Legitimize my vote

**GEORGE W. BUSH** won the Florida election on Nov. 7. He won the automatic recount. He won after the absentee ballots were included, and he won after the hand recounts were included. The duly elected officials of the state government have certified him as the winner in Florida. George W. Bush is the president-elect of the United States of America.

But apart from the gut-wrenching roller coaster ride that has been the past three weeks, we are left with an election process that is in a shambles. It has been reported over the past several weeks (by CNN, FOX News and MSNBC) that the punch card ballots have an error rate between two and five percent. Assuming that two thirds of all vot-

ers this past election voted using this ballot, as many as 3.3 million individual votes may have been rejected. In an election decided by thousandths of one percent, that is an unacceptable rate of error. Both sides in this debate have used stirring language concerning the sanctity of the right to vote, yet both seem to have lost sight of the larger issue. (Sorry, political wonks, but there is a bigger issue than which man won this election.)

The real issue we need to address is fixing the broken election process. Around the nation, reports of irregularities have surfaced, ranging from the Democratic Party's cigarettes-for-votes

"program" in Milwaukee to felons voting in several states and jailhouse registration drives. Let's not forget Gore's ribald attempt to disenfranchise thousands of soldiers, sailors, airmen and Marines. The Clinton legacy at work, perhaps? A country where no one will question such activities, and no one will express a sense of outrage?

Beyond these fringe examples, however, is the legitimate voting process. Punch card ballots rely on antiquated technology—the tech sector stopped programming with punch cards more than two decades ago. Changing technologies is necessary for two reasons: First, with

these cards it is necessary to "punch out" the chad using the stylus. Even the strongest members of the population cannot be certain that the chad completely separated from the card. A national standard needs to be set governing ballots and voting machines, and that standard must also address the process of recounting votes. There should never again be a debate over dimpled, marked or pregnant chads. We have better technology available and, frankly, better things on which to focus our collective energy.

Next, the networks covering elections need to be enjoined from reporting results prematurely. The horrid coverage Election Night must not be lost in the shuffle of lawsuits between candidates and parties. All of the major networks reported the results incorrectly at least once and in some cases twice. It is essential to remember that CNN called Florida for Al Gore with a mere 12 percent of the precincts reporting, and several days before the absentee ballots were even going to be counted. Oregon and New Mexico were also called prematurely. Other states were not called until later in the evening, despite there being no question as to the outcome, including Georgia, Ohio, Alabama and Colorado. The national media grossly interfered with the conduct of this election, and steps must be taken to ensure that this never happens again.

Finally, as future lawyers, we have an obligation to respect the legal system. But as human beings, we also have a duty to maintain our own dignity and honor. Winning the presidency by whoring through the court *du jour* diminishes the office, the candidate, the courts and the nation. No one, including the candidate, has anything to gain from this approach.

It wasn't pretty and it certainly wasn't fun, but George W. Bush is the next president of the United States.

Matlack is a 4L.

## How the media mucked up the election

By Maureen Connors  
STAFF WRITER

The First Amendment: 45 words that have been read, reviewed, revised, stretched, beat, pulled and shaped to fit every type of meaning, thought, situation and action known to man.

But what about accusations and the damaging dirt that that media try to dig up on candidates that may have a serious effect on the outcome of an election? Everyone may have a right to his or her opinion under the First Amendment, but opinions are one thing and political editorials are another. Isn't the job of the media to gather facts, report news and tell the truth? Predictions and calling elections by the use of exit polls are not reporting facts. Predictions should be left up to the prophets.

Being the first to scoop a story is what gets the media ratings, and ratings mean dollars. But a scoop is a tool used to pick up crap. Instead of boasting, "You heard it here first," they should boast, "You heard it here right."

Freedom of speech does not give the media the right to speak prematurely and influence people's decisions. Throughout the campaign, we heard sound bytes taken out of context; we even saw the media become a self-appointed commission of the debates. No matter how well either candidate did, the media found a way to turn the tables

and humiliate the candidate they opposed.

"Florida has gone to Vice President Gore" was reported even before the polls had closed. This prediction took thousands of votes away from Bush because many voters figured they wouldn't bother to vote when it appeared Gore had already won. You have heard nothing from the media regarding these voters. The media seem more concerned with voters who couldn't follow a simply butterfly ballot. (I had a butterfly ballot too and all I had to do was follow the instructions.) And even though the media recanted Gore's victory of Florida, it was too little, too late. Why should the media care? They'll say they have the First Amendment on their side.

Something must be done to prevent the media from abusing individual rights. It is apparent that the self-policing networks are not going to. Ratings first, boys — truth last. We can stretch the First Amendment only so far.

Connors is a 3L.

### FAREWELLS

So long to columnists **Ross Matlack** and **Dan Pope**, who graduate this month. Their final thoughts on this page will leave our staff and students with lasting memories of their keen pragmatism. We wish them much success.



### THE GAVEL

Cleveland-Marshall  
College of Law  
Cleveland State University  
Cleveland, Ohio 44115  
gavel@law.csuohio.edu  
(216) 687-4533

Staff: Kevin Butler  
Editors: Frank Scialdone, Ed Pekarek

Staff Writers: Michael Cheselka, Maureen Connors, Kelly R. Johnson, Ross Matlack, Michele McKee, Paul Petrus, Daniel Pope, LeA Schemrich, Dave Steiner, Clare Taft, Ann Vaughn

Adviser: Thomas Buckley

ALL RIGHTS REVERT TO AUTHORS.



## Hate symbol censorship did not anger me

**I**N YOUR COVERAGE OF THE Hate Crimes Symposium (November 2000), your analyst characterized my brief intervention in the symbol "controversy" as "angr[y]." Coming upon the scene and learning of the circumstances that had prompted the organizers of the symposium to black out the symbol from its promotional materials, I was a bundle of emotions. But anger was not one of them. I was astonished, concerned, disappointed, baffled, discouraged and hopeful.

I was astonished that any informed person would not know that the symbol in question was a notorious signature of hate groups. I was concerned that a remedy for the perceived offense was not sought through established procedures that govern alleged student misconduct, procedures mindful of the right to due process. I was disappointed that the controversy was not made a substantive part of the symposium so that we could all explore how all symbols can cause pain, be misappropriated and be misused, inadvertently or by design.

I was baffled that members of the academic community would take lightly the principle of academic freedom. I was discouraged that students of the law did not consider the



I was baffled that members of the academic community would take lightly the principle of academic freedom. I was discouraged that students of the law did not consider the option of saying no to power.

option of saying no to power. I was hopeful that making the controversy public would strengthen our professional commitment to academic freedom, due process of the law, public and civil exchange of opposing views and empowerment of the subordinated.

I was all that, but not angry.

**Tayyab Mahmud**

*Mahmud is a professor of law.*

### Becky's sends thanks

The entire staff at Becky's Bar would like to take this opportunity to express our gratitude to the Student Bar Association for its continued support of our annual fall party.

The students at Cleveland-Marshall are one of our mainstay groups here at Becky's. Their patronage allows us to offer diversity to our regular clientele. We are proud to be one of the students' favorite places in downtown Cleveland to meet, enjoy a cold beverage and eat food comfortably in a neighborhood atmosphere.

**Harry Robinson,  
Tim Blair and Llana Bierce**

*The writers are Becky's managers.*

### Agree?

Do you take issue with an opinion in this edition? Do you have a special perspective that would help shed light on the subject? Tell us. E-mail [GAVEL@LAW.CSUOHIO.EDU](mailto:GAVEL@LAW.CSUOHIO.EDU). The author's name must be clearly identified. We reserve the right to edit for clarity and conciseness.

## Bad tidings for Bush

The only election George the II has won so far is the one in the media. There are two presidential elections this year, one in the media and the other in reality. Bush

won the former, Gore should win the latter, but because of illegal and confusing ballots, the Florida supreme court's rushed certification date and, recently, Republican-organized intimidation and rioting in Miami-Dade, Gore may ultimately lose the election.

Consider the Republican manufactured myth that Bush won the first two "counts," which was propagated by the conservatives' misdirected media coterie (for example, Bush's news-anchor cousin from FOX who first claimed that Bush had won Florida), when all ballots had not yet been counted. Earth to the right wing: A count is a count when *all* votes are gathered and *then* counted within the confines of the law. In the former supposed "counts" Bush was declared the winner by many media outlets before the overseas ballots even arrived on their Nov. 14 due date. Thus, no two "counts" ever happened. Rather, only tallies and partial counts were made. The third and fourth "counts" are equally dubious.

Nevertheless, with almost 20,000 confusing and double-punched ballots discounted in Palm Beach alone, Bush is in part the certified winner of Florida's electoral votes because the people tried to vote for Gore (even Buchanan said, "These are probably not my votes." *Probably?*), but could not, like in so many banana republics where voters do not have their intentions honored or their votes counted. All ballots in disputed counties should be individually assessed for their intent with enough time to do so since the law in some cases has been broken and there are damages. Money will not make the voters whole; a full count that reflects the intent of the people will. The alternative of not attempting to interpret intent is that the will of the people is thwarted and another candidate wins on technicalities and confusion. That is not democracy.

Hand counting has been used in this country since its founding. Checks and balances with both sides represented and allowed to object to controversial ballots should be required. Democratic-fishing expeditions for Gore votes and ballot bending and breaking cannot be tolerated, of course. But the Bush campaign through the federal courts (What about states' rights?) and intimidation by Republicans in Miami-Dade (What about law and order?) did not allow what can reasonably be described as more-accurate-than-machine hand counting (What about trusting people?) to happen.

Regardless of who won Florida, Gore will win the popular vote by a plurality nationally. And if Bush ultimately wins the election he will have to use every ounce of his Texan charm to resurrect a presidency that is buried 6 feet under controversy.

Try and unite and not divide this one.

*Petrus is a part-time 3L.*

## Is government's secret monitoring a blessing in disguise?

All the publicity over eliminating privacy rights has led some Americans to fear the worst, others to welcome the new security measures

The immediacy of our current news, information and advertising delivery systems tends to help

us circumvent discussions of issues with far-reaching social consequences.

Contrary to the haunting scenario painted by George Orwell in "1984," it seems the popular struggle to resist Big Brother is more accurately reflected in the accounts of people tripping over themselves to sell their souls as they grab for a piece of Andy Warhol's 15 seconds of fame (numbers adjusted for inflation).

We have been told that we live in the Information Age. At the dawning of this new age, Dr. Martin Luther King Jr. dreamt of a world where people are judged by the content of their character. The racial discrimination he gave his life to overcome may only be compounded by issues of genetic and price discrimination.

Europe has been moving steadily to implement legislative controls on what kind of personal information can be collected and how it can be used. Meanwhile, we are being conditioned to ac-



DANUTA JARECKA — LEIGHTONREPS.COM

cept our position as blips on Global Positioning Satellite maps (because sometimes even Batman gets lost).

For example, an Ohio-based insurance company will be able to provide its customers with automobile premiums that accurately reflect the use of their cars. Information on how we drive can only be acquired through the knowledge of where we drive, when we drive and with whom we drive. But for every person who may bristle at the thought of constant surveillance, there seems to be another who has

just posted a Web site that will allow total strangers to observe them while they shower and use the toilet.

The Cleveland-Marshall interview program may someday be replaced by the Cleveland-Marshall DNA-sample employment fair. Most Americans appear to be oblivious to the genetic testing now under way in college and corporate laboratories, yet they pay attention to the genetic muta-

tions that comprise the average panel of guests on "Jerry Springer." Survey respondents indicate that people

**Next up: a firestorm of litigation concerning privacy rights.**

The government is not likely our mortal enemy, no matter how creepy it seems.

would rather have the Internet police itself than see the government become involved. This is tantamount to allowing the inmates to run the asylum. The single most devastating campaign tactic, born during the last quarter-century, is the relentless portrayal of the government as our mortal enemy. The lack of popular consensus amid the absence of a political forum all but guarantees the litigious nature of the coming privacy firestorm.

Many of us will graduate and find employment on either side of the privacy question. We will apply our talents in tandem with those who espouse the virtue of, among other things, a transparent society, full-disclosure finance laws, accuracy in medical service provider costs, cost-effective marketing strategies, advanced methods of disease detection and prevention, privacy rights as property rights and accurate employment background checks.

No matter which side of this fundamental-rights question we may argue, one thing is sure to remain certain. It will still be annoying to have your personal time interrupted by someone calling to inquire as to "whether you would like to have your basement waterproofed."

*Cheselka is a 2L.*

**There's A Reason  
That Over 700,000 Students  
Have Benefited From Our Courses...**

***Our Students Pass!***



***There Is No Substitute For Proven Quality Preparation***

BAR/BRI of Ohio (800) 937-2778  
All Other BAR/BRI Offices Nationwide (888) 322-7274

***And, For Those Students Who Want or Need***

***More Instruction  
More Guidance  
More Feedback***

***www.essayadvantage.com  
Toll-Free (877) essay99 (377-2999)***

***For the Most Important Part  
of the  
Ohio Bar Exam***



***In Ohio, Two-Thirds of Your Total Bar Exam Score Depends on Your Ability to Write Well-Organized Essays!  
Get The Supplemental Advantage That Will Make A Difference!***



# Veterans Day: a full history

By Francis S. Cwiklinski  
CONTRIBUTING WRITER

On Nov. 10 Cleveland-Marshall closed its doors to commemorate Veterans Day. The name of the holiday seems self-explanatory, but how many of us really know what this celebration entails? I admit, even after several years on active duty, my knowledge was sparse. My own research led me to these discoveries:

The first Veterans Day was actually Armistice Day. It was created by President Wilson Nov. 11, 1919, to commemorate the one-year anniversary of the end of World War I. Armistice Day, however, did not receive official recognition by Congress until 1926 and did not become a national holiday until 1938. Had the Great War turned out to be the "war to end all wars," the holiday would have probably retained its original name. History, of course, proved otherwise.

After World War II and Korea, President Eisenhower signed a bill proclaiming Nov. 11 as Veterans Day, to honor all Americans who have served in times of war. But Veterans Day has not always been celebrated on Nov. 11.

In 1968 Congress passed the Uniform Holiday Bill, placing Veterans Day on the fourth Monday of October. The intent was to provide Americans with four national holidays on Monday. Congress believed that these long weekends would encourage travel, recreational and cultural activities and stimulate greater industrial and commercial production. Personally, I find the Congressional reasoning rather misplaced, as many young Ameri-

To properly salute those who have given us a future, we must understand their holiday's past

bey, respectively. These ceremonies continue today. At Arlington, the presidential wreath is placed in front of the tomb as a tribute to the more than one million soldiers who lost their lives in war since our Declaration of Independence.

This past Veterans Day had particular significance to the 16.5 million Americans who served in World War II. Near the Rainbow Pool on the National Mall in Washington, D.C., 12,000 people attended the groundbreaking ceremony for the National World War II Memorial. The speakers included President Clinton, World War II veteran Bob Dole and Tom Hanks, who has dedicated countless hours to the fund-raising efforts after his involvement in the movie "Saving Private Ryan."

"Democracy is never a final achievement. It is a call to untiring effort, to continual sacrifice and to the willingness, if necessary, to die in its defense," President Kennedy once said. "The story of America has been written, in large part, by the deeds of our veterans — deeds that bind us to our past, inspire us in the present, and strengthen us to meet the challenges of the future."

When I speak to World War II veterans, I am in awe of the sacrifices they made. Many of these young Americans went overseas for years, knowing they would not return until the job was done. It is unfathomable how different the world would be today if D-Day had failed, or if there were a negotiated peace with Hitler. Because of our veterans, democracy has never endured such a challenge.

*Cwiklinski, a 2L, is a West Point graduate.*



Official poster

More than a million U.S. soldiers have died in war since 1776.

cans were fighting in Vietnam, guarding the DMZ, patrolling the Iron Curtain and protesting for peace on the home front.

In 1978, President Ford returned Veterans Day to its original date. Nov. 11 has more of a historic significance than the end of World War I. The Great War ended on the 11th hour of the 11th day of the 11th month. The Tomb of the Unknown Soldier was dedicated in 1921 at that exact time at Arlington National Cemetery. France and England held similar ceremonies at the Arc de Triomphe and Westminster Ab-

## 'Joe Schmoes' imitate election buffs on camera; O'Neill smooth as usual

And we're rolling. OK, so maybe we're not a bunch of Tim Russerts when it comes to figuring out this election. Three of our Cleveland-Marshall classmates gave it their best shots anyway when WEWS-Channel 5 reporter Chris Hernandez sought the learned advice of our law students on Nov. 20, the day Florida's supreme court heard ar-

**BUSH VS. GORE 2000**

guments on the recounts.

In an interview on Nov. 15, professor Kevin O'Neill appeared on Channel 5 as an election pundit, raising his stock as C-M's spokesman for just about everything.

Clips from each interview:

Kevin O'Neill, professor, on what happens if there's a vacancy Jan. 20: "It would appear that the sitting speaker of the House, presumably Dennis Hastert, would become acting president. But the question then is, if you don't have the requisite majority ... and Florida doesn't produce its votes, then on January 6, you go to an immediate



vote of the House of Representatives voting state by state."

Matt Basinger, 1L: "They are speeding this up. If you were a regular Joe Schmo, you [would] be in the courtroom for a very long time. ... Maybe in four years if this happens again, I can come to the aid of Mr. Gore."



Tony Maroun, 4L: "Classrooms are all theoretical on a lot of issues, but when you're dealing with stuff you see on TV — actual court proceedings — that's real life."

Kim Jenkins, 1L, on Florida's high court agreeing to hear the election case: "To see a state supreme court — that's phenomenal. I don't think we ever would have seen that years ago."



VIDEO CAPTURES BY AL NOZAK—CSU MEDIA SERVICES

## COURT JESTERS

Gregory Sedmak



"I'm not sure we can get the in vitro clinic on malfeasance, Ms. Murphy. The facts do demonstrate a meeting of the minds."

## 2Ls suffer through middle-child syndrome

By Kelly R. Johnson

STAFF WRITER

As a second-year student at Cleveland-Marshall, you will often feel like the "middle child" of a family. Surviving the first year is an accomplished goal for many. But survival takes a back seat to family.

"It was very difficult to readjust after spending a wonderful summer with my wife and two children," part-time 3L Phil King told me.

There are adjustments ahead. Day students can now begin to choose their classes and shape their interests in law. Night students, on the other hand, face another year of pre-determined core classes with only a blip of interest in their electives. They are the middle children.

For part-time 2Ls, the newness of entering law school has passed, but the end is still out of reach. Evening 2Ls have paid their "dues," yet are technically still 1Ls, with the same status of the entering class and little more recognition. I encountered this last year when I discovered as a part-time 2L evening student that I was ineligible to volunteer to help the participating lawyers in the fall interview program. I was not even requesting to par-

ticipate, but my assistance was refused because technically I was still a 1L.

Comparing his second year to his first year, 3L evening student David Allison said he felt "more relieved, like I belonged here." Nevertheless, he said 2Ls have a tougher time adjusting to law school than 1Ls.

2Ls are not the first children, who get the first stereo, the first car, the later curfew and the C-M benefits and recognition. 2Ls are not the youngest, the babies who get the attention, the technological advancements and the C-M advising. We are faced with a multitude of emotions because our lives are firmly planted at C-M with two to three more years of instruction, while our lives outside law school continue without us.

"I was regularly reminded of how fast my children were growing up and how I needed to balance my work, job and studies to stay connected with them," King said.

Our careers change, our children grow up, our friends move on and the only thing that can keep us going is the promise that 2Ls eventually become 3Ls. And then the middle child is gone.

*Johnson is a part-time 3L.*

## West ad