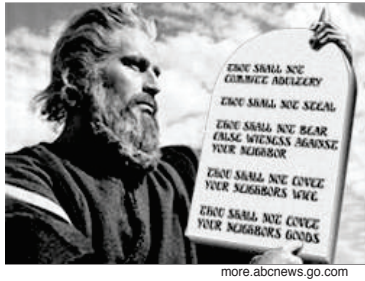


Thou Shalt...Thou Shalt Not?



Calling on God in times of crisis continues to be permissible by the state; but when all is quiet, references of God are banned. **OPINION, PAGE 6**

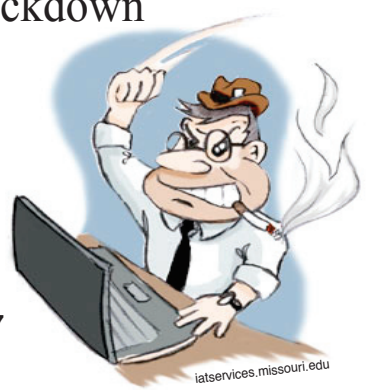
Where Do You Belong?

The Gavel's guide to student organizations sorts through the many unique opportunities students have outside the classroom. **CAREER, PAGE 5**



Laptop Lockdown

Striking a balance between class use and a crutch for boredom. Exploring the underlying issues of laptops in class. **OPINION, PAGE 7**



THE GAVEL

VOLUME 52, ISSUE 1 SEPTEMBER 2003

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

Arter & Hadden praised in aftermath

By Michael Luby
STAFF WRITER

Over the summer, one of Cleveland's oldest and most notable law firms was forced into dissolution. Less than five years after reaching its employment peak, the rapidly expanding law firm of Arter & Hadden was forced to close its doors leaving some C-M students caught in the middle.

The dissolution was attributed to a loss of revenues caused in part by a rapid decline in staffing along with abundant office space across the United States. In mid July, it was determined the firm would cease operations.

From the ashes arose two firms. Tucker, Ellis & West, based in Cleveland, and Bailey Cavalieri, of Columbus, were both formed with the intention to create the strong infrastructure, which was

See **ARTER**, page 2



Automobiles line up outside the E. 18th Street garage waiting for available parking spaces.

A Parking or Walking Problem?

Cars form a line outside the E. 18th garage, which is filled beyond capacity, waiting for spots to open.

Parking Services claims that if these students were willing to walk a little further, the

perceived parking problem would dissipate. To eliminate overflow, spaces have been cleared in the Hanna garage for C-M student and faculty use.

Turn to page 2 for more.

Student services cut amidst financial woes

By Colin Moeller
EDITOR-IN-CHIEF

Students returned to Cleveland-Marshall College of Law this fall to find noticeable cut-backs in student services, primarily involving library hours and food service.

Triggered by a hiring freeze, which went into effect campus wide last spring and the resignation of a library circulation staff member, the library staff was forced to cut seven hours of service on the weekends.

"I think we have done remarkably well with the limited resources of people and money that we have," said Victoria Plata, director of college budget and administration. "You can only stretch your people to a certain limit before they begin to leave."

"[T]here was no reasonable way we could make up for all of the loss of 40 hours of staff time," said Michael Slinger, associate dean and law library director, in a e-mail circulated to the C-M

student body earlier this month. "[B]ut due to the strong efforts of our remaining staff we were able to cover 33 hours of the vacancy. Regrettably, we determined the remaining seven hours had to be sacrificed from the schedule, so we picked hours in which the Law Library is less busy."

Slinger assured that library hours on Monday through Thursday would remain the same and that extended hours during exam periods would continue.

"We made the best decision we could make given the staffing situation we were presented with," said Slinger. "I truly regret the inconvenience this schedule may have on students who wish to use the Law Library during the seven hours which have been reduced, but we must face the reality that we have to make do with the resources that the University provides us with."

Plata, said that one of the reasons the University is not allowing

See **SERVICES**, page 3

You Should Know



1Ls by the numbers

Some basic information about the 2003 1Ls

Number of students:	278	
Full-time Day:	195	(70%)
Part-time Day:	20	(7%)
Part-time Night:	63	(23%)
Female:	137	(49%)
Male:	141	(51%)
Resident:	224	(81%)
Non-resident:	54	(19%)
Minority:	33	(12%)

	LSAT	UGPA
25th percentile	154	3.46
75th percentile	150	2.98

Information courtesy of Melody Stewart

Admissions record set by 1L class

By Chris Friedenberg
STAFF WRITER

The number of entering students surged to 278 for the 2003-2004 school year, despite C-M's administrative policy to keep the 1L class at 250.

This total is 14 more students than last year's class of 264. The new class is not only larger but also comes with stronger academic credentials. "The median LSAT score and undergraduate GPA increased slightly from last year, going from 151 to 152 and 3.16 to 3.25," said Melody J. Stewart, assistant dean of admissions.

The Admissions Office "had an unusually large waitlist this year," said Stewart. "Many students who would have been accepted in earlier years, we didn't have room to admit. A number of good applicants arrived late in the process."

The increase in class size is at-

tributed, in part, to a larger number of applicants committed to pursuing a law degree at C-M. The number of applications to C-M rose to 1608, up from 1410 the previous year, according to Associate Dean Jack Guttenberg.

More significantly, successful applicants were more likely to accept an offer from Admissions this year, with a four percent higher yield of enrollments. "You send a certain number of invitations out for a party ... you don't know exactly how many are actually going to show up," said Guttenberg.

Full-time 1L's drive the increase in enrollment. "The number of night students and part-time day students are about the same," said Guttenberg.

The number of accepted LCOP students this past summer, 26, was higher than the previous year, 18. But, four would-be law students declined to continue this fall, Gut-

tenberg said.

While the number and quality of incoming students at C-M continues to rise, many things remain the same. The average age of a 1L is 26; no change from last year, according to Stewart.

The mix of resident and non-resident students, 224 to 54 is comparable to last year's ratio of 212 Ohioans to 52 students from out-of-state. The male-female ratio is nearly a 50-50 split, 141 men, 137 women, a few more men than last year.

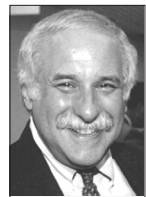
Minority enrollment is slightly down from last year's 19 percent. According to Guttenberg, the number of offers was comparable to previous years. "The variable is who chose to accept an offer."

Guttenberg said, "C-M has no written policy for raced-based review. But we do have a policy for full file review. We look at the student's whole application."

Dean highlights upcoming events

By Steven H. Steinglass

To all our beginning and returning law students, I welcome you to the opening of C-M's 106th school year. As our new students will soon discover, there is another world of opportunity beyond the classroom to learn the law at C-M. As Cleveland's only public law school, we aspire to be an open community forum of teaching and learning.



The Dean's Column

This fall, we have already scheduled nine lectures and conferences, and I suspect our student groups will surprise us with a roster of presentations as well. These worthwhile events offer a curriculum free of papers, exams and worry about grades. And yet, the rewards are plentiful. You will hear and meet some of the country's finest legal scholars, criminologists and historians. You will also have an opportunity to meet a best-selling novelist/lawyer, Scott Turow, and participate in a conference that features internationally renowned Continental philosophers.

On the 16th of September, New York University Prof. of Law Stephen J. Schulhofer presented the year's first lecture in the Criminal Justice Forum series, "Rape, Sexual Assault, and the Twilight Zone," a discussion of a failing in the legal definition of rape that in many states allows rapist to go free.

Two days later, legal historian Prof. James F. Simon, New York Law School's Martin Prof. of Law, will present the second lecture in our continuing series commemorating the bicentennial of *Marbury v. Madison*. Professor Simon's lecture is also the title of his recent book, "What Kind of Nation: Thomas Jefferson, John Marshall and the Epic Struggle to Create a United States," which describes the rivalry between these two founders to define the nature of the new American republic.

On the 24th of the month, Samuel Estreicher, New York University Prof. and Director of NYU's Center for Labor and Employment Law and Co-director of the Institute of Judicial Administration, will deliver the first address in our Employment and Labor Law Lecture Series, "One Size Does Not Fit All: Creating a Competitive Market for

See DEAN, page 4

Parking plague unresolved

Student immobility and attitude blamed as one cause for long lines

By Eric Doeh

STAFF WRITER

Many C-M students and faculty have expressed their frustration with CSU Parking Services. Parking Services sells annually about 6,700 passes for an available 4,800 spaces, overselling CSU lots by nearly 2,000 spaces.

John Oden, director of Parking Services, said his office does not guarantee a parking space for each individual who purchases a pass. The mission of parking services, according to Oden, is to provide accessible, convenient parking for all members of the campus community and guests given the constraints imposed by available space and demand, said Oden.

It is common practice on college campuses to sell at least one and a half times more passes than available spaces, according to Oden. For a 16 week semester, a student who attends classes five days a week pays about \$1.37 for parking a day; a very low price in comparison with commercial parking garages, Oden added.

While many students complain about the parking situation, Oden said these same students decide to wait in line rather than seek alternative parking, because they want to park as close to their classes as possible. Oden agrees that Mondays, Wednesdays and Fridays are the busiest, and many lots



fill up by 9:00 a.m.

Oden emphasized, however, that parking spaces are available in many alternative locations. He said the Hanna Garage, located on East 15th and Prospect Avenue, which is currently leased for 125 parking spaces by parking service, is an alternative to waiting in lines between 9:30 a.m. and 12:30 p.m. This leased space is open to students, staff and faculty with hangtags.

There have been allegations of alumni, and other individuals, registering for classes to purchase hangtags, with the sole intent of dropping classes and keeping the hangtags. When asked about the validity of this claim, Oden said his office is aware of this issue, assuring that, within the next two weeks, parking services will

have the registrar run a list of students who have dropped classes and compare this list to all hangtags sold. Violators will be notified by mail to return the hangtags and warned continued parking at CSU will result in citations and towing.

Gary Meszaros, director of Auxiliary Services, part of CSU Finance and Administration, said a recent study showed less than five percent of parking spaces are obtained in this illegal manner.

Meszaros, Oden and Barbara Benevento, event and space coordinator at the College of Urban Affairs, all expressed their desires to have more available parking spaces. In fact, as members of the CSU Parking Advisory Committee, a selected group of faculty,

staff, students and administration in charge of making recommendations, reviews and developments for parking services, Benevento and Meszaros recommended the available space next to the law library be used for parking. Dean Steinglass, along with other college deans, supported the recom-



mendation. However, Meszaros said former CSU President Clair Van Umerson entered into an agreement two years ago with the city of Cleveland, and it was agreed the land would be used as green space.

Currently, in conjunction with CSU and the Euclid Corridor Project, which is a federal and state funded project to improve the Greater Cleveland Regional Transit Authority and promote long-term economic growth, Parking Services is considering three proposals for the building of an additional garage. Major considerations for construction are funding and location.

ARTER: Loyalty reigns supreme in dissolution

continued from page 1--

lost in Arter. Both will take over the former offices of Arter for now.

When the dissolution became apparent, several C-M students, employed at Arter as Summer Associates, were left wondering what their future would hold. Jayne Geneva, director of the Office of Career Planning, said Arter's goal was to ensure all employees, including summer associates, were able to retain a position within the infrastructure that was Arter, if they so chose. Geneva said several Cleveland area students were given the opportunity to remain "on board" while Arter was in transition.

Many questions arose concerning students who chose Arter & Hadden against other offers of employment needed. Although the dissolution could not have been predicted, Arter took several steps to address the situation. According to Geneva, students in the Cleveland area actually enjoyed an advantage throughout the process. They were given the option to maintain ties to Arter by volunteering for a limited time and just "showing their face" around the offices.

Susan Owens, a 3L, was one such student employed by Arter as a Summer Associate. She said despite the dissolution she "had an outstanding experience there and was treated both kindly and professionally during such a tumultuous time." Benesch, Friedlander, Coplan & Aronoff offered Owens a position for a split summer after the dissolution of Arter. Owens, now employed as

a clerk at Tucker, said she feels the overall experience was positive.

According to Geneva, Arter made a concerted effort to pay all of its employees. This includes regular salaries and any promised stipends. Although capital was limited severely in the last two weeks, the former firm's intention was to start over with a clean slate and little to no bad faith among its employees.

Susan Coyne, of Columbus Business First, reported each employee in the Columbus office was offered a position with Bailey and nearly all accepted.

The goal for both new firms was to start over with a new vision. Michael Mahoney, managing director of Bailey, said, "This will be a brand new entity... a new deal. There will be no carryovers." Both firms indicate what occurred was disheartening, but it was not the end-all-be-all. Rather, both iterate they wish to start from scratch with a new goal; to maintain and service professional relationships created many years ago while fostering several new ones. Major clients that have been retained by the respective firms include Abercrombie & Fitch, University Hospitals, Johnson & Johnson and Provident Bank.

Steve Chappellear, partner in the Columbus office of Hahn Loeser & Parks,

said, "[Arter & Hadden] has a number of outstanding lawyers and they have a good, strong client base, and I would expect they would do very well." Richard Simpson of Bricker & Eckler said he agrees. He believes both firms will be better performers than Arter & Hadden.

Tucker and Bailey both have focused agendas. Adelle Waldman, of the Cleveland *Plain Dealer*, recently reported Tucker would not be a national law firm. According to Waldman's report, the incorporation of national capabilities evident in Arter will not be followed.

"[Tucker] will be a full-service Cleveland firm with offices in San Francisco and Los Angeles [to support certain practice areas]," said Bob Tucker.

The consensus opinion indicates the breakup was unfortunate but handled professionally. Nearly all of the equity put into Arter was lost to creditors, but experts concede it could have been much worse.

"Five years from now we will look back at July 16, 2003, and know that the 'rest of the story' was the success of our efforts. But for now, for our clients and our lawyers and our staff, our story is that the professional side of the practice of law still matters. For us, this is not just a business," said Tucker.

OCP launches annual Fall Interview Program

FALL INTERVIEW PROGRAM

C-M's Office of Career Planning (OCP) is currently holding its Fall Interview Program.

Recruiters from approximately 40 firms and agencies of all sizes, primarily from Ohio, are conducting interviews with students who bid for them on eAttorney.com. Successful bidders interview with potential employers for positions for the following summer.

Academics and outside employment play major factors in employers decisions. Activities such as Moot Court, the Journal of Law and Health and Law Review are also desirable.

The OCP recently organized an interviewing skills workshop and mock interviews to help students prepare for the interview process.

The Fall Interview Program has been growing every year since its inception in Spring 1999.

STUDENT ORGANIZATION FAIR

Members of C-M's many student organizations will set up in the law building atrium on Oct. 1, 2003 to present information and answer questions about their organizations. Students will also be afforded an opportunity to

sign up for membership with most organizations.

JUSTICE IN RESIDENCE

Ohio Supreme Court Justice Maureen O'Connor '80 has been named C-M's Justice in Residence for 2003-2004. O'Connor was sworn in as the 148th Justice of the Ohio Supreme Court on January 1, 2003, and is C-M's first woman graduate to be elected to the high court. O'Connor joined Justice Francis E. Sweeney '63 on the bench.

Ohio Supreme Court Justice Maureen O'Connor '80



Notes in Brief

MOOT COURT NIGHT

Moot Court night has been set for Nov. 5, 2003 at 7:00 p.m.

BAKER & HOSTETLER LECTURER

The Joseph C. Hostetler - Baker & Hostetler Lecturer, James F. Simon, Martin Prof. of Law, Dean Emeritus of the New York Law School will present a lecture entitled, "What Kind of Nation: Thomas Jefferson, John Marshall and the Epic Struggle to Create a United States" on Thursday, Sept. 18, 2003 at 5:00 p.m. in the Moot Court Room.

ALUMNI ASSOCIATION

Michael W. O'Neil '94 was sworn in as president of the C-M Alumni Association on June 14, 2003. O'Neil is joined by Henry W. Chamberlain '90 as President-Elect and Vincent T. Lombardo '81 as Vice President.

COMING ATTRACTION

Best selling novelist, Scott Turow, will visit C-M on Feb. 4, 2004 to present a lecture entitled "Confessions of A Death Penalty Agnostic." Turow will be appearing as part of C-M's annual Criminal Justice Forum.

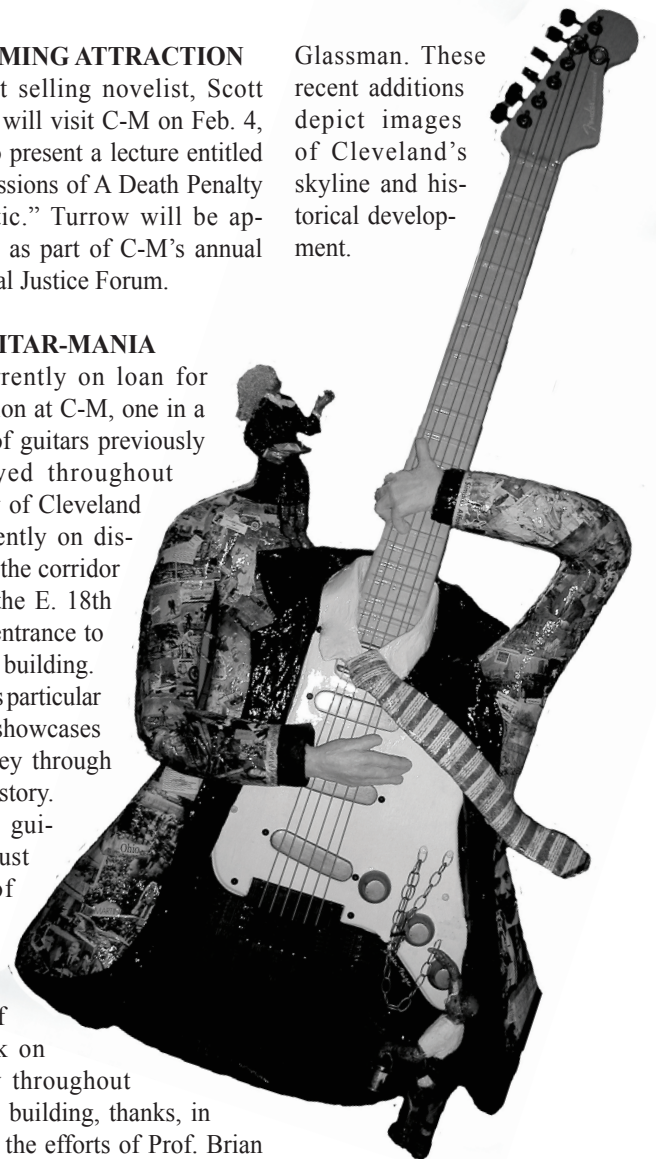
Glassman. These recent additions depict images of Cleveland's skyline and historical development.

GUITAR-MANIA

Currently on loan for exhibition at C-M, one in a series of guitars previously displayed throughout the city of Cleveland is currently on display in the corridor inside the E. 18th Street entrance to the law building.

This particular guitar showcases a journey through legal history.

The guitar is just one of many new pieces of artwork on display throughout the law building, thanks, in part, to the efforts of Prof. Brian



SERVICES: ARAMARK blames low sales as reason for cutbacks

Continued from page 1--

C-M to replace the library staff is that the entire university is in the process of moving toward a new budget model which will be implemented at the beginning of the 2005 fiscal year.

Under the new model, according to Plata, each college, including C-M, will retain all revenues they receive from tuition, fees and other sources rather than pooling these revenues into a central "pot" from which the University makes disbursements. In turn, each college will be expected to financially maintain itself. "The reality is, we spend a lot more than we bring in," said Plata.

The 2005 budget model, according to Plata, means that C-M will be forced to support the services it provides, such as its own library, admissions office and financial aid office which are separate from the same services the University provides.

"I suppose one cost cutting measure could be to combine these offices with the University's, but I think that our students are pretty happy with the services that we are able to provide," said Plata.

"Maybe as we work through the new budget model, we will find a way to restore the library hours we were forced to cut," said Plata. "But right now, its just too early to tell."

In addition to the cutbacks in library hours, ARAMARK, who holds an exclusive contract with CSU to provide dining services, has drastically reduced the hours of the "Side Bar", located on the garden level of the law building, by more than twenty hours.

Citing losses of \$300 a day, ARAMARK warned C-M officials, just one week before the start of classes, that it would reduce its hours of operation unless C-M was willing to reimburse its losses. "ARAMARK said they would be glad to stay open until 6:30 p.m. if the law school was willing to write them a check for \$63,000," said Plata.

"There is some thought that maybe the losses could be attributed to ARAMARK not sufficiently promoting itself or providing food or the best service..." said Plata.

Sasha Marcovic, 3L and president of the Student Bar Association said he believes ARAMARK is responsible for its own losses because they failed to offer the services they agreed to provide. According to

Marcovic, ARAMARK's inability to make the "Side Bar" profitable was not due to a lack of interested consumers but rather due to the fact that ARAMARK rarely supplied the "Side Bar" with food to be sold. Marcovic said that the SBA has made resolution of this issue a priority.

According to Plata, the exclusivity of ARAMARK's contract makes seeking out

alternative vendors to fill the space difficult but said that discussions as to alternatives are being discussed. Plata said C-M is looking into getting better vending machines as a possible alternative.

Currently the "Side Bar" maintains hours of 7:00 a.m. - 1:30 p.m. on Monday through Thursday. ARAMARK has eliminated "Side Bar" operations on Fridays.

Be a part of the biggest paper on East 18th Street (south of Superior).

We may not be as prodigious as the Plain Dealer, but we are the most accessible publication our law students produce.

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Go your own way

Students must find customized study methods

By Karin Mika

LEGAL WRITING PROFESSOR

Q: As a first year student, how is it possible to separate good advice from bad advice?

A: The bottom line for everyone is "know thyself." What works for some people does not work for other people, and first year students, especially, are caught up in doing the right thing to guarantee success.

Unfortunately, for the most part, none of us was able to spend much time throughout our education to figure out how or why we seemed to be able to be educated so easily – whether it was "natural" ability, pure hard work, the quality of the teachers or study skills we had but never identified.

For my part, I could always "write," although I never knew what made my writing good until I was forced to examine it in law school. Also, I had a semi-photographic memory (which is diminishing with age!) which enabled me to learn easily through reading and re-reading.

I never even contemplated these things until law school, when I was faced with situations where things weren't being absorbed as easily as they used to be absorbed. Thus, I was ripe for the plethora of advice everyone seems to give about outlining, taping, "mind-mapping," using bar review materials, using flash cards and being a part of a study group. It was all overwhelming, and I wound up trying and discarding all kinds of methods until I discovered what was best for me. (By the way, I was a loner and could really only work with one other person at a time.)

Consequently, my advice is not to leap into what everyone else suggests as soon as they suggest it. There are some constants – work hard and immerse yourself in the information – but as far as the "aids" are concerned, think about them carefully before you try them.

Are you the type of person who gets overwhelmed by too much information? Then don't buy hornbooks for all of your classes. Do you tend to learn better through lecture? Then consider taping classes if you're allowed to. Does the group you're hanging around with gravitate toward gossip rather than discussing class material? Then maybe a study group is not for you.

The tendency for first year students is to lack confidence such that they believe everything that anybody else tells them. Have enough confidence to at least be able to figure out what advice seems to make no sense at all in terms of who you are.

Leading by experience

Alumnus urges first-year students to take advantage of the Mentor Program

Let me begin this column with a brilliant and original observation: law school can be stressful, maddening and even frightening. What to do? You can benefit from having a mentor, even if you are not stressed, mad or frightened.

Most dictionaries define a mentor as an advisor, counselor or teacher, and a good mentor is all of these things and more: he or she is also a friend. The March 1995 issue of the ABA Journal contained an excellent article on mentoring which stated that there are three components to being a good mentor.

First, the mentor is a teacher, the "information professional." Second, the mentor is a "connector", a person who helps make the necessary connections for the student along his or her career path. Finally, the mentor is a friend, someone who manages the heart and spirit of the mentor-student relationship.

All law students can benefit from having a mentor. If you are finding law school difficult, a mentor can advise you on how to avoid the mine fields ahead and on how to live up to your potential. But even if you are breezing through, a mentor can help: he or she is your link to life after law school.

The job market is horrendous, even for students on the Law Review. All law students can use a boost in finding a job: an additional letter of reference, a phone call to a potential employer singing your praises, an extra tip on how to interview with a demanding and difficult lawyer, information about an employer that may make you decide not to apply for the job in the first place. Your mentor can provide all of the above, and then some.

Moreover, a good mentor-student relationship continues after you graduate and land that

job. Too many employers just give you a bunch of files and expect you to succeed with little or no supervision.

Your mentor can give you information and general advice to help you cope: how to deal with certain judges, what local court rules to adhere to religiously, how to deal with particular adversaries, feedback on how you are performing. Your mentor can

Alumni Association has sponsored the Mentor Program since 1991, and even though some 150 students sign up for the program each year, I am always amazed that more do not.

If you have not signed up for the Mentor Program, I urge you to do so. But bear in mind, the mentor-student relationship does not just thrive on its own. Like all other

relationships, it requires work. Over the years, many students have told me that they signed up for the Mentor Program and never spoke to their mentors.

However, just as many attorneys have told me the same thing about their students. The mentor-student relationship exists for the benefit of the student - for your benefit. Therefore, the

onus is on you both to sign up for the program and to maintain the relationship.

The Mentor Program is C-M's most underutilized resource. I hope that you will take advantage of this program. You will be glad you did.

Vincent Lombardo '81 is the Vice-President of the C-M Alumni Association.

The above column originally appeared in The Gavel in 1997 and is reprinted with the permission of the author.

Your mentor can assist you by just being there; he or she is a constant reminder that you can make it. Your mentor survived, why can't you?



By
Vincent
Lombardo
'81

assist you just by being there: he or she is a constant reminder that you can make it. Your mentor survived, why can't you?

The C-M Law

www.partner.org

DEAN: C-M speaker series booked for 2003-2004

Continued from page 2--

Workplace Representation Services." Prof. Estreicher's remarks will explore alternatives to traditional non-profit union organizations. On Oct. 9, a legendary figure in the history of the legal teaching profession, New York University Visiting Prof. Derrick Bell, Harvard Law School's first African American tenured faculty member, will open the three-day People of Color Midwest Legal Scholarship Conference with a consideration of racial progress in made or not-made in "Brown v. Board: What Are We Doing with What We Have Learned?"

From Oct. 17 through Oct. 18, some of the brightest thinkers of our time will gather at the law school to

discuss the state's authority to determine the boundaries of an individual life in a conference on "Sovereignty and the Right to Death." Chief among the presenters will be Distinguished Prof. of English and Comparative Literature at the University of California, J. Hillis Miller, and Peter Fitzpatrick, Anniversary Prof. of Law at the University of London's Birkbeck College of Law.

On Oct. 30, the Criminal Justice Forum will present a 40-year retrospective on *Terry v. Ohio*, the case that established the rights of police officers to stop and frisk persons they suspect are about to commit a crime. Former U.S. Rep. Louis Stokes '53, who represented the defendants from the trial court through the U.S. Supreme Court, will join Cuyahoga County Common Pleas Court

Judge Timothy J. McGinty '81 and former assistant Prosecutor Reuben M. Payne '53 on a panel to discuss the case and its implications for today's criminal justice system.

The final event this fall is a lecture by R. Kent Newmyer, Supreme Court historian and Prof. Emeritus of the University of Connecticut School of Law, who will continue our commemorations of *Marbury v. Madison* with a lecture on "John Marshall, 'In the circumstances which were his.'"

These speakers are all imports, but right here at the law school are men and women doing excellent research. Associate Dean and Library Director Michael J. Slinger sponsors an informative, informal and popular faculty speaker series in which your teachers will discuss their research projects. Prof. Phyllis L. Crocker will describe her

experience as a thwarted chair of the Cuyahoga County Grand Jury on September 30 in "Appointed but Prevented From Serving?: My Experiences as a Grand Jury Foreperson"; on Oct. 29.

Prof. Candice Hoke will undertake a solution to the conflicts that characterize the contemporary family structures in: Must Work and Family Conflict, and on Nov. 19, Prof. Stephen J. Werber, who is a frequent speaker on proposals for tort reform, will lecture on "Tort Reform: State and Federal Constitutional Concerns." You can find times and places for all these beyond-the-classroom experiences on our website: www.law.csuohio.edu under "public events." I hope you will all take advantage of them. Best wishes to all of you and good luck in all your studies.

American Bar Association - Law Student Division (ABA/LSD)

The ABA is a voluntary membership association of attorneys. C-M students are eligible for membership in the Law Student Division of the ABA. The ABA/LSD memberships offer many benefits such as the Student Lawyer magazine, low cost health insurance, discount car rental from Hertz and free or low cost publications that will help you in law school and in planning your legal career.

Perhaps the most valuable benefit offered by the ABA/LSD is an opportunity to participate in one or more of the specialized ABA sections. An LSD member may sit as a voting counsel member of a section, a position that may take a practicing attorney years to achieve.

Asian Pacific Islander Law Student Association (APILSA)

APILSA is dedicated to the promotion of understanding between Asian American law students and the local, national and international law communities. We welcome members from all backgrounds and nationalities who are interested in the various cultures of the Asian continent and Pacific Islands. Our organization is planning a great event-filled year for our members that includes networking and pro-bono opportunities. Also, in keeping with the spirit of sharing, we will offer events open to the entire C-M community, such as last year's smash hit Taste of the World and presentations by guest speakers from the local legal community.

Black Law Student Association (BLSA)

BLSA is a national organization with chapters at law schools across the country. The C-M chapter of BLSA sponsors and co-sponsors various educational and social events throughout the year. Each semester we sponsor an "End of Semester Course Review" and we also sponsor various networking and career building opportunities throughout the year.

Our biggest social 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.

Business Law Association

The purpose of the Business Law Association is to promote the interests of students interested in all aspects of business law, including, but not limited to, corporate law, securities, corporate transactions, business and commercial litigation, taxation and intellectual property.

Membership is open to any students, faculty and staff at C-M. There is no membership fee. Active membership is simply determined by participation.

Cleveland State Law Review

The Cleveland State Law Review is a journal with a proud tradition. Four times each year, the Law Review publishes articles of both local and national significance. Students may be invited to join the Law Review as an Associate member at the end of their first year by either class ranking in the top ten percent or by successfully competing in a writing contest during the summer following their first year. Students in the evening division may choose to wait until the summer following their second year to enter the writing competition.

During the first year of Law Review participation, associate members take part in the editorial work of the Law Review and produce a comprehensive Note on a topic of their choice. A select number of Notes are published in the Law Review the following year. Successful completion of the Note may also satisfy the upper level writing requirement.

Criminal Law Society

The Criminal Law Society consists of students and recent graduates who are interested in both the prosecutorial and defense aspects of the criminal justice system. The Criminal Law Society is a fairly new organization and has sponsored guest speakers as well as the ride-along program with the Cleveland Police Department.

Delta Theta Phi

The Delta Theta Phi Law Fraternity is an international professional law fraternity with over 100,000 members. Delta Theta Phi bridges the gap between law school and the successful practice of law. Through networking at fraternity functions, mutual benefits are derived for both students and alumni. Many attorneys that utilize law clerks look to the Fraternity first when hiring. In general, the Fraternity provides a framework for its student members to substantially further their range of personal contacts and professional opportunities.

Electronic Frontier Foundation

The C-M EFF encourages awareness of both current, forthcoming and proposed communications and information technology and the impact such technology has upon civil liberties, political organization, political identity and process, social interaction and community, economics, state sovereignty and national security.

No technical skills are necessary. We are open to all who have an interest.

Entertainment & Sports Law Association (ESLA)

Our mission shall be to help promote the concept of entertainment and sports law for a student's desire of a concentration and better understanding of these areas of study.

Our goal is to promote these ideals through guest speaker lectures, fundraising events, community service, volunteer opportunities and the institution of sports and entertainment internships and networking opportunities.

Environmental Law Association

The Environmental Law Association at C-M is a center of information and education for students, faculty, alumni and the community. We are dedicated to being fully informed of the issues related to being a school in an urban environment and the challenges of not only co-existing with nature, but improving the world we live in.

As an organization, we tailor our activities, speakers and conferences around students who are interested in environmental studies and science, issues in the law, plaintiff, compliance and defense, public policy and real estate - including zoning, land use, smart growth and new urbanism.

Our membership is open to all CSU students, faculty and staff. Contact Tamara Karel for more information, or stop by the ELA office at LB 13.

Federalist Society

If you have an interest in the "limits of government" and would like to study and discuss the intellectual and political roots of republicanism (small-r) and the civil society, consider joining the Federalist Society.

Meet and network with law students, professors and attorneys and contribute to C-M's "life of the mind."

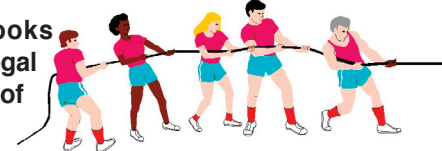
We are a group of conservatives, libertarians and classical liberals interested in the current state of the legal order. The Federalist Society is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what the law should be. Contact: christopher.friedenberg@law.csuohio.edu

The Gavel

The Gavel is the student publication of the College of Law. Its purpose is to inform, entertain and comment on the law school,

Student Organizations Guide

Get your nose out of those books and add some balance to your legal education by becoming a member of a student organization.



the legal community and related topics of interest. Students become staff members after having two articles or equivalent contributions printed in the publications. Staff members participate in editorial elections at the end of the year. Contact Colin Moeller at gavel@law.csuohio.edu.

Hispanic Law Student Association

The Hispanic Law Student Association is dedicated to the advancement of Hispanics within the legal profession. The organization provides a support network for all Hispanic law students. It seeks to establish and maintain mutual cooperation with the larger Hispanic legal community.

Jewish Law Students Association

The Jewish Law Students Association provides social, cultural and religious information for Jewish law students. The association strives to establish forums for law students to discuss current Jewish legal issues. In addition, the association is involved in forming and maintaining partnerships with Jewish organizations and legal professionals in the community.

Journal of Law and Health

The Journal of Law and Health is an interdisciplinary publication that explores health law and policy. It is staffed and edited by students who have demonstrated their potential for scholarly writing either through academic achievement or performance in a summer writing competition.

Associates write a scholarly note focusing upon an area or issue at the intersection of health and law. Upon completing the note, associates are promoted to Editors who oversee publication and assist associates in completing their note. The Journal was first published in 1985, and has attracted nationally known authors in the field of law and health.

Justinian Forum

The Justinian Forum is a C-M affiliated student organization that promotes Italian-American heritage. We pride ourselves on legal education, as well as promoting the history and current status of Italian-Americans around the City of Cleveland.

We plan to bring many great Italian-American legal scholars from the Cleveland community to the school to speak on various topics. We also plan to bring many exciting fundraisers to the law school community to further the school and the students' knowledge of Italian American heritage.

LesBiGay Law Students Association

The purpose of LesBiGay is to encourage the development of professional expertise of lawyers addressing lesbian, bi-sexual and gay legal issues; to provide legal-educational alternatives to heterosexual, homophobic or misogynistic educational experiences; to foster and facilitate a socially supportive legal-educational environment for lesbian, bi-sexual or gay law students, faculty and staff; and to advance the cause of civil rights for all lesbians, bi-sexual and gay men through efforts to eliminate discrimination based on sexual orientation. Membership is open to all students.

Moot Court

The Moot Court program consists of the Moot Court Board of Governors and associate members. This student organization is devoted to enhancing and developing skills associated with appellate advocacy.

Two or three member teams travel to various competitions around the country to

compete against other moot court teams. Each team receives a hypothetical record, writes an appellate brief and attends a competition where team members argue orally against other law schools' teams.

Each member participates in one competition per academic year. Students in Moot Court can earn up to eight credit hours while developing critical practical skills such as legal writing, research and oral advocacy.

Moot Court builds confidence and friendships that last throughout law school and beyond.

Moot Court Night (this year on Nov. 5 at 7:00 P.M.) is one of the final practice rounds for two of our teams in preparation for the National Region VI competition, and it gives students a chance to experience appellate advocacy.

Students have opportunities to join Moot Court in the Spring semesters of their first and second years.

Ohio State Bar Association (OSBA)

Membership in the OSBA provides many benefits to the student member. Members receive the OSBA weekly publication of recent Ohio court decisions, the Ohio Student Lawyer Journal and the student newsletter.

Members also have the opportunity to attend local conferences on various current issues within the legal field. The OSBA provides members with valuable connections and opportunities that will help them throughout law school and their legal careers.

Student Bar Association (SBA)

The SBA is the student governing body of the college. Four officers are elected each spring and each class of students has its own senators. 1L elections for both day and evening students will be held soon after classes start.

The SBA's primary responsibilities are to be the voice of the student body, oversee student organizations and maintain programs and opportunities.

Student Public Interest Law Organization (SPILO)

SPILO is an organization of students, faculty and staff that recognizes the inequities that exist in our legal system and is dedicated to developing a more just society. SPILO serves as a resource center for students seeking employment or volunteer opportunities that focus on public service.

The group sponsors summer interns in public interest law, local volunteer activities, guest speakers, fundraisers, workshops and social functions.

Women's Law Students Association (WLSA)

The Women's Law Students Association provides a forum for discussion and debate to promote an awareness of women's and societal issues.

WLSA participates in fundraising and community service activities for recognized women-issue organizations in the Greater Cleveland area. WLSA sponsors the annual Mock Trial and Silent Auction (a fundraiser which generates thousands of dollars for student scholarships each year), which are both held in the fall.

WLSA is a member of the National Association of Women Law Students and is open to all students.

For more information, contact Alyssa Hicks-Blackwell, Allison Mantz, Erica Webber or Erika Lundquist.



Living through dissolution

By Krista Kaleps

GUEST COLUMNIST

I have no regrets about taking a summer associate position with Arter & Hadden. I definitely gained more from the experience than I lost. From the moment I first interviewed, I knew Arter & Hadden was my kind of firm. Upon leaving, I knew my initial instincts were on the mark.

When we got news that Arter & Hadden was definitely dissolving on July 15th, it was a sad day for everyone. As a summer associate, I was, of course, concerned about losing an offer for permanent employment after law school. I would like to reinforce that it was not the idea of losing "just an offer," but an offer from Arter & Hadden. The summer associate group had formed a strong bond by that point and truly envisioned the possibility of working together for years to come.

It was clearly expressed that Arter's summer associate program was not designed to foster competition; rather, we were encouraged to work together, to help each other and to develop relationships. We were encouraged to focus on quality over quantity, with the ultimate hope and intention of the firm to hire each summer associate. This same positive attitude was evident in the firm's handling of its dissolution.

All the while that Arter & Hadden was working to solve its financial problems, the partners and associates kept us formally apprised of potential solutions and necessary decisions. The process was a whirlwind experience for all those involved, but the partners worked day and night, exhausting all possibilities for a successful outcome. Both the partners and associates went to great lengths to maintain an open-door policy to keep us apprised of the situation, to alleviate our concerns and even to candidly share their own concerns.

I think it was the loyalty and dedication of each attorney, not just to the firm, but to one another and to their clients, which allowed them to prevail against the circumstances. Arter & Hadden consisted of many, many attorneys who had devoted their entire practice to the firm, some working together for 20-30 years or more.

I have no doubt that Tucker, Ellis & West will be successful. The fact that virtually the entire firm remained intact when Arter & Hadden dissolved is a true testament of the people within the firm. The fact that the clients of the firm maintained complete faith in the attorneys that served them for many years, and trusted them to continue representing them through this transition also speaks volumes of the dedication and future success that I predict and expect to occur.

On a more personal note, having worked with the attorneys now known as Tucker, Ellis & West, I know they make up a team that is dedicated, hard-working, quality minded, client oriented and most importantly, full of character and integrity.

In God we trust...when necessary

The 5,281 pound monument of the Ten Commandments, once located in the rotunda area of the Alabama State Judicial Building, is now out of public sight. U.S. District Judge Myron Thompson ordered Chief Justice Moore to remove the monument, asserting its placement violated the Establishment Clause of the U.S. Constitution.

Both the 11th Federal Circuit Court and the U.S. Supreme Court rejected Moore's appeals. Moore, however, ignored the court order, refusing to remove the monument. Moore now faces six ethics violation charges and the grave possibility of being removed from the bench.

The constitutional debate regarding the separation of church and state is nothing new. American courts have struggled with this sensitive issue since their inception, and the debate will continue for years to come.

The trend of the courts over the past forty years has been to eliminate as many religious symbols and actions from the courts and schools as possible. Recently, one atheist has succeeded in formally questioning the "one nation under God" clause of "The Pledge of Allegiance," and there has been heated debate over the constitutionality of the phrase, "in God we trust," contained on every coin in our pockets.

Statistics show well over two thirds of Americans attach religious value to the Ten Commandments monument removed from the Alabama courthouse, the "under God" clause removed from "The Pledge of Allegiance" and the "in God we trust" phrase, which may be removed from the nation's currency. According to the 2001 World Christian Encyclopedia, 76.5 percent of all Americans are Christians and 1.3 percent of all Americans are Jewish. Consistent with these percentages, a CNN-USA Today-Gallop poll taken through the week of Aug. 25th found that 77 percent of the 1,009 Americans interviewed disapproved of Judge Thompson's order to remove the monument of the Ten Commandments.

While the U.S. courts seem so eager to eliminate any mention of God from schools and courthouses, and while this view may be consistent with the Constitution, one has to question why then, after the events



Movers haul out the 5,281 pound monument of the Ten Commandments from the Alabama State Judicial Building.

of Sept. 11th, in the nation's time of need, could every American citizen turn on his or her television and witness Congress singing "God Bless America." Congress, the group of citizens elected by the citizens, to represent their views and needs, could have easily sang "The Star Spangled Banner," the national anthem. They did not. It is ironic that in times of distress, the government of officials who otherwise advocate the removal of God from our legal system, will stand on the steps of the Capital Building, acting in their official capacity, with one voice, for the world to see, and will call upon God to bless this country.

It was only two years ago these influential members of the United States legal system stood united on the Capital building steps and publicly acknowledged God. It was only two years ago the House of Representatives passed the "God Bless America" Resolution by a vote of 404 to 0, permitting the nation's public schools to display the words "God Bless America" in the school buildings and on school property. It was only two years ago applause resounded as President George W.

The Gavel

Editorial
Opinion



Congress stands united on the steps of the Capital building, bowing their heads in prayer, just before singing "God Bless America."

THE GAVEL

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ALL RIGHTS REVERT TO AUTHOR

Egos on a crash course with technology?

By Josh Dolesh

GAVEL COLUMNIST

A professor took an ill-advised stance and banned laptop computers in his classroom during the first week of class. Have the last vestiges of the old guard exacted revenge upon those students that would dare make them feel inadequate? Is it unfair, placing the blame for the ban squarely on the professors? After all, students are more tempted to “slack” when there is a wealth of leisure activities at their fingertips.

The issue of in-class laptop use appears to be headed towards one of two headlines; “Law Professors at C-M Ban Laptops” or “Students Pay Little Attention at C-M.” The arguments on both sides of the in-class laptop issue are extremely persuasive.

However, due to the abundance of confounding factors, it is impossible to determine whether banning or allowing laptops would help overall student performance.

Presently, laptop use is relatively unrestricted. As a result of this policy, no student can say they have not taken part in the guilty pleasure of “slacking” in class. But, banning laptops trumps one poor decision by replacing it with another.

The current C-M administration-



www.things.org

tion has left the disastrous choice of “laptop-or-not” in the hands of the individual professor. Although some professors couch their arguments against in-class laptop use ever so carefully in terms of a detriment to the learning environment, could it be the real reason underlying the ban lurks much deeper?

Is bruised ego at the heart of the in-class laptop debate? Ego runs rampant in the realm of academia, and even a slight bruise can lead to a knee-jerk reaction. In-class, laptop use can make it painfully obvious to professors when students are bored. This, in turn, bruises the professors’ ego.

Will banning the laptop make a class more interesting? Some professors seem to think so. Others retort that banning the laptop is only a move to save face.

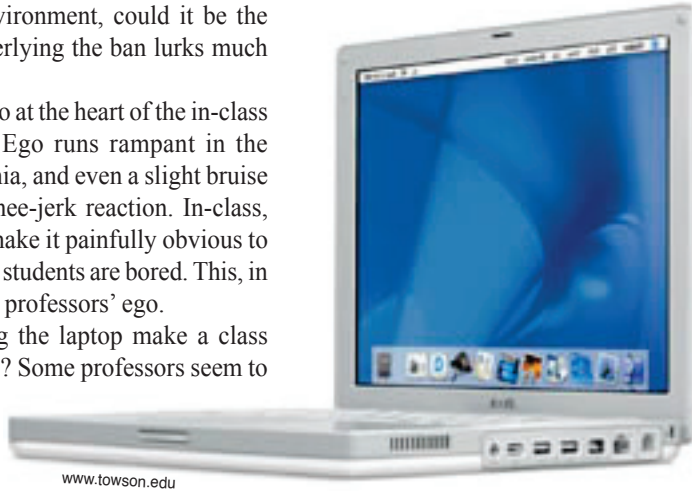
Before the curmudgeons relegate the advocates of in-class laptop use to the world of C+ mediocrity, they must be aware that students take some of the blame for causing the ban. The novelty of the laptop situation tends to obliterate the traditional professor-student rapport, leaving students to forge a new type of relationship. Students, like professors, are bound to make mistakes in this process, and often professors will have to remind students of the importance of this connection.

For now, even a feigned rapport is important for C-M. The appearance of student interest in our school economically benefits both professors and students in the form of better paying and more prestigious positions.

C-M has already been the focus of an attempt to eliminate an Ohio law school and has dropped to a tier-four school. Do we really need to give our opponents more ammunition? A poor reputation injures faculty and students alike. As much as some students would like to poke holes in a professor’s ego, he or she must not sink our raft in the process.

Instead of miring C-M with childish finger pointing, students

and faculty must take proactive roles in regulating laptop use. Banning laptops in class is simply not a solution in the context of the computer revolution. C-M has the opportunity to be an inno-



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vator in this area. Waiting for a change in the guard to implement regulation will surely confine C-M to the basement.

Granted, both sides will have to make compromises, but several innovative ideas have already emerged. Among the ideas: delegating upper rows to laptop use, blackout times for wireless service, codes of laptop etiquette (such as lowering one’s monitor when called on, appropriate levels of key stroke “noise”), strict enforcement of the honor code for chat room or IM cheating and (dare I say it) integration of laptops into class lectures.

Both the SBA and the faculty need to work together to address the conflicting issues in establishing guidelines to be promulgated in the student handbook. Meanwhile, at the very least, professors should disclose in scheduling materials whether they allow laptops in class.

In-class laptop use is a microcosm of global World-Wide-Web use. Surely, no one would suggest outlawing the WWW to counteract its evils, yet this seems to be the answer to our current laptop problem. We live in the computer age, and so we must deal with it. A savvy approach to the issue could yield the headline: “C-M Professor on the Cutting Edge of Technology in the Classroom.”

Open Mike

2L sounds off on recent events

By Michael Luby

STAFF WRITER

Let me say hello to all those first years out there. Early reports indicate you may be the smartest class yet, at least on paper. That probably explains why the men’s restrooms now have condom dispensers.

The Cleveland Clowns, ‘er the Browns, have opened the season in nothing short of stellar fashion. Led by “Boy-Wonder” Holcomb, the good guys have nearly locked up the boredom bowl only two weeks into the season.

New \$20 bills are set to enter the commerce mainstream in early October.

The new notes include shades of peach, blue and yellow. Apparently, my Ultimate Warrior face paint is coming back into style.

Kudos to the Office of Career Planning. They brought in over thirty firms and entities for the Fall Interview Program this year. Thanks to them, only eighty-five percent of the student body will still be looking for jobs come next month.

First Energy seems to be losing some of the heat caused by last month’s blackout. I would venture to say Cleveland stopped caring that night, probably sometime between the drive to an open Brunswick bar and the morning edition of the Price is Right.

The RIAA, our favorite music industry fat cats, recently sued 261 citizens for file-sharing across the Internet. The Associated Press reports among them are a Yale professor and a twelve-year-old honors student forced to settle for \$2,000. It will take more than an inconsequential percentage of the general public to prevent me from double clicking on the techno-remix of “Kickstart my Heart.”

It took less than two official school days for the computer lab to break down. Dreams of running Word and Hotmail at the same time are nothing but a candle in the wind. At least Taft’s painted barn in Shelby County finished in time for the bicentennial.

Thousands of anti-globalization hippies have gathered in Cancun hoping to derail the latest round of WTO meetings. Marches and nudist rallies are among the week’s planned events. Imagine that, naked people in Mexico interested in things other than body shots.

The 9th Circuit has stayed the California recall election of Governor Gray Davis. The court reasoned equitable voting procedures and fundamental fairness as core principles in the decision. Fairness to whom, the Terminator, Gary Coleman or the porn star, is the real question.

Reports have recently circulated indicating the infamous duo of Ben Affleck and J-Lo, better known as “Benifer” have separated. Doctors report both sides are doing well, but it could take months before the public can fully recover.

The student body turned out in full-force for SBA’s first student social at Bottom’s Up Brewery. Less than a month into the semester and alcohol is flowing like the Nile. We can only hope the market dictates a Halloween bash worthy of last year’s raucous festivities.



Theme of Orientation Week in question

The following is the first in a six-part series following a first year C-M student from orientation to spring exams.

Orientation Week was a waste of everyone’s time. Everything that was said and done could have been done in one hour. Instead, the C-M administrators decided we would spend five days discussing how tough law school will be.

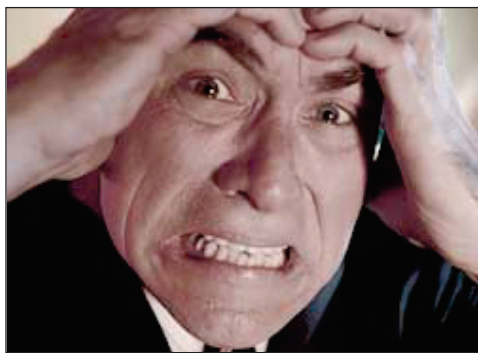
Why are professors claiming they are going to make us “walk out of the room on our bloody stumps” if we come to class unprepared? Is such psychotic imagery necessary to motivate us? Certainly not.

So, why is the administration spending multiple hours of Orientation Week threatening and fostering a “culture of intimidation” for first-year students? This pointless effort must be addressed.

The question bears repeating; why are the powers at C-M trying to scare 1L’s? This attempt at intimidation serves one purpose:

weeding out people who do not want to be here. Any 1L who quits after the first few weeks of orientation probably had no intention of becoming a lawyer in first place.

As for the school’s concerted effort to frighten its 1L’s, you are too late. We are already scared and ultra-motivated to not become a statistic of failure. We understand what is at stake better than any administrator ever could. It is our livelihood, our future, that is in jeopardy if we are unfocused.



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Threatening and fostering a “culture of intimidation” for first-year students?

being oriented to the law school experience. Learning how to use WestLaw and Lexis-Nexis or what exactly a “tort” is would have been a much more valuable experience. Things should be changed.

Why not focus on meeting people? The first week here at C-M was just like starting college. No one knows each other,

So, C-M teachers and staff: take it easy, we’ve got everything under control.

Sitting in the Moot Court Room for two to three hours each day was not my idea of

and the school does nothing to help bridge the uncomfortable feeling that everyone has while entering this new experience.

I would be remiss not to mention the end of Orientation week picnic, which was to include free beer. Come time for the picnic and guess what: NO BEER!!! This was the last straw; orientation does not have to be like pulling teeth.

The administration needs to do a self-evaluation of what is really learned by 1L’s during orientation. The answer is not much. I came away with many more questions than answers. Something is not right here. I beg the C-M community to evolve its orientation strategy, because I, for one, felt left in the dark.

1L
First
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Life
Part I

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