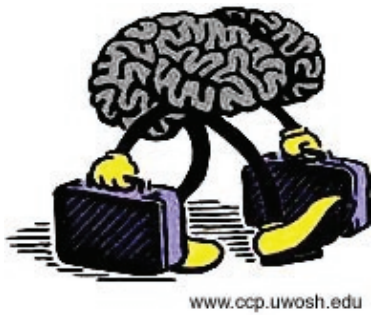


Unclogging the Brain Drain



Why do students decide to leave C-M after being dubbed the “best and brightest”? Gavel columnist, Josh Dolesh, explores the issue.

CAREER, PAGE 4

Pushing Privacy to the Edge

The recently enacted “Do Not Call List” may spur future abuses of existing technology. The Gavel suggests Congress should cut marketing firms off at the pass.

OPINION, PAGE 6



Student in the Spotlight

Terry Billups, 2L, left the gridiron to pursue the paper chase. Instead of doning the pads, the former NFL player hopes to one day don the robe.

SIDEBAR, PAGE 10



THE GAVEL

VOLUME 52, ISSUE 2 OCTOBER 2003

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

Technology transformation

By Jason Smith

MANAGING EDITOR

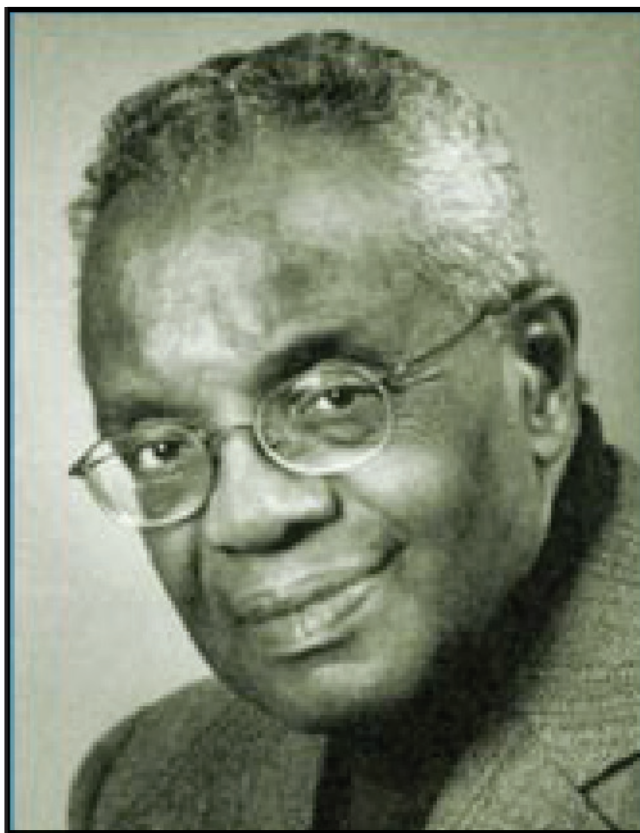
The administration at C-M is in the process of upgrading technology at the law school. However, in the process, the school must deal with budgetary restraints, imposed by CSU, as well as professors hindering technological advances.

David Genzen, assistant director for academic technology, is in charge of overseeing technology initiatives that have been implemented in the past year, as well as initiatives planned for the future at C-M.

Genzen said he understands the need to continue to upgrade current technology at the law school. “Technology has revolutionized the practice of law,” stated Genzen. “C-M has recognized the importance of exposing [students] to the technology used in the office and the courtroom,” added Genzen.

In addition, Genzen said that CSU just granted C-M’s technology fee request which will be used

See **TECHNOLOGY**, page 3



“[I] would have dissented in Brown.”

Lawyer, activist, teacher and writer, Prof. Derrick Bell visited C-M on Thurs., Oct. 9. Bell, visiting professor at New York University School of Law, presented The Seventy-Seventh Cleveland-Marshall Fund Vis-

iting Scholar Lecture entitled “*Brown v. Board at Fifty: What Are We Doing with What We Have Learned?*” Bell was also awarded the first “Norman Amaker Award.”

Turn to page 2 for more.

Timing of the Fall Interview Program called into question

By Eric Doeh

STAFF WRITER

Recently, students at Cleveland-Marshall College of Law, especially 2Ls, have expressed concerns that the Office of Career Planning is unable to meet student needs with its limited resources. Specifically, students have cited the OCP’s inability to begin the Fall Interview Program earlier in the fall in accordance with other law schools in the region.

The National Association for Law Placement (NALP), an organization that sets the principles and standards for law placement and recruitment activities, states that career planning and counseling are integral parts of the legal education. According to NALP, law schools should strive to meet the career planning needs and interest of all students. NALP also says law schools should work actively to develop and maintain employ-

ment opportunities for students.

In order to meet these goals, NALP stresses, as one of its primary principles, that law schools should dedicate to career planning and counseling adequate physical space, equipment, financial support and staff.

Jayne Geneva, director of career planning at C-M, agrees that her office is limited in regards to staff and budget. Unlike Case Western Reserve University School of Law’s Office of Career Planning, which has a staff of six individuals including four attorneys, C-M’s office has two individuals, Geneva and Bernadette Salada. As a result, Geneva said many of the programs and activities available to students at CWRU are not available to C-M students.

CWRU offers about 40 workshops throughout the year teaching

See **PLANNING**, page 4



Outside the classroom...

Sovereignty and the Right to Death: A Conference
Fri.-Sat., Oct. 17-18

Prof. Candice Hoke, Professor of Law
Must Work and Family Conflict
Wed., Oct. 29

Opening Speaker: The Honorable Louis Stokes
Terry v. Ohio: A Retrospective
Thurs., Oct. 30

R. Kent Newmyer, Professor Emeritus of Law and History
John Marshall “in the circumstances which were his”
Tues., Nov. 18

Professor Stephen J. Werber, Professor of Law
Tort Reform: State and Federal Constitutional Concerns
Wed., Nov. 19

Pass/fail option leaves few options

By Mark Merims

In 2000, the Academic Standards Committee at C-M implemented a pass/fail option for C-M students. The purpose of the option, according to Jean Lifter, assistant dean of academic affairs, was to relieve some of the pressure of competing for grades.

The policy has been called into question by some who believe other models would provide greater incentives. Currently, a student can only take an elective not required for graduation on a pass/fail basis. A maximum of two classes can be taken pass/fail, but only one at a time.

Before the fourth week of the semester, or the last drop date, the student must decide if they want a grade or not, and their decision is final after this date.

At the end of the semester, a student may actually receive the grade of D or D+. This is because

the pass/fail option is really the “Pass/D+/D/F Option,” according to Academic Regulation 4.6. According to Lifter, the D/D+ grades are to discourage students from just “coasting” through class.

Case Western Reserve University School of Law’s Option is substantially different from C-M’s. At the end of the semester, the registrar notifies the student of the grade, the student then has three options to choose from: they can keep the grade earned, they can have their grade reported as P, but only if the grade is C or higher or they can elect to receive no credit, with no record of registration.

According to CWRU School of Law Associate Dean of Academic Affairs Hiram Chodosh, the Pass/No Credit option is intended to encourage greater risk taking in class selection. Students know they will not be penalized for taking a class they ordinarily would

not take or a heavier class load, nor will they be penalized with a P instead of an A.

According to 3L Thomas Fistek, the CWRU system, rather than the model implemented by C-M, provides a more positive incentive for students exercising the option. “If I take a class pass/fail at [C-M], I have no incentive to work for an A after I’ve realized the course is much easier than expected

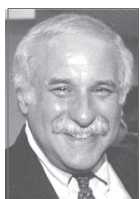
At Case, the incentive would be to keep working for the A.” Fistek said he believes this is one area where C-M is not financially handicapped from making a change to the better model.

Gary Williams, assistant dean for student affairs, said he believes the Pass/D+/D/F option is a university wide policy. However, Williams said he believes there may be a movement to change it.

Explore possibilities outside of the classroom

By Steven H. Steinglass

With approximately 19 student organizations now operating within the walls of C-M, there is surely a place for every student to find a community of interests. If you attended the Oct. 1 Networking Event organized by Assistant Dean Gary Williams and Administrative Secretary Michaeline Carrig, you could not have missed the excitement generated by these service-oriented groups of fellow students or failed to see how diverse and rich in opportunities is the world beyond-the-classroom.



The Dean's Column

Among the most visible organizations are the Student Bar Association, which is a quasi-governing body active on behalf of students' concerns, and The Gavel, our nationally acclaimed student newspaper, which informs and entertains us with its lively overview of life within the law school. Another

very conspicuous and successful group of like-minded, highly motivated students is the Student Public Interest Law Organization. Last year, SPILO won the First Runner-Up prize in the university-wide "Best Student Organization" contest.

Some student organizations operate as vehicles of support. The national Black Law Students Association, the Asian Pacific Islanders Association, the Hispanic Law Students Association, the Justinian Society, the Women's Law Students Association, the Jewish Law Student Association, the LesBiGay Student Bar Association and the Federalist Society help create bonds among students from diverse cultural, racial and political backgrounds and sponsor educational and social events throughout the school year.

Members of the Criminal Law Society, the Environmental Law Association, the Business Law Association, the Entertainment and Sports Law Association and the Electronic Frontier Foundation are organized around commonality of academic interests and are active in promoting programs and events that complement their field of study.

Many C-M students find excellent opportunities for public service while earning academic credit and practicing law through our Externships and our legal clinics: the Employment Law Clinic, the Community Advocacy Clinic, the Environmental Law Clinic, the Housing Law Clinic and the Law & Public Policy Clinic. Like the clinics and externships, the Moot Court Program, the Cleveland State Law Review, the Journal of Law and Health and the Trial Advocacy course may bring students into contact with the judiciary and the practicing bar while receiving academic credit. In other words, learning the law is not a tedious undertaking, but one that is rich in resources and opportunities to become a conscientious and informed attorney/citizen.

Bell's comments on *Brown* ring criticism

By Eric Doeh

STAFF WRITER

New York University School of Law visiting professor Derrick Bell was the guest speaker at The Seventy-Seventh C-M Fund Visiting Scholar program. The event celebrated the fiftieth anniversary of *Brown v. Board of Education*, the 1954 U.S. Supreme Court case that ended racial segregation.

Professor Bell, who has been admitted to practice before the Supreme Court, was a former law professor at Harvard. Bell left Harvard because of the school's reluctance to diversify its faculty.

Before Bell's lecture, the Midwest People of Color Legal Scholarship Conference presented Bell with the first "Norman Amaker Award" for his dedication and devotion to mentoring students and colleagues.

Bell's lecture on *Brown* was centered on the question, "What are we doing with what we have learned?" Bell began by emphatically saying that if he were on the Supreme Court in 1954 he would have dissented in *Brown* even though the Court decided by a 9 to 0 vote to end segregation.

Bell said that what we should have first learned from *Brown* is that it was an error. Bell said that we should admit that the enemy, those who resist change

to racial inequality, are stronger and more persistent than the *Brown* Court anticipated. Also, there is a dramatic decline today in racial integrated schools.

According to Bell, if the Court knew then what is apparent today, the Court would have focused more on the equal component of the "separate but equal" doctrine rather than the desegregation schools.

Bell said that today integrated schools are not an option for Blacks and Latinos. He said many inner city schools are faced with the problems of limited resources, poverty, inadequate funding and inexperienced teachers. Bell said that the triangular model of student, teacher and parent is difficult to maintain because of the many obstacles that exist in the inner city schools.

Bell said that the Court's decision in *Brown* could be best understood as an interest convergence. That is, the rights of Blacks are recognized and protected when policy makers feel that such demands for racial equality will appease the populous and the administration.

According to Bell, the Emancipation Proclamation is an example of interest convergence; slavery was abolished because President Lincoln's primary objective was to save the Union.

Bell said the *Brown* decision to end racial segregation was indeed an interest convergence. The U.S. wanted a more favorable light cast on its racial policies

in order to deter countries in Africa and Asia from alienating themselves with Communism.

According to Bell, the dilemma with interest convergence is that it does not solve racial issues. Instead, some Whites view judicial remedies as symbolic benefits that lack substance. Whites believe that these benefits are simply unearned gifts for Blacks.

Bell said that, as a result, Blacks do little to critique these judicial remedies and instead, they accept these gratitudes. Bell said that once the interests of Blacks become less compelling to policy makers, the judicial remedy soon wanes, and is subsequently replaced by a new interest convergence.

In essence, according to Bell, "Blacks are not part of the policy making process." Rather, Blacks are merely incidental beneficiaries of racial fortuity.

Similarly, Bell said, "Whites who disagree with these judicial remedies become fortuitous victims." They become third party victims to a policy that they had little to do with.

Bell remarked that *Brown* was a transformation without real change. However, he concluded by saying, "*Brown* was a serious disappointment, but if the lesson is learned, it will not go down in defeat." Bell stressed that bussing was the beginning and not the end. Thus, effective education should be the goal for Blacks.

Taking the guesswork out of exam preparation

By Gavel Staff

As finals approach and the amount of reading increases, many 1Ls are turning their attention to final exam preparation. There are many steps you can take to be fully prepared for exams. While there is no methodology guaranteed for success on law school exams, there are certain steps one may take to be prepared.

The most important step to get ready for exams is to stay up-to-date on reading assign-

ments throughout the semester. However, if you find yourself behind, do not panic. Rather, look at today as the beginning of the semester. Start taking good notes and writing good briefs for the rest of the semester.

The next step for law school exam preparation is to plan your outlining strategy. Different students prepare outlines at different times. Some students create outlines throughout the semester. These students have more time to actually study the outlines the weeks preceding exams.

However, if you have not started to outline, you are not doomed to fail. Some students wait until the end of the semester to prepare

outlines. These

students view the outlining process as their studying of the material. If you do wait until the end of the semester to begin, and hopefully finish,

outlines, a time table must be set. Outlines take a considerable

amount of time to assemble, especially when done in a condensed time frame. You should begin your outline creation process no later than two weeks prior to reading week.

It should be pointed out that neither of these methods are superior. There are students who have succeeded and students that have done poorly with each method. You must determine what way you learn best and plan your outlining strategy accordingly. No matter what method you choose, set a goal to finish all outlines at least a couple days before your first exam. This will allow you to spend the days before the exam actually studying the outline.

Once a plan for outlining is created, one must come up with an outline strategy. One popular strategy for outlining is to gather as many relevant materials as possible, such as class notes, commercial and previous students' outlines and case briefs; this is a good initial step. Materials, not your own, will help you organize your outline in a logical format as well as clarify legal concepts that are confusing. Do not rely upon these materials in their original form. Creating your own outline, even if a variety of external resources are used, is a necessity.

Once the materials are gathered, begin the outlining process by creating a comprehensive, in-depth outline. Become familiar with the overall theme of this long outline. By the end of the

process, the outline should be gradually condensed into a manageable form, usually around 15 pages. This outline should be used to study on the days immediately preceding each exam. Memorize this outline, paying specific attention to the elements and factors.

Another important step in the exam preparation process is to identify what each professor expects. Listen carefully to the professors during class. Many times, professors will give clues, especially during the last weeks of class, about what they look for when grading exams. While all professors want the students to rigorously apply the law to the exam facts, sometimes the similarities stop there. Some professors place high weight on proper grammar and spelling (hint: prof. Garlock students). Some professors want the black-letter law explained in detail.

Another way to determine what your professor's style is to look at old exams. This can be invaluable in determining how your professor will fashion the upcoming exam. While simply reading over these exams and issue spotting is valuable, if time permits, actually completing the exam under actual time constraints will pay off on exam day. This will not only show you how important time management skills are on law school exams, but will also allow you to critique your exam answer and determine what you did well and what needs improvement.



“Meet the Press” moderator and RTA Counsel named top alums

The C-M Law Alumni Association has announced that NBC Vice President, Washington Bureau Chief and “Meet the Press” Moderator Tim Russert ‘76 and Greater Cleveland RTA General Counsel Sheryl King Benford ‘79, have been selected to be honored as alumni of the year at the CMLAA Annual Recognition Luncheon, which will be held on Thurs., May 27, 2004 at 11:30 a.m. at the Renaissance Cleveland Hotel.

Tim Russert, the current custodian of “Meet the Press,” is in his eleventh year as moderator and also serves as managing editor.

At C-M, Benford has served as Assistant Dean for Admissions and Student Affairs, an adjunct instructor and president of the



www.nbc.com

Board of Trustees.

In her current position, Benford supervises a staff 49 employees who handle litigation, labor issues, worker’s compensation, risk management claims, health and safety, property management and a variety of other areas.

Benford has also served as law director for the City of Shaker Heights and assistant law director for the City of Cleveland.

PARKING

In an effort to alleviate some of the parking congestion in the CSU area, two-hour parking on 18th Street has been made available from 9:30 a.m. to 6:00 p.m. The meters on Euclid Ave. have also been changed.



Notes in Brief

NEW SBA SENATORS

Gwen Forte, Alex Hastie, Michael Laszlo, Julie Maglosky, Sara Menefee, Norm Schroth and Roseanne Hall were elected as SBA Senators at the beginning October.

SBA HALLOWEEN SOCIAL

SBA will hold its annual Halloween Social on Thurs. Oct. 30 at Becky’s. Doors open at 6:00 p.m. All C-M students faculty and staff and guests are welcome. Don’t forget your costume!!!

REGISTRATION INFO

Registration for Spring 2004 will take place the week of November 3, 2004. Registration appointments will be available through Web Access (<https://director1.csuohio.edu>) beginning October 27, 2003. Special registration for a limited number of upper level electives will be underway shortly, but students will have until Tuesday, October 28, to submit request cards for those courses.

MOOT COURT NEWS

C-M’s Moot Court team will open up their year of competition this week in Chicago at the John Marshall Law School International Moot Court Competition in Information Technology and Privacy Law. Abby Lill, 3L, Nathan Wills, 3L and Leo Wetula, 2L will be competing.

UPCOMING SYMPOSIUM

On Oct. 17-18, 2003, C-M will host a symposium entitled “Sovereignty and the Right to Death.” Featured speakers include: Lauren Berlant, Robert Bernasconi, Drucilla Cornell, Simon Crichley, Costas Douzinas, Peter Fitzpatrick, Peter Goodrich, Anselm Haverkamp, Tayyab Mahmud, Achille Mbembe, J. Hillis Miller, Andrew Norris, Austin Sarat, Denise Ferreira da Silva and Johan van der Walt.

FIRST MONDAY

The Student Public Interest Law Organization (SPILO) kicked off the 2003-2004 Supreme Court session with its annual First Monday Forum. This year’s forum focused on the issue of the campaign finance reformat, which the Court will hear this term. Prof. Kevin O’Neill was the featured speaker, along with ACLU Executive Director, Christine Link.



Professor Kevin F. O'Neill



Jason Smith

TECHNOLOGY: Long awaited lab upgrade approved

continued from page 1--
to order 54 new computers for the library’s computer lab within the next two weeks. The funds will also be used to order new LCD projectors and to upgrade the PCs and student server.

According to Genzen, the upgraded software will include the latest version of web browser as well as CDRW drives.

Genzen is optimistic that these improvements will alleviate some of the current problems students encounter when using the computer lab. However, he said, “our challenge now is to figure out a schedule for replacing the lab PCs as quickly and as safely as possible when they do arrive.”

There are some other changes that have already been completed in the recent months. One significant change included upgrading the law school’s network connection.

The network ports in the library lab, as well as at the library’s study carrels, have

been upgraded to a 100 Megabits per second connection. Before the upgrade, these ports were operating at 10 Megabits per second. This upgrade has resulted in log-in times of ten to fifteen seconds, “a very significant drop from this time last year,” said Genzen.

Another recent addition at the law school is the classroom electrification project in room 237. This classroom has been outfitted with 110 live power outlets, funded by student technology fee funds.

One of the primary goals of this addition is to encourage students to use laptops. In an e-mail to the student body, Michael Slinger, associate dean and director of the law library, said the addition of the outlets “should greatly facilitate the use of those who choose to bring laptops to this classroom.” In the future, the school hopes to add power outlets to other classrooms, as funds permit.

However, although the power outlets

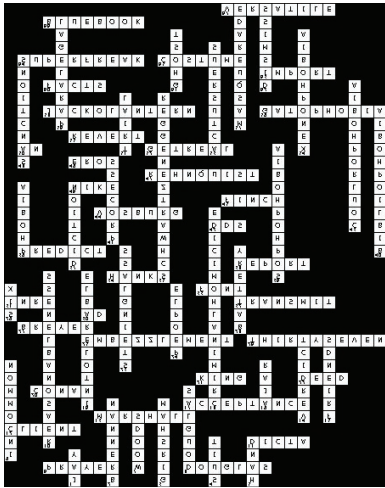
will facilitate laptop use in the classroom, policies are being implemented to curtail laptop use. Prof. James Wilson has banned lap-top use during his classes, one class of which is in room 237 where the power outlets have been added.

Prof. Wilson, explaining his policy to his Constitutional Law class, is concerned some students are using their laptops for purposes other than for what they are intended, such as surfing the Internet or playing games in class. Prof. Wilson stated that these activities lead to distractions to other students, as well as the professors.

The installation of the power outlets in the classrooms will also “facilitate the use of computers for exam taking purposes,” said Genzen. C-M is currently in its third year of an exams on computers experiment.

The experiment, approved by the faculty, “offers second and third-year courses, with small enrollment, the option of taking their exams on the law school’s laptop

computers, subject to the professor’s approval,” said Genzen. “The faculty will be deciding whether or not to expand this option sometime this academic year,” said Genzen.



Answers to crossword puzzle on page 10



Law school success not hinged on college

By Karin Mika

LEGAL WRITING PROFESSOR

Q: Are there any undergraduate majors that seem to perform better than others in law school? I thought as an English major I would have it easier in Legal Writing.

A good profile of a prospectively successful student would be someone with some type of dual major combining analytical discipline with an arts discipline.

It doesn't seem any one major has a guarantee of success any more than does notoriety of your undergraduate institution.

Students who do the best are often students who have done this type of thing before – i.e., paralegals, or those already working in law firms. However, that background does not guarantee success any more than failure to have that background diminishes the opportunity for success.

One would think that those coming from a Liberal Arts background would have an advantage. However, there is an element of scientific analysis necessary in the study of law that many students can only get from an engineering or analytically-oriented background.

Perhaps, then, a good profile of a prospectively successful student would be someone with some type of dual major combining an analytical discipline with an arts discipline.

Then again, sometimes the difference is between someone who really knew his/her stuff and someone who merely took enough classes to get a dual degree.

The difference, too, is the type of criticism a person received throughout his/her education. By the time I got to law school, the only comments I ever received about my writing were, "Tighten it up," or "Proofread better." It becomes a rude awakening when someone starts pointing out that you don't really know how to put together a paragraph!

Some of my best students have been (dare I say it?) older students who have come from careers where they had to communicate difficult material in writing to others. Also, teachers tend to fare well because they too have had the experience of having to explain what makes something correct or incorrect.

That being said, there really isn't a formula for success. If there were, all the law schools in the country would be handing it out.

Losing our best and brightest

Why do the students at the top of their C-M class finish their law school careers elsewhere?

By Josh Dolesh

GAVEL COLUMNIST

Every year, handfuls of students realize they can excel at law school. Their grades reflect it, their attitudes reflect it and unfortunately, so do their transfer applications.

Transfer and dropout was the gossip *du jour* during the first few weeks of class. The news of "who went where, and why," coursed through the school by its usual means, via conversations in the restrooms, study groups and late nights at Becky's. I know it sounds ridiculous, but the news of a drop-out always gave me a little lift, a sick side effect of the competitive nature of law school.

Although the news of a drop did produce a rather shameful pride, it was the news of transfers that most disturbed me. How could they do it? We waged war together, made sacrifices and looked out for one another. Surely I jest, but the issue arises every year; C-M loses at least one of its best students to another law school. The very people that would help give legitimacy to C-M move on to what they believe are bigger and brighter institutions.

What motivates these people to transfer out of C-M? Some transfer for obvious reasons: family, work, things they just cannot change. But a few leave because they have a chance to go to a more prestigious institution. These are the very types of students C-M desperately needs to keep: people that look toward the top, people that are not satisfied with their position, ever. C-M has had these people in the past. These people make fine Ohio Supreme Court justices, excellent commentators and great professors.

Ohio Supreme Court Justices Maureen O'Connor and Francis E. Sweeney are living proof that C-M law degrees are valuable and do lead to great things. We just never hear about it. I will admit that before I decided to apply to C-M, I never knew that two Ohio Supreme Court Justices were C-M graduates, and I am willing to bet that many of this year's incoming class did not know that Tim Russert, of "Meet the Press," is a C-M alumnus.

Like our graduates, our professors are also

highly successful and are distinct voices in their respective fields. They have Ph.D.s and LL.M., degrees from Harvard, Yale and Chicago and more publications than a small country. Once again, I never knew this until coming to C-M.

Despite our great professors and distinguished alumni, we still need to do more to dispel the growing notion that C-M is not a prestigious institution. I refer not to the school as an entity, but to each and every individual student.

Students will stay at C-M if they can be proud of their degree. Kudos to the people who maintain the bulletin board "C-M in the News." I am always amazed to see how much C-M graduates have achieved. However, the bulletin board is just the beginning. We, the students, must embody that prestige at class, at interviews and at work. Only then will we be able to attract the best and keep them here.

Ultimately, I believe C-M does a good job of instilling pride in its students. However,

school pride is not the only thing that factors into a decision to transfer.

The little things influence this decision: problems with parking, slow computers, shortened library hours, burned out light bulbs, roaches. It is even difficult to get a decent cup of coffee in the law building.

In the aggregate, these problems reflect an undercurrent of disrespect towards the college of law. This disrespect cuts deeper into student morale than any poor self image. CSU must know that building a marquee law school does not end with a new library, it starts with one.

A law school at any university is a unique asset, a prized jewel. A law school signifies to the world the university is a major player in education. A university that makes its law school a number one priority makes its students feel important. When students feel important, they are less likely to transfer.

The law school faculty has made me feel welcome and important. They have done their part to keep me at C-M. However, the faculty can only go so far, and it is now time for the university to do its part. The student that leaves today could very likely be the large donor of tomorrow. C-M is a crown jewel, not a garbage can. Until our university remembers this, we cannot even begin to counteract "brain drain."



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PLANNING: OCP director defends September FIP scheduling

Continued from page 1-- interviewing skills, mandatory group workshops for ILs, a weekly student newsletter containing job search information and postings and an early fall interview week program which begins in mid-August.

Geneva said because most of C-M students work during the summer, plus the fact that firms are usually evaluating their summer associates for the present year, an early fall interview program does not pose a disadvantage to C-M students.

David Zimmerman, recruiting administrator at Porter Wright Morris & Arthur LLP, said, "the early fall interview program is geared towards having students prepare for the interview process before

school begins." Zimmerman said that the early start has no impact on the hiring process or the firm's interview schedule.

According to Geneva, because many C-M students want to remain in Ohio, the early interview process does not provide a significant advantage for students at CWRU. Geneva said that the early start was, and has been, a unique characteristic of the East coast schools, such as NYU and Columbia. Geneva said that CWRU in many ways sees itself as an East coast school.

C-M began its fall on-campus interviews this year on Sept. 12, while on-campus interviews at Case and the University of Toledo College of Law (UTLAW) began on Sept. 15. Last year 45 employers participated in C-M's on-campus fall interview program; conducting 704 first interviews and extending 85 offers. Geneva said that some students had mul-

multiple offers, and some students did not accept offers.

Last year 326 employers participated in CWRU's fall interview program. This included both on and off-campus interviews, out of state interviews, resume collect and resume direct. Additionally, approximately 1250 on-campus interviews were conducted at CWRU.

At UTLAW, 20 employers participated in their fall interview program for 2003. Last year, 231 on-campus interviews were conducted. Heather Karns, director of law career services at UTLAW, said the law school does not keep exact offer numbers. Karns said, "unless employers tell us or students tell us what the outcome of the on-campus interviews are, there is no way to know for sure."

According to Geneva, because Cleveland is the biggest market between New York and

Chicago, C-M students are in a great position. This, along with other reasons, contributed to why both C-M and CWRU broke away from the Consortium of Ohio Law School, an organization that consisted of all nine law schools in Ohio. Geneva said both C-M and CWRU discovered that there was little, if anything, to be gained by being part of the consortium.

Geneva also said schools are very secretive as to what information they share, if anything, with other schools. In fact, according to Geneva, because employment is limited, career-planning offices try their best to provide employment opportunities exclusively for their students.

However, as expressed in the mission statements of both C-M's and CWRU's career planning offices, there is no guarantee of employment, but both offices claim to make every effort to make students job search successful.



The Moot Court Board of Governors

Cleveland-Marshall College of Law

Presents

The 35th Annual

MOOT COURT NIGHT

Wednesday November 5, 2003 7:00 p.m.

Please join the Moot Court Team in the Joseph W. Bartunek III Moot Court Room as they present an evening showcasing the program's two national teams competing against each other in front of a panel of three distinguished judges prior to their first round of competition. The competition will be followed by a reception in the law building atrium.

Presiding

The Honorable Lesley Wells
Federal District Court
Northern District of Ohio

The Honorable Maureen O'Conner
Supreme Court of Ohio

The Honorable Dan Aaron Polster
Federal District Court
Northern District of Ohio

For further information contact: Dean C. Williams
(216) 687-3980
dean.williams@law.csuohio.edu

Moot Court Night is sponsored in part by The Gavel at Cleveland-Marshall College of Law

Priority issues
hammered
home

By **Sasha Markovic**
SBA PRESIDENT

The SBA has been working on multiple issues throughout the school year. Some issues are policy based, while others are budget based.

At the forefront of the policy issues is the final exam rescheduling policy. For example, students with three final exams within two days are not permitted to reschedule any of their exams. The SBA feels this policy inhibits students’ abilities to perform at their highest level. Schools around the nation, and especially in this area, have recognized this issue and have established rescheduling policies. The SBA approached the administration about establishing a policy that allows students, in certain circumstances, to reschedule exams, and is awaiting a response. Presently, the exam rescheduling policy is not documented.

The primary budget based concern has been the reduced hours of operation of the Side Bar (cafeteria). The reduced hours have left the day students without the ability to purchase food after 1:30 p.m. and foreclosed night students from obtaining any food within the building. The SBA encourages ALL students to e-mail Jack Boyle, special assistant to the president of CSU, at j.boyleiii@csuohio.edu, to express their displeasure with the reduction of hours. Additionally, the SBA is actively pursuing alternative solutions to the problem.

Another budgetary concern is the state of the library’s computer lab. Currently, the lab’s computers are approximately five years old, with 20 percent of the computers permanently down. Michael Slinger, dean of the law school library, assured the SBA his office was placing a budget request with CSU for new computers, and new computers are expected in December. Slinger also stated that upon the arrival of the new computers, the technology department will update the browsers and activate the scroll wheels on the mice. The SBA and the students look forward to returning from winter break and utilizing the new technology.

The SBA also held the 1L Senator Election. Sixteen candidates ran for 1L senators, with seven 1L senators taking office. The SBA welcomes the new senators and looks forward to working with them. Special thanks to Abby Lill and Bobby Botnick for all of their hard work during the election.

The SBA encourages all students to contact the members of the SBA with any concerns or issues that they may have. On a final note, please keep in mind the SBA’s upcoming traditional Halloween Social held at Becky’s. Based on the student turnout at the last SBA social, the Halloween Social promises to be a great time.

Seriously...stop calling me.

No one will deny the sanctity placed on privacy in the American home built into the cannon of case law surrounding the Fourth Amendment to United States Constitution. But do Americans have a legitimate expectation of privacy in their pockets? Congress should be proactive to make sure that they do.

Imagine standing in line at Starbucks rehearsing the complicated title of your beverage when suddenly your pocket vibrates. Its your cell phone, receiving a text message from Caribou coffee informing you it has a location nearby and that by clicking the link on your web browser, a coupon for free coffee will be immediately dispensed to your e-mail. “What a coincidence,” you think to yourself. Not likely; Caribou knows where you are...your cell phone company tipped them off.

Just two weeks ago, Americans believed they were winning the battle against the marketing industry’s attempts to infiltrate the private lives of American consumers with the passage of the “Do Not Call List” by the FCC and President Bush. Not a ridiculous belief.

After all, is there anyone who actually enjoyed getting up to answer the phone for what turns out to be someone who has nothing you want with the annoying habit of butchering your last name. The FCC and President Bush should both be congratulated for there efforts in enacting legislation brought about by overwhelming support of the American people even though some were still disappointed on Oct. 2 when charities, veterans and pollsters kept calling. The “Do Not Call List” is, in fact, a

major battle won in reclaiming our personal peace, but assuming that the war is won is a preposterous notion.

The truth, in reality, is that this recent marketing roadblock may facilitate advancement and misuse of technology designed to “sell” you. Technology, after all, is fueled by any attempts to thwart the benefits or detriments it enables.

For instance, if you’ve purchased a cell phone in the past two years, you may have noticed a notation on the box alerting you that your phone is E911 capable. E911 utilizes global positioning satellite technology (GPS) to alert emergency medical personnel of your location should your car become buried in a snow drift with no way to tell where you are. E911 can also be used by parents to keep track of their children. A good idea it appears. Sure...if its used properly. But the temptation of cell phone companies to sell your information to marketing firms may be too great to prevent its abuse and our continued inundation with adds, offers, pop-ups, spam, etc.

Opportunity to obtain consumer information is valuable. Think about the money marketing firms pay your local grocer to allow you to save big if you scan your Tops Bonus Card at the register. Not only have you just told Joe Marketing that you, a 26 year-old male who lives in the suburbs of Cleveland likes Raisin Bran. You also told him that you picked the box from the

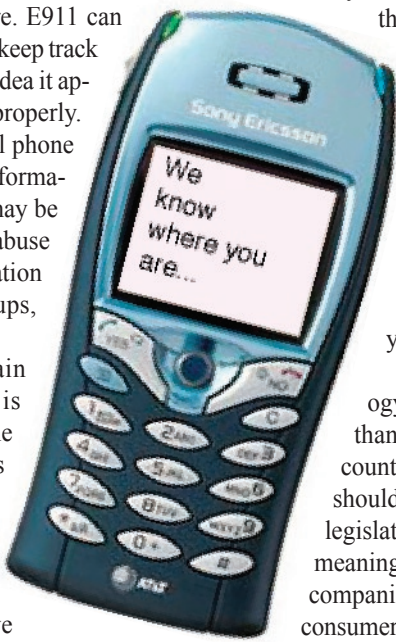
isle display rather than the brand mixed in with all the other cereals. Did you pick up your bananas in the cereal isle rather than the produce section...they know.

Now think of the millions marketing firms might pay cell phone companies for a detailed listing of where you eat, drink, sleep and shop, how long you were there, how frequently you were there and what time of day they can most likely catch you there.

Before we get too bent out of shape about these frustrations, it is important to point out that, for the most part, we agree to be sold. Remember filling out that application for your bonus card? Remember when you quickly agreed to sign

that Sprint PCS two-year advantage agreement so you could get \$100 dollars off the cool phone that takes pictures? In doing so, you probably gave your service provider permission to sell information about your location.

Before E911 technology creates more problems than spam in a hotmail account, the FCC and Congress should act proactively to enact legislation which mandates full, meaningful disclosure by phone companies and awareness by the consumer of all implications of the powerful marketing weapon they are about to purchase. Failure to do so will leave consumers, once again, at the mercy of marketing firms.



Clean it up; no if’s, and’s or “butts”

Students and faculty must realize that cigarette butts do not disappear.

The entrances to the law school have become garbage pits, littered with hundreds of cigarette butts, empty cigarette packs and wrappers from inside the packs. This is true despite the fact that there are trash cans and cigarette receptacles at every entrance. The garbage litters the sidewalks and the landscaping, making the entrances to the school look filthy and unkept.

For some unexplained reason, smokers do not think that cigarette butts are litter. When finished, many smokers simply flick butts on the ground or out of their car windows. There is no difference between this behavior and throwing your empty McDonald’s bag out of the car window.

However, many people who would never do the latter have no problem doing the former. This is odd, particularly when you consider that the primary offenders at the law school are law students – a seemingly educated group that should know better. Cigarette butts will not dissolve, blow away or wash away. Instead, society must pay to clean them up, whether outside of the law school or on the side of the road.



The law school recently paid to rebuild and landscape the main entrance to the school. Instead of being a pleasant entrance to welcome students and guests, it has turned into a garbage dump that smells worse then most bars. (The fact that it is impossible to enter the law school building without choking on all the smoke is an entirely separate issue.) The landscaped beds and sidewalks are filled with yellow and white pieces of trash that will remain there until the university’s maintenance staff clean them up. This cost is further magnified by the budget constraints that have caused the recent reductions in student services.

Smokers, please stop this disgusting habit and put your trash in the appropriate place. In addition, next time you are outside enjoying a cigarette, pick up a few of the butts that are lying around and leave our school a better place. If this habit is not changed, the administration should consider banning smoking near the entrances to the law school. Many public buildings prohibit smoking within 200 feet of the entrances.

By Stephen Bittance
Bittance is a 4L, earning a dual-degree.

THE GAVEL

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Where the rubber meets the reader

Is there any logical explanation to the slumping sales in the men’s restroom?

By Jason Smith
MANAGING EDITOR

Sure, the library has reduced hours. Yeah, the Side Bar, our “cafeteria,” no longer serves delicious pizza all day. These are not the big changes that went into effect since the end of last semester.

The biggest, and perhaps the most significant change, at the law school is the addition of a condom vending machine. Do not be confused. You are not at a seedy, trashy club on the east bank of the flats. Rather, you are in the men’s bathroom in the basement at C-M.

However, it seems there is a problem with the new addition. Those in charge of placing this special vending machine at C-M have expressed concern that the machine has not been used as much as anticipated. Instead of producing mass sales as expected, it seems few, if any, students are taking advantage of the new luxury.

Why are sales slumping? Could it be that a condom machine in a law school makes as much sense as building a Best Buy in the heart of Amish country? There must be a better explanation.

The most rational explanation for the low consumption of condoms is that law students do not have sex. Can the answer be this simple? Sure, when looking around the school, there are probably few Wilt Chamberlains strolling the halls. However, with the average student age being 27, it would seem probable that most students would have a need for contraceptives. Is there another possible explanation?

Everyone knows law students are under a lot of stress. On top of the stress level, students are burdened by a tremendous workload. Could it be that law students are just too busy and too stressed to have a need for condoms? Probably not. While the workload is high, most students can probably spare a couple of hours, or minutes, each week to “relax.” Also, everyone knows that condom use is a good stress reliever. Next explanation.

Perhaps law students have no need for novelty condoms. When purchasing a condom, one has the opportunity to get lucky before getting “lucky.” If you get a fortuitous draw, you may be able to get one of the specially inserted color condoms. Unfortunately, not every student will be so lucky.

The first person to buy a condom, probably late in the spring semester, will have the unfortunate situation of opening a stale condom that crumbles upon opening. However, if a law student is ever in a desperate need of a condom, I am sure the possibility of a stale or colored condom will not deter him.

So, what is the explanation for slumping sales? The simple answer is venue. Would you put a sushi stand at Jacob’s Field? Bad example. Would a religious organization encourage gambling upon their property? Another bad example.

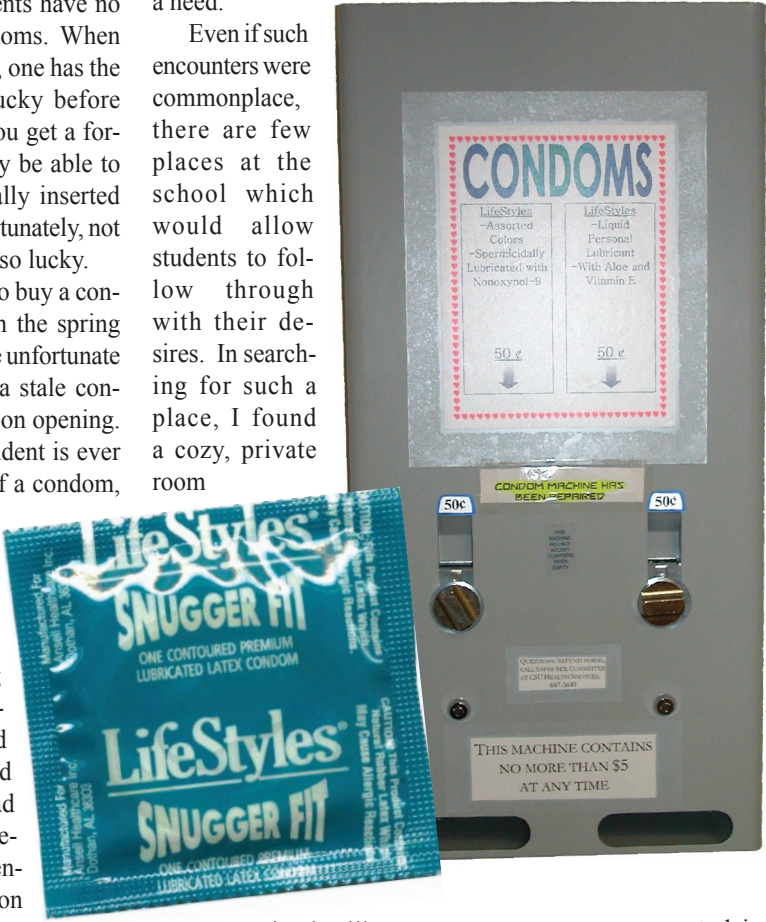
Would Cleveland Browns Stadium give out baseball gloves to the first 10,000 fans to a game

against the Steelers? No. Although these fans would probably have a use for such gloves, it would be completely illogical to give them out at such a venue.

The same can be said for a condom vending machine at a law school. Law students have no use for condoms on the law school premises. I would venture to guess that rarely, if ever, do random encounters occur in the library or in the halls between classes that would spark such a need.

Even if such encounters were commonplace, there are few places at the school which would allow students to follow through with their desires. In searching for such a place, I found a cozy, private room

The law school cannot have it both ways. One cannot implement policies to curtail condom use while, at the same time, complain about slumping condom sales. The solution is simple; give us places to use condoms. If more private rooms in the library were “open for service,” or perhaps if the Garden Terrace Room



Jason Smith

in the library, room A064, with no windows to entice voyeurs. However, this room is continuously locked, allegedly for the reason just mentioned.

were converted into private “nap” rooms, the slumping condom sales would skyrocket, stale or not.

1L discovers “we’re not in Kansas anymore”

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

Today, I write as a broken man. I have already gone back on one of my promises to myself: keep up-to-date on my outlines. Midterms are coming, and I am beginning to feel the stress everyone warned me about. There are not enough hours in the day. Combine that fact with my procrastination, and you have a lethal combination. I’ve begun to see how easy it is to fail out of law school. Is it possible to just vanish from campus without a trace? There is a lot of pressure on 1Ls, and maybe I’m starting to crack.

While the obvious solution is to do more work, that’s easier said than done. We, as full-time students, have five classes, and slowly, they are starting to spin out of control. The percentage of classes that I walk into unprepared is increasing. Although I’m not sure what the number is, it’s over 50 percent. I find myself playing the odds everyday when I walk to my seat. Is today going to be the day I get smoked out by the professor? So far, I’ve survived, but my time is certainly running out.

It’s October. Where should I be at in my

classes? Hopefully, this is the time of the year when everyone feels stressed, or in my case, scared. In undergrad, my philosophy on schoolwork and deadlines was, “It all gets done in the end.” I now realize that this is not true when dealing with law school. As a 1L, if you don’t prepare, by doing outlines and staying ahead, then maybe it doesn’t all get done in the end. Let me put it this way. If exams were today, I wouldn’t even have the decency to show up.

Fellow 1Ls, this is a time to recover. It’s been a hectic, fast-paced six weeks, but it’s only going to get worse. I’m still going out on Thursdays, Fridays and Saturdays. As long as that continues, maybe I’ll keep my sanity. Law school has lived up to every cliché my mother told me. “You must become more organized!” I have become less organized. “You have to review chapters after you read them!” Not once have I managed to read anything twice,

in some cases once.

I’m sharing these concerns to hopefully ease other 1Ls’ stress levels. We’re all in this mess together and it’s entirely our fault. We decided to go to law school, now we’ve got to face the music. My goal is that my next column will not be so worrisome and stressed. So in the meantime, still be happy you’re not yet in the “real world” because I’ve heard it’s an even more terrible place than C-M.



www.restministries.org

Open Mike

2L sounds off on recent events

By Michael Luby
STAFF WRITER

Thank you Dubya! The “Do Not Call List” is officially codified in the annals of American government. Not only did you prove Congress can get stuff done if it wants, you also made sure charities, politicians, veterans and every creditor this side of the Mississippi can still interrupt dinner. At least Joe Lawnmower Co. down the street won’t bother me anymore.

It’s official. Basketball pre-season has started and Lebronapalooza has kicked into full speed. Anyone with a pulse has jumped on board, but can you

blame them. The Cavs are already on pace to appear on national television nearly as many games as they won all last year.

Boeing Co. recently demonstrated a satellite system allowing cameras to record and monitor in-flight activities throughout the course of a plane ride. Advocates argue plane safety would be greatly increased. That’s interesting. Next time ground control sees a hijacking, it can send up Superman and CNN can broadcast the whole ordeal live.

Dr. Phil tickets are now on sale. Nothing like paying top dollar to see a balding, divorced, Oprah-loving, ex-football player spewing out advice on everything from teenage pregnancy to why “gold-digging” really is a disease.

Friends, the ten-year NBC staple, has begun its “final” run this year. The actors get six million dollars per show to act out the most predictable plot lines in Hollywood. The network might be better off having Marcel write the final episode. At least it wouldn’t end worse than *Seinfeld*.

Ohio employees now have a toll-free phone number stamped onto their paychecks. The hope is to encourage more government officials to report crimes in an attempt to reduce corruption, theft and fraud. It remains to be seen whether anybody will go after Taft’s idea of a balanced budget.

Rumors are flying over why current Lakewood Mayor, Madeline Cain, placed second in the city’s first ever non-partisan primary election. Could it be that her definition of improving the West End requires destroying the very homes that made the area unique in the first place?

An Ethiopian father of five has died after his wife crushed his testicles. Published reports said the wife was upset by her husband’s spending habits on alcohol. The man failed to seek treatment out of sheer embarrassment and died days later. One can only speculate what a friendship with Lorena Bobbit can really do to a couple.

New Jersey legislation now requires every person convicted of a crime, including those currently serving time, to give a DNA sample for a statewide genetic database. Three days later, the 9th Circuit overturned *US v. Kincaide*, declaring unconstitutional, a law requiring federal prisoners to supply blood samples to an FBI database. The beauty of the law; light years ahead, yet light years behind.

Confidentiality cloaks source of General Fee funds

CSU fails to explain disparity in distribution of tuition dollars geared toward student activities

By Michael Luby

STAFF WRITER

The scene is reminiscent of one big game of “hide the ball.” At one end, you have a big giant bank. The manager tells everyone to go in and grab as much money as they can. The catch? You can only use your hands and you have to wear a blindfold. The flipside, your opponents, namely the athletic department, get a dump truck. At the end of the day you have a few twenties but sports has a goldmine. Your only chance at more money lies in a student representative that no one knows about. She does not call and you are left without the ball.

Every student, graduate, law and otherwise, contributes to a general fee, funded in direct correlation with student tuition. In the past several years, student tuition has increased significantly campus-wide. This, in turn, has created an ever-bloated student fund to complement that tuition increase.

The general fee, a campus-wide money pot, is used to fund nearly every organization and program at CSU. As a result, it directly affects nearly every student activity. However, most are unaware of the severe discrepancy in fund distribution that occurs on an annual basis.

In the fiscal year 2003, nearly six million dollars was contributed to the general fee. This was subsidized directly from student accounts. C-M students pay \$19.50 per credit hour up to a set amount of around \$250. Although numbers vary between CSU and C-M students, the amounts are similar.

Supplemental income also makes up a portion of the total. From that amount, student athletics immediately receives nearly 87 percent of the revenue. Another \$590,000 immediately goes to intramurals. This often leaves less than one million dollars a year to be distributed among all the other organizations on-campus. Specifically, C-M “donated” \$325,000 last year yet only received about 35 percent of that money in return.

Many argue CSU’s system for dictating money is run by an inequitable bureaucracy, and others claim it is simply a mismanagement of funds. Still others blame improper use of funds.

CSU faculty member, Njeri Nuru-Holm has sole discretion when deciding what groups and organizations will receive money. She bases these decisions on a recommendation of the General Fee Advisory Committee. The committee, comprised of faculty and seven students, receives and determines the extent to which all requests are governed.

Each campus group has a right to submit a request for money each year. Unless a request is made, the group will receive the same funding it did in the prior year, whether the fee increases or not. This is their permanent budget.

Any request made must be supported by a rational reason and the vote is put to the reputable “show of hands” formula. If the budget is healthy enough, leftover money goes into a “rainy

day” or temporary fund. However, oftentimes, available money is not announced.

Herein lies the inequity. According to CSU student life faculty member, Steve Liss, the student advisory committee members are responsible to alert other groups of any leftover money. If that announcement is not made, the cash merely goes back to the “rainy day fund” which is left unregulated.

Over the past several years, that amount has dwindled consistently from an average of \$200,000 to about

\$60,000 despite an annual increase in the amount of funding the general fee receives.

However, no one seems to know where the money is going. Each year student groups face an onslaught of needs and opportunities for everything from professional development to group outings. However, rather than receiving access to the temporary fund, most groups are left with a bus-ride to nowhere.

Sasha Markovic, SBA president, says C-M is facing severe budget issues.

The library is understaffed, computers are breaking down, and the cafeteria is in dire straits. Many point out that the general fee is not responsible to fund those programs. Possibly, but any money is necessarily helpful at a time such as this. The second problem deals with mismanagement. The funding structure incorporated into student stipends has been in place for over twenty years. More than half of the money a single group receives from the general fee immediately goes to paying the officers who run that program. This includes SBA, *The Gavel*, CSU Student Government and others.

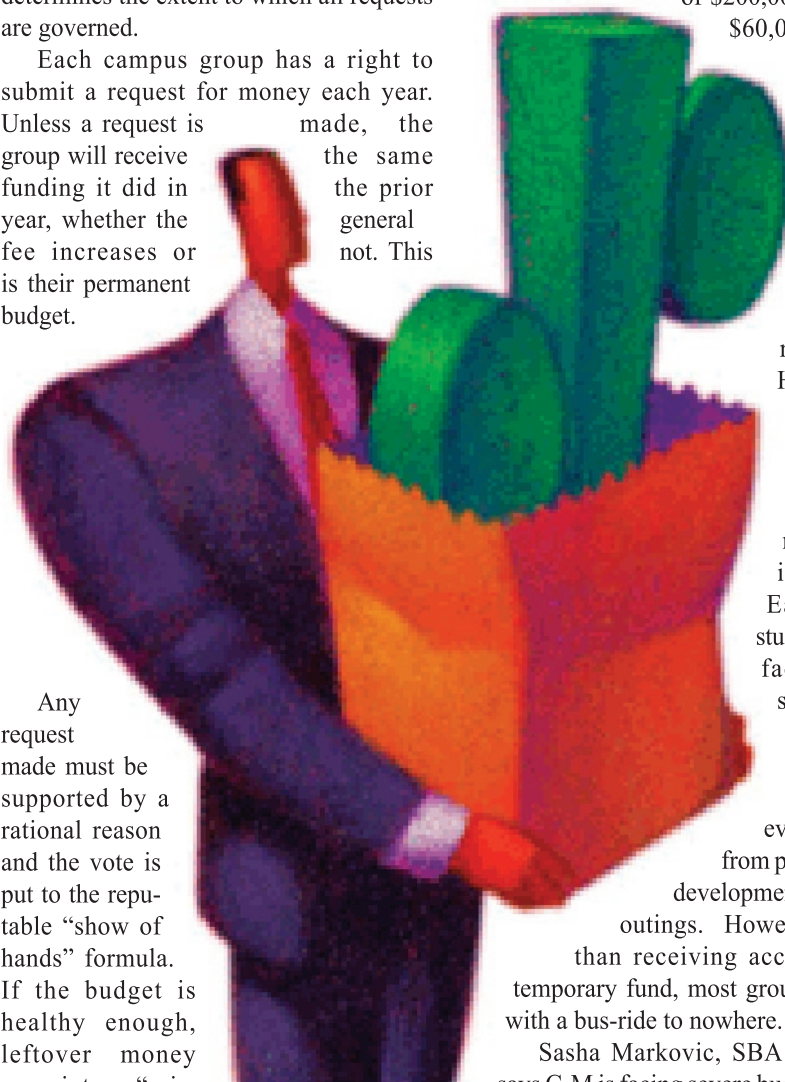
Patrick McCarthy, of the *Cleveland Stater*, writes that only about 2% of the student body participates in intramurals, even though a very healthy proportion of the general fee continues to fund that program. Even less participate in varsity sports.

The problems continue to evolve out of constant fluctuation and a communication breakdown. Campus-wide groups are asking for more money but are either turned away or forced to “get in line.” The general fee is the student’s money yet nearly every penny feeds athletics.

SBA holds the responsibility of assessing every C-M organization’s budget request and spreading money around based on those requests. Based on each groups need it determines whom it will go to.

Despite minimal funding, last year, some organizations failed to use up the money allotted to them respectively. Vicki Plata, C-M budget director, says those groups should not be asking for more, when they cannot use up what they already have.

From this many are still wondering why they are forced to support the general fee if they see very little in return. Realignment seems a moot point. CSU, C-M, and Graduate representatives have failed to find any middle ground. Until the money is managed differently, people will continue to be left in the dark. That is of course unless you can go inside on Ben Wallace.



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SBA Spooktacular Annual Halloween Social

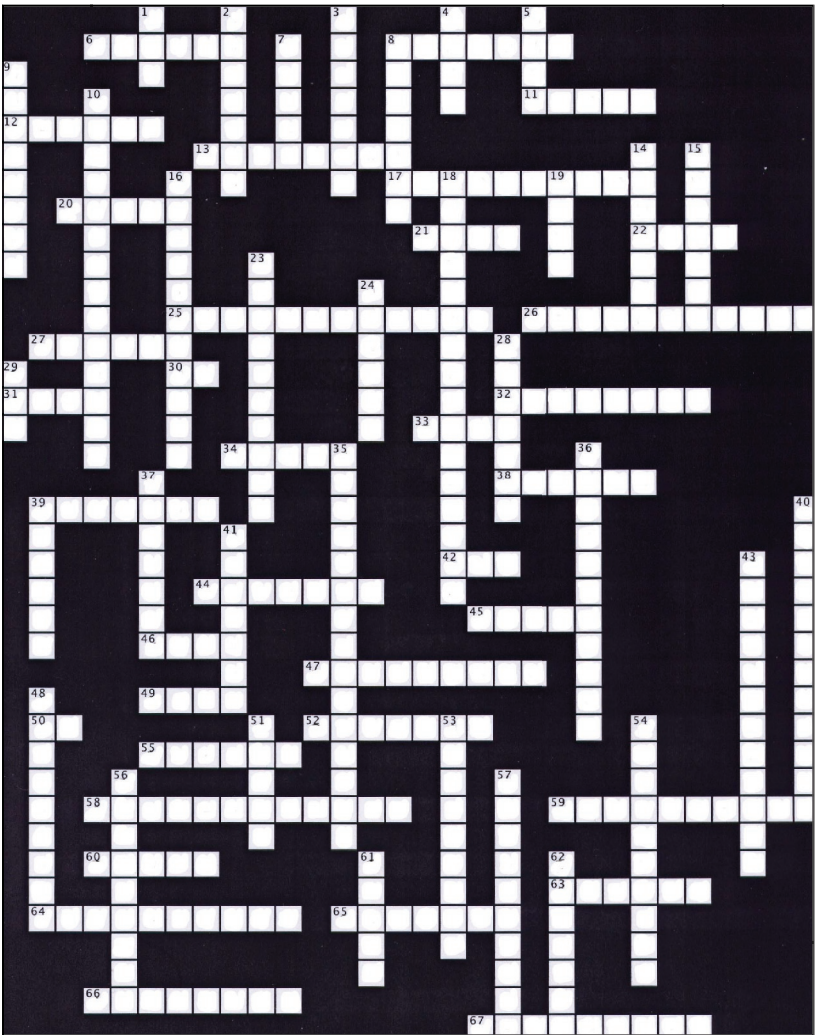


Thursday, October 30

Becky's

Food will be served at 6:00 and 8:00 p.m.
Don't forget your costume!

Co-sponsored by Becky's, BARBRI and The Gavel



By Amanda Paar

LAYOUT EDITOR

ACROSS

6. Complaint's end
8. Zeta-Jones's lover
11. Not part of the opinion
12. Owed a fiduciary duty to
13. *Marbury's* author
17. Offer and _____
20. NBC's latenight
21. Author of scary novels
22. Title to land
25. Type of white collar crime
26. Number of cents a stamp costs
27. Most recently appointed Supreme Court Justice
30. ___ litem
31. Starts some case names
32. To send across
33. Typeface
34. *Philadelphia* actor
38. A message carried back
39. To say beforehand
42. Dental degree
44. _____ v. *Putney*
45. Atticus
46. Greek goddess of victory
47. Current Chief Justice
49. Greek god of love
50. Article used before orange and honor
52. Name of Dr. Phil's tour
55. To turn back
58. Smiling pumpkin
59. Fear of cats
60. "Just the _____, ma'am."
63. To bring in
64. A Rick James song
65. Halloween attire
66. Citation bible
67. Turning easily

DOWN

1. First Supreme Court Chief Justice
2. William _____; 1956 by Eisenhower
3. "King of Torts" author
4. Interview attire
5. Learned formula
7. Elle _____
8. William _____; 1939 by Roosevelt
9. Type of tenancy
10. Objective standard
14. A jury's decision
15. NBC's Thursday night gold mine
16. _____ *Cruelty*
18. MPC section 210
19. Slightly open
23. Dean of C-M
24. "We the _____"
28. An intentional tort
29. Article containing the Supremacy Clause
35. CA governor
36. Fear of learning
37. The use, choice and arrangement of words in writing and speaking
39. Fear
40. Fear of books
41. Service of _____
43. Fear of clowns
48. Remedy of Rule 11
51. When arbitrations fail
53. Physical component of a crime
54. Fear of strangers
56. Lawyer's assistant
57. Halloween party
61. Haunting spirit
62. To send away

Answers on page 3

Student spotlight

The Gavel highlights individuals who bring unique experiences to C-M.

By Amanda Paar

LAYOUT EDITOR

For 2L, Terry Billups, his professional football career was simply a detour in his life-long goal of becoming an attorney. Billups has had the dream of becoming a judge since age nine, but also developed his talent for playing football into a career with the National Football League.

Billups graduated from the University of North Carolina at Chapel Hill in 1998 with a Bachelor of Arts degree in Communications and Pre-law.

Rather than heading directly to law school, Billups joined the NFL by signing with the New England Patriots as a free agent.

By the fourth week of the 1998 season, Billups signed with the Dallas Cowboys. He played cornerback and was Deion Sanders's back-up until Billups was injured during the 1998 season.

Billups stayed with the Cowboys for the remainder of the 1998 season and for part of the 1999 season until he suffered a shoulder injury in a car accident on his way to sign with the Jacksonville Jaguars.

Billups's most exciting and memorable moment in the NFL occurred while he was with the Cowboys. "I made my first NFL start on Thanksgiving night in front of millions of viewers and a sold-out crowd at Texas Stadium." During this game, Billups was able to shut down Cris Carter, of the Minnesota Vikings, one of the greatest wide



receivers of all-time.

Because of his shoulder injury, Billups was forced to sit out most of the 1999 season. After his shoulder rehab, Billups signed with the Patriots and started the last four games of the season. Afterwards, he signed a new contract with the Patriots looking to be their starter.

Despite this new contract, Billups returned his signing bonus to the Patriots and retired from the NFL so he could fulfill his life-long goal of becoming an attorney. Billups said, "I had a God-given talent to play football, and I took advantage of that while I could, and now I've moved on to bigger and better things; but don't get me wrong, I love football to death."

Billups said he misses the camaraderie between teammates and "the excitement of being able to do something that only an elite group of people are able to do; that is, play in the spotlight in front of hundreds of thousands of people on a professional level against the best athletes in the world."

The aspect of the NFL that Billups disliked the most is the instability and unpredictability of the job. Billups said, "No matter how good you are, you are liable to either get traded to another team or get released because of salary cap reasons; not to mention, each team can only have a 53-man roster to fill all of its positions."

Despite the talent each NFL player has, Billups said that he has seen top players get released for arriving just a minute late for a position or team meeting. So, the struggle does not end when a football player demonstrates that he possess the skill level necessary to make it to the NFL. Billups said, "Most players in the NFL say that NFL stands for 'Not For Long'."

You know you are a TL when... you are not a TL when...

1. You still have the girlfriend/boyfriend you had when you entered law school.
2. You constantly give unsolicited legal advice to friends and family.
3. You compose detailed briefs of every case (including note cases).
4. You are in your seat fifteen minutes before class with books open, notes tabbed and briefs in order.
5. You are constantly asking friends how many pages their property outline is; get stressed when they tell you 52 pages, so far.
6. You are at Becky's Thursday nights.
7. You freak out because everyone keeps telling you how hard law school is, and you continually feel like you are inadequate.
8. You are graded on a "C" curve (why didn't I go to Case!?! If I just had an extra \$50k, I might be employable).
9. Your main reason for coming to law school: find a mate.
10. Your section buddies are new "best friends."

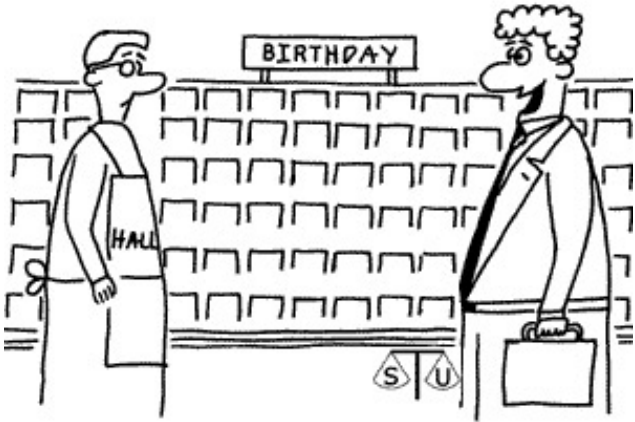
You know you are a TL when... you are not a TL when...

1. Her?...no we broke up December of first year...right before exams.
2. You're tired of telling people you're not a lawyer and you can't give them legal advice.
3. You highlight the issue and rule...on a good day.
4. You slide into your seat 15 minutes late because all the 1Ls insisted on getting to school at 8:30 a.m. and took all the parking spots.
5. The girl who got an "A" last semester gives you her outline. That will save you a lot of work come exam time.
6. You are at Becky's Thursday nights.
7. You realize law school really isn't as tough as everyone told you, but you keep telling your friends/family how stressed you are.
8. You are graded on a C+ curve (at least I won't owe \$100k in loans like I would if I went to Case).
9. You realize everyone at school is either married, engaged or not relationship material.
10. First year study group...do they even still go to school here?

Comical

Stu's Views

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Do you have an "I'm Sorry" card that stops short of admitting liability?

Reconnecting with a good old-fashioned scare

By Eric Doeh and Amanda Paar
CONTRIBUTING WRITERS

What is it that we really fear? Is it the known or the unknown? Do we fear that which we know is unreal, or that which may appear all too real?

Halloween is once again creeping upon us like the sudden realization that one's first semester of law school is coming to an abrupt end, which means the first round of exams is quickly approaching. Frankly, ghosts, goblins, mummies, grotesque looking monsters, creepy crawlers and even characters with chain saws and sharp steel fingers have all lost their frightening appeal; that is, if they ever had it.

Nowadays, to enjoy the so-called frightening experience, a guest at a haunted house is even given a 3-D pair of glasses to enhance the spook. But honestly, the glasses only make it more apparent that there is really nothing to fear. Common sense simply dictates that if you can see it, I mean really

see the monster with your 3-D glasses, there is no reason to be frightened.

Whatever happened to the good old Alfred Hitchcock movies, such as *Vertigo*, *The Birds*, *Rear Window* or even *Dr. Phibes Rises Again* starring Vincent Price? Those were scary movies. No 3-D glasses needed, only a blanket, some popcorn and some fingernails to gnaw.

The fear has been lost for a number of reasons. First, there is too much emphasis on ways to frighten you rather than the anticipation of the fear that will result because of the unknown. Second, the scary movies today are simply silly. One cannot be scary and funny at the same time; you must choose a path. Third, do we need another *Blair Witch Project*? Okay, we will admit, we were a bit frightened.

After taking a trip to the Seven Levels of Hell, and having the pleasure of touring three haunted houses, what we really fear became apparent quite quickly. The haunted

house called "Biohazard 3-D" was more interesting than frightening. You put on your 3-D glasses, watch the different colors on the walls jump out at you, become slightly startled as you pass by a drum of toxic waste and hear a loud noise. Then at the end, you fight for your balance while walking down a hallway surrounded by multi-colored spinning lights. I'm afraid we were more entertained than scared.

Next, we traveled to the "Curse of the Mummy" haunted house. Yes, on the surface, it sounds much more intimidating than "Biohazard 3-D," but how frightened would you be knowing that the haunted house you are about to enter has tombs of mummies, dead bodies emerging out of coffins and cob-webs, neatly positioned so as not to obstruct your path? You guessed it, not frightened at all. In this so-called haunted house, we simply made our way through the halls and enjoyed the sites.

Now imagine this. The room is pitch

black; it's a maze. You have no idea where you are or how is it that you have gotten to where you are. You hear voices all around you, people are giving you directions as to where to go, knowing that all of you are in the same position. You are in the unknown. Wow, this sounds remarkably like law school. It turned out that "Pitch Black," our last and most simple haunted house, which had very few monsters lurking around the corners, was really the most frightening of all.

Anticipation of the unknown is drastically more fearful than knowing what to expect with your classic 3-D shades, which allow you to see everything so clearly. Anticipation of the unknown is more fearful than knowing what to expect with the typical mummies, bodies and coffins which you know are just waiting to jump out and startle you.

Truly, no matter the time of year or the time of day, that which is more frightening than anything else, is not knowing what to expect out there. Once you have identified what sends chills down your spine, how can you be genuinely frightened? Even with blood oozing out of a monster's mouth, slime dripping down it or even with all of its guts exposed for the world to see, how can you truly be afraid?

Simply giving your fear a face and an identity will alleviate your anxiety. What is scary is when no one knows you and you know no one. What is scary is when you do not know what to expect. This is the unknown; this is what really makes us afraid.

What is scary is when you do not know what to expect. This is the unknown... this is what really makes us afraid.



Gavelscopes: What Miss Cleo couldn't tell you

By Gavel Staff

Aries (March 20 - April 19)
Tonight may finally be your night dear Aries. Be smart. Be prepared. You've waited so long for this so don't blow it now. Before leaving school today, make a stop in the basement men's room, insert two quarters and purchase a little security. Just remember that even though you can purchase your security here, you must "use it" elsewhere.

Leo (July 22 - August 22)
Lately you've been spending a lot of time contemplating how great life will be after law school. Be forewarned, Leo, your departure may only be temporary as a professorship may be in your near future. Relax Leo, teaching at C-M has many hidden benefits...why do you think the Socratic method was invented? Not for pedagogical purposes.

Sagittarius (November 22 - December 21)
Every person you fall for lately always winds up being married or engaged. You may have commitment problems of your own Sagittarius which lead you to people you can't have. Drag a friend to Becky's tonight to bore them with your problems.

Taurus (April 20 - May 19)
Sorry Taurus, law school has hit you with the ugly stick. Although bigger firms are prone to hire those with Capricorn good looks, all hope is not lost. Consider solo practice where interaction with others is kept to a minimum. You're still beautiful on the inside Taurus.

Virgo (August 23 - September 21)
Although you can barely scrape together enough quarters to do your laundry, Virgo, consider taking a trip. Just across the border in Indiana lies your solution to dropping out of law school and doing what you "really" want to do and looks an awful lot like a power ball ticket bearing the numbers: 16, 23, 4, 41, 18, 3.

Capricorn (December 22 - January 19)
Damn, you are good lookin'; this is what others have been telling you non-stop lately. Don't let it go to your head Capricorn. Your smooth looks are just part of the Capricorn package; a curse you are blessed with for the rest of your life. Seriously, you are so good lookin'. I can't help repeating that.

Gemini (May 20 - June 20)
Your Monday/Wednesday morning class is not as simple as you think; just wait until you see the final exam. Spend a little extra time on that class instead of devoting all your time to finding out how Joey and Rachel make it though. Your future employer hates "Friends" anyway.

Libra (September 22 - October 22)
Consider taking some risks in interviews, Libra. No career office would endorse it, but most partners will appreciate your "White Snake" T-shirt, free-flowing mullet and skin tight jeans. They'll be impressed that you can be all business upfront while throwing one wicked party in back.

Aquarius (January 20 - February 17)
If you haven't noticed yet Aquarius, you're no longer the center of attention at parties like you were in college. In fact, you are just annoying to all you non-law school friends. Calling someone out for getting "Vosburged" when their friend accidentally kicks them just isn't funny. This weekend, tone it down; accept your new role in the shadows.

Cancer (June 21 - July 21)
You are considerably worried this week about the loans you took out to come to school. As school flies by, you begin to think maybe you're in over your head. Don't worry, Cancer. An exciting opportunity is ahead which should diminish all fears of defaulting on those loans. So go out tonight and buy your friends a few rounds...you can afford it.

Scorpio (October 23 - November 21)
Do not go to class unprepared tonight, Scorpio. An unexpected quiz or Socratic battering may catch you off guard. Consider briefing your cases today thoroughly. Your number is up today...this means you too 3L. Oh wait...do you even go to class anymore?

Pisces (February 18 - March 19)
You are tired of being the nice guy/girl. It's time you start to look out for yourself instead of everyone else for once. Start fighting for what is yours, Pisces, no matter the cost. After all, that stuff you fight for will last longer than your law school friends.

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