

Sony software open to hackers



In an effort to protect copyrights, Sony left its consumers' computers open to hackers. The Gavel looks at how the software created a public relations nightmare for the company.

OPINION, PAGE 6

A dose of bad medicine?



Dr. Lex's presentation, sponsored by the Journal of Law and Health, left one student with questions about the doctor's credibility. He voices his concerns in The Gavel.

OPINION, PAGE 7

Are dirty politics acceptable?

What are the rules of political engagement? Half nelsons, pile drivers and headlocks ensue as the Gavel columnists engage in mud-wrestling over the issue.



POLITICS, PAGE 5



THE GAVEL

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THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

Financial aid department loses director

By Christopher Friedenberg
GAVEL COLUMNIST

Catherine R. Buzanski who has served as Cleveland-Marshall College of Law's financial aid administrator for the past 12 years has moved on.

Medaille College, a private college in Buffalo, N.Y., hired Buzanski to be the director of financial aid.

While packing away her office on Nov. 18, her last day at C-M, Buzanski mentioned that "getting back to her roots" would be one of the perks of her new job. But the decision to leave C-M's financial aid office was not made lightly. While Buzanski was deeply attached and committed to C-M, the administration and students alike, "a special opportunity" came along, according to the Assistant Dean for Admissions and Finan-

See **BUZANSKI**, page 3



Photo by Paul Castillo

Nate McDonald argued for Respondents before the three-judge panel during the 37th annual Moot Court Night.

The three-judge panel consisted of Judge James Gwin for the Northern District of Ohio, Judge Patricia Ann Blackmon

for the Eighth District Court of Appeals and Irene Keyse-Walker, partner at Tucker, Ellis & West.

C-M bar passage rate drops to last in state of Ohio

Margan Keramati

STAFF WRITER

The July 2005 Ohio bar results were announced on Oct. 28, 2005, and C-M's Ohio bar passage rate rank dropped from seventh, in 2004, to last among the state's nine law schools.

Of the 117 C-M graduates taking the bar for the first time, 84 graduates passed, with a first-time passage rate of 72 percent, dropping from 75 percent in July 2004, and of the 14 second-time takers, four passed with a second-time passage rate of 29 percent, rising from 27 percent from last year.

C-M's overall passage rate dropped from 66 percent to 60 percent.

The administration's reaction to the passage numbers is one of disappointment but not

panic, Dean Geoffrey Mearns said. While C-M ranks lowest among Ohio's law schools, the school's passage rate for first-time takers has not dropped so drastically.

"In my estimation, if we're ninth, that's not good, and if we're seventh that's too low too," said Mearns. "Everyone in the law school has a fair share of the blame."

Mearns added that "The administration has to do more, the faculty has to do more, and the students have to do more."

The faculty bar committee has looked at the correlation between student academic performance and bar passage rates and found that students who are academically strong do well on the bar exam, Assistant Dean for Student Affairs Gary Williams, a member of the

See **BAR PASSAGE**, page 3



Large Firm Attrition Rates in Ohio from 2004-2005

National trends indicate that associates are leaving large law firms at increasing rates. The following are statistics from large firms around Ohio:

Firm Name	Office Location	Associate Attrition Rate
Porter Wright	Columbus	-16%
Baker & Hostetler	Cleveland	-13%
Calfee Halter	Cleveland	-12%
Jones Day	Cleveland	-12%
Frost Brown Todd	Cincinnati	-11%
Squire Sanders	Cleveland	-11%
Disnmore & Shohl	Cincinnati	-10%

Source: The National Jurist

Sixth class added to first-year schedule

By Brian Sammon

STAFF WRITER

Know what it feels like to be a guinea pig? First-year students at C-M do. C-M is experimenting with the first-year curriculum, and this year's first-year class is the experimental batch. This change came about in response to a majority faculty vote which implemented a change in the curriculum.

The previous first-year schedule consisted of a full year of Contracts, Property, Torts, and Legal Writing, supplemented by one semester of Criminal Law in the fall and one semester of Civil Procedure in the spring (the second semester of Civil Procedure followed in the fall semester of second year).

Each class was weighted three credits per semester with the ex-

ception that the second semester of Legal Writing was worth only two credits. This curriculum incorporated six courses for a total of 29 credits for full-time students, with 15 credits in the fall semester and 14 Credits in the spring semester.

The new first-year schedule has been completely revamped. Full-time first-year students will now take a full year of Contracts, Property, Torts, Legal Writing, and Civil Procedure, supplemented by one semester of Criminal Law in the spring. The classes will also be weighted differently.

The core classes of Contracts, Property and Torts will be reduced from six credits to five credits each, with the spring semester accounting for only two credits. Civil Procedure and Legal Writing will be increased from five to six credits with both fall and spring

semesters accounting for three credits each. This curriculum will bring first-year credits to a total of 30, evenly divided between semesters.

Assistant Dean for Academic Affairs Jean Lifter cites several reasons for the changes. The new curriculum will allow second and third-year students to participate in legal internship programs earlier. Because many of the programs require students to have 30 or more credits in order to participate, many students were short of the requirement by one credit under the former curriculum.

Moreover, being exposed to Civil Procedure in the first semester will allow students to better comprehend other courses and be better prepared for clerking posi-

See **CURRICULUM**, page 7

Plan in place to address bar passage rates

By Geoffrey Mearns

The results of the July bar exam were released on Oct. 28. Many recent graduates of our law school passed the exam on their first try. For them, we were pleased and proud.



The Dean's Column

Unfortunately, too many of our recent graduates did not pass the bar exam. Simply put, I was disappointed. For those who did not pass the bar, these results have delayed the realization of their professional dreams. We will assist them in overcoming this barrier to the practice of law.

As an institution, these collective results suggest that we are not adequately preparing our students for the bar exam. Or alternatively, that some of our students are not adequately preparing themselves for the bar exam.

But we must not panic or become pessimistic. This problem has been several years in the making and will take some time to solve. We have a comprehensive plan in place to address this important issue. Some aspects of the plan will take time to take effect. We are now reviewing other aspects to see if we need to revise or expand the plan.

In June 2003, the board of trustees passed a resolution directing the law school to develop and implement a plan to substantially improve C-M's bar passage rate, which had declined during the previous decade. In response, Dean Emeritus Steven Steinglass appointed the Special Committee on the Bar Exam, chaired by professor Patricia Falk.

In December 2003, the committee submitted a multi-faceted plan to improve C-M's bar passage rate. The plan calls for substantially reducing the size of the law school and significantly increasing the academic standards for admission. As an integral part of our effort to attract academically-stronger students, we have committed more money to scholarships. The plan also includes a commitment to apply the full spectrum of grades. This will result in the dismissal of students whose academic performance fails to reflect a level of competence and proficiency demanded by the bar exam and the practice of law.

Although these aspects of the bar passage plan were promptly implemented, the effects of these initiatives – which are very likely to be very positive – have not yet been felt. The first class admitted pursuant to the stricter admissions standards will not take the bar exam until July 2007 at the earliest, and the first class to graduate pursuant to the more rigorous grading policy will not take the bar exam until July 2006. So, we need to be patient.

But we can do more now, and we will.

For example, this academic year, we are offering a bar preparation course for credit. It is our hope that students who are most in need of this course – that is, students whose cumulative grade point averages are below 3.0 – will take this course. This course is intended to complement commercial bar

Influence of faculty politics debated

Students across political spectrum agree that faculty skews liberal

By Shawn Romer
STAFF WRITER

According to the National Jurist, who looked to a Georgetown University Law Center study, a large majority of the law professors at the top 21 law schools supported democrats in recent elections.

Of the professors who contributed \$200 or more to political campaigns from 1992-2000, 91 percent of professors at Harvard, 92 percent at Yale, and 94 percent at Stanford contributed to Democratic candidates, compared to 81 percent at the other top schools.

According to the Center for the Study of Popular Culture entitled "Representation of Political Perspectives in Law and Journalism Faculties," this trend pervades even those schools classically considered to be conservative in nature, such as the University of Chicago.

In fact, the reputedly republican-leaning school evinced a 7-1 ratio of self-proclaimed liberal professors to their conservative counterparts, the same ratio found at the putatively liberal Harvard Law School.

These statistics make it

difficult to refute that the nation's professors at the top law schools have more liberal political inclinations. Both conservative and liberal students alike indicated their belief that this trend among faculty pervades C-M as well.

"I feel that I get a flavor for a professor's political stance when I am in his or her class," said Matt Mishak, president of the Democratic Law Organization at C-M. "I think this is likely inevitable; however, I have found the professors at C-M, although perhaps strongly opinionated, tend to be very open-minded when discussing all points of view."

Another DLO member and former officer said, "Sometimes, you can tell that your questions, comments, and answers will be better received by the professor if you conform them to his or her political views."

But for the most part, even though professors' political views leak out in class, they are very willing to discuss and explore opposing views and both sides of an issue."

According to a conservative 2L, professors' liberal political

inclinations are "absolutely" evident in their teachings, and "they try to mask it but do a very poor job."

Another anonymous, conservative 2L said, "Even though professors typically make a show of a 'disclaimer' when they wax political, the [liberal] bias shows up throughout the course even when they think the topic is not overtly political."

Mike Laszlo, president of the C-M College of Law Republicans, said "It is clear that here at C-M, the majority of professors are of the 'liberal' mind-set."

Laszlo also said, "In my opinion, a law professor who feels it necessary or appropriate to espouse personal political views to a captive class indicates lack of character not to mention lack of respect for the students."

Some could contend there is a correlation between the legal education and background a professor must attain in order to teach at a law school and their proclivity to have liberal political views.

However, others would argue that the nature of equally

qualified and educated Republican lawyers who believe in and espouse the benefits of the free market system ultimately choose to make their careers in the private sector rather than in academia.

This occurrence would explain the large discrepancy among Democrats and Republicans in the academic sector of not only legal education, but also among other disciplines as well.

Both presidents of the student political organizations at C-M indicated their belief that this liberal trend extends into the student population, though not as disproportionately.

Mishak indicated that his experiences at Marshall have lead him to think a majority of students here vote democratic, though the rigors of law school often prevent them from otherwise becoming politically active.

Laszlo agreed with Mishak that the majority of students lean liberal and are prevented from becoming politically active because of the demands of law school, though he said, "the more I speak with people, the more Republicans I meet."

C-M football team beats Case in charity game



Photo by Christopher Chan

The C-M flag football team defeated Case's flag football team 12-0 on Nov. 13. The charity game raised money for the Susan G. Komen Breast Cancer Foundation.

The winning team consisted of the following C-M students: Anthony LaCute, Rob Dumbrys, Greg Jolivette, Nate Hoggatt, Joe Hada, Tom Ryan, Jack Mills,

Paul Shipp, Norm Schroth, Mike Brown, Kristi Brown, Cathy Reichel, Kesha Christoph, Mandy Shaerban, Amy Keating. This team was coached by Scotty Kuboff with Brendan Healy as the general manager.

C-M officials for the flag football game consisted of Brendan Healy, Scott Kuboff, Ryan Harrell and Chan Carlson.

preparation courses. It is not intended to replace those courses. All students should take a commercial bar preparation course before taking the bar exam.

Also, all faculty members are being encouraged to employ teaching and testing techniques that will foster better bar exam results. In the past, many members of the faculty have experimented with such techniques. I expect more faculty members will embrace this important component of the bar passage plan.

I have also encouraged the special committee to consider implementing a new student advising program. Presently, we have a program of assigning faculty members to serve as advisors to students. The purpose of the existing program is to give students advice on course selection and on other issues pertaining to their legal studies and the legal profession. For some faculty and

students this program has been successful. But many students do not take advantage of the program for various reasons.

The new program I envision would focus exclusively on providing advice pertaining to the bar exam, and the student advising would commence at the end of the first year of law school.

At that point in a student's career there is a great deal of information from which one can predict whether a student is likely to pass the bar exam. Indeed, there is a very strong correlation between two readily available factors – LSAT score and first-year cumulative GPA – and bar passage.

Each student should receive an individual assessment of his or her predictive factors and accordingly, each student should be encouraged to develop a course of study that is tailored to his or her risk factors. I expect such counseling will commence

at the start of the next academic year. If any student wants an individualized risk assessment prior to next August, please see Assistant Dean Gary Williams.

Students must also accept personal responsibility for passing the bar exam. Students must pursue a rigorous course of study, and students must commit themselves to learning the law during their entire academic career – not simply hope to cram enough black-letter law after graduation to pass the bar exam. And after graduation, all students must commit substantial, uninterrupted time to study for the bar exam.

On behalf of the faculty, I assure you that we are committed to your success on the bar exam. We firmly believe that with our support and your commitment all of you can pass the bar exam on the first try. Together, we will solve this important problem. All of our futures depend on it.

Up close and personal with Sagers

By Nicole DeCaprio

STAFF WRITER

Professor Christopher Sagers recently responded to the Gavel's request for an in-depth look at his more serious side.

Q: Where did you grow up?

A: Maquoketa, Iowa, which is a town of about 6000 nestled in comparatively peaceful obscurity near the Mississippi. The name is a Native American word that allegedly means "Bear River" or "There Are Bears," but I always suspected it actually means "Go Home White Man." Sadly, like many small towns, there's not too much of anything good going on there anymore.

Q: Favorite food at Thanksgiving?

A: Ummmmm . . . all of it. That explains my girlish figure.

Q: Best movie of all time?

A: A very tough question to which I have no reasonable answer except to list several; last year, for example, my year in cinema was made by the trio of *Harold & Kumar, Napoleon Dynamite*, and *28 Days Later* (not to be confused with the execrable *28 Days*). For best of all time I guess I have to say something like *Apocalypse Now* or *The Wall*.

Q: A show you would Tivo if you had Tivo?

A: *Drawn Together*, as my wife won't let me watch it when she's around.

Q: Why are C-M students are so great?

A: Thanks first of all for this awesome opportunity to suck up to those of you who will be writing my evaluations. A difference between C-M students and students elsewhere, which my colleagues all seem to have noticed but which we all would have trouble explaining, is that C-M students are of good will and good spirits. I find it reassuring that you all share a certain camaraderie and lack of competitiveness with one another and seem earnest and devoted to your own futures. Many law school student bodies are not very happy families.

Q: What are you working on or researching right now?

A: A range of topics concerning the relationship of business and government. In particular, I am interested in the ways in

which nominally "private" entities make public policy and the relationship generally between the "public" and "private" sectors.

Q: Any tattoos or piercings?

A: Not only did I get my ear pierced way before it was cool, but it was pierced by a high school girlfriend who was just a little emotionally unstable, and who honestly sharpened the end of an earring, numbed my ear with a piece of ice, and then shoved 'er on through. Otherwise, my body remains fully intact.



Photo provided by Professor Sagers

Q: Your best Halloween costume ever?

A: I'm a drip socially, so I never get invited to Halloween parties. I've always wanted to dress up as a woman. I would also like to do so for Halloween.

Q: If you weren't a lawyer, what would you be?

A: High class gigolo. No, seriously, my dream life would be writing novels. On the Greek isles or the English countryside.

Q: Hey Marty McFly- If you could go back in time, where would you have the DeLorean take you?

A: Though I hardly find the present very appetizing there literally is no time in the past I would prefer. I would let someone else take the trip. Also, I can't believe you're old enough to remember *Back to*

the Future.

Q: Do you have any kids?

A: A bun is currently in the oven, thanks very much. A boy, our first, due in April. For lack of the shared resolve to make final decisions until the last minute, we still refer to him as "Pork Chop."

Q: Do you have any pets?

A: An irresistible boxer-shepherd mix rescued from the streets named Pumpkin. She's just a tough kid from the wrong side of town trying to make good, and she's one of only two women I've ever loved.

Q: Class you liked most in law school?

A: Tax I, though mainly because the prof was da bomb. Kyle Logue.

Q: Class you liked least in law school?

A: Crim pro. It simply never made a bit of sense to me. I didn't much like Antitrust. That was one of my worst grades in

school. Funny.

Q: What do you listen to while you drive to school?

A: The sound of my teeth grinding during the &%*&*\$ east-side commute.

Q: Where do you see yourself in 10 years?

A: Right here, baby, at a C-M that is better, stronger, and invincible.

Q: Secret talent?

A: Well, I'd like to believe that it is convincing students that classes in business, antitrust and administrative law are not boring. Also, I can eat an entire McDonald's quarter-pounder in one bite.

Q: The worst job you ever had?

A: A miserable lackey whose job was to stand in a cement-block room that ran at temperatures from 90 degrees on up,

holding up paper sacks while they were being filled with powdered milk sugar by a machine that separated the sugar from raw milk. I would then have to take the filled bags, which weighed about 40 lbs. (and, let's face it, I'm a sissy, so that's heavy) over to another machine that heat-sealed their openings with a very hot glue. About 2 or 3 out of every 5 times you would accidentally touch the hot glue applicator and it burnt like hell. I did that job for one day and quit.

Q: What do you do on Saturdays?

A: Work work work. Seriously. Some of that work is gardening and some is the woodworking I do as a hobby (I make furniture).

Q: People always tell you that you look like?

A: Brad Pitt.

Q: Nickname?

A: During high school I broke an ankle and had a huge cast on my foot for several weeks; my jack-ass friends apparently found their initial names ("big foot" or "abominable snow man") too hard to say and switched to "Yeti." Actually, sometimes my wife calls me "Vitamin C" or "C-monster" and occasionally "Peanut." Hopefully that will not make you all barf.

Q: Any extra-curricular activities in High School?

A: I hate to admit it, but I was in a garage band called "A.K.A." The funny thing is, there was no other name by which the band was known. Wasn't my idea.

Q: Best hair band?

A: It's totally RATT. There's no denying the majestic power of *Round and Round*. You kids today, with your Ashlee Simpson and your 50 Cent. Blecccchhhh. (Actually, I really like a lot of recent music. Lately I really love, e.g., Radiohead and Death Cab for Cutie).

Q: Whom do you admire the most and why?

A: Albert Camus. You can love him for his words, his ideas, or his passion, but I think I most love him because he was hated by idiots.

Q: Have you had your 15 minutes of fame?

A: Jesus, I hope not.

Bar Passage: GPA a strong indicator of success

Continued from page 1--

bar committee, said.

In 2005, students who had a GPA of 3.5 or above had a 100 percent passage rate, and students between a 3.5 and 3.0 GPA had an 88 percent passage rate.

The passage rates drop, however, when student GPAs fall below a 3.0, where the passage rate for students between a 2.99 and 2.75 was 60 percent, between 2.75 and 2.5 was 40 percent, and under 2.5 was 25 percent.

"We know the bar exam does not measure how smart you are, or how good a lawyer you are going to be, but there is direct correlation between higher academic performance and bar passage," Mearns said.

While C-M is looking to improve the school's bar passage rate by admitting academically stronger students and enforcing a more stringent academic probation

policy, there is no way to ensure a higher passage rate because this is a multi-dimensional problem, Williams said.

"There are two schools of thought in teaching students: one school of thought is to teach students so that they can pass the bar, and the other is not to train for the bar, but train students to be good lawyers," said Williams. "Becoming a good lawyer is not an easy thing to do."

"The bar would be easier for someone who's been outlining all semester and working in study groups because when it comes time for the bar, it should only come to review," Williams added.

The bar committee is focusing on whether teaching methods can be changed, or whether the spring semester should end earlier to allow graduating students more time to study for the bar.

Last year, C-M's faculty agreed to add an ABA-approved, three-credit bar passage course for

3L students, which was added to the offered courses in fall 2005 for the first time.

It emphasizes how to study for the bar, what the bar is about, and what is expected of bar takers. "Part of the problem can be resolved in a course like this," Williams said.

Part of the problem, however, is also that some students cannot afford to take time off from work to sufficiently prepare for the exam, professor Phyllis Crocker, who teaches Criminal Procedure, a subject covered on the bar, said.

The bar is more difficult now than when many employers took the bar, and employers need to be more understanding of students' situations because preparing for the bar takes time and needs total attention, Crocker added.

"I think all of our students are capable of passing the bar," said Crocker. "It's not capability, but the other things that interfere that prevents students from passing."

Buzanski: Absence will be missed

Continued from page 1--

cial Aid, Melody Stewart.

It was not an easy choice, but "professionally, it would have been crazy for her not to have taken the position" at Medaille College, Stewart said. "Instead of being the financial aid administrator for the law school, a division of Cleveland State University, Catherine has an opportunity to run her own shop, to be the director of financial aid for an entire college with a staff of seven or eight working under her."

The position of an assistant financial aid administrator for the law, then held by Jane Stiefvater, had been eliminated last year by CSU. While Buzanski's and Stiefvater's friendliness and efficiency will be warmly remembered by many C-M alumni and students, Monique McCarthy will be serving as the interim financial aid administrator for the remainder of the school year.

McCarthy has been working part time in C-M's admissions office as a seasonal recruiter since graduating from C-M in 2005. As an undergraduate at CSU, McCarthy worked in C-M's Financial Aid Office.

"After Catherine Buzanski and Jane Stiefvater, no one knows the daily operations of the financial aid office better than Monique," said Stewart.

Buzanski's departure has been kept low-key by the administration. According to Stewart, "Catherine wanted to spend her last weeks at C-M tying up the loose ends. If there had been a big public announcement, her time would have been taken up with farewells and goodbyes. This way she could concentrate on the students who had immediate financial aid needs."

Buzanski has indeed left the building, but her students thank her for her performance.

Legal Writing classes reflect differing styles

By Karen Mika

LEGAL WRITING PROFESSOR

Why is it that all of the first-year Legal Writing sections don't have all of the same assignments with the same due dates?

In answer to this I could ask, "Why aren't you asking why all of the substantive classes don't have all of the same assignments on the same days?" The answer would be the same in both cases – people are different and classes are different.

All of the legal writing sections cover the same competencies and are more uniform than any other subject taught at the law school. However, each of us goes about covering the subject in slightly different ways based on our experience with what has worked well in the past.

On top of that, we tend to cater to the individual needs of our students. How would you like it if all of the legal writing sections had an assignment due on a Thursday when your class was on a Monday, and Monday was a holiday? Or, if the assignment was slated to be due on a Thursday, the very day that one contracts section had a midterm? Or, if I had the flu the previous week but was not allowed to change the due date of an assignment for the sake of uniformity? Or, if the class as a whole did miserably on a memo project, but I had to move on to research (for uniformity) knowing that my students could not write a memo?

There are also some variables that exist in teaching styles that account for differences. Believe it or not, the legal writing professors do not know everything about everything, and I would feel uncomfortable lecturing on some topics that my colleagues have a particular expertise in and vice-versa.

We also have some pedagogical differences (e.g., I do not particularly like to assign group projects while others think learning to work in a group is an integral skill.) Every year I find myself prioritizing on the basis of what I believe my class really needs in the time that we have. My colleagues do the same.

I hope that I am not incorrect in my assessment, but it seems to me that legal writing causes more stress than all of the other first year classes because assignments are constantly due.

While you are involved in that, it is very difficult to objectively assess what is going on, and there always seems to be the perception that someone in someone else's class is getting more, or better, or easier. If that were true, then things like student rankings, job placement, and law review/journal participation would reflect that, but they do not.

Additionally, if that were true, then a particular legal writing professor's students would stand out in my upper level writing classes this year, but that has not happened either. I would hope that no one is lamenting the lack of a completely lock step curriculum. I suspect the results would be pretty disastrous, and we have the historical experience and evidence to back up that supposition.

Choose job consistent with career goals

Judge reflects on own goals and offers advice for aspiring legal professionals

By Judge Nancy Margaret Russo

Law students have their plates full with family, work, and of course, studying. It is fair to say that student's thoughts are moving constantly among various topics.

The one constant thought seems to be, "What will I do when I finally graduate and pass the Bar Exam?" Graduates tend to think of this as looking for a "job." But, the focus must be not on a job but on a career. The most important question to ask is, "What type of *career* do I want to pursue with my law license?"

The law presents an endless sea of possibilities and opportunities for careers both conventional and unconventional. Law degrees are versatile, prestigious and relevant to every business, industry or service agency.

My own personal experience is an excellent example of how thinking outside of the box can lead you to your ultimate goal. I always wanted to be a Judge since I was 8 years old, but the path from then to now was hardly predictable or conventional. Regardless, the path wound its way to my goal, and I learned excellent skills that I use everyday, which are different skills than those I would have learned had I graduated and gone to work in a firm.

Here are some of my thoughts on the topic:

First: Do what you love. This is not a cliché; it is a mantra for success.

For example, if you love academics and study, then considering teaching law. Law courses are taught not only at law schools, but at every stage of education in both private and public schools.

If you are attracted to politics or public service, the world is really open to you: government, academics, private practice, firm practice, prosecutor/public defender

offices, private industry. Each of these will provide you with skills that are transferable to public service/government work and elected office.

Second: Do NOT be seduced by the money or lack thereof. Why? Because money is not everything, and numbers tend to both dazzle and disappoint.

After law school, most of us feel drained, emotionally, physically and certainly financially. The danger is focusing on the money number and not the expectations that come with that. If you value your time in terms of spending it with friends, family or other interests, then all the money in the world won't make up for the fact that you are working 80 hours per week and barely have time to eat or sleep.

I have often said that if you divide the salary of a young attorney by the number of hours he/she is expected to bill on an annual basis, then you might be working for much less than you think. On the other hand, if your ultimate goal is to be a partner in a firm or build your own firm, then you must put in the hours.

Those who enter small firms or fly solo have the added pressure of needing to not only generate business but also to service it. That requires many hours including weekends and evenings. If you have a family, talk these issues over. If your family is going to be compromised by your absence and attention to a practice, factor that into your decision. That is more important, in the end, than the number on the tax returns each year.

Third: It is okay not to know what you want to do even if you already have the degree and license in your hand.

I believe that very few people know exactly what they want to do with their work lives. I have often said that my drive and focus to be a lawyer from the age of 8 was sometimes a curse. I could not and

would not consider anything else. Good thing I was accepted into law school and passed the Bar, as I was totally unprepared for anything else!

If you don't know what you want to do, then what type of position should you look for? My suggestion would be to look for a position in the non-profit sector or government.

In the non-profit sector there are opportunities abound: from fundraising and human resource positions, to grant-writing, to social and community service of every type.

In government, the possibilities are endless: traditional prosecutor/public defender positions; probation/parole officers; social workers; administrators; elected office; service in government agencies, whether municipal, county or federal; magistrate positions; staff attorney/law clerk positions; court staff positions; and work in law enforcement.

The employment possibilities for lawyers are limited only by your imagination.

C-M has always mentored, encouraged and educated persons with diverse backgrounds and experiences.

This deliberate dedication to the diversity of the profession has enriched our legal community. It is the marriage of the law as a profession with the real-life experiences of the students that truly makes great lawyers.

Our training and skills are more adaptable, versatile and applicable to modern life than any other job or profession. We have skills that many people need, so don't be afraid to use the skills to serve in some untraditional way.

When you begin that career search or daydream about life after law school, follow the college's lead and be creative.

Dare to dream, accept no limits, and do what you love and you will do it well.

The
Judge's
Corner

Legal
Writing

Minority externship experiences pave the way

By Jayne Geneva

DIRECTOR OF THE OFFICE OF CAREER PLANNING

Law firms, general counsel offices of organizations of Cleveland, and the Cleveland Bar Association have addressed the issue of low minority lawyer numbers by establishing two programs to increase the minority hires in the law profession in Cleveland.

A summer minority clerkship program in law offices was established in 2004 and a new judicial externship program for second-year students is scheduled for this summer.

In 2004, members of law firms and general counsel offices joined with the Cleveland Bar Association in creating a new summer clerkship program for first-year minority students.

An informal poll of both the student participants and employers indicates that the program was a success. Students were generally paid the prorated salary of first-year associates for the summer.

Students reported intriguing learning experiences working in large firms, small firms, public interest organizations, and general counsel offices of development and insurance companies.

The employers were extremely pleased with the students, their work product, and especially the way that these first-year students fit into the work environment that often had only second-year students involved.

All of these employers and additional ones will be participating in the program in the 2005-06 year, hiring first-year minority students for the summer of 2006. The firms are hoping that by giving minority students an opportunity in their first year to work in their offices, they will have whet the students' appetites for

working in the same firm or a different firm in Cleveland upon graduation.

Judges, many of whom sat on the committee establishing the clerkship program, wanted to know how they could also benefit from the clerkship program. Since the courts do not have funds to pay summer employees, the decision was made to ask law firms and others to donate money to the Minority Judicial Externship Program, creating a pool from which students would earn \$6,000 over the summer to work in one of the courts in Cleveland, from federal to common pleas.

The committee is currently soliciting funds for this endeavor. The judges determined that students who had completed civil procedure would be best poised for work in their courts, and thus the program is open to minority second year students (or the equivalent).

Applications for both programs are available from the Office of Career Planning (OCP). Resumes, personal statements, letters of recommendation, and completed application forms should be turned into the OCP by the January deadline. OCP urges participants not to wait until the last minute to put the information together. A committee made up of representatives from the law firms and organizations involved in the clerkship program will review student applications. A committee of judges will review applications for the Judicial Externship Program.

These same participants then will conduct interviews. The OCP will hold a "Hows, Whys and Wherefores" meeting about the programs in January, prior to the interviews.

The Political Broadside

Dirty politics: political necessity or out of bounds?

Question: To what extent are hard-ball tactics acceptable in politics?



By Mike Laszlo
CONSERVATIVE GAVEL COLUMNIST

First things first: it seems that the Gavel and my esteemed counterpart are of the opinion that in my columns, I “simply revert to Kenneth Mehlman’s talking points” and have asked me to bring the discussion to a personal level, for “the gloves to come off” and to engage in “the political equivalent of mud-wrestling.” Yep, you read correctly, “*mud-wrestling*.” Democrats, *ah, Democrats*, always good for a chuckle just like the one I had on Nov. 8 when Issues 2,3,4 and 5 were handily defeated. That was funny.

On to the topic, shady politics. Democrats and anti-war buffs, by way of the mainstream media, have been pushing their “Bush lied us into the Iraq war” rhetoric for some time now. Enter Special prosecutor Patrick Fitzgerald - who spent 22 months investigating a supposed ‘outing’ of CIA agent Valerie Plame by top White House officials to retaliate against the anti-war movement, and in particular, Plame’s husband, Joe Wilson.

Yet, much to the dismay of Democrats everywhere, the investigation did not uncover any evidence to support such accusations, and Fitzgerald had to settle for an indictment against I. Lewis “Scooter” Libby (not Karl Rove or Dick Cheney) for lying about when and from whom he learned that she worked for the CIA. (Incidentally, Libby was charged with violating Title 18, §1001 of the United States Code; the same charge Fitzgerald brought against Martha Stewart, and the same statute that US Supreme Court Justice Ginsburg has characterized as having the potential of permitting “an overzealous prosecutor or investigator - aware that a person has committed some suspicious acts, but unable to make a criminal case - [to] create a crime by surprising the suspect, asking about those acts, and receiving a false denial.” *Brogan v. US* (1996)).

Let me be clear here, if Libby is found to have lied to Fitzgerald, he should face the consequences. The important point here is that the Democrats have created this circus to validate their Bush-lied to get us into Iraq agenda. So let us dispel that theory: The consensus that Iraq’s WMDs program was a serious threat began long before the Bush Administration.

In 1998: *One of Two Impeached Presidents Bill Clinton*: “If Saddam rejects peace and we have to use force, our purpose is clear. We want to seriously diminish the threat posed by Iraq’s weapons-of-mass-destruction program.”

Then Secretary of State Madeline Albright: “Iraq is a long way from [the USA], but what happens there matters a great deal here. For the risk that the leaders of a rouge state will use nuclear, chemical, or biological weapons against us or our allies is the greatest security threat we face.”

Then Secretary of Defense Sandy Berger: “He will use those weapons of mass destruction again, as he has ten times since 1981.”

Then in 2002: *Senator Ted Kennedy(D)*: “We have known for many years that Saddam Hussein is seeking and developing weapons of mass destruction.”

Former-Klu Klux Klan Kleagle, Senator Robert Byrd(D): “We are confident that Saddam Hussein retains some stockpiles of chemical and biological weapons, and that he has since embarked on a crash course to build up his chemical and biological warfare capabilities. Intelligence reports indicate that he is seeking nuclear weapons.”

US, Britain, German, Russian, Chinese, Israeli, French Intelligence, and the UN (aka Hans Bilx) agreed: “Iraq is continuing and in some areas expanding its chemical, biological, nuclear, and missile programs contrary to UN resolutions.”

The examples go on and on. So why would Democrats now have us look past the truth, adopt a new account of what actually happened and believe they, and we were duped into supporting the war?

One must only look to the nature of the party and its members – lack of integrity, accountability, and any sense of responsibility whatsoever.

Liberal rebuttal...

Apparently you are scared to address the *actual* topic we were supposed to debate. Instead, you chose to write about your own topic, perhaps thinking I won’t be able to rebut you in 200 words. Wrong.

On Plame-outing: national security is a “circus”? – at least we didn’t spend years and millions of dollars investigating a blow-job. Republicans compromised national security by leaking a CIA agent’s identity. They did this either deliberately or else they were just too stupid to check if she was undercover before they told reporters her name in order to smear her husband. Also, Fitzgerald is calling a new grand jury, so it’s not over.

On Iraq: all the quotes you cite are taken out of context, which is your party’s MO. Those quotes from 1998 were made because Saddam had just kicked U.N. weapons inspectors out of Iraq. Conversely, in Bush’s push for war weapons inspectors in 2003 told U.S. leaders that Saddam did *not* have WMD’s.

Finally, here’s a laundry list you might like: a list of Republicans under indictment, investigation, or arrest – Bill Frist, Tom Delay, Scooter Libby, Karl Rove, Randy Cunningham, Jack Abramoff, Bob Taft, Stephen Hadley, Michael Scanlon, Kenneth Tomlinson,...I could go on and on, but I’m already ashamed for you.



By Paul Shipp
LIBERAL GAVEL COLUMNIST

The landscape of politics was fundamentally altered on a national level during the 2000 presidential election. The reason? Karl Rove.

Rovian political tactics have been used so repeatedly in the last five years that they have become predictable. The general strategy involves attacking and discrediting political opponents and ignoring or blurring the issues by attaching them to controversial topics like religion.

These tactics were so out of bounds that George H. Bush (Bush 41) fired Karl Rove from his administration for attempting them. But W. has embraced Rove and continues to bitterly divide our country with these tactics.

Let us visit but a few examples. In the 2000 primaries, Bush (with Rove at his side) attacked war hero and former POW (and fellow Republican) John McCain. Rove usually protects his candidate by setting up dummy political groups (like Swift Boat Veterans for Truth) to carry out his smear attacks.

In McCain’s case, Bush’s campaign itself suggested that McCain might not be the best candidate because he suffered mental problems from his time in a POW camp. Also, anonymous phone calls were placed in southern states alleging that McCain was the father of an illegitimate black child.

Another example was the swift boating of decorated veteran John Kerry, who actually served his country in a war, unlike five-deferment Cheney and Air-National-Guard Bush. This same tactic is currently being used against decorated war hero John Murtha, a democratic hawk Congressman from Pennsylvania who has advocated withdrawing from Iraq. So far, Murtha has been called unpatriotic and most recently, a congresswoman from Ohio called Murtha a “coward” on the floor of the House – a violation of House rules resulting in several minutes of boos from fellow representatives.

The most prominent example is the Valerie Plame case, whose name we only know because Republican administration officials leaked it to reporters during their effort to attack and discredit Ambassador Joseph Wilson, whose only crime was publicly disagreeing with phony intelligence used to justify the war in Iraq. Regardless of the legal outcome, the leak occurred because there was a concerted effort to attack and discredit Joseph Wilson.

Here is my general laundry list of some out-of-bounds political tactics: attacking veterans, discrediting candidates because of their spouse, referencing a candidate’s religious views, equating pro-choice with anti-religious, paying journalists to push administration agendas in their columns, hiring actors to pose as White House press and lob softball questions to Scott McClellan, having officials telephone journalists to reprimand them for disagreeing with the administration on air or in print, changing White House press transcripts, lying on television and then denying it later when confronted, labeling those who disagree with you as “unpatriotic,” refusing to let the media show the human consequences of a war, and playing on citizen’s fears. Republicans have used these tactics since 2000.

There was a time in this country when politicians dealt with issues like education, healthcare, jobs, the environment, and the economy. Disagreement, freedom of the press, and the flow of information were considered vital to a functioning democracy. There was a time when a politician’s religion was personal and not a talking point of their platform.

Rovian politics have sharply divided our country. The Republican-controlled House, Senate, and Presidency have been in lockstep with Rove’s tactics until recently. The break has been caused by the President and Congress’s low approval ratings.

The only thing that will stop Rovian politics (aside from criminal indictments) is voter rejection of dirty campaigning. Real debate about real issues must replace this communist-like atmosphere of oppressing dissent and strong-arming the media.

Conservative rebuttal...

First: I choose not to respond to your “general laundry list” section as it lacks empirical evidence or hard examples to back it up.

Second: Is it your position that the C-M students who have served in the United States Air National Guard did not serve their country?

Third: The “lie” Joseph Wilson accused President Bush of telling: “The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa,” was simply not a lie. British intelligence specifically assured the CIA of it, and later stated that Bush’s statement was, in fact, “well-founded.” An objective look into the circumstances of “Plamegate” and Wilson’s countless lies and misrepresentations surrounding his mission to Africa will reveal Wilson ‘the’ liar here.

Indeed the real tragedy in American politics today is that the Democratic Party continues to support and encourage people like Joe Wilson to concoct and spew vicious lies into the ears of the American Public.

SBA President praises fundraising efforts**By Brendan Healy**

SBA PRESIDENT

First, I would like to thank everyone who made the Case v. C-M football event a success. The event raised awareness of breast cancer, and we complemented it with a raffle to benefit the Susan G. Komen Breast Cancer Foundation – for which we raised \$400.

The Athletics Committee, composed of Kesha Christoph, Mandy Shaerban, Norm Schroth, and chairperson Scott Kuboff did an excellent job planning the game and should be congratulated for their hard work. I would also like to thank Nadine Ezzie for her hard work in obtaining the great raffle prizes that undoubtedly led to the raffle's success.

I thank those who donated blood in the SBA/JLSA sponsored blood drive. Your donations helped save or sustain 81 area patients. SBA senator and JLSA President Mark Merims worked hard to make the event a success.

Although we will continue with our charitable efforts next semester, we will emphasize your needs even more. One important issue that will likely affect C-M students is the direction of the law building renovations.

We recognize that there is not an infinite amount of money available. However, a substantial portion should be earmarked to address students' needs. Although it would be wonderful if our law school could afford extensive, superficial improvements to its exterior, the focus should be more pragmatic.

We suggest improving common areas to create an environment conducive to learning, strengthening the clinical programs, and ensuring that the needs of all academic and social student organizations are considered in the process. Please share any further suggestions.

Your SBA feels strongly about this issue and will work with C-M's administration, CSU and the board of trustees to ensure that students' needs are recognized.

On behalf of my fellow SBA Officers, Nadine Ezzie, Scott Kuboff, Keller Blackburn and Matt Mishak, good luck on final exams and we hope you have a wonderful break. Please feel free to contact me anytime with any questions you may have.

Sony ensnared in consumer flap*Software protects copyrighted music but leaves PCs vulnerable***By Aaron Mendelsohn**

GAVEL CONTRIBUTOR

As law students, I don't know how many of us keep up with current events, let alone news and developments in technology, but a very disconcerting story broke in early November that caused a major stir in the entertainment and information technology industries.

This occurred when Mark Russinovich, a systems engineer and author of the Sysinternals Blog, discovered a rootkit embedded in the Digital Rights Management (DRM) software of several popular new releases from Sony BMG Records.

For those that are not technologically advanced, a rootkit is a tiny piece of code that creates a hidden space on users' computers.

In the space created by its rootkit, Sony decided to install its copy-protection software so users could not remove it. But what this also did was open a security hole on every Windows users' computer that ever played one of Sony's discs that included the rootkit, one that could be easily exploited by hackers.

Those in the know and with enough tech-savvy skills could then write a virus to exploit this vulnerability and hijack a user's system at the root of it. Pretty nasty stuff, no doubt.

Since most of us went to college during the proliferation of gigabit campus networks, peer-to-peer software, Napster and mp3 downloads, we all recall the music industry's reaction to copyright infringement. Ever slow to

catch up with technology, the recording industry invested millions of dollars into protecting their intellectual property.

Sony BMG, the world's second largest record label, contracted with a British software development firm called First4Internet to design a copy-protection system call XCP. When you insert a Sony BMG CD with XCP into your computer's CD-ROM drive, you have to agree to install a special music player first, which also installs the rootkit.

The music player then limits and controls how you can use the disc and the number of "backup" copies you can make. To top it all off, Sony BMG's rootkit also reports back to the company every time you play a song.

Nowhere in the user agreement is there any mention of this rootkit, and if you don't agree to Sony BMG's terms, you cannot use the disc in a computer, leaving you basically no choice. Doesn't sound quite right, does it?

Well you're not alone; this really rubbed a lot of different communities the wrong way. First, the information security community was extremely distraught.

It's hard enough to ensure security compliance when you have to worry about Trojans, worms, spyware, and viruses, but now rootkits installed by music CDs are an issue.

Next, the entertainment and music industry took notice. It's no secret the RIAA and MPAA have been fighting piracy since the beginning of the new millennium, but compromising actual

paying customer's home computers is not the way to do so.

And lastly, the legal community took action as several class action lawsuits in multiple states and nations have been filed against Sony BMG to repair the damage done by the rootkit.

Sony BMG, on the other hand, has been pretty mum on the entire situation. When first interviewed by NPR in early November about the issue, Thomas Hesse, Sony BMG's president of global digital business said, "Most people I think don't even know what a rootkit is, so why should they care about it?"

Uhm. . . well they do now, that's for sure. And with a few exploitations of the rootkit already circulating the Internet, anyone who ever bought and played one of these discs in a computer would be wise to take action.

To Sony BMG's credit, since Hesse muttered those infamous words on national radio, Sony BMG has taken some corrective measures, but only after the public relations fiasco.

These include terminating the use of the technology, offering an online patch to fix the rootkit, and recalling every one of the 53 titles that went to market with the embedded rootkit. But the damage was done, and one of the largest media conglomerates in the world has been made the fool.

As litigation continues, and hopefully deters this from happening again, there is only one thing I know for sure. I'll be very reluctant to allow any future Sony products into my house for a very long time.

First year gives advice, urges calm

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

It is hard to believe that it has been a little less than four months since we started this crazy adventure called law school. When we began in August we were a little more than nervous about what was to come. What we have found are friends we will have forever, about 15 extra pounds, and a new vocabulary that is sure to wow the family during the holidays. Beyond promissory estoppel and fee simple subject to a condition subsequent there are some other important lessons I have learned about being a first year law student.

What I have learned not to do in law school:

10. Whether a question, quip, correction, or joke, don't interrupt the professor during class. It's disrespectful to the professor who has worked years to refine his witty comments to your predictable mistakes. It makes your fellow classmates feel a little uneasy. As the saying goes, don't bite the hand that determines the grades. Or the hand that may possibly ask you out for a date next year.

9. No matter how many shots or beers you've had at McCarthy's-- don't kiss your study buddies when someone in the group

more sober than you has a camera. Your girlfriend may find out, and your study buddy may use the photos as a revealing screen saver to make everybody uncomfortable.

8. Memorize your locker combination. The campus police have more to do than cut your master lock off your locker. You'll miss class waiting for them to arrive.

7. Never expect to get more than four hours of sleep.

6. Don't discuss exam questions after the exam. Whether you feel confident or crushed, discussing the exam after it is over only harms the individuals involved. No one really knows the answer. It is better to leave it with the bluebook and head to Becky's.

5. Don't dress so sexy that you get a nickname that rhymes with "sneak past me." If you don't know what that means, then it is probably you. We won't be interviewing for at least six months so please leave the mini-skirt at home.

4. Don't correct a professor with a digital dictionary. Chances are they've won the national spelling bee and have taken a few college courses. See also rule 10 (where an entire class was embarrassed

for a student after they attempted to correct a professor).

3. Stop hyperventilating during and after the exams. During the exam it is distracting to the students around you who may be sensitive to noise. It is also distracting to the students at the waiting wall who may like to consider their own plight and pity over yours.

2. Don't freak out about finals. You have your notes, books, and three years worth of outlines from upper-level students. Whatever happens, it's not the beginning or end of law school. It is only an exam. In less than one month the stress will have eased, and we can all go back to Madden, drinking and bragging to our friends at home that we are still in law school.

And the number one thing not to do in Law School:

1. Don't commit to write the anonymous 1L column for the Gavel. You may have to sacrifice the busiest bar night of the year, the Wednesday before Thanksgiving, trying to meet a deadline.

In less than one month we can all go back to Madden, drinking, and bragging to our friends at home that we are still in law school

1L
First year
life
Part III

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Student takes umbrage with speaker's remarks

As a second-year part-time law student and full-time internal medicine physician in my sixth year of private practice, I was rather curious to hear what Dr. Joe Lex (a.k.a. Joe Law) would have to say about the pharmaceutical-physician relationship at his presentation on Oct. 19.

While his humorous and at times self-deprecating comments were certainly well received considering the nature of the audience, the substance of his remarks were hardly more than a self-serving, axe-grinding, irresponsible collection of sensational headlines, unscientific anecdotes, suspect statistics and irrelevant original investigation.

As a fellow physician and primary-care provider with probably as much or more real-world pharmaceutical company exposure and interactions than our "expert" speaker, I feel compelled to denounce the defamatory comments Dr. Lex levels at physicians generally and specifically expose the glaring defects in his own conclusions.

As a law student, I have serious reservations about the Journal of Law and Health's wisdom in sponsoring such a speaker, especially in a setting where Continuing Law Education credits were awarded for attendance.

To preserve "traditional notions of fair play and justice," consider the following thoughts.

Dr. Lex is an emergency medicine physician. Emergency department doctors, by the very nature of their contacts with patients in urgent or emergency situations, do little prescribing of the longitudinal, chronic

medications that constitute the top sellers for the pharmaceutical companies. I have a hard time believing very many drug reps "call on" ED physicians. This creates some real legitimacy concerns about Dr. Lex's "expert" status in this area.

Large pharmaceutical companies spend millions (if not billions) on drug research and development and provide most of the funding for the studies that advance science and save lives. If newly developed drugs were not given patent protection (which ultimately expires) we would never have "generics."

New drugs are not merely shown to be "better than nothing." In explaining to the audience that the FDA requires a showing better than placebo, Dr. Lex conspicuously failed to mention that placebo response rates are generally positive and in some trials may run as high as 20 percent or more.

The bulk of Dr. Lex's data on pharmaceutical-physician relationships comes from small surveys of predominantly resident physicians at an academic medical center. The strength of this type of data falls near the bottom of the scientific hierarchy of clinical trials and carries little more weight than "expert opinion."

The results of these surveys at best are hypothesis generating. To extrapolate results from drug rep interactions with over-worked, under-slept physicians-in-training at a teaching hospital to the seasoned, battle-hardened, skepticism-clad, real-world primary-care physician is just not credible.

Everyone in private practice *knows* that the drug reps are there to suck-up, make nice and lure us into prescribing their drugs. Just

how gullible and naïve does Dr. Lex think we are?

Dr. Lex's presentation failed to reach what should have been his thesis. Specifically, does the nature of today's pharmaceutical-physician relationship lead to inferior healthcare outcomes at the expense of higher total healthcare cost?

This question alone has actual meaning and relevance and would have created a perhaps worthwhile and educational discussion. But as Dr. Lex's presentation had not a scintilla of evidence regarding this, I imagine it was avoided on purpose.

The broad ban/abolition of "samples" that Dr. Lex calls for is fundamentally unsound. I personally give to my predominantly elderly patient population literally hundreds of thousands of dollars in free samples annually. There does not exist a generic equivalent for every medication and without sample support, some of my patients would not be able to afford their medication. How could this be good policy?

And this list only represents a handful of the more amusing, preposterous or erroneous points I was able to hastily jot down during the course of Dr. Lex's remarks.

From a law student perspective, it is equally disturbing and unfortunate to realize that Dr. Lex's presentation was sponsored and funded by the C-M Journal of Law and Health.

Furthermore, a brief re-inspection of Rule X section 4(B)(1) of the Ohio Rules of Court Rules for the government of the Bar of Ohio, which deals with the hours and accreditation of Continuing Legal Education states "the program or activity shall have significant intellectual or practical content and the primary objective shall

be to improve the participant's professional competence as an attorney or judge."

Further, under 4(B)(2), "the program or activity for attorneys shall be an organized program of learning dealing with matters directly related to the practice of law, professional responsibility or ethical obligations, law office economics, or similar subjects that will promote the purpose of this rule."

Even liberally construed, it would be quite a stretch to find how Dr. Lex's castigation of big pharmaceuticals and indictment of the physician hood is even rationally related to "participant's professional competence," or that any material he presented dealt "with matters directly related to the practice of law."

Unless the law has changed very recently, it's still no more of a crime for physicians to accept pens, notepads and dinners from pharmaceutical companies than it is for practicing attorneys to be plied by the likes of Lexis and Westlaw with trinkets and sundries.

The implications for C-M and the Journal of Law and Health could not be more dire. As this school and the formal publications that represent it aspire to greater local and national academic recognition, it is clear that better editorial and journalistic judgment must be employed in the program/speaker selection process.

Unless entertainment value is the priority, marginalized, inflammatory, sycophantic "experts" such as Dr. Lex should be rejected in favor of speakers with superior academic legal worth.

Charles R. Koepke, M.D.
2nd year law student

LETTER TO THE EDITOR

Curriculum: changes affect 1Ls

Continued from page 1--

tions. Completing Civil Procedure in the first year will also bring more continuity to the course, as the professor and book will be unchanged throughout the year.

This new approach to the curriculum also places an emphasis on Legal Writing giving students an additional credit in the second semester. This increase in credit hours reflects the actual work required for the course and addresses the complaints of students who thought they were not getting enough credit for the work being done in Legal Writing.

The change does have its drawbacks. Students will take six courses in the spring semester instead of five. More importantly, come finals first-year students will face five exams in addition to their Legal Writing assignment.

Josh Fellenbaum, a 2L student, said having six classes as a first year would be "too much."

Contracts professor Steven Werber agreed. Werber said that the change in curriculum was in line with the national trend but touted that taking six courses and five final exams in the second semester is "unacceptable."

Werber suggested that one of the core courses be taught in a single semester if it were allotted five credit hours. Werber was not bothered by the reduction in the course he teaches and stated that "Civil Procedure is the single most important subject in the first year."

Property professor Heidi Robertson had yet another suggestion. Robertson said that Contracts, Property and Torts should be two and a half credits each semester. That way professors would not be rushed in the second semester.

In the alternative, the curriculum could be flip-flopped with core courses being worth two credits in the fall and three credits in the spring.

Professor Robertson noted that this configuration might be more appropriate because professors move more slowly in the fall semester while students acclimate to law school.

Professors will not be trying to teach three credit courses in two credit hours. Professor Werber has adopted a new book that is advertised as a four-credit Contracts course. Likewise, professor Roberts has excised Property material that will not be covered on the Bar, such as the Takings clause.

What students might not recognize is the fact that this change will affect the second-year curriculum as well. By completing Civil Procedure in the first year, second-year students will have more flexibility in scheduling their courses.

It remains to be seen what the benefits and drawbacks of the new curriculum are as it plays out in the spring semester.

OhioClout.org seeks to frame debate on practical issues

By Joseph Dunson
GAVEL CONTRIBUTOR

C-M graduate Stuart Garson, a longtime Cleveland attorney (and former Gavel contributing writer), is fed up with the news he reads from the Statehouse when he opens the Plain Dealer. Garson's frustration is common among Ohioans who are critical of the state Legislature for recently spending large amounts of time and resources on issues such as 'conceal and carry' and covenant marriage, while ignoring issues perceived to be essential to all Ohioans' lives.

To refocus the Legislature, Garson founded OhioClout.org, a Cleveland based non-partisan, not for profit group. CLOUT, or "Civic League of Ohioans United Together", is committed to five core issues, which include education, healthcare reform, economic development, fair taxation, and accountability in government.

CLOUT's Web site explains its mission as follows: "CLOUT intends to alter the paradigm on how elections are historically won in Ohio. CLOUT wants to make the pervasive and powerful money irrelevant in state elections while holding elected representatives and candidates accountable for our core issues."

CLOUT is distinguishable from other political groups, such as Reform Ohio Now, because it is primarily committed to its five issues, rather than to individual candidates or specific ballot initiatives. The new group is not trying to influence voters or legislators to support a particular stance on any given issue. Its only concern is that CLOUT issues are addressed before secondary or fringe issues. As Garson recently said, "CLOUT wants to control the agenda not the debate. The debate is precisely what political parties should be doing. The agenda is everyone's business."

CLOUT's unique approach is attractive to moderates from both the Republican and Democratic parties who agree that fringe issues have received a disproportionate amount of Legislative attention, effectively stealing the spotlight from pressing matters such as the statewide education crisis, among many other areas of concern to Ohio's families.

The new group plans on meeting its goal by monitoring Statehouse activity and "activating" its membership through the Internet. OhioClout.org explains that "legislators will no longer work in a vacuum since CLOUT will track every committee meeting and legislative activity." Large numbers of Clout members will then contact the sponsoring State Representative or Senator from their district in order to add CLOUT's voice to the debate.

In order to maximize CLOUT's growth potential, Garson and CLOUT Executive Director Rick Kansa (a longtime Cleveland political expert) have been meeting with charitable groups, other non-profit political groups, and influential individuals statewide from both the Republican and Democratic parties.

A recent noteworthy CLOUT addition is U.S. Representative Ted Strickland, who currently represents Ohio's Sixth Congressional District, and has already begun campaigning aggressively to become Ohio's next Governor in 2006.

CLOUT operates on the premise that Ohioans agree much more than they disagree on which issues are most important in their families' lives. In order to safeguard Ohio's future, Garson, Kansa, and the new members signing up at OhioClout.org everyday plan on fighting to be heard in the Statehouse for years to come. For further information visit OhioClout.org or email Stuart Garson directly at garson@ohioclout.org or Rick Kansa at rick@ohioclout.org.



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