Christmas Ale is awesome
Three members of The Gavel staff research and explore the beer that has changed the lives of the C-M community.

LAW, PAGE 4

What happened to Thanksgiving?
The Gavel explores the commercialization of the holiday season.

OPINION, PAGE 8

C-M to implement new grading system

By Michelle Todd
STAFF WRITER
Pending approval from Cleveland State University’s Faculty Senate, the grading system at Cleveland-Marshall will soon convert to a more widely recognized format that will afford professors a broader range of grades with which to reward their students. The change, which will likely not be in effect until the Fall 2008 semester, adds minus grades (A-, B+, etc.) to the possible letter grades a law student can receive and also assigns point values to these new grades (A = 4.0, A- = 3.7, B+ = 3.3, B = 3.0, B- = 2.7, etc.). Although the faculty of the law school has already approved the new system, several other university committees must also vote on the issue before it can actually go into effect. The final vote needed is that of the
See GRADING, page 3

2007 Annual Moot Court Night

PHOTO BY PAUL DEEGAN—GAVEL

On November 7th, C-M hosted its 39th Annual Moot Court Night. Two C-M teams argued in front of the Hon. Boyce Martin, Jr., and the Hon. Karen Nelson Moore, both of the Sixth Circuit, and the Hon. John Glesson of the Eastern District of New York. The two teams competed in front of a crowd of approximately 300, the largest in C-M history. The team of Alexis Osburn, Shawn Romer, and Erika Inre Schindler, sponsored by Baker Hostetler, argued for the Petitioner, while the team of Terrance Doyle, Cathy Reichel Smith, and Todd Winterring, sponsored by Jones Day, argued for the Respondent. The panel held for the Baker Hostetler team, and Shawn Romer was named best oralist. Both teams were coached by Professor Stephen Gard.

TUITION, PAGE 2

Don’t bring political stereotypes to the polls

By George Sakellakis
GAVEL CONTRIBUTOR
Republicans love guns, hate abortion, and will make us pray while at school. Democrats love taxes, hate guns, and won’t let us worship where anyone else can see us. Republicans work tirelessly to empower us while Democrats toil away to keep us poor. Independents are not sure what they want, so we should not take them seriously. Does this sound ridiculous? If it does, you’re on to something. Many supposed “members” of the Republican and Democratic parties possess just enough familiarity about their party’s platform to get them through a boring two minute conversation which culminates in a baseless argument. Soon, many of these people will choose their candidates in the primaries, and on November 4, 2008, they will take to the polls to select our next president. Too many of them will vote based on political prejudice and strict party lines, finding answers to issues too complex for most of us to understand in friendly smiles and 15-second radio/television ads. Come on, America. Real people have sacrificed and died for our right to vote. Shouldn’t we honor them and ourselves by going to the polls armed with knowledge, knowing we made the best decision?

Most voters who perceive themselves as Republicans believe that their party is tough on terrorists and will keep their borders safe. Some think they will eventually pay noticeably less taxes if they continue to vote Republican, and others just can’t stand Democrats because they all refuse to admit that they inhaled the chemical byproducts of burning vegetable substances. Others hide behind their party simply to protect themselves from the horrors of “Billary.” More than a few blind conservatives will vote for Rudy Giuliani because they think they want a president with Republican values, but will later be surprised when he supports abortion, civil unions, and tougher gun laws. Mike Huckabee is gaining popularity as a candidate who loves solidity to the right, but some voters might wonder about his plan to substitute federal income tax with a new consumer-based tax, or they might speculate as to why his proposed answer to the health care crisis is eerily similar to Hillary’s? Do these voters know that some Republican candidates are steadfast supporters of free trade? Isn’t that a democratic issue?

Democrats might believe that their party will
Continued from page 1—

keep the increase limited to a more reasonable 6 percent. Last year, Governor Ted Strickland announced a tuition freeze for Ohio’s public universities. When asked if the freeze on undergraduate tuition impacted the higher than normal increase, Dean Mearns suggested that it did not. According to Dean Mearns, tuition increase was meant to make up for the law school’s high level of expenses. Dean Mearns noted that law schools are expensive places to run. C-M has a clinical program, an independent library, and a student services center that all contribute to the high operating budget of the school. The school is also very generous with scholarships.

Dean Mearns expressed three main concerns he had with the tuition increase. The first was equity to the existing students. He thought it was unfair to charge current students with an increase that is the highest in recent history. Dean Mearns was also concerned with the impact on C-M’s efforts to attract new students. He explained that the tuition is much lower than other Ohio schools, including C-M’s neighbor to the east, Case Western. According to Dean Mearns, the increase somewhat diluted the strength of this selling point. The third concern was the perception of students who would read about the tuition freeze in the news headlines and assume that this applied to both undergraduate and graduate school. Sending notice to the student body of the tuition increase could have perhaps alleviated this third concern.

Acknowledging that no notice was sent, Dean Mearns explained that he was focused on lobbying the administration in the hope of limiting the increase to 6 percent.

C-M hopeful that construction will be finished before start of next semester

By Margan Keramatni

Co-Editor-in-Chief

Dean Geoffrey Mearns and Dean Jean Lifer are meeting with CSU architects to ensure that building construction will not distract students and interfere with exam taking. Specifically, the exam schedule will be provided to the architects to let construction workers know when noise is permissible, and to make clear that this is a particularly important time of year, said Dean Mearns.

"Surprisingly, I’ve heard almost no complaints about the noise, guess students have come to expect it," said Nick Hanna, SBA president.

The main student concern regarding the construction is simply when students can expect the construction to be finished, added Hanna.

The area on the ground floor, known as the "garden terrace" room, should be completed and finished when classes resume next semester, said Dean Mearns.

The completion of the ground floor area is more of a priority than completing the deans’ suite, and new E. 18th Street entrance, added Dean Mearns.

The renovated ground floor will include new clinic offices, student organization offices, and classrooms.

Dean Mearns will also address what can be done regarding the cold. The heaters were not turned on, I heard a few complaints about the temperature in the building, added Hanna. There are discussions regarding renovating the law building’s food-service area. However, nothing has been confirmed yet, said Dean Mearns.

Dean Mearns is working with Nick Hanna to come up with a permanent food-service solution for the building. The earliest this could happen would be by next fall, said Dean Mearns.

Next semester, however, CSU will be installing a new food cart on the inner-link bridge between the law school cafeteria and the main university cafeteria.

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He was emailing the administration up until the afternoon before the trustees approved the raise.

Dean Mearns noted that he had not received too many complaints about the tuition hike. He received one email about it and his conversations with SBA President Nick Hanna revealed very little concern among the student body.

When asked what the students can expect next year, Dean Mearns stated that he anticipated some increase but hopes that it will be modest. He recognizes that students pay a great deal to attend C-M and he really wants to keep a lid on the amount of loans that students take out. He is extremely focused on keeping C-M a law school of opportunity.

However, students at C-M still get a pretty good value for what they spend, said Dean Mearns. He noted that C-M has one of the lowest law school tuitions in the state, especially when compared to schools like Ohio State or Case Western.

The difference in tuition between C-M and Case Western was highlighted in a front page Plain Dealer article. Noting that C-M graduates had beaten Case in bar passage rates in Ohio, the article stated, "(in the meantime, CSU’s law school) has another selling point to trumpet, along with an in-state tuition of $16,478 a year - compared to Case at $34,700."
From Japan to Cleveland, 1L hopeful for new career

Spotlight on the Student

Dave Sporar

By Emily Honsa

Staff writer

From law clerking in Ohio to teach-
ing English in Japan, and back again to Ohio for law school, Dave Sporar is dealing with the pressures of finals like the next step in his journey. The 26-year-
old from Bainbridge, OH (now living in Lakewood) looks forward to being a constructive force in society with his legal education.

“You can practice law in a manner that is socially conscious, or in a manner that is especially lucrative. You can even do both.” That range of possibilities is what attracted Sporar to law school, in addi-
tion to the personal rewards the practice of law yields. The challenging nature of problems and the ability to help people with problems were two other guiding principles in his decision.

Prior to deciding on law school, Sporar toyed with the idea of teaching. To that end, he accepted a position as an instructor in Japan.

Teaching in Japan was an amazing experience for Sporar. He was contracted for two years as a corporate English in-
structor, spending his final year teaching

Library Hours During Exam Period and Winter Break

Sunday, December 2 – Thursday, December 20 Reading & Exam Period
Monday – Thursday 8:00 am – Midnight
Friday 8:00 am – 10:00 pm
Saturday 9:00 am – 10:00 pm
Sunday Noon – Midnight
Thursday, December 20 8:00 am – 9:00 pm

Friday, December 21 – Sunday, January 6 Holiday/Winter Break
Monday – Friday 8:00 am – 6:00 pm
Saturday Closed
Sunday Closed
Monday, December 24 Closed
Tuesday, December 25 Closed
Monday, December 31 Closed

New grading system: “minuses” added

Continued from page 1—

Faculty Senate of CSU. Dean Phyllis Crocker expects this approval to come sooner than later.

“We anticipate that the Fac-
ulty Senate will approve this rather quickly...it [the approval] may actually come before the end of the Spring 2008 semes-
ter,” Dean Crocker said.

But, even if the new system is approved before the end of the spring semester, law school ad-
ministration will not implement the change at this time.

“We don’t feel that it would be fair to the students if we im-
posed a new grading policy in the middle of a semester,” Dean Crocker said. Instead, the law school will wait until either the summer or fall semesters of 2008 to make the change.

The change in the grading system was motivated primar-
ily by a change to the Academic Standards Committee of the law school by Dean Mearns.

Dean Mearns initially asked the committee, which is com-
posed of law school faculty members and two law students, to conduct research regarding the grading policies at other law schools in the region to decide whether adopting this new policy would be beneficial to C-M stu-
dents.

Based on their findings, the committee recommended the change to Dean Mearns and the faculty of the law school then quickly approved the new policy.

When asked what effect such a change would have on C-M stu-
dents, Dean Crocker said she feels the new policy will only benefit students and faculty members.

"Many law professors here at C-M have wanted more flexibility in the types of grades they can re-
ward their students with, because sometimes a student will be right on the border between two letter grades," Crocker said.

"Students will benefit from the new system as well, because if they happen to be on that bor-
derline between grades, the minus grade may give them a higher point value than they would have been able to receive under the old grading system," she added.
Joy to the world! Great Lakes’ Christmas Ale is here

By Shane Romen
Co-Editor-in-Chief

Cleveland’s Michael Symon is the new “Iron Chef”

By Morgan Keramati
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Attention 1Ls: Take advantage of your legal writing teaching assistant

By Adam Davis

First-Year Legal Writing TA

As the first semester of the school year comes to an end, many 1Ls will struggle with the anxiety of final exams. One of the best ways to prepare for exams is by meeting with a legal writing tutor. Not only has the tutor recently been through the 1L-exam experience, but they can also provide excellent insight and tips as to how first years students can survive – and succeed – on their finals.

Here are some tips on how to utilize your first-year legal writing tutor:

1. Stop By During the Semester. Legal writing tutors usually have posted times when they are available to meet with students. Use them throughout the semester to help answer questions from class or even to figure out what classes you want to take in the future. Tutors can help you answer lots of law school questions, not just legal writing.

2. Come With Specific Questions. As law students, we all know the value of time. Therefore, when you come to see one of the tutors, come prepared to discuss a particular issue or question you have. Don’t show up – rough draft in hand – and ask the tutor if they can “look it over.” Tutors aren’t there to edit rough drafts or be human spellcheckers. They are there to help you develop an argument, organize a complex research issue, or work with you on citations.

Here are some last minute exam-taking tips:

1. Be Organized. There’s a reason why so many professors ask their students to outline their answer before they begin writing the exam. Not only will outlining help you with issue-spotting, but it makes it easier for your professor to follow your analysis and see that you know what you’re talking about. Keep this in mind too: professors have a lot of exams to grade. The easier your answer is to read and the more logically your answer is developed, the better you will do. Use topic sentences. Separate ideas with new paragraphs. Don’t say in thirty words what you can say in twenty.

2. Be Responsive. Many students, especially 1L’s, utilize the shotgun approach to exam taking. In other words, they fire out every detail about the subject that they can remember, relevancy be damned. Do not repeat – do not become one of these students. If you want to do well, make sure you answer the specific question that is asked. If, for example, the first question on your torts final asks you about assumption of the risk, don’t go off discussing joint and several liability. Your professor won’t give you points if it isn’t relevant and you’ll just end up wasting time. Also, if a question asks you to discuss potential claims for the plaintiff, don’t write three pages about defenses.

3. Be Prepared. There’s no way around it. If you want to do well, you’ll need to put in the time of learning the material. It is equally important to emphasize in your studying the same areas your professor emphasized in class. For example, if your contracts professor spent one class lecture discussing the recovery of lost profits after a breach, but two weeks discussing the rights of third-party beneficiaries, then your studying time should reflect that disparity.

College campus safety in wake of recent school violence around U.S.

By Christine Tibaldi

Staff Writer

Recently, a 14 year-old in Cleveland brought guns to Success-Tech Academy and hurt four others before committing suicide. In April 2007, Virginia Tech experienced the worst campus shooting in US history when Cho Seung-Hui killed 32 students and faculty by day’s end. After these attacks, many wonder how safe college campuses and schools really are.

Some say that if a disturbed individual is committed to hurting others in a “ Columbine” type of attack, there is not much that can be done to stop him. Although this is surely true to a degree, what is being done here to prevent one of those horrible types of attacks? We must also ask, “do we have proper security to prevent petty thefts and other crimes that are committed every day?”

Dean Mearns was eager to discuss campus security, especially here at the law school. He seemed genuinely committed to improving safety and has obviously done a great deal of thinking on this topic.

For example, some may remember the door that led to the corner of Euclid and 18th Street that was suddenly locked about half way through the 2005-2006 school year. Dean Mearns felt that this area was a real safety hazard because of the hidden walkway outside and also because it gave access to anyone who wished to enter the law school. “One of the goals of the new construction is to create a high traffic entrance to discourage any criminal activity,” Mearns said.

Mearns also implemented a one year security audit. He decided that the law school should augment the University’s programs with 10-15 security cameras that are now functioning in the law school. But, have these cameras or other security measures at the University made our campus safer? Crime Prevention Officer Beverly Pettry of the CSU Police Department assures students that there are always ongoing programs to improve campus safety. When asked if these new cameras at the law school have decreased what she calls “opportunity crimes,” she said, “I do not know of a decrease, but these cameras always help us find and charge the perpetrators. These people are charged fully with the crime, just like if it happened outside of campus.”

The campus web site safety page indicates that “CSU Police … [are] highly visible” on campus. [Italics added.] Unfortunately, the C-M students don’t seem to agree. According to an informal poll of 2L’s and 3L’s, 84 percent feel that there is a “low presence” of police, and 16 percent said there is a “medium presence.” That leaves 0 percent that see a “high presence” of police. Most students said that they have only seen an officer patrolling at night. There is also concern about parking lots and lesser issues, such as lack of salt on icy spots that are high traffic during the winter. Even more disturbing, the same poll revealed that the exact same percentage, 16%, said they were a crime victim, here on campus. Thankfully, none of these students was a victim of a personal or violent crime.

The school is addressing some of these problems. According to both Dean Mearns and Officer Pettry, the University is hiring 12-15 unarmed security officers to add to patrols. But this process has just started. According to Officer Pettry, only one or two are now ready to begin patrolling. The goal is to have all of them trained and ready to go by next year.

Both Dean Mearns and Officer Pettry suggest having 687-200 in your phone for escort service or other campus police services. Dean Mearns adds, “it is [all of our] responsibility to alert the proper authorities if we see a problem.”

Support the 2008 Graduation Challenge

What will your degree be worth in ten years?
Invest in C-M, invest in you, give now.

The Graduation Challenge is a fundraising drive organized by the Class of 2008. The purpose behind it is to increase the number of students who donate to Cleveland-Marshall. The Wolstein Fund will match donations made by students to the law school. Investing in C-M is investing in how much your degree will be worth in the future. Please attend the Graduation Challenge “Kick-Off” event, which will be held in the Faculty Conference Room on the following dates:

Wednesday, January 16, 2008 from 4:30-5:00 PM
Thursday, January 17, 2008 from 5:00-6:00 PM
(directly preceding the SBA Welcome Back Social)

At the event, the Graduation Challenge Committee will explain the fundraising drive and how you can contribute. For more information, you can contact any of the following committee members:

Nick Hanna
Susan Hughes
Katie McCadden
Shawn Romer
Adam Saurwein
Judd Stelter
How to organize a law school exam answer

By Karin Mika
LEGAL WRITING PROFESSOR

What's the real difference between an "A" exam and a "C" exam? Although most students who don't receive an "A" on an exam will look at an "A" exam and not see a difference between that exam and one's own, there tend to be major differences. Unlike math problems, or objective history quizzes, there are no set of "right" answers that ensure a high grade. Most of the material you'll be able to rattle off of all of the legal elements for all classes by exam time, but that makes little difference in terms of grade. That's the minimum of what is expected. The maximum of what is expected involves the following:

1. Accuracy. Being right does count, but in right in terms of whether the action will be successful or not, just right in terms of whether the analysis supports the position that, for example, there was a contract or not a contract.

2. Organization. Questions should be answered in the order that they are asked and the answer should follow a logical format with the elements or defenses introduced in the order that they are introduced.

3. Legal Structure. The rule(s) must precede the analysis. Legal elements must be defined before the writer is able to conclude that the elements exist within a given fact scenario.

4. Specific Analysis. The object of our legal system is to determine whether a given fact situation falls within a certain legal definition. When applying the facts to a rule, the facts must be examined specifically, not generally, in relation to the rule. General analysis results in "conclusory" logic and looks something like this:

   "A contract consists of an offer, acceptance, and consideration. Here, there was an offer, acceptance, and consideration. Thus there was a binding contract."

5. Depth of analysis. It is not always sufficient to spot, for example, that there is a negligence or duty issue in an exam, but perhaps that there were certain special duties that might have been owed based on the relationship between the parties. All exams have components that everyone will see, with some components that only a few students will pick up on.

6. Presentation. Good writing skills and good grammar count. An exam should not force the writer to answer the question in the essay or translate the material to see if the answer is in the exam. There should also not distort the professor by having frequent misspellings or grammar errors. The exam should also have frequent paragraph breaks (appropriate to topic) so that the professor is able to absorb a manageable amount of material. Just as few students enjoy two hour lectures without pause; few professors enjoy a two hour cumulative examination. Of course, the way to achieve the best chance for balancing all of these elements is to study hard, and practice taking exams.

By Sarah Dixon
Gavel CONTRIBUTING WRITER

I've been asked to write an article about life as a recent C-M graduate that gives you, the current student, an accurate portrait of the first year or so after graduation. First, I'll do a favor for those readers who will read a paragraph of this article to one's psyche: I took a legal temp job. The bottom line is that your JD and even your bar passage entitle you to nothing. It's a different world out here, and stellar performances on law school exams do not automatically translate into career success.

I was lucky to have a great clerk position during school, but it could not turn into a full-time position after graduation. I went into it with the expectation that I would look for jobs while studying for the Bar, but let's be straight here: that just is not going to happen. I'm sure that you all have received a good amount of advice concerning the Bar Exam, so I won't go into it here.

The final spring semester is the last chance (until the following Fall) to try to secure a job, so get wise and start now. After the Bar, I took a great road trip out west with my father, but even that did not wash away the pressure of a finding a job. I was allowed to stay at my clerking job. I then hit bottom. I did not start drinking, but did something far more damaging to one's psyche: I took a legal temp job.

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Recent C-M grad shares job-hunting tips

By Ryan Harrell
GAVEL CONTRIBUTING WRITER

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Legal Writing

December 2007

Volunteering enhances resumes

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Legal Writing

December 2007

Volunteering enhances resumes
By Chuck Northeastt

Conservative columnist

The Political Broadside

Should the U.S. government provide universal healthcare?

By Aline Rosca

Liberal Gauntlet columnist

The real solution lies in looking at the causes of healthcare’s high costs and fixing them through the free market, ensuring that there is “real” competition in the medical industry. And, yes, my fellow future lawyers, placing limits on medical malpractice suits is a solution, not more medical costs. Ultimately, the government isn’t exactly known for its efficiency. Do we really think that this will change once government nationalizes healthcare? Let’s not ignore the obvious: it’s exactly because of our free markets that our medical care is the envy of the world. To put it another way, a patient needs help when needed. There’s no reason to deny this right to those in need.

Universal health care plans in other developed countries are, of course, imperfect as the people who designed them. But when every single developed country in the world but the United States has adopted such a plan over the last hundred years, and none has discarded it, shouldn’t this make one think that maybe they’re right and universal health care actually does work better? It is of course possible that the whole world is mistaken and we are correct; but isn’t it more likely the other way around?

We value our fundamental rights and spend tremendous energy to preserve them. Rather than raise taxes, he would pay for nationalized healthcare with the high price of national security by pulling our military out of the War on Terrorism. Although he believes in his fantasy liberal wonderland that terrorists are “imaginary enemies,” I seriously doubt that the families of the over 3,000 victims of 9/11 would agree. Though the war is another debate for another day, the price my country proposes is a price I’m certainly not willing to pay, especially for something that fails everywhere it’s tried, including those nations that he so blindly lauds! While the government’s ability to defend our great nation can easily be found in Articles I & II of the Constitution, nowhere does the Constitution mention the omnipotence of the state. Besides, it’s a matter of time with the issues we’re contemplating just now: Germany has adopted universal health care in 1880, Great Britain in 1948, Australia in 1975, Canada gradually up until 1984. They’ve had problems, but they’re improving them and the problems are much smaller than the benefits.

We are an advanced, wealthy, compassionate nation. We have the resources to make sure that everyone has access to this fundamental right: the right to get medical help when needed. There’s no reason to deny this right to those in need.
By Paul Deegan
Co-Editor-in-Chief

As I walked into Starbucks the day after Halloween, I noticed a peculiar atmosphere unlike any that I had experienced before. The place was full of green and red, and there was festive merchandise placed all around. I was agast to instantly realize that somehow, someway, the corporate world decided to eliminate Thanksgiving this year. It felt unnatural, like drinking beer with breakfast – it was just wrong.

I knew it was coming. For a number of years, the “holiday season” has crept upon the thanksgiving’s “personal space,” but I never believed that it would ever start the day after Halloween.

Not too long ago, the holiday season began the day after Thanksgiving. That Friday was always the first day of the shopping season, and all the stores around the nation seemed to have prepared their decorations the night before to prepare for a grand unveiling that somehow gave a person a special feeling inside. But nothing is special anymore – tradition is dying. The only thing special today is profit, the only tradition hoped for quarterly gains.

Many businesses completely rely on the holiday season to stay profitable. The response is understandable, but it doesn’t change the fact that Thanksgiving, one of the most important holidays celebrated in the nation is taken for granted. Thanksgiving is so important. First, the holiday is patriotic and helps give us an identity. Nothing is more inspiring than thinking about those original immigrants giving thanks for the bounty the future United States provided for them that autumn season. It further represents the determined spirit of Americans and the American dream for a better life. Second, Thanksgiving is a holiday everyone can celebrate. It doesn’t matter what religion a person belongs to – everyone can give thanks for something.

Even with all of its faults, the United States is still the best nation in the world and we can all give thanks for being here.

This is not to say there aren’t those who venerate the holiday. Almost every community has some sort of outreach program to help the poor in their area and there is always some story of a philanthropist donating turkeys or pies to those in need. It’s just unfortunate that the commercial industry doesn’t follow that example. It seems the only commercial players acknowledging Thanksgiving are supermarket chains trying to sell turkeys and pumpkin pie.

Of course, other companies don’t really have an incentive to market for Thanksgiving, but there was always an implied respect for the holiday by refraining to advertise Christmas until after the last Thursday in November. Please don’t misunderstand. I love Christmas and the holiday season, but there is a right time and place for everything. Before Thanksgiving is just not the right time. The negative ramifications of this practice are twofold. 1) Thanksgiving becomes overshadowed by Christmas and the holiday season. 2) The true meaning of Christmas and the holiday season is diluted when companies add an extra month of intense marketing.

Thirty more days of holiday shopping only increases consumer debt and shifts the traditional meaning of Christmas that promoted family and charity to consumer greed and a feeling of entitlement. It seems like we are all so worried about what we’re getting for the holidays that we forget why we’re celebrating in the first place. Unless we get back to the true meaning of things, Thanksgiving is doomed to continue to take a back seat to commercialism.

Now that the real “holiday season” is upon us, I appreciate seeing festive decorations, hearing holiday music, and smelling festive scents. But I can’t help but be disappointed that Thanksgiving was hijacked this year. I know it will only get worse. Maybe next year they will start the holiday season the day after Labor Day. I wouldn’t be surprised.

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Opinion
December 2007

LETTER TO THE EDITOR
Student responds to “2Ls in 1L classes” story

After reading November’s ‘2Ls competing in 1L classes – Is it fair?’, I am in disbelief that most respondents believe the practice of grading 1Ls and 2Ls on the same curve is fair. Most surely it is not.

Not too much of the difficulty of the first year curriculum is unfamiliarity with legal reasoning and final exam testing practices, how could it possibly be fair that students with a year’s familiarity with the law and law school are permitted to compete with those who have never encountered these trials before?

The rejoinder that 2Ls in first year classes have had “extreme commitments” that somehow negate their classroom advantage is utterly unconvincing; 2Ls year-long exposure to the law and law school – an exposure not enjoyed by 1Ls - occurred whether or not they were subject to other pressures.

This cynical and resigned approach to justice should not be countenanced in a college of law.

The article quotes a 1L passively sighing that life and law are not fair.

This cynical and resigned approach to justice should not be countenanced in a college of law.

If a law school’s grading of students early on fosters in them the impression that fairness and justice are fiction and fantasy, then the society which these students will one day serve is unfairly disadvantaged.

Ed Herman, 1L.
Anonymous 1L
The following is the third part of a six-part series following the experiences of an anonymous first-year student.

As I struggle to find something to write about, I am forced to face the fact that there is nothing new or interesting for me to relay to the student body. I am completely stagnant. I have nothing creative, nothing witty, and as always, nothing intelligent to share with you. Ergo, I will write about the mediocrity and predictability that is my current state of being.

I walk to class every morning, coffee spilling over the rim of my paper cup burning my hand. I walk in the same direction everyday. I walk through the same spots, up the same stairs, and into the same room. The regularity of my life not only leaves me feeling vulnerable to a stalker, should one choose to become such, but it also leaves me feeling commonplace. I pull my pen out of my bag and wait for something important to write down.

It is funny how “important” changes with the passage of time and circumstance. In elementary school, it was very important that I was first in the lunch line. Now, it is very important that I understand “color of title.” What should be important and what I doem to be important are two vastly different things. For example, it should be important for me to keep my apartment from precipitating a public health emergency. However, it is currently more important for me to read about output contracts than to properly dispose of the gallon of Crystal Light that has been sitting in my fridge since August.

The more I place upon the official-looking case books, the more my external life seems to fall apart. I have been deemed by my family to be M.I.A. I found dust on my laundry basket, and I have forgotten how to read for fun. My mind tells me that this is not the way things should be.

So perhaps the real challenge in law school is not mastering proximate cause. Maybe the challenge is not to lose sight of what is really important. In order to help my fellow 1L’s, I am going to make a list of important things. Remember that what is really important to me may not be important to you, but it should be. The first important element in life is the obvious “family.” Despite the annoyingly incessant phone calls and prying inquiries, they are the only people who are in it for the long haul. They put up with me, which is more than I can say for the majority of people I have met. While there are moments where I want to forget about them, they are my backbone and deserve a phone call from time to time.

The next element is a cluster of “important” in order from most important to least: beer, personal hygiene, overall cleanliness, and fostering my creative faculties. While these things may seem expendable, they are not. Drink a beer. Brush my teeth. Take out my trash. Draw a picture. They are relatively simple procedures that do not require much energy, but I often forget to do them…except drinking a beer. I usually do not forget to do that but I felt that I had to mention it for those students who are not prone to drinking. Beer is relaxing.

Finally, it is most important to not forget who you are. While grades are important, they are not so important as to justly losing oneself in the thicket of law school. Since I have become a law student four months ago, I have changed.

The way I dress, the manner in which I speak, and my mode of thinking have become alarmingly different from my pre-law existence. At the end of the day, I still look extremely unattractive when I sleep, I still despise cilantro, and I love to be around crass, inappropriate people. The things that comprise us are most likely a large part of what got us into law school to begin with. We need to hold those quirky elements.

Anonymous 3L believes law school is not “end all, and be all of life”

Anonymous 3L
The following is the third part of a six-part series following the beaten and broken law student.

As we approach the end of another year, I find myself in a state of reflection. I am not the same person I was when I began law school. I think many (if not most) of us have changed in ways we didn’t anticipate.

There are the ways in which I wish I wouldn’t have changed, including my renewed sense of insecurity and self-doubt. Law school has beaten me to a pulp and spit me out, and, at times, I feel like a shell of the person I once was. On the other hand, law school has made me stronger. I feel like, after what I’ve been through over the past few years, I can do anything.

I can see the light at the end of the tunnel, and I have recently (finally!) gained a sense of clarity. Law school is not the end all and be all. I am not a bad student or any less of an accomplished person because I am not at the top of my class. There are far worse things in life besides not doing well on one exam, just as there are greater joys in life than doing well on an exam.

Law school is not an indication of anything except how good I am at the game of law school. It does not reflect the kind of lawyer I will be or whether I will be successful in my career.

I have heard these thoughts from so many practicing attorneys, but it wasn’t until now that I truly believe them.

I honestly feel relaxed going into finals this time, and I’m not sure if it’s because of these revelations or because I have already gone through this four times. I’m still here after four rounds of finals, and I like the person I have become.

Don’t get me wrong – I still feel stressed and my classes are difficult. But, I think this is a different feeling and one you can only understand in your last year of law school.

First years take note! This is your first round of finals. Please do not hyperventilate; they are only tests. They are important right now, but your life will not be over if you do not do well. Trust me.

You have two choices: 1) let finals eat you alive or 2) take it as just another challenge in life that will be over in a few weeks.

In the words of my dad, “all you can do is your best and if that’s what you do then you should be very proud of yourself.” I know it’s cheesy but he’s right. And it’s the holiday season, so I’m allowed to be cheesy – it’s required this time of year.

I want to wish everyone good luck on finals. Have a wonderful holiday and a happy and healthy new year.

Join Us.

The Gavel

Submissions or letters to the editors can be e-mailed to: gavel@law.csuohio.edu

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

We may not be as prodigious as the Plain Dealer. We might have typos from time to time. But, we are the most accessible publication our law students produce.
The most Christmas movies of all time chosen by someone who dislikes Christmas

By Matt Samsa
Guest Columnist

In an attempt to put myself in the holiday spirit, I’ve decided to compile my unofficial list of the top Christmas movies of all time. These movies are in no order in particular. The numbers after the actors are their upcoming movies.

Die Hard – New York cop John McClane gives terrorists a dose of their own medicine as they hold hostages in an LA office building.

Nothing says Christmas like a disgruntled divorced police officer played by Bruce Willis (2) blowing up the Nakatomi Building in Los Angeles. This movie has it all: Bruce Willis’ corny one liners (all too foul to quote here), the warm Los Angeles Christmas environment, Carl Winslow (Reginald VelJohnson, 2) from Family Matters buying Twinkies and arguing with his recalcitrant supervisor, Deputy Police Chief Dwayne T. Robin-son. It’s always nice to see a really foul, violent movie at Christmas time, and Die Hard certainly fits the bill. A rare Christmas flick.

Home Alone – Eight year-old, who is accidentally left behind while his fam-ily flies to France for Christmas, has to defend his home against idiotic burglars.

Another can’t miss Christmas film. Joe Pesci (1) and Daniel Stern (1) bumbling through a house as Macaulay Culkin (2) sets painful traps for them. This film comes complete with a wide range of slapstick humor, including countless blows to the antagonists’ groins. John Candy (1) even makes a cameo as the Polka King of the Midwest and drives Culkin’s mother, played by Catherine O’Hara (2), back to Chicago in time to pull off a Christmas miracle. A bonus, Dan-iel Stern re-minds me of The Wonder Years, which he narrated, which re-minds me of the Chicago that Paul on that show grew up to be Marilyn Manson. Which then reminds me of the rumor about Manson’s ribs.

Bad Santa – A miserable conman and his partner pose as Santa and his Little Helper to rob department stores on Christ-mas Eve. But they run into problems when the conman befuddles a troubled kid, and the security boss discovers the plot.

There’s nothing like drunken Santa and his Little People friend robbing a department store. Billy Bob Thorton’s (2) tour de force as an alcoholic disgruntled Santa really cheers me up. There’s something about a terribly foul Christmas movie that makes me feel much better. Like Die Hard, there’s absolutely nothing nothing was quoted from this movie. The woman from Gilmore Girls (2) makes a wonderful appearance.

The Nightmare Before Christmas – Jack Skellington, Pumpkin King, ruler of Halloweentown, happens upon Christ-mas and decides to change Christmas into another Halloweentown.

At the very least, this movie is enjoyable because it turns Christmas into something grotesque. Nobody has ever captured Santa quite as well as Jack Skellington when he said “And on a dark cold night, under full moonlight, he flies into the fog like a vulture in the sky.” Like watch-ing Beetlejuice with a Christmas twist. Catherine O’Hara does the voice of Sally, which gives her appearances in two of the top Christmas movies of all time.

A Christmas Story – Ralphie has to convince his parents, teachers, and Santa that a Red Ryder BB gun really is the perfect gift for the 1940’s.

I wasn’t sure whether I wanted this movie on the list anymore because I simply cannot stand how they play it for 24 hours straight on Christmas. But I think it really needs to be on the list. This movie was filmed in Cleveland and it’s nice to see downtown Cleveland the way it used to be during the Christmas season, especially the old Higbee’s Christmas bonanza. I also love watching the waiter cut the head off the duck at the Chinese restaurant. As a side note, there’s a Christmas Story museum on W.14th Street in Tremont.

It’s A Wonderful Life – An angel helps a desperate businessman by showing what life would have been like if he never existed.

This is the only sappy movie I’m go-ing to put on the list, but I don’t think any list of the best Christmas movies would be complete without it. However, it’s funny to think that everyone in the town loved the town banker so much – I can’t imag-ine loving my banker. Also, being in the midst of a foreclosure crisis, it’s interest-ing to think back to the scene where James Stewart (2) reminds people making a run on his savings and loan that their money is tied up in the houses in the community.

I wish I still had more saving and loan institutions instead of a mortgage backed securities market.

By Tamie Myers
Guest Contributor

I got stuck in one of Viking Hall’s elevators a few months ago. It was early Friday afternoon of Labor Day weekend, right after Property class. I was eager to get going on my holi-day plans—a “working weekend.” How? I had included maintenance projects as well as reading and briefing for my classes. Loaded down with law books, laundry and my stuff, I stepped into one of the three elevators. Unfortu-nately, I picked the wrong one. After the doors closed the car lurched into motion, traveled a short distance…then shud-dered to a silent stop. Damn. I waited a few beats before touching the emergency bell. The ring sounded tinny. This was certainly not a smooth and uneventful ride. It wasn’t the elevator, but the doors were already closed. The car was on its way to pick up its next unsuspecting victim…uh, passenger.

I can quote from this movie here. But I won’t. The elevator was moving at a good steady pace, and the passengers (all too foul to quote here) were talking about how much they enjoyed their ride. I heard a snicker. No one was waving at me. It’s always nice to see a really foul, violent movie at Christmas time, and this movie certainly fit the bill. A rare Christmas flick.

Continued from page 1--

look out for them and will end crooked government. Even with knowledge of classical philosophy it’s reassuring to know that those who surmise that governmental corruption predates civilization (is that possible?), they still believe their ears.

Many will stick with their party just to protect them from the wealthy, power-hungry Republicans, and even more will go Democrat because they believe in open immigration.

But have they ever seen “regular person” John Edwards’ house? Are they aware that the much touted “Hillary Care”? is not a national health care plan but rather just an injection of a little more control, some tax credits, and insurance portability into the current system? Isn’t Barack Obama’s one-and-for-all idea of securing our borders and speeding up citizenship for current illegal immigrants similar to... wait a minute… Ronald Reagan’s?

importance of researching political parties and politicians

By Tami Myers
Guest Contributor

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When does Hillary Clinton stand for? You decide

Compiled by Daniel Kelly
Start Writer

Do you know what your presidential candidate stands for? Some believe that Hillary Clinton truly cares about women’s issues, even as they volunteer for her campaign. Others believe that her positions in the past were just for show, and she really cares about the issues when it is convenient for her. To find out the truth, take this quiz.

What is your position on sexual harassment?

[ ] I believe that sexual harassment is a serious issue and needs to be addressed promptly. I support measures to prevent it and to provide redress for victims.

[ ] I think sexual harassment is often overblown and that the real issues are more complex than they seem.

What is your position on Planned Parenthood?

[ ] I support Planned Parenthood and believe it provides essential services to women.

[ ] I think Planned Parenthood is unnecessary and that women should have access to other sources of healthcare.

What is your position on campaign finance reform?

[ ] I believe that campaign finance reform is necessary to ensure that elections are fair and free of the influence of special interest groups.

[ ] I think campaign finance regulations are too strict and that they inhibit free speech.

What is your position on gun control?

[ ] I believe that stricter gun control laws are necessary to protect public safety.

[ ] I think that current gun laws are sufficient and that any new regulations would infringe on individual rights.

What is your position on Israel and Palestine?

[ ] I support a two-state solution and believe that both Israelis and Palestinians should have the right to self-determination.

[ ] I think that the situation in Israel and Palestine is complex and that a two-state solution is not a viable option.

What is your position on healthcare?

[ ] I believe that everyone should have access to affordable healthcare and that the government should play a role in ensuring that this access is available.

[ ] I think that healthcare should be primarily provided by private sector and that the government should only provide a safety net for those who cannot afford it.

What is your position on Iraq?

[ ] I believe that the United States made a mistake in invading Iraq and that we should have pursued other options, such as diplomacy or military action.

[ ] I think that the United States was right to invade Iraq and that it was necessary to prevent Saddam Hussein from developing weapons of mass destruction.

What is your position on the war on terror?

[ ] I believe that the United States is fighting a war on terror and that it is important to combat terrorism.

[ ] I think that the war on terror is a misnomer and that the United States is engaging in unnecessary military action.

What is your position on climate change?

[ ] I believe that climate change is a real threat and that we need to take action to mitigate its effects.

[ ] I think that climate change is a significant concern, but that the solutions are too costly or too complex to implement.

What is your position on economic inequality?

[ ] I believe that economic inequality is a major problem and that we need to take steps to address it.

[ ] I think that the current economic system is fair and that further intervention by the government is unnecessary.

Please remember that this is a quiz and your answers are not binding. Your voting behavior is your own decision. Do you believe that Hillary Clinton really cares about the issues when it is convenient for her? How will you cast your vote in the upcoming election?

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The Gavel

OPINION

Do you think you know the presidential candidates? Some believe that Hillary Clinton truly cares about women’s issues, even as they volunteer for her campaign. Others believe that her positions in the past were just for show, and she really cares about the issues when it is convenient for her. To find out the truth, take this quiz.

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