



Who should win the presidential election?

Will it be McCain, Clinton or Obama? With three formidable candidates, The Gavel debates who the strongest choice is.

POLITICS, PAGE 5

Stress Reduction Kit



Directions:
1. Place kit in FIRM surface.
2. Rotate direction to stress of kit.
3. Repeat step 2 in reverse, at self discretion.
4. If unresponsive, cease stress reduction activity.

Coping with law school stressors

Whether students cope by drinking or doing yoga, there are a variety of ways to cope with stress. The Gavel explores the possibilities.

LAW, PAGE 3

Mozart or Xzibit?

One Gavel editor used to read books and attend concerts in his free time. Now he just wants to watch "Pimp My Ride" on MTV.



OPINION, PAGE 6



THE GAVEL

VOLUME 56, ISSUE 5 MARCH 2008

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

Barrister's Ball 2008: a night of revelry

By Paul Deegan
CO-EDITOR-IN-CHIEF

Our SBA outdid itself by hosting Barrister's Ball 2008 at Windows on the River, in the West Bank of the Flats. The event began at 7pm with the elegantly dressed attendees beginning to arrive around 6:30pm. The open bar was especially a hit since it served top-shelf liquor and a variety of other drinks. "Now this is the type of bar I'm talking about," said Chuck Northcutt. All of the hard work and planning paid off as nearly 250 students, faculty and their dates attended.

Windows was exquisitely prepared for the Cleveland Marshall crowd. With ample space to dine and dance there were no long drink lines or feelings of restraint. The catered meal was delicious whichever dish you ordered. "This Prime Rib is fantastic," raved Gannon Quinn as he took another bite, but the big hit according to many was the cheesecake. The author of this article had two pieces himself.

See BARRISTER'S, page 7

Delta theta phi sponsors spring break trip to D.C.

By Kevin Shannon
STAFF WRITER

On Sunday, March 9, 2008, 16 Cleveland-Marshall students embarked on a trip to Washington D.C., braving the blizzard of 2008. Organized by Delta Theta Phi and funded by the SBA, the trip included tours of the Supreme Court and the Library of Congress. A chance encounter with Representative Dennis Kucinich further provided a smaller group of students with an intimate after-hours tour of the U.S. Capitol.

The trip was almost cut short before it began due to the almost two feet of snow that mother nature unceremoniously dumped on Cleveland on the eve of the trip. The undaunted students dug out their cars and traversed the dangerous terrain on their way out of the city. The students were glad they did, once they arrived and discovered that lodging was at the luxurious Days Inn of Alexandria, just minutes outside of the city.

Awakening on Monday morning to a deliciously catered breakfast at the Chikzza Restaurant, the students fortified themselves for the long day ahead. They boarded the Metro for a short trip into the city. The students began the day at the U.S.



Delta Theta Phi group takes tour of the Capitol with Ohio Representative Dennis Kucinich.

Supreme Court, where they met the Court's Clerk Major General William Suter for a tour of the building. This would prove to be far from the ordinary tour and General Suter provided the students with a view of the Court that few people have ever seen.

Suter began the tour in the private lawyer's lounge, where lawyers arguing

before the Court wait for their case to be called. He gave a lecture about the court and answered students' questions about memorable oral arguments, cameras in the courtroom, and his basic training experiences with Elvis Presley. One student asked him about the so-called "highest court in the land," which is the

See D.C. TRIP, page 3



Attention 3Ls

The application to sit for the July 2008 Ohio Bar Examination is due on April 1, 2008.

For more information log onto the Supreme Court of Ohio's website:
<http://www.sconet.state.oh.us/admissions/examApps/default.asp>

CSU hosted democratic presidential debate

By Michelle Todd
STAFF WRITER

On Tuesday, February 26, 2008, Cleveland State University received national recognition when it hosted Decision 2008, the Ohio Democratic Presidential debate between Senator Hillary Clinton and Senator Barack Obama at the CSU Wolstein Center.

By hosting Decision 2008, CSU and the city of Cleveland took center stage in one of the most hotly contested races for the Democratic Presidential nomination in recent history. Such a position definitely had its advantages for several C-M law students, who were given the unique and invaluable opportunity to attend this highly anticipated debate between the Democratic candidates. Although tickets to attend the debate were limited, all CSU students were given the chance to enter a lottery for a chance to be one of the 200 volunteers needed for the event or to sit in the audience of approximately 1,600.

According to the CSU Marketing and Public Affairs Department, more than 20,000 ticket requests were received for the debate, including 5,000

from CSU students alone. A public lottery was held in addition to the student and volunteer lotteries.

In addition to volunteers and attendees of the Decision 2008, more than 500 reporters from across the nation and around the world converged on the CSU campus to cover the 90-minute debate. As a result, all classes at the University were cancelled for the day in order to properly accommodate this large media presence on campus for the historic event.

The debate was broadcast locally on WKYC-TV3, while other NBC affiliates broadcast the debate throughout Ohio. NBC also broadcasted two editions of NBC Nightly News from the CSU Wolstein Center, as well as a taping of the Hardball program featuring Chris Matthews.

Some of the more recognizable faces in the debate audience were Ohio Governor Ted Strickland, Cleveland Mayor Frank Jackson, Senator Sherrod Brown, Reverend Jesse Jackson, former Senator John Glenn,

Congresswoman Stephanie Tubbs Jones, and Chelsea Clinton, who was celebrating her 28th birthday.

Several lucky C-M law students were also in attendance at the debate, both as volunteers and audience members. 2L Matt Lallo won a ticket in the student lottery to volunteer at the debate and also got the chance to sit in the audience. As a volunteer in the "spin room", Lallo helped reporters and politicians conduct their interviews with the press. Lallo and approximately 20 other "spin room" volunteers were paired up with someone whom the media would like to interview. Once this person entered the room, the spin room volunteer would stand next to this person and hold a sign with the individual's name on it, so that reporters could identify their position in the room.

When asked what the most memorable aspect of his experience was, Lallo said that meeting Ohio Governor Ted Strickland in person was something he truly enjoyed. "Probably the best part about the debate was that I got

See DEBATE, page 2

Dean congratulates distinguished C-M faculty

By Geoffrey Mearns

The foundation of any academic institution is its faculty. We are fortunate to have a foundation of dedicated teachers and creative scholars.

Two weeks ago, we celebrated the accomplishments of four of our faculty members who were appointed to named professorships. Such an appointment recognizes a faculty member who is an outstanding teacher and accomplished scholar.

Professor Susan J. Becker: Charles R. Emrick, Jr. – Calfee, Halter & Griswold Endowed Professor of Law

Professor Becker received her law degree, *magna cum laude*, from our law school in 1983. After graduation, she clerked for the Honorable Robert Krupansky of the United States Court of Appeals for the Sixth Circuit, and then she



The
Dean's
Column

was an associate at Jones Day. Her publications address civil litigation and cutting edge issues in the area of sexual orientation and the law. Her recent articles have appeared in the AMERICAN UNIVERSITY JOURNAL OF GENDER & LAW and the WILLIAM AND MARY JOURNAL OF WOMEN AND THE LAW. She is the author of two books: DISCOVERY OF EMPLOYEES (2005), and THE LAW OF PROFESSIONAL RESPONSIBILITY IN OHIO (with J. Guttenberg and L. Snyder) (2008).

Chuck Emrick ('58) and his wife, Liz, along with his colleagues, friends and clients, funded this professorship. He was a partner at Calfee, Halter & Griswold. During his years in practice, Chuck helped build the firm into one of the region's most successful.

He and Liz have been unwavering supporters of our law school and our students.

Professor Kathleen C. Engel: Leon M. and Gloria Plevin Professor of Law

Professor Engel graduated from Smith College and the University of Texas Law School. She clerked for the Honorable Homer Thornberry of the United States Court of Appeals for the Fifth Circuit, and then she practiced law at Burnham & Hines in Boston. She is an authority on mortgage finance and regulation, sub-prime predatory lending, and housing discrimination. In January, she was appointed to the Federal Reserve Bank's Consumer Advisory Council. Her publications, a number of which she co-wrote with Professor Patricia McCoy, include articles in the TEXAS LAW REVIEW, FORDHAM LAW REVIEW, WASHINGTON UNIVERSITY LAW QUARTERLY, and HOUSING POLICY DEBATE.

Leon Plevin ('57) is a highly respected and very successful trial lawyer. His wife, Gloria, is a nationally respected painter and printmaker. In the 51 years since he graduated, he has never lost touch with his law alma mater. He has been a member of our Visiting Committee and President of our Law Alumni Association. Both the law school's and the university's alumni associations have honored him. Gloria's work hangs in museums and galleries all across the country, as well as in our law school. **Professor Sheldon Gelman: Joseph C. Hostetler – Baker & Hostetler Chair in Law**

Professor Gelman received degrees from Rutgers College, Rutgers University School of Law and Harvard Law School. His writing and teaching focus on issues arising from the intersection of medicine and constitutional law. His articles on abortion, forced sterilization of men and women, and psychotropic medications have appeared in the GEORGETOWN LAW JOURNAL, the UNIVERSITY OF MINNESOTA LAW REVIEW, the WILLIAM AND MARY LAW REVIEW and elsewhere. He is the author of MEDICATING SCHIZOPHRENIA (1999). Professor Gelman is the current President of the Cleveland State University Faculty Senate, an organization offering counsel to the University President on educational policy and procedures.

The late John Deaver Drinko, a senior partner at Baker & Hostetler, was the principal creator of the Baker & Hostetler Endowment. During his leadership years, the firm experienced astounding growth.

Joseph C. Hostetler, for whom our chair is named, together with Newton D. Baker and Thomas Sidlo, founded Baker & Hostetler in 1917. Both Mr. Baker and Mr. Hostetler were members of our early faculty.

Professor Kunal Parker: James A. Thomas Distinguished Professor of Law

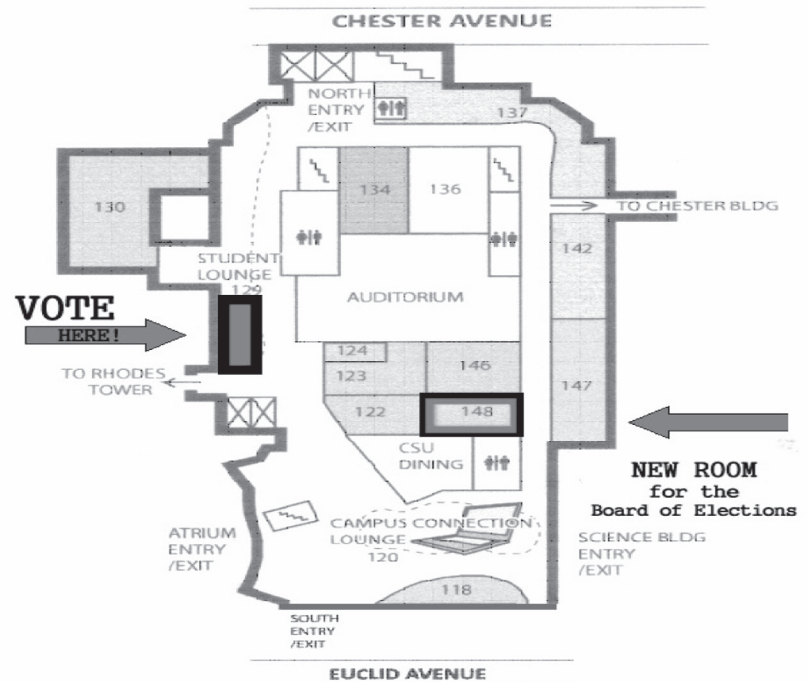
Professor Kunal Parker received his undergraduate degree, *magna cum laude*, and his law degree, *cum laude*, from Harvard. His M.A. and Ph.D. in legal history are from Princeton. His scholarship has focused on colonial Indian legal history and American immigration and citizenship in various historical and political contexts. Relevant articles have appeared in THE CAMBRIDGE HISTORY OF LAW IN AMERICA, in LAW AND HISTORY REVIEW and in POLAR: POLITICAL AND LEGAL ANTHROPOLOGY REVIEW. Professor Parker been a research fellow at New York University Law School, Cornell Law School, Queens University (Belfast, UK), and the American Bar Foundation, and he has lectured throughout our country and around the world.

Jim Thomas ('63) is the founder, chairman, president and chief executive officer of the Thomas Properties Group, Inc., a highly successful national real estate developer of commercial and residential property. He was the original chair of the law school's National Advisory Council, a committee of our most prominent graduates and friends. Jim was editor-in-chief of the CLEVELAND STATE LAW REVIEW and graduated *magna cum laude*. Jim was also principal owner of the Sacramento Kings NBA Basketball Team and the Arco Arena. Few of our graduates are as devoted to our law school as Jim Thomas, a leader, a benefactor, and a friend.

I am grateful that so many of our distinguished graduates show their appreciation for the education they received here by giving us the resources to recruit, retain, and reward our outstanding faculty. Please join me in thanking our benefactors and congratulating our distinguished faculty.

FIND IT!

The New Main Classroom 1st Floor Plaza



- Student Government Elections - Voting Locations and Times -

Tuesday, April 1st
9:30 A.M.-5:00 P.M.
Main Classroom
1st Floor Plaza

Tuesday, April 1st
5:30 P.M.- 8:30 P.M.
Business Building
Lobby off of E. 18th

Wednesday, April 2nd
9:30 A.M.-8:30 P.M.
Main Classroom
1st Floor Lobby

The debate at Cleveland State

--Continued from page 1

paired up with Governor Ted Strickland while he was in the spin room. The governor, along with his press secretary and security team, were all very friendly. After about two hours of interviews with every media outlet in the room, the governor even took some time out to talk with me and get to know who I was," Lallo said.

Another C-M student and moot court member, Rick Ferrara, was one of the lucky ticket lottery winners. Ferrara, who received a ticket to be part of the debate audience, said he enjoyed the debate overall, but was "shocked" that debate moderators, NBC's Tim Russert (C-M '76 alumnus) and Brian Williams, failed to set ground rules for the candidates. "They [the moderators] made the biggest mistake they could have made in a debate," Ferrara said. "At times, the debate got boring when the candidates would simply talk over the other, or the moderators. I remember an instance where a collective groan escaped the audience as Senator Clinton interrupted Brian Williams a third time on the same question," Ferrara said.

Despite this, Ferrara noted that there was a clear debate "winner" in his mind. "Senator Obama won because he kept his poise throughout the debate, answering questions with an even tone and clear language. Meanwhile, Senator Clinton seemed irritated, eager to interrupt others at the table, and long winded in his answers," Ferrara said. Ferrara also said that there seemed to be more audience interest in Senator Obama than Senator Clinton. "Senator Obama's line for autographs was much longer than Clinton's after the debate," Ferrara noted.

Although he remained undecided as to whether he would actually vote for Senator Obama, Ferrara felt the debate improved his "perception" of the Senator, adding that Senator Obama "certainly is a presidential figure."

Along with Ferrara and Lallo, 3L Jason Grimes was in the audience for the debate after winning a volunteer spot on the Hardball program with Chris

Matthews. Grimes described his volunteer duties as "background scenery" on the Hardball program. "The best part of my debate experience was having about 45 minutes of background face time on national cable television," Grimes said.

Although Grimes said he does not feel that the Ohio debate changed any of his political viewpoints, he did see Senator Obama as the clear "winner" of the debate. "Hillary sounded petty when she complained about the alleged negative treatment she's gotten from the press," Grimes said.

When asked what impact, if any, hosting the debate had on CSU and the city of Cleveland in general, both Lallo and Ferrara speculated that any impact would be positive in nature. "The debate got CSU's name out in a public forum as a reputable and distinguished university," Lallo said. "Hosting the debate here also forced the candidates to address issues that are specific to our region...as a result, the spotlight should continue to focus on our region's issues which in turn should bring some improvement to our local/regional economy," noted Lallo.

Ferrara said he hopes that hosting the debate will "increase CSU's prestige," but also said that realistically it will have next to no national impact. Grimes echoed these sentiments when he commented on the fact that the majority of people cannot even remember where the 14th debate was held. "No one other than 'Cleveland Plus-types' will remember where this debate was held," Grimes said.

Although hosting Decision 2008 may not have any long lasting national effect on CSU, it is likely that those students who attended and volunteered at the debate will not soon forget their experience or the people they met while they were there. "It was really nice to hear Tim Russert talk to the crowd and acknowledge his C-M background...he said that he wouldn't be where he was today without his Cleveland education at C-M..." Lallo said.

Remembering Michael Crows

June 24, 1980-Dec. 29, 2007

By Shawn Romer

CO-EDITOR-IN-CHIEF

Michael Crows was a 3L at C-M who tragically passed away over Christmas break.

Michael's story is probably more unique than any other student's here at C-M. He was born in Detroit, Michigan, before moving to Florida with his mother early in his childhood. He then moved to California to live with his father. Due to unforeseen circumstances, he began living on the streets of California.

While attempting to sell a motorcycle, Michael ended up befriending the family who was to be the potential



purchaser, and they took him in as if he were their own son. Michael lived there until it was time to go to high school, when his grandfather and uncle gave him just enough money for a greyhound ticket to come back to Cleveland. He was dropped off at the station on Chester, right outside our school with nothing but the things he could carry with him.

Michael began a new life here in Cleveland. His uncle and grandfather paid for him to attend Grand River Academy, where he prospered and graduated. He attended Florida Atlantic University and received a B.A. in business. Following graduation, Michael worked in finance at the Loreal Company for two years before beginning law school at C-M.

Michael always remembered his upbringing and the generosity of others that helped him overcome the obstacles that he encountered. One of his ultimate goals

was to repay this generosity by sponsoring a four year scholarship to Grand River Academy. His experience with this generosity during his adolescence undoubtedly inspired his giving character.

I personally remember Michael as one of the most caring and giving people.

Generally, when people ask if you need something, they are being courteous. However, when Michael asked, you could see the genuine look of sincerity - he really wanted to get you whatever you needed. His caring nature was perhaps the first thing that most remember when recalling their personal experiences with Michael.

Michael enjoyed making people laugh. I specifically remember how he entertained a carfull of people, including myself, by blasting the theme song to the "Jef-

fersons" as we were "moving up" W. 6th St. Michael had a personality, a caring disposition, and a sense of humor not often found. This rare combination will be missed amongst the C-M community.

Michael enjoyed working out and frequented the CSU Recreational Center. He was interested in physical fitness and often took body composition tests to keep track of his progress. He also enjoyed riding his motorcycle and was very close to receiving his pilots license before passing away.

At C-M, his favorite classes were contracts and corporations. He one day hoped to open his own practice in the area of real estate law. He, along with his girlfriend Timsi Pathak, were active in helping students from out of town become oriented when they first came to Cleveland.

Michael will be remembered as a caring and generous member of our community, and he will be missed.

Law students seek relief from stress in many ways

By Katie Vesoulis

STAFF WRITER

With finals forthcoming, stress levels are bound to escalate to an unhealthy level. Although stress is often viewed as a typical byproduct of law school, many students are looking for outlets to relieve such angst. Upon entering school, it becomes abundantly clear that many students equate alcohol consumption with stress relief mainly because it offers the interesting juxtaposition between the stoic Socratic classroom and the classmate with the 3.7 that can no longer recall how to drink out of a cup. A close second in apparent means of stress management is the obsession with the mundane rumor mill of the school that is not only semi entertaining, but can at times provide a much needed ego boost.

All of this aside, the ABA has reported that roughly 1 in 5 lawyers are alcoholics, and a recent Johns Hopkins study ranked lawyers as the most depressed profession. Therefore, it is important for law students to start dealing with stress early on to prevent negative outcomes in response to future stressors down the road. One such way students cope is through physical activity.

The Cleveland State Recreational Center offers a variety of intramural sports for the fall and spring semesters. 1L Patrick O'Connor has participated in a variety of teams including soccer, racquetball, and basketball. Participating in these organized contests affords him a few hours a day to unwind, socialize, and compete, said O'Connor. The Rec center allows any student enrolled in classes to sign up for teams and compete on various assigned days. Currently, the REC is offering everything from racquetball to basketball to corn hole.

The REC center also offers a variety of individual classes and workshops designed to work off some steam and train your body to decompress. April Stephenson, a 1L, has recently discovered the mind/body yoga class that helps her relax and reenergize for

the entire week. These classes are so enjoyable to because the instructors are excellent and helpful, even to students who have no previous experience in yoga, said Stephenson. These sessions are taught at various times throughout the day and are \$2 per class.

Dining out affords students temporary relief from school. Many students enjoy trying various new and diverse restaurants on the weekends that don't involve "eating fresh." Some favorites include Great Lakes Brewing Company (Ohio City), Heck's café (Ohio City), Nate's Deli and Restaurant (Ohio City), La Dolce Vita (Little Italy), and Tommy's (Coventry).

If the stress of school and everyday life are too much for a student to successfully navigate, Cleveland State offers a variety of mental health services in an attempt to remedy the situation and get students the help that they need. The counseling center offers both individual and group therapy to students designed to allow open communication, reflection, and input regarding individual's experiences. The center also offers a variety of testing services to help identify the particular areas a student may need assistance in. There are also a number of sponsored programs to help students with important issues such as time management, stress reduction techniques, assertiveness, alcohol awareness, overcoming depression, etc. If a student wishes to receive counseling, he or she may set up an appointment by calling 216.687.2277 or visiting the counseling center located in Rhodes Tower.

Law students have a variety of options available to help maintain some level of sanity, but finding the time to do these activities is half the battle. Based on statistics pertaining to the legal profession, it is important to develop healthy coping mechanisms now that will help later on. Finally, students must realize that there are many individuals on campus who are here to assist students who may be sinking.

Students tour U.S. Supreme Court, Library of Congress

--Continued from page 1

basketball court located on the top floor of the Court. Suter confirmed the basketball court's existence and promised to show it to the students before the tour was over.

The tour then moved to the historic courtroom where the students were surprised just how close the Justices are to the podium where advocates present their arguments. At Suter's suggestion, Jennifer Isaac stood at the 200 year old podium and clearly and confidently proclaimed "Mr. Chief Justice and may it please the court, I'm here representing Cleveland Marshall and we're going to win!"

The trip then moved to the Solicitor General's Office and continued on to other side rooms at the court. Next, the students saw the private dining room where the Justices eat lunch together on argument days.

The tour then provided the students with the unique opportunity to shoot hoops at the gym on the top floor of the Court. One student, Leslie Hines, had a bit of trouble making a basket. Finally, after several tries, Hines banked one in and received a resounding ovation from General Suter and her fellow students.

The tour concluded with a stop in retired Justice Sandra O'Connor's office. General Suter pointed out a throw pillow on a couch in the office that proclaims "maybe in error, never in doubt."

After a break to get lunch, the students met at the Library of Congress where they received a tour from Elizabeth Pugh. Ms. Pugh, the Library's general counsel, is a 1978 graduate of C-M.

She began the tour by showing the students the private dignitary reception room, which had hosted the King of Jordan the week before. Ms. Pugh showed the students many of the paintings and sculptures that help make the Library one of the most beautiful buildings in the country.

The students saw the main reading room, made famous by the movie *All the President's Men*. Finally, Ms. Pugh concluded the tour by showing the students the members-only reading room, which is only accessible to members of Congress.

At this point, some of the students returned to the hotel, while others decided to rest their feet over some cold beverages in one of the District's many watering holes. Walking to a bar, the students noticed Representative Den-

nis Kucinich walking down the street.

Following Mr. Kucinich into a Greek Restaurant, the students introduced themselves and explained that they were from Cleveland. Kucinich asked if the students would like a tour of the Capitol and promised to call them after he finished dinner.

The students retired to the Hawk and Dove, a nearby bar, to wait for Kucinich's call. As time went by, the students grew skeptical over whether Kucinich would call. Finally, Isaac's cell phone rang and Mr. Kucinich told the students to meet him down the street.

The only question was how they would divide up the \$180 bar tab. Since time was of the essence, Isaac threw down her credit card and the students hurried out the door and down the street.

Kucinich led the students through the members-only entrance and down the halls of Congress. Then he brought them onto the floor of the House and had them sit down in the front row while he explained some of the House's procedures and customs.

The tour continued and one of the students asked Kucinich if he had his pocket Constitution with him. Kucinich pulled it out and explained his view that the current administration was trampling all over

the rights that the Constitution ensures.

The students then saw the old Senate chamber where Kucinich noted that the hall had seen some of the most significant debates in our country's history. It was there that slavery was debated and where the choice to secede from the Union was made.

Kucinich then brought the students to the Capitol's Rotunda. Kucinich pointed out his favorite statue in the room of President Abraham Lincoln. The students joined Kucinich for a few moments of silent reflection in front of the statue of the great American.

Two hours after the tour began, Kucinich concluded by reading a quote from Thomas Paine's *Common Sense*. The passage that Kucinich read began by asking where the "king of America" is.

It concludes by explaining that "as in absolute governments the king is law, so in free countries the law ought to be king; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is."

Leaving the students just outside the Capitol, Kucinich quietly vanished into the night, leaving behind seven law students in awe at what they had just experienced.

Practice exams are key to doing well in classes

By Karen Mika

LEGAL WRITING PROFESSOR

The only way to do well on something is to rehearse for it. Consequently, aside from studying material, the best way to prepare for finals is to do mock exams under exam conditions. Obviously, there is no way to tell how you did unless you have some type of model answer, so the best mock exams to use are the ones with sample

answers. In the alternative, the mock exams should be done in a group and should be compared. When comparing what is written down, the end determination should not be critiqued so much as the clarity of format (are rules separated from analysis?) and the logic and depth of the analysis (are there merely statements with facts in them or are they connected to the rules set out?)

Students too often underestimate the value of these dress rehearsals. Pretty much every student knows the same amount of law prior to going into finals. There are only a finite amount of elements and tests to memorize. Success on exams depends on clear organization, articulation and application of those elements or tests. Additionally, it is nearly impossible to anticipate how one will parcel out time under exam conditions. Quite often, exams involve complex issues that have many subparts. Without "rehearsing" how long it will take to organize and set out the numerous subparts, it is likely that organization will suffer during an exam. Panic often sets in, and the student winds up writing a stream-of-consciousness diatribe on every aspect of a particular course. Exam graders are rarely impressed by a piece of writing that is simply a "mass" of information related to a particular topic. There are a few constants that apply to taking every exam:

1. Answer the question(s)! Students have a tendency to dive right into the law without addressing the specific question posed. Students also have a tendency to decide to answer other questions besides those that are posed. Think of the answer as the topic sentence of a paragraph. Most paragraphs require a topic sentence in order to be coherent, and the same is true for exam answers. If you can't point to the topic sentence of a segment of an exam, chances are the answer is organized poorly.

2. Separate out rules from analysis, and place the rules first. Once again, if you can't look at an exam answer and be able to circle where the rules are and see that they come before any analysis, then there is probably something wrong with the answer.

3. Do not set out stray statements of facts that are disassociated from a legal rule that should precede it. For instance, the phrase, "The defendant pushed the plaintiff into oncoming traffic" means nothing legally. Compare that with, "The 'harmful touching' occurred when the defendant pushed the plaintiff into oncoming traffic."

4. Remember good principles of presentation. Even when using a word processor, don't underestimate the value of using headings, providing white space, and refraining from writing paragraphs that continue on for pages. If you turn in your exam answer thinking, "I'm glad I don't have to sort through that," chances are that the professor will feel the same. Too often students will say, "Well, it may not have been organized well, but it was all in there." The reality is that organization is often the key, and that given all things are equal, the more "palatable" exam will be the one given the benefit of the doubt.

Prospects for employment in legal field diminish

By David L. Moore

GAVEL CONTRIBUTING WRITER

While the legal field is typically recognized as an industry that weathers economic turmoil just as well as it flourishes in economic prosperity, that time may be retreating in 2008. The current domestic and international environment is resulting in a "Perfect Storm" for law firms: a whirlpool of slowed profits, less litigation, and less recruitment, according to the Feb. 25, 2008 Wall Street Journal article *Why Big Law is Bracing for a Learner 2008*.

In recent years, law firms, large and small, have been characterized by rising associate salaries, higher client rates, and increased national and international growth. Average revenue has been seen rising in excess of 10 percent yearly, while profit-per-partner numbers have seen similar gains, according to The Wall Street Journal Online.

The rise in litigation throughout the late 1990's has added to the exponential increase in profit margins and thus increased hiring. With recent judicial reform and economic uncertainty, though, law suits are declining and so are profits.

According to a recent report by the Wall Street Journal, a survey of 250 law firms, conducted by Hildebrandt International Inc., concluded that profit and litigation numbers have seen a staggering slowdown throughout the latter half of 2007 and are forecasted to continue downward through 2008. As a result, associate pay rates and new associate hiring rates are expected to stagnate or marginally decrease in the near future.

Both general practice and tailored practice firms are experiencing a slowdown. The current economic condition of slowed growth, rising gasoline and food costs, and rising unemployment is resulting in less disposable income for clients to pursue uncertain litigation in anticipation of settlement. Discretionary litigation is subsiding and is being

postponed. Class action firms and shareholder recovery firms are on the decline as well due to corporate governance revamping. Likewise, corporate litigation firms, real estate firms, and financial segmented firms have been less active in pursuing litigation due to their direct exposure to the subprime debacle and financial uncertainty.

The easy money that existed during the recent years has come to an end. Law firms using debt financing to aid growth have found it more difficult to obtain further financing, despite the status of their credit. Combine that with decreased profit growth and expectations, the ability to repay that debt is becoming more difficult. While budgets are being cut, advertising and recruiting efforts are being postponed or limited.

The news is not all bad. With increased economic turmoil, law firms specializing in subprime litigation and international litigation are well set to thrive in this turmoil. Diversity and global exposure are mitigating the effect of a U.S. downturn. While new hiring isn't going to be as flush as it has been in the past, law firms are always on the prowl for strong recruits with a diversified skillset, and most importantly, a strong commitment.

Recently, large law firms are reporting a 30-50 percent attrition rate of new associates after 3-4 years due to lack of responsibility, nominal partnership prospects, and the so-called "drudge work," according to the Feb. 29, 2008 Wall Street Journal article *How Bad is Associate Life*. New associates may find it difficult to land positions at large firms, but associates at large firms may find it more difficult to subsequently develop their skills than their peers at smaller firms.

C-M students are also feeling the impact of the economic situation on their legal employment prospects. The percentage of C-M students employed

after graduation remains at approximately 93 percent, a level consistent with that of previous years, said Bernadette Salada, assistant director of the career services department. However, students are finding a need to work more diligently than they have been in the past, as increased economic costs and increased competition are making the already competitive legal field more competitive.

But Cleveland's resilient legal economy, complimented with C-M's strong alumni presence in the community and its superior student achievement have all enabled this employment rate to remain relatively constant, said Salada. Students finding it difficult to obtain employment, though, are encouraged to seek assistance from the career services department. Setting up individual appointments and submitting resumes and cover letters for review are a few of the ways students can seek assistance, said Salada.

Ultimately, prospective hires and new associates can be expected to work harder now than ever in the past, both in their job search as well as on the job. Confidence, networking, perpetual skill refinement, and assistance from those able and willing to offer it are necessary criteria to be successful in this economic environment. While decreased salaries and competitive hiring may continue, a diversified background, high productivity, and long hours will still continue to be the mantra of, and the gateway to, big law.

Summer Law Study
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5998 Alcalá Park LS 310
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Contracts Vocabulary Word Search

n y y s a r p s e g a m a d b t
o t t d e k a t s i m u i s i k
i i i u a f r u s t r a t i o n
t l l a c k o f c a p a c i t y
a i i r p c l d m r i o t e t r
t b b f a o e d o o f o c o y e
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e n c o n s i d e r a t i o n u
s o i e c s d r i t e l c d p d
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e n r a f c e l p s r u a o h i
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s c m s e i t n a r r a w s g n
i n i m p o s s i b i l i t y e
m u n o i t i d n o c s r p m m

Consideration
Impracticability
Impossibility
Frustration
Promise
UCC
Offer
Acceptance
Mistake
Parol Evidence
Breach
Condition
Repudiation
Statute of Frauds
Damages
Duress
Illegality
Misrepresentation
Unconscionability
Lack of Capacity
Warranties
Discharge

The Political Broadside

Which presidential candidate should win the 2008 election?

By Chuck Northcutt

CONSERVATIVE GAVEL COLUMNIST



It's another presidential election year, and the Republicans have once again produced a strong candidate. In Senator John McCain we have an American hero with extensive foreign policy and military experience, and he also has immense legislative experience with 25 years in Congress. By contrast, Senators Clinton and Obama have served in Congress for less than half that time, a combined 12 years. While some question McCain's conservativeness, he scored a lifetime rating of 83 percent from the American Conservative Union.

To the staunchest of my fellow conservatives, I submit that a man who agrees with you 83 percent of the time is a friend who is far better to have in the White House than someone who doesn't agree with you at all. To underline my point, that same report gave Hillary and Obama a 9 percent and 8 percent conservative rating, respectively, making whoever gets the Democratic nomination not just another liberal, but an ultra liberal.

While the Democrats want higher taxes by not renewing the Bush tax cuts and increased government spending in nationalized healthcare, McCain has never voted for a tax increase. McCain further supports cutting taxes for the middle class by permanently repealing the alternative minimum tax that affects 25 million middle class families, and he supports a pro-growth tax policy by keeping tax rates low. McCain recognizes that the only way to grow our economy is by putting more of people's money in their own hands and not the government's. Along this same reasoning, McCain rightfully wants to make tax increases harder by requiring a 3/5 majority vote in Congress to raise taxes.

McCain also plans to eliminate earmarks, wasteful subsidies, and pork-barrel spending. Coincidentally, Hillary refused to release her own earmark requests this past week. McCain vows to veto every pork-laden spending bill passed by Congress and will seek the line-item veto if elected. McCain promises to cut wasteful spending in defense and non-defense programs. He recognizes that the real path to a balanced budget is responsible government spending, not raising taxes.

Even when he was criticized for not originally supporting the Bush tax cuts, his reasoning was noble - the cuts weren't backed by conservative spending policies. This stance showed two traits that we should want in any President: fiscal conservativeness and a willingness to stand by his convictions and not conform to the party line, even in the face of criticism. Even on issues that McCain and I disagree on, I have always respected him because I knew that he acted in the best interest of America and, unlike the stereotypical politician, not for himself.

Furthermore, on issues addressed in this column, McCain opposes socialized healthcare. He prefers free market solutions to our health care crisis that allow more competition. McCain supports a secure border and requiring immigrants to learn English, American history, and civics.

McCain's experiences greatly outshine either democratic candidate when it comes to the war on terror. In calling for cut and run policies of arbitrary timetables for troop withdrawal, both Democratic candidates show their lack of understanding of foreign policy. They would hand Iraq over to Al Qaeda on a silver platter while abandoning our allies who are risking their lives to build a democracy.

McCain was right in supporting the troop surge in Iraq, which has yielded great progress. It's also reassuring that McCain wishes to continue the policies of the current administration in the war against terrorism. That's right, it's about time that President Bush was given credit for making both America and the world safer. While Al Qaeda grew stronger during the Billary administration, under Bush, they have been reduced from guests of an entire nation to hiding in caves. As a result, there has not been a single terrorist attack on American soil since 9/11. These same policies that liberals love to hate resulted in an Iraq without Saddam Hussein and an Afghanistan without the Taliban, both having been replaced with democracies. McCain recognizes that these policies have made America's enemies weaker, while making us stronger; and he rightfully wishes to continue them. Under a McCain presidency, we can continue to sleep soundly at night.

Liberal rebuttal. . .

I'd rather not use this rebuttal to find faults in Senator McCain - an American hero and a man of character. There are, of course, disagreements of substance between him and the Democratic candidates, but they may be smaller than at first sight: I am sure Mr. McCain would pull most troops out of Iraq tomorrow if the situation stabilized overnight, and equally sure a Democratic president will avoid leaving Iraq in a chaos through a sudden and total pull-out. I am confident both Mr. McCain and the Democratic candidates want a tax system that helps nurture a strong middle class and eliminate poverty. Mr. McCain certainly doesn't want to see uninsured Americans suffering from treatable illness because they can't afford the treatment, just as no Democrat plans to destroy our medical industry or cripple our economy with unbearable taxes to support universal health insurance. All three contenders are reasonable individuals, not prisoners of rigid ideologies or special interest groups, and they will not promote reckless or irresponsible policies if elected President.

Senator McCain is an able politician, but Senator Obama can accomplish much more as President - by making the American people accomplish more; by enlisting our help, mobilizing our energies, and inspiring us to act for the common good of our country. I'm asking you, the reader, to listen to his speeches and watch the enthusiasm he generates among average Americans, then imagine President Obama calling on the American people to end our dependence on oil; reduce poverty and disease; stop global warming; become again that country to which the whole world looks up with respect and admiration; lead the world in science, technology, and education; open new roads and break old barriers. Imagine what this country can do in response to his call, and inspired by his message: our possibilities are limitless.

By Alin Rosca

LIBERAL GAVEL COLUMNIST



If we could reduce to one word all speeches and slogans of this year's Presidential contests, that word would undoubtedly be "change." "Change" has been the buzz word most frequently used by candidates across the political spectrum.

This year's call for change transcends political orientations and summarizes both Democrat and Republican voters' discontent with where our country is today, after eight years of (mis)management by the Bush administration. "Change" is what Americans desire most from the next President of the United States. "Change" is a need and aspiration you can almost feel in the air at the political rallies of any of the remaining contenders to the Presidency of the United States.

There is another need felt by the American voters, perhaps equally powerful and intense as the one for change, albeit less articulated in "buzz words": the need to put an end to political partisanship and quarreling, to move beyond attacks, backstabbing, and squabbling in D.C. Political life in our capital has become a combination of a cheap circus and a gladiators' arena, where politicians are so busy doing favors for their campaign contributors and going after their opponents' jugular that nobody has time to care or do anything about the common good of the country.

This is not the United States our Founding Fathers have envisioned. We now have a super-class of politicians almost completely disconnected from reality, as seen by the average American. Something has gone terribly wrong and needs to be fixed soon. The person who will be elected president on November 8 will be the candidate the American voters will see as most likely to change everything that's wrong about Washington D.C. That person is Barack Obama.

We have three able candidates to choose from: a former war hero who has demonstrated he can move beyond ideological partisanship; a former First Lady who's experienced and effective; and a brilliant politician, full of energy and untainted by the evils and sins that reign supreme in Washington D.C.

Each of them would make a great leader. Two of the candidates would probably push for incremental change and be successful. The third candidate, however, has the capacity to go far beyond incremental steps. Under his leadership, our country can make the leap to a new kind of governance - just like it once made the leap to a world without slavery under the leadership of a president; to a society with safety nets for the elderly and the sick under another president; and no less than to the Moon, under the leadership of another president who could inspire the people.

Leaders like these are rare: they're valuable not for what they are, but for what they can inspire us to be; not for what they can accomplish, but for what they can inspire us to accomplish. They don't emphasize what they can do, but what we can do.

Barack Obama himself cannot change America, certainly not more than the other contenders can. The President himself is merely one person surrounded by a huge bureaucratic machine that has its own way of getting things done. What Barack Obama can do, more than any other contender, is mobilize the American people to improve their country. In a way, our leap of faith on November 8 will have less to do with his ability to effect change, and much more with our ability to change.

Election campaigns are voters' best chance to scrutinize a candidate and get acquainted with him or her. The campaigns also offer a glimpse at how each candidate may lead the country, if elected. With his campaign, Barack Obama accomplished several remarkable things: he has been able to feel and articulate the voters' need for change better than anyone else; he persuaded scores and scores of voters that politics can be something else than partisanship, corruption, entitlement, and arrogance; he made average Americans believe in their capacity to make a difference; he awakened the civic sense and political activism in the otherwise politically inert American youth.

Hillary Clinton would also make an able president. Her experience in the White House and her work as a United States senator have shown she is an effective leader and an agent of change.

Conservative rebuttal. . .

McCain is the only candidate that tried to break the campaign contributors' hold on Washington, that my counterpart mentioned, through the McCain-Feingold Act. Hillary's claim that being a former first lady somehow qualifies her to be President is laughable. Hillary is no more qualified to be President than Bret Farve's wife is qualified to start in the Super Bowl.

Recently, my opinion of Barack Hussein Obama was that other than his lack of experience, weak foreign policies, and far left agenda, he's otherwise likable and sincere, unlike Hillary. Furthermore, Obama is all speeches and no substance. Ask an Obama supporter about his policies, and you'll hear about doing the "Obama Dance" at his latest rally. Obama talks of 'change,' but change of what? However, to paraphrase Obama's pastor, Reverend Jeremiah Wright, Obama's chickens are coming home to roost.

To see where Obama really stands, just connect the dots - from the America hating Rev. Wright's call for God's damnation of America days after 9/11, to receiving an endorsement from anti-Semitic Louis Farrakhan, who's also Wright's good friend (Wright gave Farrakhan a lifetime achievement award and the two visited Libyan dictator Muammar Qaddafi together). Wright officiated Obama's marriage to his wife, who was not proud to be an American until just recently. As Obama's spiritual advisor for the last twenty years, Wright is more than just a crazy uncle. The complete Obama picture is now clearer, and it's not pretty. With friends like these, it's no wonder why Obama wants to befriend tyrannical regimes, like Iran. They can all sit around and bad mouth America. Here's a guy who argues his judgment offsets his lack of experience, yet these are the people with whom he surrounds himself. It's clear to me that Obama neither has the experience, nor the judgment, to be President.

Law school dulls intellectual curiosity

By Shawn Romer

CO-EDITOR-IN-CHIEF

Before I entered law school, I used to like to read books and write things. I was unable to satiate my intellectual curiosity. If I had downtime, I was trying to read every book I could get my hands on, memorize poems, watch Jeopardy (I was captain of my high school quiz team, so I had some mad Jeopardy skillz).

It probably helped that I had a job that involved a lot of emailing and traveling and little reading and writing. When I wasn't doing it all day, doing "school" stuff during my downtime was fun and rewarding.

I even considered myself to be a creative person. I had an energy that I wanted to get out – in writing and poetry. Sometimes I sang in the shower, but if you heard it, you probably wouldn't call it music. I visited art museums and attended concerts. I enjoyed having philosophical and political debates with my friends.

And then I went to Law School. Now, after a day of classes, I just want to watch "Pimp my Ride" and eat Cheetos, or go to the Boneyard.

I don't remember the last time I read a book for fun – it had to be before I started law school, and I'm a 3L. I tried to read a biography on Bill Clinton over Christmas break, but I didn't even get through his grammar schooling. Living in Cleveland, we are surrounded by music and art, yet I pass up opportunities all the time to attend these events. I spent all day deciphering UCC 2-207. I just want to go home, watch basketball, and get some sleep so I can do it all over again tomorrow.

Sure, I knew that going to law school would be a lot of work. I knew that it would involve a lot of reading and writing, and I knew that I'd be less inclined to spend my off-time pursuing intellectual activities after reading cases all day.

The
Gavel
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However, I was not prepared for this. When filling out a survey asking for the applicant's occupation, a friend of mine, instead of writing "student," said the following: "I read boring crap all day, then I write boring crap about the boring crap that I just read." Fortunately, I'm not so cynical. But I see their point.

Some of the material *is* intellectually stimulating, and some is UCC 2-207. Those who find the intricacies of the Uniform Commercial Code stimulating should become law professors (and good for them). I, however, look forward to the actual practice of law, which involves more than just reading and writing – client interaction, a sense of accomplishment when you help someone, litigation – verbal disputes over an issue, a paycheck.

Of course, if called upon at work to address a "battle of the forms" issue, I'll do it. I'll probably do it well since Stephen Werber engrained that one into my head. Every job has the mundane stuff you have to just put your head down into and bull through. But I don't want my job to be *all* of that kind of work.

Maybe I've just hit a down-slope with my intellectual curiosity and fervor – it will come back, it's just taking a break. Maybe reading and writing all day has temporarily drained it out of me, and it will return when I'm not in school.

Or, maybe it's gone. I'll never again browse through the *Plain Dealer* for any upcoming concerts or operas or be excited about the book on CD about George Washington that I can listen to while working out.

I'll be one of those people watching *The Hills*, sucked-into caring about who is cheating on whose boyfriend instead of contemplating the great mysteries or indulging in perhaps the most valuable part of life – beautiful expression.

I remain optimistic. I'm just a little burnt right now. After the bar exam, it'll come back. I'll watch Jeopardy again instead of playing Nintendo games on my computer. "Hope springs eternal in the human breast," Alexander Pope once said. Hey, I've already started to bust out the poetical references, maybe I'm back on track...

3L reminisces, anticipates 'real world'

Anonymous 3L

The following is the fourth of a six-part series following the beaten and broken law student.

For those of you who do not remember Barrister's Ball, it was a great time. All joking aside, it was a fantastic night and it caused me to become a little senti-

mental. It was my last Barrister's – not just prom, but senior prom. From Dean Mearns' fierce competitive side coming out during the DJ's game to singing "Hypnotize" at the top of my lungs, I tried to soak in every moment. It made me realize, however, that in a few months we won't have this anymore. Sure, we'll get together for happy hours and CLEs, but nothing like Barrister's. Some of my favorite memories from law school have come out of "law school prom" – singles have become couples, professors dancing their hearts out, and friends expressing their love for each other over cocktails. Call it cheesy, roll your eyes at it, but I have loved my time at Barrister's and, no matter how much I have had to drink, I will never forget it.

On another note, is it just me or are most 3Ls in a "funk" lately? Seems like we are on autopilot, just trying to get through. It's probably a combination of exhaustion and fear. It kind of reminds me of graduation from undergrad. For

those of you who took some time off in between college and law school, you know the shock of the real world. Many of you 3Ls will be experiencing it for the first time ever and some advice: brace yourself. The real world has some great aspects: living above the poverty line, evenings and weekends are free (unless you are a slave to a firm), and owning furniture that hasn't been passed on to you from three different people. With that said, the real world can be quite a disappointment: no more sleeping in on Friday mornings, no more creating your own schedule, and no more seeing your friends everyday. It can also make you feel a little lost in life – you ponder your life and ask: is this it??? This is probably the biggest challenge and one in which there is no easy answer. This does not apply to those of you who have been working full time while going to law school part time and, honestly, you are my personal heroes – I have no idea how you do it and I give you so much credit for it. My point is, the next few months are your last as a student so enjoy it – take yourself off of autopilot and appreciate every day that you can wear sweatpants. Also, prepare yourself emotionally for the real world, especially if you've never been out there.

I leave you with this bit of inspiration by Thoreau (to hopefully help those of you currently in a "funk"): "Go confidently in the direction of your dreams! Live the life you've imagined!"

3L
Third-year
life Part V

THE GAVEL

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Adviser Thomas Buckley
Printer P.M. Graphics

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GAVEL@LAW.CSUOHIO.EDU
216.687.4533 TELEPHONE

1L lacks motivation, questions abilities

Anonymous 1L

The following is the fifth of a six-part series following the experiences of an anonymous first-year student.

My law-cred is dwindling everyday. I can feel it. While I may have witty things to say in class, my ability to remain in cool control of my rampant mouth ceases to manifest itself. I find myself pushing the envelope on a daily basis. Saying things that should not be said. Doing things that should not be done.

Last week I was at the grocery store. I began talking to the checker as if she actually cared about my life. By the end of the transaction, she was sufficiently convinced that my ego was inflated to the gargantuan size of the Charlie Brown balloon in the Macey's Thanksgiving Day parade. I had proceeded to tell her about how I did not understand relationships, how I supported the troops, how my father tends to be a bit bull-headed, and how I did not particularly care for bananas. I guess that when I feel uncomfortable, I tend to spew out words and sentences that are not causally connected. Hopefully, she will never be a client.

It is hard for me to believe that in less than 3 years, people will be trusting me with their lives. I don't even take out my garbage on a regular basis. I don't floss everyday. I ignore warning labels. I drive through yellow lights. One time I actually got my head stuck between a beam and a wall. How am

I to ameliorate my everyday life with being an attorney? People will be trusting me with their issues when I can't even figure out how the magnetic strip on my credit card works. Somehow, I keep thinking that something will click. Somehow, the way that I am supposed to be will find its way into the universe, and I will be worthy...but "we're not worthy!" We just graduated undergrad where chugging a Natty Light in 10 seconds was equivalent to writing the next verse in the Bible.

While the weather teases us with its elusive beams of light and the occasional warm wind, I am willing time to stop. I would rather be stuck trying to decipher my professor's cryptic explanations rather than actually being responsible. Mastering the restatements is more preferable than trying to figure out how to save a company two-hundred thousand dollars or trying to acquit a seemingly innocent man of statutory rape. The last time I had to be responsible for someone's life other my own, the eight year old I was baby-sitting had succeeded in pushing a crunch berry into her middle ear. A trip to the emergency room and phone call to her parents later, I

decided to give up baby-sitting altogether.

In sum, the fact that people will be relying on the mental processes in my already crowded brain to obtain relief or to defend against allegedly bogus claims sincerely escapes me. Right about now I am wondering why I never put the amount of effort I

have put into law school into painting, writing, or even mechanics. I would rather be responsible for rebuilding an engine, or painting a masterpiece, than helping or hindering someone's future. In modern days, I think it is a rare occurrence indeed that a mechanic loses custody of his children for

doing his job in an unsatisfactory manner.

The reality of my situation begs a couple of beers and some home shopping network to calm my nerves. The women with perfect fingernails and steady voices, who devote the majority of their lives to describing the unique capabilities and features of the Bread-builder 5000, tends to have a calming effect. If someone can devote their lives to describing needless products without losing their sanity and picking people off with a high powered assault rifle from a clock tower, I think I just might be alright. After all, I have a little less than three years to at least break even with my law-cred. Who knows, I might even make it into the double digits.

1L
First-year
life Part V

Barristers have a 'ball' at Window's on the River

--Continued from page 1

By the time dinner was over, SBA President Nick Hanna had a number of awards to hand out. Professor Chris Sagers was once again voted Faculty Member of the Year, while Jessica Mathewson was voted Staff Member of the Year, breaking Israel



Professor Sagers speaks after learning that students voted him Faculty Member of the Year.

Payton's streak. In addition, Colleen Cassidy won the Stephen J. Werber Award, the prestigious distinction offered to a student of high collegial integrity. The SBA also offered three new Student Leadership Scholarships to deserving students who demonstrated a commitment to leadership and service. The three \$1,000.00 scholarships were given to The Gavel's own Shawn Romer, Katheryn McFadden and Laura Perme. And, of course, Rod Mastandrea won the "Best Dressed" distinction.

After the formalities ended the party began. The DJ was particularly engaging and interactive. He was even successful in getting Dean Mearns to participate in a "musical chairs" type of game (he ultimately lost) that ended with a few belts and shirts on the floor. With the drinks flowing and the music blaring the dance floor was packed with future lawyers letting loose. From old school jams to recent top 40 hits, the crowd loved the music. At one point there was even a limbo line.

The general consensus was that this Barrister's Ball was the best in recent memory. The only complaint throughout the night was that some of the drinks were served too strong. "Hey, if that's the only complaint, I can deal with that," said Greg Gentile.

With all of us so used to the structure and professionalism of being at school its no wonder that Barrister's Ball 2008 will be a night long-remembered as one of those rare times that we let ourselves go and relax.



C-M students attend Barrister's Ball. The night started with dinner followed by a brief awards presentation. The rest of the night was spent on the dance floor.

LETTER TO THE EDITOR

3LE's view on 2Ls in 1L classes

I was recently reading the past articles about 2Ls in 1L classes, and the most recent article about 2Ls in 3L classes. I was thinking about my first year and the other section of 1Ls that feel even more disgruntled about GPAs and class mixes - the 1LEs. They are almost completely forgotten by the administration and sometimes even despised by the faculty.

During my first year, I often heard my classmates saying how unfair it was that all the extracurricular activities, meetings, and presentations were either scheduled during our work hours or during our class time. Even the all-important "how to schedule for 2L classes" was initially scheduled during the day. (After many complaints by students, another session was set up after one of our evening classes.)

This "unfairness" did not get any better when the schedules came out. Not only were there few choices for summer classes, but the 1LEs are put at the bottom of the registration list based on the number of credits earned. This meant that most classes were full by the time 1LEs were able to register. On top of that, for the fall schedule many 1L day students registered for the evening portion of Constitutional Law rather than the day section that was on a Friday, filling up the evening section before the 1LEs could even register.

Luckily, the administration opened up another summer class for evening students and turned the evening Con Law section into a massive class of over 80 to accommodate evening students. But the fact remains that 1LEs get the short end of the stick, too. Day students have the ability to register for either the day section or evening section. Evening students are pretty much stuck with what few options there are for evening classes - options that become even slimmer the further along we get (the most recent schedule being a perfect example

for those of us entering our fourth year).

So, a 1L that complains about a 2L in their class and proposes that 2Ls should be graded differently needs to realize that similar proposals have been made regarding them. I have heard evening students argue that day students should not be allowed in the evening classes because the day students, supposedly, destroy the curve. I don't know if that is correct, but hearing a day student's input in class based on their ability to read every case fifteen times and know all its intricacies (while we evening students are hiding away in restrooms and reading in our cars in order to get the case read even once) is quite annoying. Don't take it personally, but day students - realize that you may be just as disdained in an evening class as the 2Ls are in your 1L classes. But we all just have to get used to it.

Realize that none of the suggestions in this and the prior articles will happen. The faculty doesn't have the time, and the administration may not even care. The administration is bombarded with so many complaints and suggestions that it can't concern itself with each one. And besides, what should they do - separate classes by year, day/night students, age, work experience, and so on? One of the keys of life is learning to deal with diversity, and like it or not mixing day and evening, 1Ls and 2Ls, is one way to get some diversity in the classroom.

No matter how much you think that law school is specifically unfair to you, realize that it is just as unfair to others: day students, evening students, students living on/off campus, or students planning on taking the bar in another state. My suggestion to everyone is to just suck it up and accept that law school is unfair. The sooner you do, the sooner you can start concentrating on other things - like those exams coming up.

Kristin Cool - 3LE

Students should have a choice: RTA u-pass fee is unfair

By Klaus Luhta
GAVEL CONTRIBUTOR

If you followed the news this past October, you heard the Greater Cleveland Regional Transit Authority (RTA) earned an award for the "best large transit agency in North America" from the American Public Transportation Association. Considering the outstanding mass transit options available in cities across the continent, this award brings prestige to Cleveland.

The RTA may be succeeding nationally, but at home, particularly at CSU, the agency has some problems. A growing number of students question why they are forced to purchase a \$25 "U-Pass" from RTA every semester that many never use. Students are concerned they are unwillingly subsidizing this agency.

To ease parking congestion in 2001, the CSU student government adopted a provision establishing the U-Pass on a trial basis at a rate of \$15 per semester. The program mimicked an established arrangement between RTA and Case Western Reserve University. Students carrying the U-Pass sticker could ride any RTA route without restriction. The program was deemed a success, and in 2005 the rate increased to \$25 dollars per semester.

The cost to students clearly is not the issue. If the U-Pass program did not exist, students who travel on the system would be required to pay the same \$63 monthly RTA fee available to university employees. For a student body that is largely commuter-based, this is a huge savings, so the argument goes.

The problem lies in the lack of choice given to students. Ask around and you will find more students who do not use the U-Pass on a daily basis than those who do.

And those students who do not are not given the option to opt out. As a result, students who do not use RTA essentially subsidize the students who do. Upon inquiry, RTA failed to provide revenue statistics as they relate to the U-Pass program. The CSU bursar's office also failed to respond to inquiries.

RTA's stance is that if everyone does not participate, it is not cost effective for the agency to provide U-Pass to the few. This makes little sense. Whether U-Pass as a program exists or not, RTA buses, trains, and trolleys will still traverse the Euclid corridor, downtown Cleveland, and outlying areas. RTA incurs no additional cost by participating in the U-Pass program since its routes and operational costs are fixed. However, RTA does receive a great benefit from the program. Let's say 10,000 CSU students pay the \$25 per semester. That amounts to an annual \$500,000 tax against CSU students that goes right into the RTA coffers.

Without U-pass, it is argued that RTA could not maintain the level of transportation service it currently provides. Even if true, does this make the program fair? How RTA and CSU can rationalize subjecting individual students to an arbitrary charge for an often unutilized service is not only unreasonable, it is un-American. What will be next? Charging student accounts to fund religious organizations they do not belong to?

Giving students a choice in the matter would solve the problem. But that choice is neither available nor apparently up for debate. So whether you see your mandatory U-pass charge as a subsidy for the students who ride RTA or as an illegal tax on the CSU student body as a whole, it is evident RTA is taking us for a ride.



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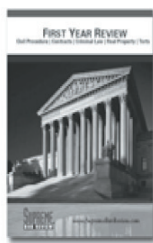
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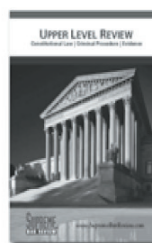
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