



### Special insert: The Gravel

The Gravel returns once again just in time to distract you from studying. This satirical insert looks at the lighter side of law school life.  
INSERT, PAGE 1



### Political columnists debate state officials

The columnists discuss whether the new democrats in office have been good or bad for Ohio.  
POLITICS, PAGE 6



### Advice from a Graduating 3L

For those of you entering your 2L year, you'll find that it's much different than your first. *The Gavel* offers advice on this transition.  
LAW, PAGE 3



# THE GAVEL

VOLUME 56, ISSUE 6 MAY 2008

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

## Legal writing department to hire new director

By Michelle Todd  
STAFF WRITER

Within the next few weeks, the C-M community will be welcoming a new director of the legal writing department. The announcement is expected to come after law school faculty vote on the five candidates being considered for the position; however, Dean Mearns will make the final selection.

The decision to hire a director began when the legal writing ad hoc committee recommended such action be taken at a law school faculty meeting held at the beginning of the Spring 2008 semester. The legal writing ad hoc committee was formed last year by Dean Mearns in response to a critical outside evaluation of the department that was conducted in the Spring of 2007.

The committee consisted of C-M faculty and students who were instructed to consider the evaluation report and also conduct their own research in order to make recommen-

See LEGAL WRITING, page 5

## C-M elects "Decision 2008" ticket for Student Bar Association executive board

By Margan Keramati  
CO-EDITOR-IN-CHIEF

The Student Bar Association held the executive board elections for the 2008-09 officers on April 14<sup>th</sup>, and 15<sup>th</sup>. Cleveland-Marshall students voted for the "Decision 2008" ticket consisting of Elias Hazkial, president, Allison Taller, vice president of programming, Mate Rimac, vice president of budgeting, and Laura Kolat, treasurer.

The new executive board wants to continue the initiatives of the outgoing executive board in engaging more of the student body in social events, especially those students who have children or are in the part-time evening section, said Hazkial. In addition, to build a strong sense of camaraderie among students and pride for C-M, the board plans to discuss the possibility of friendly, competitive events with other local law schools. The new board members are also hoping to build on their previous work in the senate. Hazkial was able to advocate and acquire a food service facility similar to the one in the business school during the



Pictured from left to right: VP of Programming Allison Taller, VP of Budgeting Mate Rimac, Treasurer Laura Kolat, and President Elias Hazkial.

past school year. It is currently being constructed on the upper level near the inner link, and will be open for business most likely by mid-summer.

"I think we also want to continue to expand the presence and recognition of C-M in the Cleveland community and the legal community," said Taller. "We've talked about sponsoring teams for many of the charity events that take place in Cleveland every year, such as the bench bar run, so

that the community sees our students and knows that we are involved in the community and dedicated to giving back." The board also has plans to expand volunteer opportunities like the tax clinics, and license reinstatement programs, and highlight student participation in those programs, said Taller.

Hazkial's background also brings an interesting perspective to SBA leadership.

Hazkial, born and raised in Detroit, Michigan, comes from a family of Lebanese immigrants with a strong sense of American pride. "The major influences in my life have been my Catholic faith, my extended family, and my friends," said Hazkial. "Some of the most treasured values in my family are reputation and relationship," added Hazkial.

See SBA, page 4



## Graduation Challenge 2008

Congratulations to the 2008 Graduation Challenge Committee. A record forty-one percent of the class of 2008 donated to the Wolstein Scholarship Fund.

Class of 2008 Commencement will take place on May 17, 2008 in the Wolstein Center.

## Jessup moot court team, demanding and rewarding

By Emily Honsa  
STAFF WRITER

Imagine four students from C-M—acquaintances, not your closest friends. Maybe you have a class with one, and another you've seen around in the halls. One you don't know at all, and another you are in a club with. Your advisor and coach is a stranger to most of you, and is a practitioner with little to no teaching experience.

Now, imagine you have to spend winter break holed up in a library with them, pouring over tomes concerning an area of law foreign to most students. Imagine your coach, as unfamiliar with this area of law as you, pushing you to master strange conventions and systems. Imagine committing to spend two nights a week and Saturday mornings for two months with those same virtual strangers, reenacting the same arguments over and over and over...

Imagine your amazement as these strangers become your friends, and as you grow to respect the unique talents each of your classmates use and hone while at these practices. Imagine, then, working with each other to perfect your oral advocacy and theirs. Imagine

sharing the weaknesses in your arguments to assist your teammate's strategy. Imagine looking at the four students you are working with at your last practice and realizing that you are proud of each of them, confident in their abilities, and intimately aware of the strengths and weaknesses you each possess.

Finally, imagine loading into a Continental Embraer for your non-stop flight to D.C. with those same four people; getting ready to pit your brains, voices, and well-rehearsed arguments against the likes of Georgetown, University of Virginia, University of Pennsylvania, Case Western Reserve, George Mason, and George Washington University in the Phillip C. Jessup Mid-Atlantic Super Regional Competition.

Imagine your pride when they call "Team 301, Cleveland-Marshall College of Law" when listing the semi-finals, and only finally falling out of the finals to the number one seated team. Imagine knowing how much you will miss those four new friends come Monday, when the competition is over.

The 2008 C-M Jessup International Moot Court team had the first round of tryouts last spring for

See JESSUP, page 2

## Dean reflects on U.S. News law school ranking

A couple of weeks ago, *U.S. News and World Report* published its annual rankings of graduate and professional programs, including law schools. Shortly after these rankings were released, *The Plain Dealer* published an article discussing whether higher education institutions in Ohio, including our law school, had risen or fallen in those rankings.



### The Dean's Column

The *U.S. News* rankings are flawed. For example, the two most heavily weighted factors are subjective assessments of a law school's reputation by other law school faculty and administrators and by practitioners. These subjective assessments tend to reinforce preconceived notions of a law school's quality. These assessments generally do not elicit well informed judgments from people with much, if any, firsthand information about the vast majority of law schools they are asked to rate.

Moreover, the data that pertains to the objective, quantitative factors can be manipulated to inflate artificially a law school's ranking. For example, the rankings only account for the LSAT scores and undergraduate GPAs of students who initially enroll in a law school's full-time program. So some law schools divert some of their weakest incoming students into their part-time program simply to increase the median LSAT and undergraduate GPAs that they report to *U.S. News*.

Indeed, in the recent *Plain Dealer* article, the dean of another Ohio law school acknowledged that his law school intended to expand its part-time program in order to increase his institution's ranking. Similarly, there is another Ohio law school that routinely diverts nearly 50% of its incoming class into a "temporary" part-time program, in order to affect that school's ranking.

Notwithstanding these flaws, however, the rankings do have some merit. We know that, irrespective of the imperfections in the process, prospective students consider the rankings when deciding where to apply and where to go to law school. So, we can't totally ignore the rankings if we want to be attractive in a very competitive market.

Moreover, there is some intrinsic value in having some external measure of quality, even if that measure is imperfect. In the absence of any external assessment, there is a real risk that many law schools would simply be self-satisfied with their own internal assessments of their quality. None of us, either as individuals or as institutions, is capable of a totally unbiased, objective self-assessment.

In short, the current rankings are flawed, but they have some value in forcing law schools to reflect on whether they are as good as they think they are.

As the dean of this law school, I do review the rankings. While some of the other law deans of law schools obsess over the final rankings, I find the underlying comparative data to be much more helpful to me. That data helps inform my own judgment of how we can improve the quality of the education we provide to our students.

But, to be completely honest, I would like our law school to move up in the rankings. For several years, we have been in the third of the four tiers. (*The Plain Dealer* article incorrectly reported that we had just recently moved up from the fourth to the third tier.) I believe that it is realistic for our law school to aspire to be ranked in the second tier within the next five years.

In order to achieve this goal, we need to do several things. For example, we need to enhance the national reputation of the institution, and our graduates need to continue to perform well on the Ohio bar exam. There are many other ways in which we can improve our ranking, but we are not going to adopt any tactic or strategy simply to inflate our ranking.

Rather, the faculty and I are committed to implementing those tactics and strategies that will enhance the quality of the institution and the education we provide to our students. If those tactics and strategies also enhance our ranking, that's great.

But we will not pander to the rankings. To do so would undermine our institutional integrity. That is unacceptable to me.

## Panelists speak to C-M students about how to run for office

By Paul Deegan  
CO-EDITOR-IN-CHIEF

The C-M College of Law Republicans hosted their end-of-the-year "How to be a Candidate" event on Monday, April 7<sup>th</sup> at 4:00pm in the Moot Court Room. The panelists fielding questions were James P. Trakas, Amy Sabath and Dustin Russell. They each gave a unique perspective on how to decide and prepare to run for political office. While listening to the speakers, attendees ate homemade apple pie with ice cream and sipped coffee.

It was the last event hosted by the C-M Republicans President Chuck Northcutt and VP Jennifer MacDowell. The C-M Republicans hosted a number of events this year and have significantly contributed



to the C-M community. From hosting Supreme Court of Ohio Justice Maureen O'Connor to donating \$300.00 to the SBA Student Leadership Scholarship given out to three students this year, the College of Law Republicans continue to show their dedication to C-M.



Professor Forte's constitutional law class took on Professor Lazarus's class in a basketball game at the CSU recreational center on Saturday, April 19th. Professor Lazarus's team won 48-46. However, Professor Forte's team looked the part in customized team shirts.



## Jessup moot court competitions

--continued from page 1  
the five-person team. 3L Mary Malone, the only returning member, sat on the panel that chose the new team members. After two members transferred, 3L Karl Vogel remained the only new member to remain on the team.

Supplementary tryouts for the three open positions were scheduled for the fall with an abbreviated tryout process, and the response from students was four times that of the spring tryouts. At that point, Stacey Fernengel, 2L, and another student (who later left the team due to time constraints) were added as full oralists, and Emily Honsa, 2LE and your author was added as a fifth member to assist with research and serve as an understudy oralist.

When the second added oralist left the team, Honsa was moved to a full oralist position, and Bill Radin (a student who had also performed well during the tryouts) was invited to step into her vacated seat as fifth member.

Thus, a team was born, and each of its members was added by a different method. Over winter break, Vogel and Fernengel

labored together to write a 50 page memorial (the International Court of Justice equivalent to an appellate brief) on behalf of the Applicant (Petitioner), an imaginary country called Adova. Though Adova was an invention, the issues facing the state were all too realistic: extrater-

ritorial abduction of their citizens, violations of their citi-

zen's due process and human rights. The State of Rotania, the imaginary Respondent, was represented in writing in an equally lengthy memorial composed by Malone and Honsa. The problems facing that nation were equally threatening: terrorism with evidence of state-sponsorship, prosecution of heads of state under the Convention Against Torture, and protecting information that might compromise national security.

There are two main factors that set Jessup Moot Court competition and team apart from our broader Moot Court program. First, there are a stringent set of rules promulgated by the International Law Students Association (ILSA) that require early commitment of team

members. Second, students in the Jessup competition generally have strong interest, if not experience, in the field of international law.

International law is unique, and governed not by precedent, interpretation, and legislation but by customary state practice, ratification of conventions and treaties, and international norms. Thus, international law can be an unfamiliar amalgam to American law students. Though members of the Jessup team came with differing levels of knowledge of the intricacies of international law, all were intimately familiar with the International Convention on Civil and Political Rights (ICCPR), as well as the Convention Against Torture (CAT) by the end of the completion.

Judges for the competition in Washington D.C. included international law practitioners, experts in the CAT and ICCPR, attorneys working for international human rights organizations, as well as attorneys in the United States Department of Justice.

The whole experience was intellectually invigorating, exhilarating, exhausting, and satisfying. The team was extremely satisfied with its performance, and was happy to bring back a title and plaque to the school that provided the academic, financial, and moral support that made the competition possible.

# Advice from a departing 3L to the new 2Ls

By Shawn Romer  
Co-EDITOR-IN-CHIEF

As I began to write for the last issue of the Gavel that I will ever contribute to, I was wondering how we departing 3Ls could leave our mark on the C-M community. Any good grades we've gotten will be caged in a locked transcript that no one can see. Any other accomplishments we may have had will be tucked away in some back corner part of the Moot Court Bunker or the SBA office as a notch on some plaque that no one really sees anyway. Dean Mearns would probably like us to leave our mark by making a massive donation to the Wolstein Fund, but that'll come once we chase the right ambulance and hit a 40 million dollar verdict.

Probably the most lasting influence I or any of the other departing third years can leave on this school is advice to our underclassman on how to get to where we finally have gotten. When I was a first year coming into my own, I got a plethora of advice from upper classman on the ins and outs of how the second year differs from the first. Second year is not only easier academically, but it's also different socially. You work. You have more time to do things other than study.

**Though Professor Gard may say it's in your First Amendment right to call a police officer a retard while he's arresting you, it's not a good idea.**

You become more involved in student organizations. You go out more. You get into more trouble. You feel more and more like a real lawyer.

I've listed the various pieces of advice that I received from upper classman when

I won the battle with first year and grew into my second year shoes. To protect the innocent, I've listed the advice anonymously, though those who gave it to me know who you are, and if you are reading this – thanks. I couldn't have made it through without your advice,

and I hope it can help the current underclassman as much as it's helped me.

#### On Going to Jail

Though Professor Gard may say it's in your First Amendment right to call a police officer a retard while he's arresting you, it's not a good idea.

#### On Choosing Classes

Base your decisions on what classes will help you pass the bar and what classes will help you in your future practice. If you plan on going into business law, absolutely take Tax, even though it's not tested on the Ohio Bar. Also, take grade distribution into consideration, but don't base decisions completely on it.

Also, you'd be surprised how interested prospective employers are about your knowledge of Ancient Athenian Law.

Thirdly, no matter how interesting you think that a class might be, if you take it

in the Law School, it's probably not going to be as interesting as you thought. Take the classes that will help you first, then try some that may be interesting.

#### On Keeping up on Material

Keep as much of that 11 motivation going into your second year as you possibly can. Third years will have stopped reading after the midterm – but keep reading. You'll find it's much easier to get an A in your second year than your first. You can massively boost your GPA during your second and third years while the others slack more and more off.

#### On taking Legal Writing Classes

Take as many as you can – Advanced Brief Writing, Legal Drafting (Scholarly Writing probably should be reserved to those of you on one of the Journals.) When you start clerking, you'll be writing and writing. Learning how to write is essential to the practice of law.

#### On Extracurricular Involvement

Getting involved in SBA, Gavel, Moot Court, etc. is great. However, don't get involved in too much. It's better to do one thing really well and be really involved than to do a whole bunch of things badly.

#### On Scholarships

C-M is full of opportunities for people to get scholarships and awards. You'll get emails all the time. Apply for the BLSA scholarship, the Law Alumni Scholarship, among others. You'll be surprised how often it works out.

#### On Professors

Some are great and dedicated to actually teaching students the law. Some bully

you in class because their significant other bullies them at home. Talk to people who have had these professors to get their perspective on which are the good ones and which aren't.

#### On Working

Work, but don't work too much. When I started working, an attorney asked me to write an answer. I responded, "How the hell do you write an answer?" Unless you take Legal Drafting, you probably will never learn in law school about the nuts and bolts of practicing. You get this from working.

#### On Finding a Job

Either be in the top 10% of your class, or network. If you know the right people and are in the right place at the right time, it doesn't seem to matter if you're in the top 25% or the top 75%. Probably the best place to find a job is where you work part time, so take into consideration whether they hire clerks as lawyers when you decide to take a position.

So, on behalf of my fellow third year students, good luck and good bye to all those of you continuing on at C-M. Most of you will likely see us again, though not with the same frequency. We'll miss you guys. And, to all my fellow third years graduating and not sure exactly where your first legal job will be, I'd like to conclude with a quotation that brought me comfort when my high school years were coming to an end:

"Don't you worry, you'll find yourself. Follow your heart, and nothing else."  
- Lynrd Skynrd

## Common sense trumps legal approach to problem solving

By George Sakellakis  
GAVEL STAFF WRITER

Shortly after I set off on the long, arduous road to a law degree, notwithstanding my bewilderment, I was amazed at the legal prowess I was starting to develop and began applying my newfound knowledge to real life situations. To the untrained ear, I was beginning to sound pretty smart. I was, however, cautioned by a wise friend that the only thing more dangerous than a lawyer was a law student. I dismissed that strange sounding notion as mere puffery until I realized how worthless and hazardous my legal knowledge really was.

I play in a bagpipe band. Our band travelled to Savannah, GA, for their awesome St. Patrick's Day parade and weekend – the second largest of the kind in the nation. When I made the hotel reservation in October of last year, I confirmed that the room would include a roll-away bed, as there would be three of us in the room. The day before we departed, I called the hotel to ensure the extra bed would be there and was reassured that everything would be fine. However, when we checked in, the person at the front desk advised me that roll-away beds are not available in rooms like ours, due to concerns of over-crowding.

I immediately felt a spike in blood pressure. "How dare they," I thought to myself. Not that I really cared about the sleeping arrangements, but they had

breached their promise. I was steaming. But I soon took solace, grounded in the belief that this was most definitely a contract issue. I recalled that I have a certain knowledge of contract law. In fact, I had expended upwards of \$3,500 learning about contracts thus far. I made a hasty plan to use my superior intellect and legal reasoning in order to put this clerk in her place. "I speak fluent legalese," I thought to myself. "I am going to kick your ass."

"I purposely made this room-rental offer with the material term that I would be provided a roll-away bed. You then manifested your acceptance by accepting the payment I tendered." I calmly but powerfully explained. "Sorry," said the employee. Sorry?! "We agreed to these specific, unambiguous terms, not open to interpretation, and you WILL honor them," I said, with a little more "oomph" in my voice. "Sorry," she said again, this time with a hybrid happy/annoyed smile. She advised me that Kristin, a person in our band who did some of the leg work in getting us special room rates, etc., is the one I should address my complaint to. "Kristin," I fumed, "is not my agent and has no authority to enter into any contractual agreements on my behalf." She continued to grin while she asked me if I had a copy of the alleged contract that guaranteed me a roll-away bed. "I don't need a copy," I snapped, "as this type of contract does not fall within the statute of frauds." . . . "Sorry." I was livid by this time but was able to calmly ask for

the manager. After waiting quite a while, she finally emerged, and I prepped myself for round two.

"Sorry, sir, but this is our policy," the manager explained. I used the same arguments I did with the clerk, but got nowhere. In my mind, I was not even worried about actually getting the roll-away bed, but was concerned with whether the hotel was in material or minor breach. Could I seek rescission because the purpose of the contract was frustrated? Did they fail to meet a condition, giving me the right walk and avoid having to pay damages? Did they make a fraudulent misrepresentation, something the court would certainly frown upon? Did they make a false recital of consideration? Were they using their undue influence, exploiting my desperate need for lodging to unduly overpower my own volition? Maybe I could reason that this was a contract dealing with land, and that I would be entitled to specific performance. With all these possible issues in mind, I blurted out a new one in desperation – "The people I spoke with on the phone had the actual authority to contract with me, and I was justified in relying upon the terms they quoted."

Knowing that last one didn't make much sense, I was still convinced that my advanced knowledge was breaking the manager's will. "I don't want to mess with this guy," I imagined her thinking. I would soon have the situation taken care of, and my two roommates would applaud my heroic and successful actions. Professor Wilson would gleam with pride when

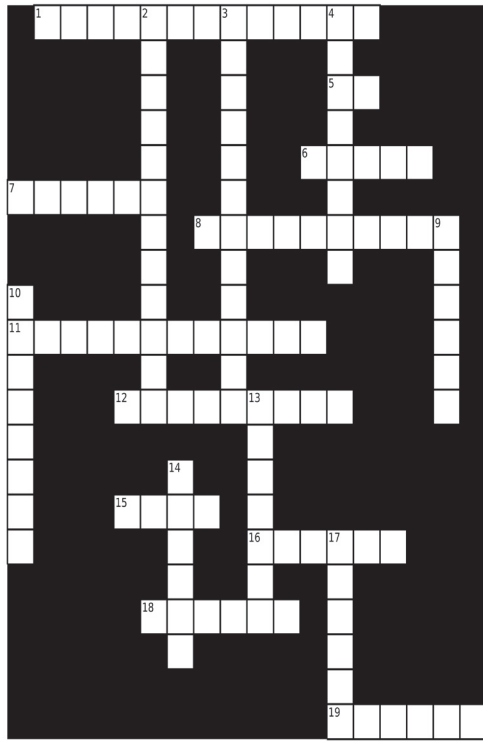
I tell him about those hotel employees that dared test my knowledge of contracts. A campus wide email would be sent to all students and faculty, proudly explaining that I was a student here at Cleveland-Marshall, and that I had kicked ass. My contracts class was preparing the ice-cold Gatorade to dump over my head. I was just beginning to calculate the damages when the manager brought me back to reality.

"Sorry, sir, but that is our policy. Is there anything else I can help you with?" My bubble had been burst. I was stuck. Realizing the pickle we were in, my roommate, Vince, pushed me aside and gave it one last shot. "Look, I understand all you really guaranteed was a room with two beds. But you did *kind of* promise to go above that. That's all we want. Please?" "I'll do you one better," the manager replied. Less than five minutes later, we were walking into an upgraded room, an elegantly appointed suite, complete with separate bedrooms, a dining room, stocked bar, and other amenities. And there was a roll-away bed, with tightly wrapped sheets and inviting pillows.

I learned three important lessons that day. The first was to leave the law in the courtroom, the classroom, and the stuffy legal networking events, because on the streets, when dealing with regular people that we think we are not comparable to anymore, common sense prevails. The second was that I really need to study more. And the third was that the only thing more dangerous than a lawyer is a law student.

### Cross Word Puzzle

by Maryann Fremion



- Across**
- 1 Where important speakers give presentation and pizza is served on a regular basis.
  - 5 This object in the lower level of the law school is snowier than Cleveland.
  - 6 Undoubtedly, this type of food is served at each law school function.
  - 7 No one even notices this huge piece of artwork in the shape of a musical instrument.
  - 8 Our fearless leader.
  - 11 Thanks Westlaw and Lexis for supplying a steady stream of this important school item.
  - 12 This walkway ensures that law students never have to go outside while on CSU's campus.
  - 15 Why did I pay \$150 for this???
  - 16 Where law students scavenge for food after important speakers have their receptions.
  - 18 Wandering minds see this great monument to sobriety from windows on the north side of the law school.
  - 19 When I put my books into this I feel like I am in middle school again.

- Down**
- 2 \_\_\_\_\_ season is all-year round at Cleveland-Marshall College of Law.
  - 3 Don't keep your leftovers here overnight or else transients will get them.
  - 4 1L's scramble to pull their notes together and make an \_\_\_\_\_.
  - 9 Wrappers from this local restaurant flood the lunchroom.
  - 10 The most amazing newspaper that can be found in BOTH the law school and the Business Building.
  - 13 The place law students see more than their own home.
  - 14 You gotta sneak this hot drink into the library.
  - 17 He can single-handedly do anything you need from the confines of the Student Service area.

See page 5 for answers.

### Answers to Word Search from Issue 5

#### 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  
 n a a f o m v m u f e n g t i p  
 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  
 e i t t e b e s p s a s d o g i  
 r c c u i e n e s g c c s e h a  
 p s a t e c c i e a e h o c l t  
 e n r a f c e l p s r u a o h i  
 r o p t a h l l n f c e o r i o  
 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

## 2008-09 SBA executives

--continued from page 1  
 Growing up, Hazkial was taught that a person's value in this world is only what other people say it is. "This was reaffirmed to me over and over again, but for the first time at the funeral home of my mother's wake service; it was over capacity with people mourning her passing - and 17 years later, my mother's reputation and relationships endure because my identity is as her son," said Hazkial.

Hazkial felt disadvantaged when he first came to law school because his background

was in mechanical engineering. However, what he lacks in experience with written communications, Hazkial believes he makes up with his ability to communicate with others.

"All in all, my concern is the reputation of our Law School and its relationship with the community, generally," said Hazkial. "With superb standing in each, I am confident that the success and prosperity of our institution, and the lawyers which it produces, will perpetuate after my stay as C-M's student body president."

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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.

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## The Gavel

Submissions or letters to the editors can be e-mailed to: [gavel@law.csuohio.edu](mailto:gavel@law.csuohio.edu)

**Professor Cherry holds two consecutive property classes**



**OCP hosts cocktail hour after drug and alcohol abuse seminar**



**Professor Gard gets a haircut, donates locks to Forte**



# THE GRAVEL

VOLUME 56, ISSUE 6 MAY 2008 SPECIAL INSERT

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

## Why is Chuck Northcrust always late to class?

### A day in the life of Chuck Northcrust

**By Chuck Northcrust**

GAVEL STAFF WRITER

*An autobiographical description of a day in the life of Chuck Northcrust. Reader's note: For full effect, this article should be read out loud in a bad New York-Italian accent.*

Eh, yo. Some of you may know me as Chuck, and some of you may know me as the Chuckster. BAM!! All of you who have had class with me know me as the guy who struts in at least fifteen minutes late. Well, if you did everything that I do in one day, you'd be late, too. I'd like to take everyone on a journey though a day in my life. After reading this, you'll understand why the Chuck-ster is a busy guy.

First thing, I wake up at 6:30 AM. BADA BING! – I gotta take care of some business, if you know what I'm sayin' over here.

**7:00 AM** – I think I'm done taking care of my business, but some more business comes my way. So I take care of that business.

**7:30 AM** – Pretty sure I'm done taking care of business, so I decide to step in the shower. I recite the entire soundtrack to the Sopranos while cleaning where the sun does and does not shine. And let me tell you, there's some square footage on me where the

sun don't shine – just ask your mother – OH!

**8:00 AM** – I begin shaving and burn through 3 razors in the process. What can I say – when you celebrate the 5<sup>th</sup> anniversary of your 29<sup>th</sup> birthday, you'll acquire a lot of body hair, too!

**8:30 AM** – I meet with His Holiness Pope Benedict XVI. We have espresso and cannolis and discuss the church's stance on homosexuality and women joining the clergy. What's funny is that this wise guy doesn't even know that I ain't even Catholic!

**9:30 AM** – His Holiness departs in the Popemobile as I yell "Smell ya later!" I make a phone call to my accountant about the prospects for purchasing a "Chuckmobile." He recommends that I graduate and find a job first. Probably good advice.

**10:00 AM** – I start driving to work. On the way, I see a taxi cab pulled over to the side of the road. Being the compassionate conservative that I am, I stop to see what's the matter. Comes to find out, there's some chick poppin' out a kid in there! Seeing this once on *Scrubs*, I jump in and deliver the kid. She tells me thanks, but I respond, "No-Thank You. That's the most action I've

gotten in a while that didn't require a tip. Oh!"

**11:00 AM** – Though scheduled to be in at 9, I finally arrive to work at the Prosecutor's office.

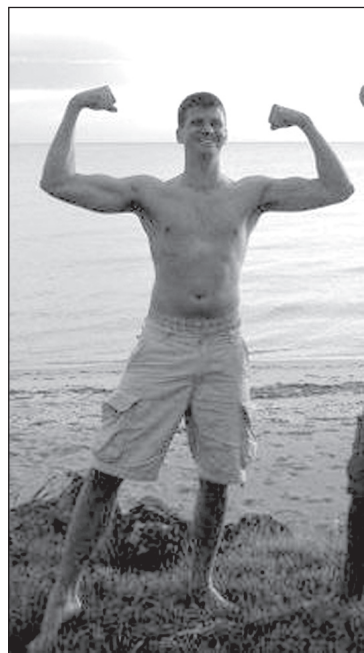
**11:00 AM – 2:00 PM** – Nap at desk on government tab. Always get the most out of a good thing. Oh Eh!

**2:15 PM** – I stop by a Lorain County Republicans Fundraiser. Me and some fellow flag salutin' red-blooded Americans are playing our favorite Thursday afternoon game – beat the crap out of the Hillary Clinton Pinada.

**3:00 PM** – I stop by the 1985 store and pick up a new Member's Only Jacket.

**3:30 PM** – I stop by and see some of the old "family." They tell me that that thing I was gonna do to that guy is ok by them and that if I needed any help doing that thing to that guy that they could get some guys to help do the thing. He gives me a big hug, and I give him an overly stuffed envelope with undisclosed contents.

**4:30 PM** – I arrive at Chris Sagers' Corporations Class, only 20 minutes late this time! Bada Bing!



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Class of 2008 Grad Challenge

## VH1 offers professor Sagers 'law of love' reality series

**By Eric Cartman**

GAVEL STAFF WRITER

VH1 is looking for a heartthrob to star in a new reality series "Law of Love." The channel has a vacant Sunday-night scheduling slot since Brett Michaels scored his 'rock of love', Ambre during season two of Michaels' reality series. The channel is looking to capitalize on the popularity of love-seeking reality shows with female law students and approached professor Christopher Sagers after learning about a loyal group of adoring female fans at C-M.

Even though Sagers is married and has children, he accepted the offer after learning that VH1 was going to approach fellow professor Kevin O'Neil if he declined.

"I worked too hard to become 'faculty member of the year' and I will never allow KFO to steal the spotlight back from me," said Sagers. "My family will just have to make some sacrifices," added Sagers.

Sagers has gained notoriety among female students for his charm and baking skills. At the end of each semester Sagers brings a basket of baked goods in an effort to schmooze his students. "The minute I tasted his scones, I was hooked," proclaimed one female student.

VH1 is hoping its choice to feature Sagers will

broaden the audience tuning into dating reality shows. Sagers is not only popular with the ladies, but is also able to connect to his male students through his attempts to incorporate profanity in his lectures. During a particularly dry agency and partnership lecture, Sagers promised to end every sentence with the word "biotch" to liven things up, recounts one male student. "If he can make agency somewhat amusing, I'll definitely tune in to see how Sagers handles the real biotches."

Law of Love will follow the format of its predecessors Flavor of Love, Rock of Love, I Love New York and Shot at Love. Professor Gard will be Sagers' trusted side-kick and will guide Sagers until he finds "the one."

The contestants will compete weekly in a series of challenges in order to win one-on-one dates with Sagers. "I'm going to be looking for the girls who put the most effort into getting face time," said Sagers. Some of the challenges will include the girls having to answer nit picky questions about a broad range of cases dealing with corporations, agency and partnerships, and administrative law. "I know black-letter law is what's important, but I want to see these girls really sweat."

"Law of Love" is scheduled to air Sunday nights at 9:00 p.m. starting in June 2008.



## Study: climate change affects law student grades

By **Kenny McCormick**  
GAVEL STAFF WRITER

A new threat looms for students hoping to crank out solid scores throughout their law-school career – climate change. According to a new study, man-made global warming will have devastating effects on the test taking ability of all future law students, especially in the United States.

The new study, published by the Center for Disease Control (CDC), shows that over the past ten years, law student test taking ability has decreased markedly due to changes in weather patterns. The resulting impact on law student health is troublesome. The Center found that, in tracking over 1,000 law students, those attending school in climate affected areas scored worse than those in areas staving off the effects of climate change.

“It’s a remarkable precursory find, and we can predict that the effects will only get worse over time,” study publisher Zack Bhopal stated. Mr. Bhopal initiated the study as part of the CDC’s “Special Researcher” program, funded



Zach Bhopal, part of the CDC’s “Special Researcher” program.

in cooperation with a non-governmental organization started by Al Gore last year, the Global Fever Avoidance Taskforce.

“The states most affected are Ohio, Washington, Maine and Wisconsin!” Bhopal stated emphatically.

Bhopal cited three notable effects of climate change on law students: reddish, irritating blotchiness and peeling of the skin; decreased interest in the consumption of spicy foods; and spontaneous human combustion.

Shockingly, over 750 of individuals in the study reported at least one of the three symptoms. Two of the three symptoms, the study found, were prevalent in certain

months and followed a mysterious annual pattern. Using advanced computer modeling, Bhopal and his colleagues were able to project a future effected-student rate of 98.99%.

“This is the sort of study that shocks the world of law,” stated Alex Reich, 2L day student at Cleveland-Marshall College of Law. “Therefore, I am shocked,” he reasoned.

Bhopal suggests that only major social change will prevent future disaster for the entire legal industry. A nationalized system of online law course offerings, increased email alerts from centralized student administrative

centers, and new variations on the popular television show “Law and Order” will all have a beneficial effect.

“The best response would be to decrease physical course attendance on a national scale and at the same time foster a home learning environment,” Bhopal said. Bhopal envisions fewer law students going outside and thus becoming susceptible to pollution induced weather.

Average law students can still do their part by either decreasing his or her “carbon footprint” or taking measures to block the effects of global warming. Bhopal has already taken personal stock - eschewing his car and reliance on the public utility grid. On weekends, he purchases and delivers special ointments to law students - an effort to “screen” the harmful result of increased global warming.

Bhopal admits, however, that he still indulges in some activities that US law has found to contribute to global climate change. “I tried my best to stop,” he divulged, “but my cognitive functions cease without regular breathing.”

Bhopal nasally concluded by saying, “Neeeh!”

## The Gavel hires Scripps spelling bee champion as spelling editor

By **Butters**  
GAVEL STAFF WRITER

Do to a number of unsightly spelling and grammatical errors in some previous issues, *The Gavel’s* editorial staff decided to hire an outside source to make sure there are no such errors in future editions of the *The Gavel*. “I just don’t have time to be nit-picky when it comes to spelling,” said Paul Deegan, recently re-elected *Gavel* Co-Editor-in-Chief. “I mean, I have a lot more important things to do, so it’s only logical to get someone else to do it,” Deegan said. “We can also treat the new hire as an ‘intern’ to get away with not paying her and it makes us look good – so it’s a win-win situation,” Deegan expanded.

The interview process was intense, with Akeelah just beating out Scripps co-champion Dylan Chiu for the coveted spot. With Margan Keramati, Shawn Romer, and Kevin Shannon as interviewers, it was an uphill battle to win them over. Romer and Keramati chose Akeelah because of her spirit and determination, while Shannon didn’t like either of them. “Neither one of them answered the tough questions to my satisfaction, so f\*\*k them both,” Shannon said. Luckily for Akeelah, two out of three votes was enough to get her in.

The 2008-09 editors-in-chief look forward to the extra time saved by hiring Akeelah. “Now that we have someone to take care of our dirty work, we can spend



### Actor Lawrence Fishburne looks like SBA vice president Tony Scott

more time on cheesy headlines and boring stories,” said Rick Ferrara. “I want to use the extra time to study for other classes,” said Michelle Todd. “I hear that, it’s not like they pay us a lot for this job, or anything,” Deegan elaborated.

“Now that Akeelah is on board, I don’t think we will ever have another error in the paper,” hoped Deegan. “If she can learn five-thousand words and beat out everyone else in the USA in the Spelling Bee, she sure can handle our issues,” remarked Ferrara.

If Akeelah does work out next year, *The Gavel* staff will likely hire another ‘intern’ to deal with pictures and graphics in the paper, contrary to Deegan’s beliefs. “What the hell do we need a picture expert for,” he opines, “the pictures aren’t *that* dark or distorted.”

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## Mounting thefts from refrigerator prompts student action

By Stan Marsh  
GAVEL STAFF WRITER

Law students rejoice – your food will soon be much safer while it patiently awaits your appetite in the temperature-controlled environment of the new lower level dining area's refrigerator, but there are mixed feelings as to how that is going to happen.

In an act of frustration, desperation, and good old Cleveland-Marshall pride, law students and community volunteers have begun to collaborate in forming a new security patrol to guard the area around the refrigerator. Many students are reeling over recent thefts of food from the appliance and are marking the purchase of a new refrigerator with a uniformed volunteer security patrol. The patrol will mimic the Guardian Angels, a group that traces its lineage back to 1979 New York City when they proactively responded to a rash of crimes in city subways. In keeping with that tradition, the C-M patrol will be wearing distinctive green colored berets and shirts, representing Cleveland-Marshall while invoking thoughts of the elite special forces of the U.S. Army and crack units of the German Polizei. But not everyone is excited about the idea.

"What business do vigilante students have forming their own security force?" said Thair Afaneh, a 1LE who carries a copy of George Orwell's *Nineteen Eighty-Four* with him everywhere. "The last thing we need is a quasi-big brother scrutinizing us while we retrieve and eat our own food. How far will they go? Will they post guards in the restrooms to make sure we wash our hands?" Other students, including theft victims themselves like Paul Deegan, are happy about the idea. "I had my pot roast stolen last week," said Paul, a 2L and self-proclaimed "foodie." "I watch the Food Network religiously, and I often cook up some nice comfort food to bring to school. But when I go to enjoy it, it's gone. [Sobbing] This



has really... wow... it has really put my criminal law class into perspective." Tyessa Howard agrees. "This is getting absolutely ridiculous" said Howard, a 1LE who had a Café Ah Roma hummus wrap stolen just this week. "They teach us about victims of crime, but it doesn't really hit home until you open that refrigerator while you're happy, salivating, your stomach growling, you know? And your food is not there. It's a very empty and lonely feeling."

The new security patrol will be comprised mostly of law students, but will also claim some local residents as its members. "I care about these students" said an anonymous local

who used the services of the employment law clinic last year to resolve a workplace dispute. "When I met with some students at the clinic last year, they seemed hungry and mad. I want them to be comfortable so they can continue to provide these important services to the community."

The patrol will be unarmed and will not be authorized to use force to make arrests unless they witness a felony, but they will have cell phones and two-way radios to communicate directly with campus police, and they will use the latest in technology and patrol techniques. Barcode scanners will be used to match student-issued wristbands with their food, which should also cut down on rotting food and disease, as the barcodes will only be good for 24 hours. A high resolution webcam will also be installed inside of the refrigerator, making it possible for students to check on their food from any place with an internet connection.

The patrol will also have an intelligence unit, a small group of highly motivated volunteers that will collect and analyze information about possible suspects. Chuck Northcutt, a graduating 3L and former U.S. Marine, will head the unit. "It's our job to make sure students can come to school and not have to worry about their food going missing," Chuck explained. "They all have enough to worry about; we're here to make their studies a little easier." Chuck also urges students interested in volunteering to contact him as soon as necessary, in order to facilitate completion of an intense two-week basic training and get people on patrol as soon as possible. "This is a great way for you to give a little something back to this school that has given so much to us. If you want to be where the action is, making a difference every day, this is the place for you."

Look for the security patrol to begin posting guards around the beginning of the 2008 summer semester.

## Anonymous homeless guy shares challenges, hopes and dreams

By Anonymous Homeless Guy  
GAVEL STAFF WRITER

*The following is the final part in a six-part series following the anonymous homeless guy who's just as much a part of C-M as is the law.*

It's been a tough year for the homeless here at C-M. Having to share the basement with the construction workers has been hell. They always want to watch the news or some crap like that, when I've been coming to this school to watch Family Feud for the past 10 years. Apparently, there's a war going on in the Middle East, or something like that.

I've been disappointed lately at the stigma that attaches to the homeless. The anonymous 11 may find it hard to be a single female law student in Cleveland, but try being a single bum. At a bar, if a girl asks me what I do for a living, and I reply "nothing – well – steal lunches," it seems like she's already tight-casted me. Maybe this girl is intimidated by some past experience she's had with a bum? Generally, this gives her an excuse to leave me alone with my half-full glass of Labatt Blue that I stole from a guy who was away playing darts.

I concur with my Anonymous 3L colleague that grades don't really matter and that you should debauch yourself through law school. It's the stance that I've always maintained, and look what it's done for me...

On a brighter note, your lunches have been



pretty good lately. Just yesterday I ganked some homemade cookies and a Tang from a vintage Dukes of Hazard Lunchbox. These would have tasted better had my nose not been saturated with the clothes I've been wearing since the Clinton Administration.

Also, I've found a whole new batch of conspiracy theory websites on the computers next to the Librarian's desk. I'm this close to reaching my goal of proving that the moonlanding was staged or that Ellen Degeneres is straight. I've also been working on my case to sue

the government and George Bush for being in a conspiracy, along with the UN, to keep me down.

I almost scored a lap top the other day. For those of you who don't know, there's a secret art to laptop scoring. The key is to look for the student who is about to drop a deuce. Depending upon what that person has eaten in the last 24 hours, this generally gives me five to twenty minutes to make my move. However – CAUTION. Making a move during Exams is highly risky. The chance that a particular student has eaten a significant portion of his dietary intake out of the basement vending machine decreases the amount of time in your window of opportunity. What normally would take 20 minutes comes out pretty quick. I almost learned this the hard way last week.

I've also been working on my introductions. Currently, I've been going with "I ain't a bum or nuthin', but..." However, I

haven't had much success with this. Some others that I've come up with include "I just ran out of gas and my pregnant wife and I need 25 cents for bus fare to Bedford" or "you're right – I'm just going to go buy a 40 of King Cobra, but could you give me something for my honesty?" Not so sure about the last one. This is a work in progress, and I'll keep you updated.

Also, can't the on-campus catering beef up the non-cheese items? I mean, I have to wait until the rent-a-cop leaves after these events to scavenge the catering in the atrium, and by that time, the only thing left is damn cheese. You try being a bum and eating nothing but cheese for three days and see what it does to your system. Short answer to this problem – chicken skewers - more chicken skewers.

I picked up a new shopping cart the other day. This one is way nice. All four wheels work, and the bottom springs are still in tact so that I can store my plastic bag full of plastic bags.

Also, we prefer to be called the "domicledly challenged." A know-it-all first year told me that I could never get diversity jurisdiction in a federal court over any of my slip and fall cases I suffered at the Winking Lizard's entrance because I didn't have a residence. Just because I ain't got no home doesn't mean I shouldn't have no diversity jurisdiction.

Well, though it's been a rough year, I'd like to thank all of you who have given me dirty looks over the past year as you smelled me walking by. I get a kick out of all the attention and look forward to a productive 2008.

## How to improve grades after the first year

By Karen Mika

LEGAL WRITING PROFESSOR

*How does one substantially improve point average in law school after the first year?*

Presumably, students are more versed in the law after the first year such that point average goes up automatically. However, most people, unless there was some impediment during the first year, discover that the majority of their grades for the final years of law school will be “around and about” the grades received in the first year.

If the goal is substantially improving grades, there is somewhat of a different strategy than gaining knowledge, taking classes that interest you, or taking classes that enable you to pass the bar exam. First and foremost, there is study time.

### Legal Writing

Most, but not all, stellar students are completely immersed in their studies at the expense of everything else they do. This may mean family, work, social relationships, and perhaps even health (like not eating or not working out). It is a sacrifice that not everyone is up for, but I would think that total immersion (or more immersion) would be the first step in substantially improving grades. Then again, there are those who just seem to do well naturally with seemingly no effort. There’s very little that can be done about that.

But if good grades are the ultimate goal, then there are a few strategies which are, by no means foolproof, but may help. First, take classes in subject areas that you are good at. I think that too many people think they can be good at everything if a little extra effort is put in. That just isn’t so. When I took tax in law school, I got one problem correct the entire semester.

Secondly, pick professors who will give you good grades. That doesn’t mean you should scout out what you perceive to be the “easy” graders, but it does mean that if you got an “A” from someone this year, you should see what else he/she is teaching. If you got an “A” (especially if it is your only “A”), then there must be something about your respective teaching, learning, and exam-taking styles that meshes. If you had a professor that gave you “C’s” on everything, no matter how much time you put in, then don’t take that professor again, even if you really like that professor, even if it’s me. To that end, don’t take a professor (as I did many times) for the challenge of seeing whether you can finally get a higher grade.

Lastly, scope out the evaluation/testing method for a class. If you do well on exams that have numerous components, then see who evaluates in that way. If you are dynamite on research and writing long papers, then scope out which classes give the option of writing a paper rather than doing a final. If you’re terrible at one question/three hour exams, then avoid professors who give those types of exams.

My advice presumes that beyond this strategy, the other preliminaries are done. This of course would be adequate preparation and actual knowledge of the material. An additional caveat is that the bar exam must play some role in your course selections. I’m sure nobody would want to make news by being the first 4.0 student to fail the bar exam.

## Committee searches for new legal writing department director

--continued from page 1

dations concerning the nature and extent of any changes that should be implemented to improve the department.

After the ad hoc committee presented their findings and recommendations to the faculty, an overwhelming majority of the faculty voted to hire a director of legal writing.

In response to this vote, Dean Mearns pulled together a search committee composed of five faculty members and one student to select and screen potential candidates for the position.

The five faculty members on the committee are Heidi Gorovitz Robertson, who serves as the committee chair and also was chair of the ad hoc committee, Brian Ray, Deborah Geier, Sandra Kerber, and Janice Aitken. The student committee member is 2L Jason Carter, who also served on the ad hoc committee.

According to Professor Robertson, the committee’s search resulted in the selection of five candidates who were then asked to come on campus to interview with faculty, administration, and library staff. When asked what the committee was looking for when selecting the candidates, Robertson said all of the members really had one ultimate goal in mind: “We wanted someone who was

going to be a positive leader and who could also move the program in the right direction,” Robertson said.

Student committee member Carter also organized several “meet and greet” events so that students would have the opportunity to interact with each of the five candidates. Professor Robertson felt that Carter’s

“We wanted someone who was going to be a positive leader and who could also move the program in the right direction,” Robertson said.

involvement in the selection process was invaluable. “Jason was very influential...he was with us in the beginning and helped us [the ad hoc committee] decide what to do with the

outside evaluation and later was very involved in the candidate screening process,” Robertson said.

She added that Carter truly did C-M students a “great service” by representing them in the entire process.

Professor Karin Mika is the only internal candidate and is currently a C-M legal writing professor. The four remaining candidates are as follows: Kathryn Mercer and Peter Friedman, both of whom currently teach legal writing at Case Western Reserve University’s School of Law; Jeffrey R. Knight, a former professor

of legal writing at Charlotte University’s law school in North Carolina; and, Caroline Broeing-Jacobs, a former C-M legal writing professor.

When asked what the next step is for the Ad Hoc Committee, Robertson said that they have decided to wait until the fall to consider any new changes so that the new Director can be part of the entire process.

“We want to involve him or her in the process so that they will have the ability to make some of the decisions that will affect the department,” Robertson said. “It is important that we talk with the new director about proposed changes, because we don’t want to assume that we know what’s best for the legal writing department until we talk with them beforehand,” she added.

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# The Political Broadside

## Have Democratic state-wide officers been good or bad for Ohio?

By **Chuck Northcutt**

CONSERVATIVE GAVEL COLUMNIST



If I had to sum up the performance of the elected statewide Democrats in one word, that word would be 'debacle.' Whether we discuss Governor Ted Strickland allowing taxpayers' sensitive information to fall into the hands of criminals, Secretary of State Jennifer Brunner's insistence on wasting taxpayer's money, or the sex scandals coming from both Attorney General Marc Dann's office and his apartment/frat house, these cronies have taken incompetence to new levels.

Strickland has proven to be anything but a capable governor. Most notably, he entrusted low-level interns with sensitive data, which resulted in the theft of a computer storage device from an intern's unlocked car last June. The device contained the names and social security numbers of 786,000 taxpayers, information on every state employee and welfare recipient, as well as lottery winners and state vendors. Thanks to Strickland's incompetence, this vital information is now in the hands of criminals. Way to go Ted!

By kowtowing to the unions, Strickland is out of sync with the values of Ohio in pushing to cut funding of school vouchers, which will take away parents' choice on education.

Despite his liberal tax and spend record in Congress, the only thing that's kept Strickland in line is the fact that Republicans control the legislature. Yet, with gambling machines, Strickland has shown his true nature. Just last October, Strickland signed anti-gambling legislation stamping out wagering machines in businesses across Ohio. He released this statement: "The people of Ohio have spoken with a clear voice on this issue [and] do not want an expansion of gambling... I appreciate the General Assembly taking quick action to get these machines out of our state and ... communities." Months later, the good reverend (yeah, he used to be a reverend) revealed his true intentions of stamping out private competition for the Ohio Lottery Commission in his attempt to introduce similar electronic games in every bar, on every street corner, in every community! In true Hugo Chavez fashion, he used the executive office to socialize a private industry!

Unlike Strickland, Secretary of State Jennifer Brunner's despises electronics. After spending \$1.9 million on a study, Brunner now wants to replace newly purchased electronic touch-screen voting machines across Ohio with an optical-scan system. The estimated cost is \$31 million, which doesn't include the costs of the machines Brunner wants to replace – in Cuyahoga County alone the electronic machines she replaced cost \$21 million. Most of Ohio's county election officials question this move. Director of the Fulton County board, Brett Kolb, said his county has had no problems with touch-screens, adding that bipartisan oversight ensures they are "safe and secure."

Then there is Ohio's top lawyer Attorney General Marc Dann. Much like Barack Hussein Obama surrounds himself with people who hate America, Dann surrounds himself with people of questionable ethics. Dann has already had to fire his director of law enforcement operations for drawing two salaries and his driver for failing to disclose a manslaughter conviction. His neighbor and onetime roommate, Anthony Gutierrez, has been accused of using the management position Dann gave him, which pays \$87,500, to pressure two subordinates for sex. Some of this alleged conduct even happened in Dann's and Gutierrez's apartment, where one of the victims woke up after a night of drinking with her pants unbuttoned next to Gutierrez, 50, laying in his underwear! This must have been Gutierrez's way of repaying Dann for hiring him, despite owing tens of thousands of dollars in back taxes. Also implicated in these allegations is Dann's other roommate and communications director Leo Jennings. Dann recently told the Plain Dealer that he's disappointed to find himself in this situation. I'm sure that he's not as disappointed as the voters.

The one beacon of light in these dark times, however, is Republican Mary Taylor, who is the first certified public accountant to serve as Ohio's Auditor of State. Considering herself the "chief taxpayer watchdog" Taylor has already saved Ohio \$11,620,830.48. She has developed legislation to overhaul Ohio's internal auditing structure in light of Coingate and advocated Medicaid performance audits to eliminate waste and fraud in State spending.

## Liberal rebuttal...

If I had to sum up my distinguished colleague's criticism of the elected statewide Democrats in one word, that word would be "smokescreen." There will always be some critics who are impossible to please and will invent artificial issues when they can't find real ones. Such is the case of the criticism of Governor Strickland. Sure, a hard drive with taxpayer information was lost by an intern working for Governor Strickland's office, and that's unfortunate. But so is using that incident as "proof" that Ted Strickland is "incompetent" and his performance in office has been a "debacle."

My colleague completely ignores the real issues faced by struggling Ohioans (job creation and economic development) and focuses on the red herring that is the gambling ban. For some elitists living in the ivory tower of a law school with no contact to the real world, the ban on gambling may be more important than helping Ohioans get decent jobs. For a struggling family who lives from paycheck to paycheck, job insecurity and lack of prospects, the problem is not the gambling ban, it's economic development and having a better job.

Governor Strickland is clearly better attuned to reality, and more in touch with the problems of the average Ohioans, than some of his critics are. His efforts to revive Ohio's economy – which have enjoyed strong bi-partisan support – are commendable and show that he's the right man for the job. That's quite a change from his inept Republican predecessor Bob Taft, who has the doubtful honor of being the first criminally convicted governor in the history of our state and under whose watch millions of taxpayers' dollars were embezzled by his golf buddy.

By **Alin Rosca**

LIBERAL GAVEL COLUMNIST



In 2006, a decisive majority of Ohioans – including many Republicans – voted for Ted Strickland. Governor Strickland's performance has shown they made the right choice. He has been working to boost public education, reinvigorate Ohio's economy, bring high-paying jobs in sustainable industries, and streamline Ohio's government.

Governor Strickland has made education a top priority of his mandate. His focus on education shows he saw the right solution to Ohio's decades-long economic woes: our state has been significantly below the national average in terms of its citizens' education. We rank 39<sup>th</sup> in the nation when it comes to higher education, with only 23% of adult Ohioans holding a bachelor's degree. The deficit in higher education is related to the lack of economic opportunity and is also a turn-off for high-technology companies looking to expand their operations in areas where they can find qualified local workforce.

Lack of education translates into lack of innovation needed to boost economic activity. In the 1950s, Ohio ranked fifth in the country in terms of patents per capita. We now rank 22<sup>nd</sup>. Prestigious research and policy organizations have singled out education as a key factor to revitalize Ohio's economy. Governor Strickland has acted to improve education in Ohio and make it affordable for everyone. He has pushed to increase the funding of public universities, and C-M students are direct beneficiaries of his efforts. He increased the state's contribution to local schools and drafted a budget that included zero tuition increases in 2008 and less than 3% increases in 2009 for public schools.

Another of Governor Strickland's main efforts has been to create more Ohio jobs in the high-growth fields of renewable energy and healthcare. Ohio has suffered from the manufacturing downturn and has lost more than 220,000 manufacturing jobs since 2000. However, our state has been able to make strides in healthcare and renewable energy. These industries generate higher-paying jobs for Ohioans and are likely to continue to grow for the foreseeable future. Governor Strickland has made nurturing these areas a top priority. This month, he announced a bi-partisan stimulus package of \$1.57 billion designed to boost Ohio's economy. The stimulus package will help support biotech and biomedical activities, renewable energy production, and will create in-state employment opportunities for college-educated Ohioans.

There's much to be said about Governor Strickland's plans, but the bottom line is he's identified the key problems in Ohio, has come with the solutions, and has been able to garner bi-partisan support to implement them. He has been the right governor for Ohio at the right time.

The jury's still out as to Ohio Attorney General Marc Dann's performance – and that is a mild way to put it. His first year in office has been filled with unwanted distractions. He was marginally connected to a corruption case involving convicted ex-congressman Jim Traficant; he was caught on tape suggesting to a journalist to perform an anatomically impossible act on himself; and two of his subordinates were accused of sexual harassment. That sexual harassment case raises serious questions as to Dann's judgment in appointing one of the individuals – Anthony Gutierrez – given Gutierrez' past record of legal problems. Also, it raises questions as to Dann's leadership as AG.

Treasurer Richard Cordray has done a solid job since taking his assignment in Columbus. His efforts to support Ohio's small businesses by promoting reduced interest rates for small business loans were recognized by the Small Business Administration, which gave him the 2008 Financial Service Champion of the Year award for the Midwest region. He has been working to help Ohioans save more through the SaveNOW program, and he has been supporting Ohio farmers by helping provide low-interest loans for them. Secretary of State Jennifer Brunner has done a great job organizing the March 4 primaries in Ohio, despite the bad weather in some regions in the Northwest. She has been advocating for mail-in elections as a way to improve voters' turnout. She received the "Profile In Courage Award" from the John F. Kennedy Foundation for her role in ensuring that all votes in the March 4 primary were cast and counted accurately.

## Conservative rebuttal...

First, I want to thank my counterpart for his frankness on Marc Dann; we seem to both agree that Dann is low on ethics and should resign immediately for the good of Ohio. Likewise, I agree that, for now, Treasurer Richard Cordray has done an okay job. Unlike his fellow Democrats, he is clever enough to stay out of the press and concentrate on his work.

As for Brunner, I stand by my position that she is a disaster as Secretary of State, bent on wasting taxpayers dollars, replacing a new voting system that has worked effectively in every Ohio county, except Cuyahoga. She fails to acknowledge that the problem is our county election workers and not the touch-screens.

With Strickland, one needs to be careful in not crediting him with bi-partisan initiatives that were in place before he even took office. For example, Republican Ohio House Speaker Jon Husted introduced legislation to make utilities embrace wind turbines, solar panels and other renewable technologies, or face fines. Husted explains, "We need to compete globally." Clearly, this is every bit a Republican initiative as it's Strickland's, if not more so.

Republicans also share credit for improving our education system, as we provided parents in failing school districts with choice in charter schools, which Strickland would take away in order to appease teacher unions. Legislative Republicans, like State Senator Kevin Coughlin, have capped tuition increases and ensured more funding for public schools to upgrade existing facilities and build new schools.

# 1L discusses first year's influence on life

By April Stephenson

ANONYMOUS 1L

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

1L  
First-year  
Life Part VI

I have become uncomfortable telling people that I am a law student. First, as a single woman, telling men that I am a law student increases the intimidation factor. I never thought that this would be the case. However, the minute I say that I am a law student, I see the man's eyes frantically sweep the room for either the nearest exit, or the perfect excuse to leave me and my vodka soda A.S.A.P.

When someone asks me what I do, I find myself couching my education in vague terms such as, "I am a student", or "I am going to school." This usually ends the inquisition, but some are more curious than others and ask, "What do you study?" Then I am trapped.

I am proud of my chosen path. I really am, but once I tell people how I spend the majority of my time, the conversation changes. Either the person I am speaking to becomes interested in learning more

about me, or they become standoffish because the last time they dealt with someone who had studied law, they were being sued and lost.

The stigma attached to law school and the practice of law as a whole is fascinating. Most people who do not live in our legal vacuum think that all law students will be rich, that once one signs a contract they are 100 percent legally bound, and that all lawyers eat their own young. While those of us know these stereotypes are not exactly truth, it becomes difficult to talk to people who live their lives away from the law library.

Little do the "normal people" know that they are probably smarter than at least half of us, despite their chosen path to work at blockbuster and smoke pot all day while watching *The Big Lebowski*.

Looking back, I made all the "right" decisions. I always did well in school. I was always participated and was good at sports and theatre. I have never had a speeding ticket, let alone a parking

ticket. I have only been grounded once, for about an hour after I purposefully broke a gallon of milk over our new carpet. After sixty minutes, my mother realized that grounding me was only punishing her, so she let me go after I cleaned up my mess. How did I end up here in Cleveland studying law? I was born in Idaho. My parents never went to college, and I believed in Santa Clause until I was 11.

I understand that the vast majority of people do not go to college, and even less go to law school. Yet I can't seem to wrap my mind around the fact that I am working to become a member of a community with so much power. While most of us will not make as much money as we think we will, we will leave here

with more power than we realize.

Our legal system is massive. So much to know, so much work to do, so many questions to answer. Knowing so many brilliant people are working on their little corner of this massive legal web helps me sleep at night.

While I will most likely not emphasize in property, it is nice to know that there will be a group of people who will devote their lives to easements and fair housing so I do not have to. I am restless to begin to weave my little corner for the web. I am excited for the opportunity to participate in something so massive, so potent, and so organic.

The year is ending, and I will no longer be the anonymous 1L. When next year begins, I will begin my classes knowing how to brief a case, but I will brief it in the book instead of in my notebook. I will understand how to pick out the peculiarities of my professors so that I can better prepare for their final. I will know how to dress... hopefully. I will know how to write a good essay in forty minutes.

But I will still have no idea how it is that an Idaho girl with a natural predilection for slasher flicks and sci-fi novels ended up here in law school in Ohio.

## 3L reminisces on the past three years

Rae Lynn Wargo

ANONYMOUS 3L

*The following is the final part in a six-part series following the beaten and broken law student.*

Well, now you know who I am. I am Rae Lynn Wargo, a 3L graduating in less than a month dealing with the typical emotional mess a third year law student must deal with. No one tells you what to do and there is no guidebook on dealing with it.

What I hoped to do with this column was to hopefully let other 3Ls who are feeling similarly know they are not alone. The highs and the lows of this year have certainly taught me a lot and they were very different from the highs and lows of first year. First year is about basic survival – just making it through. I feel that third year you realize you forgot to figure out what it is you *want* to do. Why did I decide to go to law school? What does my future hold? Being entrenched in cases and motions and SBA socials no longer hold the same comfort they once did – we have to figure it out now.

As much as I hated law school at times, I sure am going to miss this place. The emails from Israel that creatively describe every item lost and found. Freshly baked goods from professor Sagers that just happen to arrive on evaluation day. Warm smiles from professor O'Neill even after a completely and embarrassingly wrong answer. Trying to sneak food and alcohol after a lecture you didn't attend. Candy breaks through the legal writing department. Lunches at Subway, Café Ah Roma, and Hanna Deli.

I will miss my friends. We have been through a sort of hazing together and that kind of bond is difficult to describe. As competitive and nasty as law school can be, there are some amazing people here at Marshall and I will miss their faces.

I would like to congratulate all my fellow 3Ls graduating with me next month. We thought at times it wouldn't happen but here it is. It feels like a lot of time has gone by but very quickly and we have changed and grown through it all. Good luck to all of you and thanks for all the great memories!

## Student sounds off on professors' inattention during office hours

As a prospective student, I remember being courted by students and faculty members that the professor's door was "always open." Even as a current student, I have been encouraged to visit professors and ask them questions. Professors further give the impression that they are always willing to answer questions students have during office hours and after class. This impression, I'm sorry to say, is distant from reality and could be considered mere "puffery."

What I've experienced is that a professor's door may not be as open as I was lead to believe. This is not to say that professors are inaccessible; rather, when a student seeks out the professor during office hours, professors emanate a lack of interest and attention to the student's question. It seems as though they'd rather be doing something else than answer the question of a conscientious student.

In one instance, I was in a professor's office asking a question, and the professor was glued to their email account. Furthermore, the answers I received were short, shallow, and generally not helpful in explaining the concept I did not understand. Another professor took several calls during a scheduled meeting, one lasting several minutes. I personally think that when a student has scheduled time with a professor, the professor should avoid taking several phone calls during the meeting. That's just rude. Relying on the professor's "open door" policy, several students have echoed similar instances where they approached a professor in their office and the professor was more interested in brooming the student out the door than making sure the student's question was answered.

These observations don't seem to commingle with what the legal profession is primarily about—service. A law firm is a business based on customer service. As such, an attorney should always afford each client the respect and attention he deserves. The client is paying the attorney for a service, and that service should be performed with excellence, respect, and professionalism. It is my humble opinion that we as students are no different than the clients we'll represent later in life.

We are paying for a service, a service which if not performed correctly, could have detrimental affects to our ability to practice law.

I am aware that a professor's obligations are extensive. Professors are as busy as the students they teach, and I recognize that there is a distinction between a focused or direct answer and one that merely brushes off the student. Professors are not in the business of wasting time; sitting around waiting for students to drop in may not be the best use of a professor's time when they could also be working on other matters. A student who drops in unexpectedly may need to afford a little understanding to a professor who may have been engaged in a task before the student's arrival. However, it seems that more often than not, the observations I speak of tend to occur frequently when a professor has reason to expect a student's arrival. I am not suggesting that professors need to schedule more office hours. Rather, I am suggesting that professors need to pay a little more attention to students when they come and seek further instruction.

My observations do not reach all professors here at C-M. We are very fortunate to receive a quality legal education from talented and dedicated members of the legal profession. Many of our professors take teaching very seriously and extend their undivided attention to students during scheduled and unscheduled appointments. However, too many instances have occurred between various students and professors where the student did not receive the professor's undivided attention. Is there a solution? Of course, there is always the usual suggestions that the University should pass policies which increase the minimum expectations of professors when it comes to serving students outside the classroom. However, I think a more effective approach may be for students to demand more from their professors, to visit them more often in office hours. And when a student feels that he is being brushed off, simply ask more questions. We cannot lose sight of who pays to be "here" and those who are paid to be here.

*Anonymous C-M student*

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## Student Bar Association

SPECIAL NEWSLETTER SECTION

### LETTER FROM THE PRESIDENT

On behalf of Allison Taller, Mate Rimac, Laura Kolat, and myself I would like to sincerely thank the entire Cleveland-Marshall student body for showing your support and allowing us the honor of serving as your 2008-2009 SBA Executive Officers. We would also like to thank Nick Hanna, Anthony Scott, Greg Gentile, Lydia Arko, and Amanda Shaerban for their hard work and dedication to the SBA. These outgoing officers leave us each with great shoes to fill, however I am confident that we will continue and further their ability to serve and achieve.

As an administration, we hope to prolong the traditions currently set in place by the SBA, while at the same time expanding the role that the SBA plays in the lives of the student body. Specifically, we plan to create a more comfortable and safe learning atmosphere in our school and library. Additionally, we will strive to expand our role in out-of-school events that will not only help to engage a broader spectrum of students, but also help Cleveland-Marshall gain more recognition in the community.

As part of the essence of our platform, we hope to hear continuous input from the student body as to what you each of you would like the SBA to affect. As elected offi-

cers, it is our responsibility to seek out the needs and concerns of students.

While we are excited to take over as an administration, the current SBA has a few events remaining this school year. In our last meeting of the school year, Senator Chuck Northcutt was awarded the "Gerald R. Walton Senator of the Year Award." As a first-time Senator, Chuck has been an active participant in the SBA and has been dedicated to serving the student body. The SBA will continue its tradition of giving to student scholarships by making a large donation to the Wolstein Scholarship fund.

Finally, look forward to next Fall, for the grand opening of the new food service station that will be located on the upper level, in the inner link. It will feature the same great products and service that we have been accustomed to getting from the Business School. But before then, on Thursday, May 8, the SBA will be hosting its end of the year social at Panini's in the Gateway District. We hope to see everyone there. In the meantime, good luck to everyone on your finals, and to the graduating class, congratulations and good luck on the Bar Exam - make us proud!

*Elias Hazkial, SBA President Elect*

### SBA SENATOR OF THE YEAR!

Congratulations goes to the SBA Senator of the Year, Charles "Chuck" Northcutt, the co-founder of this Newsletter and a major contributor to SBA activities throughout the 2007-2008 school year.

Sen. Northcutt, a 3L day Senator, contributed a great deal of time to his Senate seat and served as a model representative, boasting a perfect meeting attendance record.

His most notable accomplishment was in writing legislation that amended the SBA Constitution to create a permanent Communications Committee, charged with wide-ranging

communications duties and the production of the Student Newsletter.

Outside of his support for the Communications Committee, Sen. Northcutt also helped to drive the Adopt-A-Unit initiative in concert with the United Services Organization (USO). The initiative mobilized students to provide soldiers of an adopted military unit with toiletries, treats, and other comforts of home.

"Chuck really did a great job representing his constituents, participating whenever he was needed, and had a tangible impact on the academic lives of Cleveland-Marshall students." Mandy Shaerban, Speaker of the Senate stated.

*Rick Ferrara, 2L Day Senator*

### DID YOU KNOW? A CLOSE LOOK AT THE SBA FUND ALLOCATION PROCESS

At first look, the financial structure of the SBA may seem a little confusing. Hopefully, a closer look at this financial structure will not only make it clearer, but also show the depth of the programming and services provided by your SBA.

The SBA works from two separate accounts, the General Account and the Agency Account. The General Account consists of money allocated to the SBA from the CSU administration.

This money comes out of a portion of our tuition fees. The Agency Account consists of funds that the SBA has generated on its own through various activities including book and apparel sales.

According to current SBA Vice President of Budget and Finance Tony Scott, "The Agency Account is funded by the product of the SBA's efforts."

The SBA funds most of its programming and services through the Agency Account, such as the Barrister's Ball, last semester's Halloween activities, contributions to scholarships, last semester's USO Drive, and this semester's Service Week. Thus, the SBA is able to put its dollars to work for the student body through the Agency Account.

The General Account is used primarily for the benefit of Cleveland-Marshall's numerous student organizations, which provides a unique collection of diverse programming, services, and opportunities for all of Cleveland-Marshall's students.

Before student organizations receive their annual allocation, their officers must attend officer training as mandated and provided by CSU. This ensures that an organization is still active before receiving any allocation. To encourage more involvement from student organi-

zations, Scott proposed a plan to split their annual allocation from the General Account into two allocations over the academic year.

Once Scott's proposal was approved by the SBA Senate, allocation to student organizations changed from just one lump annual sum to \$500 for Fall Semester and an additional \$500 for Spring Semester based on how active a student organization is for the entire year.

Of the 18 student groups that received the first allocation, 16 of them qualified for the additional allocation, giving those groups a total of \$1000 for the year.

Furthermore, if a student organization needs more funding for an event, all that it's officers need to do is ask. The process is relatively simple. The SBA Constitution provides for a Budget and Finance Committee, chaired by the VP of Budget and Finance, which reviews and approves all requests by student organizations for additional funding.

A student organization just needs to submit a request with the VP of Budget and Finance to have it brought before the committee. Officers of the organization then appear before the committee to explain the event in person and answer any concerns that the committee may have, and then the committee votes.

This year, of the four student organizations that have requested additional funding, all four have received it. In total, \$24,070 has been allocated from the General Account this year to the 18 student organizations that have proven to be active. This number includes both the annual and additional allocations.

In short, this is the nuts and bolts of an allocation system that works to ensure that the interests of every law student are appealed to; thereby, making the students' dollars work for them.

*Chuck Northcutt, 3L Day Senator*

BE A PART OF THE SBA NEWSLETTER NEXT YEAR - CONTACT YOUR NEW STUDENT REPRESENTATIVES!

*Editors: Rick Ferrara, 2L Day Senator; Chuck Northcutt, 3L Day Senator*

Visit the S.B.A. Website for more information: [www.law.csuohio.edu/currentstudents/studentorg/sba/](http://www.law.csuohio.edu/currentstudents/studentorg/sba/)

# LETTER TO THE EDITOR

## The use of Barrack Hussein Obama in the political broadside column

"John Sidney McCain." "Hillary Diane Rodham Clinton." Why is it that these full names were not used in conjunction with "Barack Hussein Obama" in the conservative section of the Political Broadside column? Maybe it is because Obama's middle name is not "Christian," like Karl Rove's.

My parents came to this country from Trinidad and Tobago over twenty-five years ago, because America was (and still is) the "land of opportunity." They dreamed of living in a nation where it did not matter where they were born, or which caste system their ancestors belonged to in India. They told me that people in America judge you on what kind of person you are, and not what your name is.

In the current political season however, it seems that there are people who believe that a person's name matters. They insinuate that a candidate's intelligence, character, and self-identity are less important than his name. They covertly suggest that if your name is of an Islamic background, that there is something inherently wrong with your reputation, honor, and spirit.

It is no secret that hearing the word "Hussein" in this country reminds a lot of people of Saddam Hussein. But for others this word association goes a lot further.

Instead of just thinking about Saddam, they think about 9-11, terrorists, and their anti-Muslim or anti-Arab prejudices.

Lately, it also seems that when some (emphasis on some) conservatives hear the name they think of an opportunity to create a controversy out of nothing. They get it going by fanning the flames of intolerance and bigotry, in order to achieve a political gain.

If this time period happened to be shortly after WW2, and if Rudy Giuliani's middle name was "Benito," would there be any legitimate reason to repeatedly invoke the full name? If John McCain's middle name happened to be "Adolf," would there be no harm in putting emphasis on it?

Even so, the people who consistently use Obama's full name pretend like there is "no big deal" in repeating it over and over. They say a person should not be ashamed of his name, and if he did not

like the name he should have changed to avoid such a "political liability." They argue that it is people like me who have the problem with Obama's full name, not them.

**In the current political season however, it seems that there are people who believe that a person's name matters. They insinuate that a candidate's intelligence, character, and self-identity are less important than his name.**

It is painfully obvious however that anyone who feels the need to place emphasis on the "Hussein" part of Obama's name has ulterior motives. They want people to hear the name and think "Muslim," then associate that with "radical Islam," and then stop at the end with "terrorist." They want you to think that

Barack Obama is the "Manchurian Candidate," and that if he is elected Osama Bin Laden will be his Chief of Staff.

They are trying to tear a man down by exploiting the racist feelings in others.

And considering how the Rush Limbaughs of the world operate, changing the name would have probably created a bigger problem for Obama.

Hour after hour they would question why he changed his name, and ask if he were ashamed of his heritage. They would also want to know what he was hiding by changing the name, citing that the public deserves to know his intent behind the change.

The people who emphasize Obama's middle name do it to spew hate, and it's a sad thing that in the "land of opportunity" people exploit the ethnic and cultural fear of others to prevent someone else from achieving success. Just like Mitt Romney should never have had to give a speech about his religion, Barack Obama should not have to defend his name and his cultural background. Obama's political liability should rest on his record and his credentials to be President. Nothing else.

So, I invite anyone who justifies this tactic to honestly tell me what other reason is there to put so much emphasis on the name, but to stir up fear, hatred, resentment, and racist feelings? Where is the moral compass in using fear mongering as a legitimate political tactic?

*Glen Ramdhan, President, Democratic Law Organization (D-LO), Cleveland-Marshall College of Law*

# 7 More Reasons To Switch To *Supreme Bar Review*

## 1) Classes start AFTER Memorial Day

It is important for you to get a break between final exams and the start of bar review to avoid burnout. **Our course begins on Wednesday, May 28<sup>th</sup>**, the Wednesday AFTER Memorial Day. You will have plenty of time off between graduation (May 17<sup>th</sup>) and the start of the bar review course. Our course concludes on Monday, June 30<sup>th</sup>, giving you the whole month of July off to review.

May 2008						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 FINAL EXAMS	2 FINAL EXAMS	3
4	5 FINAL EXAMS	6 FINAL EXAMS	7 FINAL EXAMS	8 FINAL EXAMS	9 LAST DAY OF FINAL EXAMS	10
11	12 PMBR 6-Day Workshop - Day 1 -	13 PMBR 6-Day Workshop - Day 2 -	14 PMBR 6-Day Workshop - Day 3 -	15 PMBR 6-Day Workshop - Day 4 -	16 PMBR 6-Day Workshop - Day 5 -	17 PMBR 6-Day Workshop - Day 6 -
18	19	20 BAR/BRI Bar Review Class Begins	21	22	23	24
25	26 Memorial Day	27	28 Supreme Bar Review Class Begins	29	30	31

*Wow! I get an extra week OFF!*

## 2) Get your materials early

However, if you want to start studying earlier, we are the only course that gives you the option to get your materials now. We will even work with you early to get a head-start on bar review.

## 3) LIVE Lectures

Our Summer 2008 classes feature live lectures from our Ohio-Based staff. Our class sizes are small and you are given the opportunity to ask questions during the lectures.

## 4) No weekend classes

Our class runs Monday through Friday only. We believe that students need the weekends to get caught up on course work and to do practice testing. Who knows, you might occasionally get to see your family and friends too.

## 5) Convenient Location and Parking

Summer 2008 classes are held in the Cleveland-Marshall Law School Building. We have arranged for you to park in the covered garages on E. 17<sup>th</sup> Street and E. 19<sup>th</sup> Street. Therefore when our lecture concludes, you can go study in the law library or attend Dean Williams' bar review sessions in the afternoons without having to move your car or pay for additional parking.

## 6) It's never too late to switch

Already signed up with another bar review course? No problem. We will credit deposits paid to another course (up to \$100). If you locked in a better tuition rate with another course we will match it.

## 7) Tuition Assistance available

Got scholarships? We can accept any scholarship or tuition assistance award from another bar review company. Or apply for *Supreme Bar Review's Tuition Assistance Program*. Call our office for details.

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