



1960s

The Gavel

4-30-1968

1968 Volume 16 Number 10

Cleveland-Marshall College of Law

Follow this and additional works at: [https://engagedscholarship.csuohio.edu/
lawpublications_gavel1960s](https://engagedscholarship.csuohio.edu/lawpublications_gavel1960s)

How does access to this work benefit you? Let us know!

Recommended Citation

Cleveland-Marshall College of Law, "1968 Volume 16 Number 10" (1968). 1960s. 55.
https://engagedscholarship.csuohio.edu/lawpublications_gavel1960s/55

This Book is brought to you for free and open access by The Gavel at EngagedScholarship@CSU. It has been accepted for inclusion in 1960s by an authorized administrator of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.

The Gavel

Vol. 16 — No. 10

"THE VOICE OF CLEVELAND-MARSHALL"

April 30, 1968

Pat Morgan Is Elected LSD Vice President

Patrick Morgan has been elected a National Vice-President of the Law Student Division of the American Bar Association. Pat, a second year student at Cleveland-Marshall, will hold the post of Sixth Circuit Vice-President for one year.

The office of Circuit Vice-President is the second highest office in the LSDABA. He sits on the National Board of Governors, which is the policy-making board for law students.

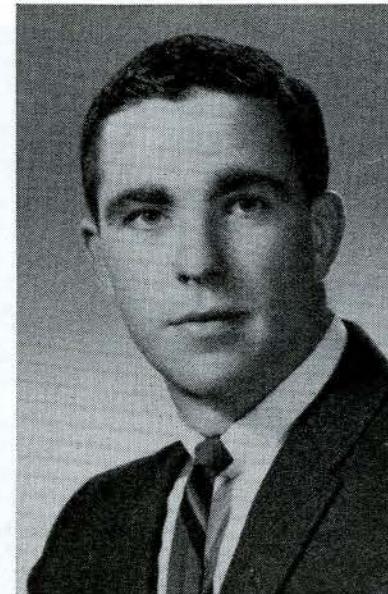
One of the most important tasks facing Pat for the year will be to act as host for the Circuit Conference of LSDABA next spring. Pat's position makes Cleveland-Marshall the focal point for all the law schools in Michigan, Ohio, Kentucky and Tennessee for that conference. The annual Circuit Conference is a big event and always draws Senators, Congressmen and local officials. It takes tremendous amounts of time and planning, and Pat has asked for complete cooperation from the student body to help make this important conference a success.

This is the first time a night law student has reached such a high position in the Sixth Circuit of the national organization and is the highest office ever attained by a Cleveland-Marshall student. (Jack Budd, fourth year student, is currently National Credentials Chairman.)

Pat was elected to the Vice-Presidency by acclamation at the American Bar Association, Law School Division, Tri-Circuit Conference which was held in Memphis, Tennessee March 28 through March 30, 1968. Pat is a member of the Cleveland-Marshall Student Bar and is a member of Delta Theta Phi Law Fraternity. He is employed with the Law Department of the City of Cleveland.

Also honored at the Memphis meeting was Jack Budd, who was awarded a silver key for his outstanding performance with the Law Student Division of the American Bar Association. The award was all the more extraordinary since the key is traditionally given only to Student Bar presidents. The award committee felt that Jack had been so outstanding in his performance that nothing less than the silver key would suffice. In addition, Jack was presented with the first annual AH award.

In all, a delegation of seven Cleveland-Marshall students attended the conference in Memphis. In addition to Pat and Jack, it included: Richard Sherman, Bud Doyle, Larry Dickey, Michael Herrick and Terry Burke. All who attended agreed that they both gained and gave much at the conference. As Terry Burke explained it: "Both from their attendance at formal meetings and workshops and from informal conversations with other law students, the delegates brought back to Cleveland fresh thoughts both for solving existing school problems and for bringing the C-M law student into a closer contact with the profession to which he espouses."



Pat Morgan

C-M Student Bar Favors Merger

The Student Bar of Cleveland-Marshall has adopted a resolution endorsing a merger of Cleveland-Marshall with Cleveland State University. The resolution, which was approved at the April 16 meeting of Student Bar, reads as follows:

"Whereas, Cleveland-Marshall Law School and Cleveland State University have opened discussions which could lead to the possible merger of the two fine educational institutions; and,

"Whereas, Cleveland State University has provided excellent advanced educational opportunities for Cleveland area residents and possesses an unlimited future in the field of higher education; and,

"Whereas, Cleveland-Marshall Law School has continuously afforded a fine legal education to many Cleveland area residents and will continue to do so in the future; and,

"Whereas, a merger of Cleveland State University and Cleveland-Marshall Law School would enhance the educational, social and cultural future of greater Cleveland.

Therefore, be it resolved, that the Student Bar Association of Cleveland-Marshall Law School endorses a plan of merger of Cleveland-Marshall Law School and Cleveland State University."

Copies of the resolution were mailed to the Cleveland-Marshall Board of Trustees, Cleveland State Board of Trustees, Board of Regents of the State of Ohio, the president of the Cleveland-Marshall Alumni Association, the Plain Dealer and the Cleveland Press.

Five Faculty Appointments Are Made for September

Appointment of five faculty members with excellent legal backgrounds has been announced by Interim Dean Howard L. Oleck. All begin duties at Cleveland-Marshall Law School in September.

The new faculty members are:

Richard Morton, who will hold the rank of Associate Professor of Law. Mr. Morton is a 1949 graduate of the University of Denver (B.S.B.A.), received his J.D. from the University of Mississippi in 1963 and his LL.M. at Yale University in 1965. Mr. Morton has attended the Hague Academy of International Law (1966) and practiced law in Mississippi. He was a real estate and housing development executive from 1950 to 1960. Mr. Morton is currently an Associate Professor of Law at the University of Georgia.

Carroll H. Sierk will also hold the rank of Associate Professor of Law. Mr. Sierk received both his undergraduate work and his law degree from St. Mary's University. He received his LL.M. from Southern Methodist University in 1967. Admitted to practice law in Texas in 1953, Mr. Sierk is also a certified public accountant. He has been an Instructor, Assistant Professor and Associate Professor of Law at St. Mary's University. He was Assistant Dean at St. Mary's University (1960-1965) and has been an Associate Professor of Law at Mercer University since 1965.

James B. Boskey will be appointed an Assistant Professor of Law. Mr. Boskey holds his B.A. (1964) from Princeton, his J.D. from the University of Michigan (1967) and his M.A. from Indiana University (1968). Mr. Boskey has been admitted to practice in New Jersey and Indiana and has been a teaching associate at the Indiana University Law School, Indianapolis Division, for the last year.

David B. Goshien, who holds his B.A. from Brown University (1959) and his J.D. from the University of Chicago, will hold the rank of Associate Professor of Law. Mr.

Goshien has been admitted to practice in North Carolina and Oklahoma. He has practiced law in North Carolina from 1962-1967 and has been an Instructor at the University of North Carolina (1966-67) and is currently an Assistant Professor of Law at the University of Oklahoma.

Arnold H. Sutin will hold the rank of Assistant Professor of Law. Mr. Sutin holds his B.A. (1953) from Brooklyn College, University of the City of New York, his LL.B. and LL.M. from Brooklyn Law School, and his S.J.D. (1963) from New York Law School.

(Continued on Page 4)

Also at the Student Bar meeting, President Terry Burke reported that the faculty evaluation questionnaire is almost ready and will be passed out to students in two to three weeks.

Openings Are Available With Ohio Legislative Service

Opportunities are available for full-time employment for law school graduates and fellowships for law school students with the Ohio Legislative Service (OLSC), according to Professor Ann Aldrich of C-M, who recently met with OLSC representatives in Columbus.

The Commission is headed by a bi-partisan group of legislators appointed from both houses of the Ohio legislature. Law school graduates are needed to serve as staff members.

The work of the Commission includes drafting proposed bills for the legislature, analyzing all bills before the two houses, and summarizing bills passed.

Staff members also prepare research reports on problems of concern to the legislature. Two such recent ones were *Ohio's Juvenile Correction System* and *State Banking Regulation in Ohio: Selected Problems*.

Fellowships for law school students to work as special assistants to Columbus lawmakers and to assist the Commission staff on research projects and interim committees reports are being offered by OLSC in conjunction with Ohio State University. Fellows receive a tax-free stipend of \$4,500 for nine months' service from September/October to May/June, and pay their own tuition for courses they take at Ohio State as a part of the program.

However, as Professor Aldrich notes in her report, it is unlikely that many night-school students would be available for these positions, since most are regularly employed. Since the day school is limited to the first year, day students have little chance in competing with second and third year students from other schools.

Acceptance in the program is based on class standing, interest in public service, the ability to quickly and objectively analyze a problem which may be buried under a ton of verbiage and the ability to express oneself well in writing.

In both categories, applications should be sent to: The Director of the Ohio Legislative Service Commission, The State House, Columbus, Ohio 43215. Transcripts and resume should be included.

Cleveland - Marshall's Norman L. Christley received the highest grade on the Ohio March Bar. The 26-year-old Christley, a Medina resident, having reached the pinnacle on the State test, is now attempting to demonstrate his physical prowess with the Federal Government. Drafted three days after completion of the bar exam, Christley is now marching at Fort Knox, Kentucky. Christley holds his bachelor's degree from Baldwin-Wallace College. He is married, with no children.

Committee Finds Students Lack Lawyer's Skills

The Faculty Curriculum Committee headed by Professor LeRoy Murad has submitted a report to the faculty summarizing views of committee members concerning curriculum problems, both broad and narrow in scope.

Concerning course material, the most important observations seem to indicate a desire for expanded legal research and writing training, the incorporation of a civil procedure course in the first year and the incorporation of the Federal Systems course into the Constitutional Law Course. These comments, among others, are set forth in that portion of the report covering subject matter and the gaps and overlaps therein.

However, the most interesting part of the report is part "C", titled "Miscellaneous Comments." Here the various committee members comment upon personal observations made in their classes. Here are some selected quotes:

"It is rather appalling to find a third year class in which *no one* knows what a "per curiam" opinion is."

"Each of us has noted that the great bulk of our students are severely lacking in what we would call the basic essentials of most of the courses that they are supposed to have had..."

"Although it is difficult to define them precisely, we believe that the great bulk of the students are totally lacking in what we would call the basic skills of a lawyer. They do not know how to read a case. They do not know how to state the principle which a case stands for. They are unable to analyze a case. They are unable to compare or distinguish related or similar cases. They are unable to do what we call "think like a lawyer." These are the basic skills which we believe one should acquire at a law school in addition to the "black letter law" which one acquires along the way. These are skills which one cannot acquire overnight by reading a treatise or hornbook. These are skills which we believe a law school has an obligation to impart to its students."

This report was presented as a summary of the views expressed, and to emphasize at the same time the complexity of the problem. A more complete report with concrete suggestions is forthcoming.

ALUMNI NEWS

THE GAVEL

April 30, 1968

Page Two

1200 Alumni Receive J. D. Degrees

Dignity and Warmth Mark A Night to Be Remembered

More than 1200 alumni of Cleveland-Marshall Law School received a Doctor of Law (Juris Doctor) diploma from the law school in a special convocation at the Sheraton-Cleveland Hotel on Thursday evening, March 14.

The diploma replaces the earlier Bachelor of Law degree. "The presentation of the Doctor of Law diploma is in keeping with a trend among law schools throughout the country to recognize that law study is essentially a graduate level of

education," said Howard L. Oleck, the law school's interim dean.

The ceremony attracted alumni from as far away as California and Florida and requests for the J.D. were received from our alumni now located in such places as Switzerland and Venezuela.

Cleveland mayor, Carl B. Stokes, a 1956 graduate of the law school, received an Honorary Doctor of Laws degree in addition to his Juris Doctor diploma.

Said Mayor Stokes, "This is just about the nicest thing that has happened to me since I was elected mayor. As it has been to so many Clevelanders, Cleveland - Marshall Law School meant a great deal to me at a time in my life when it was touch and go as to whether I would be able to complete my education and pursue the goal of a career in law and public service which I had fixed for myself.

"Cleveland-Marshall proved for

me to be an understanding and very human institution. I have been extremely proud to be an alumnus of Cleveland-Marshall and this honorary degree I accept as a very great honor."

Diplomas were awarded by the law school's Board of Trustees, represented by Dr. Carl Wasmuth, Chief of Anesthesiology at Cleveland Clinic and an alumnus of the law school.



A part of the audience on hand to watch the award ceremony. The main floor as well as the balcony of the Grand Ballroom was filled to capacity.



Officers and trustees of the law school dined in the Empire Room preceding the ceremony. Pictured here, from left to right: Mrs. Howard L. Oleck, Dr. Carl Wasmuth, Mayor Stokes, Mrs. Wasmuth, Judge Lee Skeel and Interim Dean Oleck



Mayor Carl B. Stokes receives his honorary degree from Dr. Carl Wasmuth, representing the law school's board of trustees, while Alumni President Lick looks on.



Mayor Stokes receives congratulations from Dr. Wasmuth and Judge James C. Connell.



Mayor Stokes addressing the audience with the Board of Trustees, faculty and visiting dignitaries in the background.

Fred Lick, Jr., President of the Alumni Association as he delivered his speech at the convocation.

Said Alumni President Fred Lick about our beloved alma mater . . . "Where else but at C-M could you find . . . an instructor (Ellis Rippner) with the same monkey on his back for 16 years . . . Our own double for Edward G. Robinson (Charley Auerbach) . . . Norm Miller's lecture on Evidence twice every night . . . Prof. Tony Fioritti's advice "keep the women at home and you won't have divorces" . . . When a "C" from Prof. Gardner meant he just didn't have the heart to tell you that you had flunked his course."



The buffet table in the Gold Room was graced with a huge ice-carved C-M.

ALUMNI NEWS

April 30, 1968

THE GAVEL • ALUMNI NEWS

Page Three

Answers to Your Questions On the Use of the J.D. Degree

A number of questions have been received concerning the use of the J.D. Since each questioner probably represents the thinking of other alumni it was thought worthwhile to repeat them and their answers. It should be noted that the answers vary from the authoritative quotation from the published work by the American Bar Association, down through the customary usage in the academic community to opinions of the writer. It is hoped that these sources will not be confused.

1. May I place the initials J.D. on my letter head after my name? No, neither there nor on a door. See informal opinion of ABA, Ethics Committee in Canons of Professional and Judicial Ethics, Opinions of Committee (1957), Appendix A, Nos. 116, 121, and 135.

2. May I use the J.D. after my name in catalogs and other publications of a university at which I am employed as a faculty member? Yes, here the purpose is to indicate academic attainment similar to that shown by the use of Ph.D. or other recognized abbreviations of academic degrees. (This is the direction of an informal opinion of the Michigan State Bar. There seems little doubt that other states and the ABA would take the same view.)

3. May I display the diplomas for both the LL.B. and the J.D.? No, the J.D. is a substitute for the LL.B. and its acceptance waived any right to use the LL.B. Any

other rule would permit an individual to hold himself out as having two degrees instead of one.

4. What should I do about Martindale-Hubbell and other approved law lists? The law school recommends that in the future lawyers simply list J.D. with the date on which they received the LL.B. (which the J.D. replaces). It was for this reason that the degrees were called retroactive ones. (It may be that because of the high number of retroactive J.D.'s Martindale-Hubbell may have decided upon some method of their own for handling the problem, but without such a decision the foregoing should be used.)

5. As a university teacher may I use "Doctor"? Yes, one of the reasons for the J.D. was to stress the graduate and scholarly nature of law study today. The J.D. (and, although it is hard to demonstrate to some minds, the LL.B.) represents an academic distinction. This statement, however, should not be interpreted to include the use of "Doctor" in a legal situation. Until some far distant period when all attorneys have a doctorate, they will be known as "Mister" with only the "Attorney at Law" to indicate their standing at the bar.

6. Is the J.D. an honorary degree? No, it is an earned one, just as the LL.B. was. It should not be confused with LL.D. which is solely honorary in American universities, nor with the J.S.D. (Doctor of Juridical Science). The latter is a special research degree which is awarded for high level scholarship after graduate law courses and a research thesis which adds to legal knowledge.

What is your membership in the Alumni Association really worth?

ADD IT UP!

Annual Open House (unlimited bar & buffet)	\$ 7.50
Seminars (Six topics, two sessions per topic at \$2.00 per session)	24.00
Law Review subscription	5.00
Library fee	10.00
Gavel subscription	2.00
TOTAL	\$48.50

But your dues are
only a fraction
of that!

YOUR
MEMBERSHIP CARD
IS WORTH HAVING...
AND WORTH USING!

Can You Help?

Your help is needed to aid the law school in completing its library of school catalogs. These catalogs from years past will be bound into two complete sets so we need any you may have from Cleveland Law School, John Marshall School of Law, and Cleveland-Marshall Law School. We will also welcome gifts of Akron and William McKinley Law Schools catalogs for the period when our school was granting degrees to their students. Any of the following missing catalogs will be most appreciated.

Cleveland Law School — The College Preparatory School: All catalogs up to 1915, 1916-1917, 1917, 1918, 1922-1923, 1924-1925, 1926-1927, 1930-1931.

John Marshall School of Law — John Marshall Preparatory School: 1916 - 1917, 1917 - 1918, 1918 - 1919, 1924 - 1925, 1928 - 1929, 1938 - 1939, 1945-1946.

Cleveland-Marshall Law School: 1947-1948, 1960-1961.

Cleveland Law School Commencement Program: Any prior to 1921, 1924-1925.

John Marshall Law School Commencement Programs.

Annual Alumni Luncheon May 23

Thursday, May 23, has been set aside for the annual alumni luncheon to honor the Outstanding Alumnus of the Year. According to Aaron Jacobson, luncheon chairman, honors this year are to be shared by Judge Joseph A. Artl and Professor Emeritus William K. Gardner, who, over the years have contributed much to this community and the law school and whose many friends and former students look forward to this occasion to show their gratitude and appreciation to this worthy pair.

The luncheon will be held in the Grand Ballroom of the Sheraton-Cleveland Hotel where it is expected more than 1000 of the honorees friends will gather.

Chairman Jacobson will mail out tickets as he has in the past and for those of you who will want individual tickets or want to arrange to sit with former classmates, we ask that you use the blank below to order your tickets and designate at which class table you would like to be seated.

Cleveland-Marshall Alumni Association
1240 Ontario Street
Cleveland, Ohio 44113

Enclosed is my check in the amount of \$ _____ for _____ tickets, at \$3.50 per ticket, for the Alumni Association's Annual Luncheon, honoring Judge Joseph A. Artl and William K. Gardner, on Thursday, May 23, 1968, at 12:15 p.m. at the Sheraton-Cleveland Hotel.

I would like to sit with my classmates, of the class of _____ (please designate the year)

Please send my tickets to the following address:

Name _____

Address _____

What's Happening to Alumni

Guerin L. Avery ('66) is the new law director of West View . . . Quigg Lohr ('41) was recently appointed executive vice president of Scott & Fetzer . . . Donald M. Colasurd ('60) formerly first assistant attorney general of Ohio is now associated with the law firm of Solsberry, Ahern, and Butler of Columbus, Ohio . . . Russell Glorioso ('67) is now referee in the Domestic Relations Court of Cuyahoga County . . . Joseph S. Pietrafese ('45) was the only attorney among the public servants honored at the annual Cuyahoga County Bar Association luncheon last month . . . E. Dana Brooks ('26), Director of the Department



S. C. Nemeth



P. J. Cariota

of Domestic Relations, Common Pleas Court, was elected 1968 Dean of the Alumni Senate, Delta Theta Phi . . . Peter J. Cariota ('37) recently returned from Italy as director of Clevite Italia, has been appointed supervisor of manufacturing and engineering for the Clevite Corporation . . . Stephen C. Nemeth, Jr. ('55) has been appointed by Republic Steel Corporation to the office of assistant secretary . . . Herbert E. Rudy ('44) vice president of Eaton, Yale & Towne has also been elected to the office of assistant treasurer . . . Matthew Koch '67 is now associated with Rabb & Axner, Barberston, Ohio.

Obituaries

Cleveland - Marshall Law School lost three of its well-known alumni this past month with the deaths of Judge Wayne W. Garver, Alexander L. Kearns, and George F. Schulze.

Judge Garver had practiced in the Akron area for many years prior to his appointment to the Medina County Juvenile and Probate courts. He was graduated from Cleveland Law School in 1925.

A. L. Kearns attended Cleveland Law School, was graduated in 1916 and was a former police prosecutor in the city of Cleveland.

George Schulze was graduated from Cleveland Law School in 1913 and entered banking from which he retired in 1942 as a vice president of the Cleveland Trust Company.

Open House Is Planned

Thursday, June 13th is the date of the Annual Alumni Open House! Leo Rossmann ('29), chairman of this outstanding annual event says the food, beverages and prizes will be better than ever this year.

The Open House, commencing at 4:30, follows the Association's annual meeting when officers and trustees for the coming year are elected.

Admission to the Open House is free to members of the Association whose dues are paid up for the coming year. For those whose dues are not paid by party-time, they may be paid at the door.

Clarence James Is Law Director

Two recent fast-paced changes in city government has put Clarence L. James Jr., ('62) in the post of City Law Director. Only recently he was named chief legal counsel for the city, a job he held only three days before being upped to Law Director.

James started with the Legal Aid Society in 1963 after graduation from law school and last year was made civil director of that organization.

James holds the office of 2nd vice president of the C-M Alumni Association.

He and his wife, Patricia, and their two sons live at 15614 Scottsdale Blvd., Shaker Heights.

Leo Rossmann Busy With Perma Plaquin

Leo E. Rossmann ('29) Alumni Treasurer and one of the recent recipients of the JD degree advises that Certified Corporation & Office Supply Company of which he is President is quite busy "Perma Plaquin" the Certificates for fellow alumni. (Preserves the Certificates and really looks beautiful.)

Since this is an Alumni edition one important point should be clarified for our Alumni readers. *The Gavel* is published by the students of Cleveland-Marshall and the students only. Articles and editorial comment are approved by one person only, the student editor. A faculty advisor has been made available for technical assistance. No advice as to editorial content has ever been asked for or given. The only material to appear in the *Gavel* not produced by the students is that of the Alumni. This news is gathered and presented by the Alumni Secretary and is entirely his responsibility.

* * *

The recent fiasco concerning the proposed merger of Cleveland-Marshall with Cleveland State has left an odor. To say the least, the state board of regents is guilty of gross negligence for encouraging the trustees of both schools by implying that the merger could be initiated by the presentation of final merger plans to the regents at their April meeting.

Someone had better start asking the hard question of why the regents had authority to consider the proposal when it was first announced months ago, and suddenly authority is lacking. Their cavalier manner of stating that there is no money available for acquisition of the law school, and never was, certainly makes them appear all the more foolish for their encouraging the two schools to submit their proposal, when they now say that the only body to have authority to approve such a merger is the Ohio General Assembly.

Adding to the problem has been the actions of the Cleveland-Marshall Alumni Association officers. Their knowledge of trial by newspaper has probably never been excelled. They highly publicized the fact in the local news media that they were opposed to the merger, at the present time, since they didn't have enough information.

Their lamentable cry was that they had not received assurances that the principle of the night school would be preserved, or that the name of Cleveland-Marshall would live on forever. Assuming, as we must, that their intentions were honorable and for the best of their alma mater, their methods of expression were inexcusable. Negotiations between schools were very delicate. Letters of protest could have been sent to all interested parties, including the students of this law school. It was not necessary to plead their case in the newspapers. It would be appreciated if the officers of the Alumni Association would publicly explain to the faculty and students of this school the reasons for their actions, or publicly apologize.

They should follow their own advice, as presented in the Alumni Editorial in the November 17, 1967 edition of the *Gavel*: "... But all of these questions together must subordinate themselves to the final question of which path offers the best possible legal education to the law students of today and tomorrow."

The retention of the name "Cleveland-Marshall" is irrelevant. Who ever heard of the Backus School of Law of Case-Western Reserve University? It is simply the School of Law of Case Western Reserve University. The law students of today and tomorrow demand excellence. They want their school approved by the American Association of Law Schools. They want the doors of other law schools open to them to transfer and for graduate work. The idea of being part of a university complex, growing in prestige each day, with all the material and intellectual opportunities available, is exciting.

Cleveland State University is dedicated to the principle of the night school. The night law school will exist as long as there is demand for it. The students of Cleveland-Marshall favor merger. The faculty of Cleveland-Marshall favors the merger. The trustees of both institutions have worked hard to hammer out a proposal. The merger would be good for both

schools, as well as for the City of Cleveland.

It is sincerely hoped that the Alumni will hold a meeting of all its members to discuss the situation. It is also hoped that the regents "discover" their authority before their May meeting.

* * *

The Gavel commends Assistant Prof. Theodore Dyke for his untiring efforts in aiding the students of this law school. Prof. Dyke, who is head of the Student Activities Committee, has not only been of great assistance to Student Bar members, but has also been instrumental in getting both law fraternities much more active in law-related and social activities.

Terry Burke, Student Bar President, says that Prof. Dyke's excellent suggestions have helped get many Student Bar projects off dead center. "It is really encouraging to be able to work with a faculty member who is as interested in the students as is Professor Dyke," Burke says.

The Gavel would like to publicly thank Professor Dyke for his efforts, and wish him best of luck in his early completion of the requirements for his J.S.D. degree, for which he is a candidate at the New York University School of Law. Congratulations also for being unanimously extended Honorary Membership, along with Judge Herbert R. Whiting, in Ranney Senate of Delta Theta Phi Law Fraternity.

Editorial

hard question of why the regents had authority to consider the proposal when it was first announced months ago, and suddenly authority is lacking. Their cavalier manner of stating that there is no money available for acquisition of the law school, and never was, certainly makes them appear all the more foolish for their encouraging the two schools to submit their proposal, when they now say that the only body to have authority to approve such a merger is the Ohio General Assembly.

Adding to the problem has been the actions of the Cleveland-Marshall Alumni Association officers. Their knowledge of trial by newspaper has probably never been excelled. They highly publicized the fact in the local news media that they were opposed to the merger, at the present time, since they didn't have enough information.

Their lamentable cry was that they had not received assurances that the principle of the night school would be preserved, or that the name of Cleveland-Marshall would live on forever. Assuming, as we must, that their intentions were honorable and for the best of their alma mater, their methods of expression were inexcusable. Negotiations between schools were very delicate. Letters of protest could have been sent to all interested parties, including the students of this law school. It was not necessary to plead their case in the newspapers. It would be appreciated if the officers of the Alumni Association would publicly explain to the faculty and students of this school the reasons for their actions, or publicly apologize.

They should follow their own advice, as presented in the Alumni Editorial in the November 17, 1967 edition of the *Gavel*: "... But all of these questions together must subordinate themselves to the final question of which path offers the best possible legal education to the law students of today and tomorrow."

The retention of the name "Cleveland-Marshall" is irrelevant. Who ever heard of the Backus School of Law of Case-Western Reserve University? It is simply the School of Law of Case Western Reserve University. The law students of today and tomorrow demand excellence. They want their school approved by the American Association of Law Schools. They want the doors of other law schools open to them to transfer and for graduate work. The idea of being part of a university complex, growing in prestige each day, with all the material and intellectual opportunities available, is exciting.

Cleveland State University is dedicated to the principle of the night school. The night law school will exist as long as there is demand for it. The students of Cleveland-Marshall favor merger. The faculty of Cleveland-Marshall favors the merger. The trustees of both institutions have worked hard to hammer out a proposal. The merger would be good for both

Government Law Openings Number 2000

Fifty-six federal agencies and departments will have opening for more than 2,000 law graduates during the next 18 months according to the American Bar Association Law Student Division's 16th annual survey of *Federal Government Job Opportunities for Young Attorneys*.

In addition, law students can look forward to more than 200 openings for employment this Summer.

The 56 agencies included in the 1968 ABA Law Student Division survey employ more than 12,000 lawyers, of which approximately 500 are women.

The March issue of the Division's *Student Lawyer Journal* summarizes the particulars of each agency. The Journal chart briefly details the type of law involved in the work of each agency, along with the total number of attorneys employed in each agency.

Also detailed are the number of openings for the first six months of 1968; the number of openings for the 12-month period from July, 1968, to June, 1969; the number of Summer openings; and whom to write for further information.

For the fullest and most complete details on lawyer employment in the federal government, the Division's 1968 edition of *Federal Government Job Opportunities for Young Attorneys*, a 144-page booklet, is available from the ABA Law Student Division at \$2.00 a copy.

Faculty Appointments...

(Continued from Page 1)

He also holds a M.B.A. from Siena College (1966). Mr. Sutin practiced law in New York City from 1955-58. He was an attorney with the City Law Department of New York City from 1958 to 1960. He has served as Assistant Professor at Siena College (1960-64); Visiting Assistant Professor, University of the State of New York (Albany) in 1961; Visiting Professor, R.P.I., 1962; Visiting Professor, Augusta College (Georgia), 1965; and has been an Assistant Professor at Bowling Green State University since 1966.

Merger Held Up

The proposed merger of Cleveland-Marshall Law School with Cleveland State University has received a jolting setback with an April 19 ruling of the State Board of Regents that they have no authority to approve such a merger.

Chancellor John D. Millett of the regents said that the funds were not available for the acquisition by Cleveland State of a law school and that transfer of funds from any other source would be illegal. This statement is verified by the state finance director.

Trustees of both schools, initially shocked and angered by the decision, are now regrouping their forces to present their proposal for reconsideration by the regents at their May meeting. If the regents do not change their opinion the only recourse will be to submit the proposal to the state legislature.

An Inside Look at Legal Aid

By Glenn Billington

Domestic problems and economic problems are often indistinguishable among poor people. When a father deserts his family or refuses to support them, great economic distress may rapidly occur. Approximately 40% of the monthly intake at Legal Aid relates to domestic problems. In addition to divorce, these problems include non-support, paternity, custody, adoption, and legitimization.

Often the need for immediate action is acute. If the father has deserted or has failed to provide adequate support, there is an immediate problem of food for the children and money to pay the rent, heat and light bills. In other cases, the father may be physically abusing his wife and children—occasionally to the point of hospitalization of the innocent parties. The immediate availability of the Legal Aid lawyer, who can make contact with the County Welfare Department for economic assistance or go into court and get a Motion to Vacate, Restraining Order and Temporary Alimony order for the protection of the family.

Many family problems can be resolved through active involvement by the husband and wife in counselling. If there appears to be any chance for a reconciliation and return to stable family life, then the lawyer encourages the couple to attend counselling sessions. If drinking is a problem, then the person is referred to the Cleveland Center of Alcoholism. A recent grant from the Cleveland Foundation has enabled Legal Aid to establish its own Social Service Department, in cooperation with the Family Service Association. This program provides a full time social worker with offices right in the Downtown Legal Aid office. This

program has proven very successful and an increasing number of clients make use of this service each month.

The majority of divorce cases are uncontested, primarily because the family has already collapsed and the parties are living separate lives and because there is little or no property involved to be disputed. Here, the divorce allows the party the freedom to remarry and start a new, more stable family life. This latter aspect is especially important to the family supported by welfare. The remarriage allows the family to leave the welfare rolls as the new husband now assumes the role of family provider.

Many domestic problems require research into various aspects of the law. Recent work by law students has been on issues of service to an out-of-state defendant, service to men in the Army, rights to counsel by a defendant in a paternity suit, definitions of the "necessities" of life, and the differences between a defendant's "appearance" in divorce cases and his "appearance" in other civil actions.

Various areas of law reform are also being researched and advocated. Attempts are being made to tighten the definitions of the grounds of divorce and to reduce the number of grounds from 10 to 5. In an effort to aid reconciliation, a one year interlocutory decree has been proposed. Using this decree, the divorce would not become final until one year after the date of the decree. The availability of this "cooling-off" period could help some families get back together and avoid permanent dissolution.

Next month, this column will explore Legal Aid efforts in the field of consumer credit.

The Gavel

The Gavel
Cleveland-Marshall Law School
1240 Ontario Street
Cleveland, Ohio 44113

RETURN REQUESTED

The Gavel is a publication of the students of Cleveland-Marshall Law School. Published monthly during the school year.

Editor: Ken Hoffman

Edition Staff: Glenn Billington

We gratefully acknowledge the help of the Student Council and administration, without whose support this publication would not be possible.