

# BAR UNIFICATION PROMOTES DIVERSITY

by Edward A. Icove

As you may know, the Cuyahoga County Bar Association (CCBA) was formed more than 80 years ago because the Cleveland Bar Association (CBA), like many other institutions, did not provide membership opportunities to all practicing attorneys. Many small firms and solo practitioners from a variety of backgrounds proudly developed the CCBA to serve and promote justice in the courtroom and in society. The leaders of the CCBA included Congressman Louis Stokes (board); Senator Stephen H. Young (president); Hon. James Connell (U.S. District Court); Hon. Francis Talty (Probate Court); Hon. John J. McMahon (Common Pleas Court); Hon. Norman Fuerst (Common Pleas Court); Hon. John Patton (Common Pleas Court); Hon. Walter Whitlatch (Juvenile Court); Hon. John Toner (Juvenile Court); and my father, Morton B. Icove (board and president).

Distinguished CCBA practicing lawyers, known as "Legends of the Law," include Craig Spangenberg; Bernard Stuplinski (CSU board and U.S. attorney); David Sindell (Super Seminars); Franklin Polk (Civil Servants); Hon. Jack G. Day (Court of Appeals); Fred Weisman (Poet Lareate); Fred Mandell (U.S. attorney); William Corrigan (undertook unpopular cases); Margaret Spellacy (first woman board member); Hon. Leo Spellacy (Court of Appeals); Edwin F. Woodle (OSBA vice president); Raymond Metzner (created Civil Servants Awards Program and CCBF); Irvin Milner (U.S. counsel to South Korea); Edwin Weiner (created the No Dinner Dance); Judge Mary Jane Trapp (OSBA president); and Max Goodman (creator of the CCBA).

Many of these leaders believed in and supported diversity when doing so had a significant political and professional cost. These distin-

guished practitioners filed cases that still impact those who are disadvantaged, including *Terry v. Ohio* (Stokes and Day) and *Mapp v. Ohio* (Icove and Berkman). They participated in civil rights marches in various cities, including Cleveland and Washington, D.C. They sublet office space to African American attorneys who were not able to rent office space west of East 55th Street. They were persuasive advocates who spoke out against discrimination and social injustice. In short, they practiced what they preached in every aspect of their lives.

Recently, the CCBA trustees had to decide whether they should join with the CBA to

establish a new bar association, the Cleveland Metropolitan Bar Association (CMBA). Because of CCBA's rich heritage and service to the community, some CCBA members opposed the merger. Both my father and I served on the CCBA Board (the only parent and child to do so). Given my family's long involvement and dedication to the CCBA and its mission, my decision was far from an easy one. While the merger was being considered, some members asked me what my father's advice would have been, and my response was that he would tell me to do the "right thing."

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Congratulations to all of us for  
joining hands, embracing  
diversity and collaborating for  
common purpose.

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## diversity

There is no question that the merger was the "right thing." Fortunately, the inequalities that caused the creation of the CCBA have been eliminated. Both organizations have proud traditions of public service and community involvement. Now, as a harmonious group, the members of these distinguished associations can pool our resources to promote diversity and inclusion and to also serve our community.

Please join Kerin Lyn Kaminski and Steve Gardner, co-presidents of the CMBA, and our legal community to provide service to the Cleveland metropolitan area. Here are some ways you can help out:

- **Volunteer Day.** Contact Mary Groth, CMBA director of pro bono and community programs, at 216-696-3525 or [mgroth@clemetrobar.org](mailto:mgroth@clemetrobar.org).

- **The Legal Aid Society of Cleveland, the Volunteer Lawyers Program** offers diverse pro bono opportunities. Contact Ann McGowan Porath, the managing attorney for

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the Volunteer Lawyers Program, or Howard Strain, Legal Aid's Jones Day pro bono fellow. Either may be reached at 216-687-1900 or [probono@lasclev.org](mailto:probono@lasclev.org).

• **The 3Rs—Rights • Responsibilities • Realities**, an unprecedented program of the CMBA, undertaken by members of the Cleveland legal community, in partnership with the Cleveland Metropolitan School District (and East Cleveland City Schools) to personally connect with high school students to address fundamental issues facing the students and, ultimately, our city and region. Contact Mary Groth, CMBA director of pro bono and community programs, at 216-696-3525 or [mgroth@clemetrobar.org](mailto:mgroth@clemetrobar.org).

• **Pro bono Counsel in the U.S. District Court, Northern District of Ohio.** Contact Geri M. Smith at 216-357-7068. Information and the application available at: [www.ohnd.uscourts.gov/pro\\_bono/pro\\_bono\\_program/pro\\_bono\\_program.html](http://www.ohnd.uscourts.gov/pro_bono/pro_bono_program/pro_bono_program.html). ■

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## young lawyers

let a *unified* opinion be authored. And what about Justice Stevens coming out of right field on the death penalty with statements like "State-sanctioned killing is becoming more and more anachronistic."<sup>1</sup> *Objection—question asked and answered, Mr. Justice.* The Court's upheld the constitutionality of the death penalty since 1976 for Pete's sake.<sup>2</sup> If he starts changing his tune now, well, let's just say somebody's invitation to my Unity Day party is getting lost in the mail.

I'll stop shoveling now. From the look of your upturned nose, I believe the point's been pun- gently made. Unity's great, but not so great that it evades the law of diminishing returns. Like too much candy on Halloween, too much unity gives us our own little social tummy ache.

That's where we come in. The lawyers. The judges. The *only* people preventing Key's Land of the Free, Home of the Brave from becoming Huxley's Brave New World. It's our duty to challenge the periphery of unity—or the *per- ception* of unity, as is more frequently the case

in this Our Year of the Media. We fulfill our duty by taking and hearing cases and causes that defy the grain of unity to the point where they're as pleasant as a tabby getting stroked from arse to eyes. We do so with passion, frequently paying substantial personal tolls before the dust settles and ink dries.

Young lawyers are particularly well suited for this task. For starters, we've got nothing to lose. If we go down fighting the good fight, then there's still plenty of time to land on our feet, perhaps even on the cushion of a book deal. Conversely, we've also got the most to gain—or to protect, depending on how you look at it. If we let our guard down long enough for the perils of over-unification to take root, then we'll be dining on its bitter fruit longer than most others on this earth right now.

Unity is wonderful when employed appropri- ately, as in the case of our new bar association. Young lawyers are fortunate to have this enhanced support behind our practices. Because of it, we're stronger and better able to fulfill our constitutional mandates.

Give me a dose of this kind of unity any day. ■

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