Jack Boger ’74 Chosen as Ninth Dean of UNC School of Law

John Charles “Jack” Boger ’74, a longtime professor at the University of North Carolina at Chapel Hill School of Law, was appointed by Chancellor James Moeser as the School of Law’s ninth dean, effective July 1. The UNC Board of Trustees approved Boger’s appointment.

“Jack Boger brings the love of an alumus, as well as the broad experiences of a 16-year faculty member and devoted civil rights champion to the deanship,” Moeser said. “He has demonstrated superb leadership skills and an admirable passion for public service that is such an important value to celebrate at a leading public university’s law school. Jack is exceptionally well qualified to energize a talented student body, world-class faculty, devoted staff and loyal alumni.”

Boger succeeds Gene Nichol, who vacated the UNC deanship last year when he was named president of the College of William and Mary.

After joining the UNC School of Law faculty in 1990, Boger actively participated in North Carolina’s school finance reform litigation, Leandro v. State, working with a team of lawyers on behalf of at-risk children. In 2002 he became deputy director of the UNC Center for Civil Rights, working with Director Julius L. Chambers to encourage innovative civil rights research, train a new generation of civil rights attorneys and地址 pressing civil rights issues in North Carolina and the Southeast.

A native of Concord, N.C., Boger was a 1968 Phi Beta Kappa graduate of Duke University and earned a master of divinity degree from Yale University in 1971. Three years later, Boger received his law degree from UNC, where he was associate editor of the North Carolina Law Review and earned Order of the Coif honors.

After completing law school, he clerked with the late Samuel Silverman, a justice with the New York Supreme Court Appellate Division, and practiced for three years in the litigation department of Paul, Weiss, Rifkind, Wharton & Garrison LLP in New York City.

In 1978, Boger joined the staff of the National Association for the Advancement of Colored People’s Legal Defense and Educational Fund, where he litigated capital punishment cases for a decade. He became the director of the fund’s Capital Punishment Project in 1983. In 1987, he became director of a poverty and justice program established at the fund to improve the legal rights of the minority poor.

While at the NAACP’s fund, Boger was lead counsel in the early stages of Shaw v. O’Neil, a major challenge to the racial and economic isolation of the Hartford, Conn., public schools.

Center on Poverty Work and Opportunity Receives $2 Million Pledge

The Center on Poverty, Work and Opportunity is pleased to announce that it received a $2 million pledge to permanently endow the Center at the UNC School of Law. The pledge, given by Michael Cucchiara and Marty Hayes of Chapel Hill, N.C., will fund staffing for the Center in perpetuity.

Both Cucchiara and Hayes, and the School of Law, view the $2 million as the lead gift in an ongoing endowment campaign that will solidify the UNC-based Center as a nationally renowned, nonpartisan academic center that examines ways to combat poverty, particularly as it relates to the working poor.

“This wonderful example of generosity and philanthropy will allow the Center to continue exploring the many facets of poverty and keep these important issues in the public eye for the decades to come,” said Senator John Edwards, Director of the Center and 1972 graduate of the School of Law.

“Because of this extraordinary gift, the Center will continue to serve as a beacon to experts around the country, and I am proud to be a part of UNC’s longstanding tradition of academic excellence,” Dean Jack Boger said.

The gift will bolster the Center’s ability to carry out its mission to investigate the causes, consequences and solutions of poverty.

“We are deeply grateful for this generous gift in support of the Center’s work and objectives. The endowment will give the Center crucial resources and flexibility to carry out its important work,” said Dean Boger.

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University Pledges Increased Support for School of Law

As part of the national search process for a new dean, the university carefully evaluated the current level of support it provides to the University of North Carolina School of Law. Concomitant with Dean Jack Boger’s appointment, the university developed a new funding plan to enhance the school’s capacity to sustain and develop future excellence and world-class programs.

The university’s commitment, totaling nearly $2 million in recurring funds, addresses the school’s need for resources, including faculty positions, funding for support staff and students, as well as quality space. Details include the following:

• More than $1.3 million to increase the number of tenure-track faculty to 55, up from the current 45 that includes five vacant positions, over the next three to five years. Includes funds available in July for one immediate new hire.
• $60,000 for staff positions to support faculty scholarship and teaching.
• $150,000 in recurring funding over the next two years to meet the financial aid needs of qualified students as the school prepares to bolster private fund-raising efforts to support this priority.
• Launching a study of future space needs to be completed by December 2006, with a university commitment to support law school expansion as needed.

“Jack is exceptionally well qualified to energize a talented student body, world-class faculty, devoted staff and loyal alumni."

Campaign for Carolina Law Surpasses its Annual Fund Goal.

See page 13 for details.
Dear Alumni and Friends,

I came to the UNC School of Law in the fall of 1971, fresh from Yale Divinity School, and left in the spring of 1974 with a wonderful legal education from a gifted faculty and a strong sense of professional obligation to future clients and the general public good. That School of Law legal education served me well — through years of large corporate practice in New York, during 12 years with the NAACP Legal Defense & Educational Fund, Inc., and in my 16 years since 1990 as a member of the Carolina Law faculty. The profound respect I’ve always felt for my dean at Carolina Law, Judge Irey Phillips, Jr., for the remarkable energy and accomplishments of the deans who followed — Byrd, Brown, Link, Wegner, and Nichol — deepened my sense of the honor in becoming Carolina Law’s ninth dean. I will work to deserve that honor. I intend to travel widely in the coming year, meeting some of you for the first time, reuniting with many dear former students and UNCG classmates, and sharing news of the plans, and the challenges, that lie ahead for Carolina Law.

The challenges seem less formidable because of those who have agreed to join me, Lolly Gaskill, who for 21 years the Director of our Law Library, has agreed to become our new associate dean for academic affairs. Widespread respect across the Carolina campus and in national legal circles, Lolly brings energy, good cheer, and formidable managerial skill to the associate deanship. Kenan Distinguished Professor of Law Hiroshi Motomura, who served admirably as associate dean for faculty affairs this past year, will continue his responsibility for nurturing faculty scholarship and professional growth.

Another change will bring multi-talented Meredith Weiss to the newly created position of associate dean for administration, finance and information technology. Meredith is widely admired by faculty and staff; she will oversee the law school’s finances, as well as much of its administrative work. Sylvia Novinsky, who has served wonderfully as assistant dean for student services, will now oversee that office along with the admissions and registrar’s office. Finally, Annaliese Dolph, who has served as our assistant dean for career services, is leaving for a staff position with Carolina Legal Assistance. While we regret the loss of Annaliese, we’ve had the good fortune to find Sarah Wald, who formerly served as the dean of students at Harvard Law School from 1988-1993 and as assistant provost of Harvard University. Sarah will be our acting assistant dean for Career Services, and you can learn more about her and some other significant Career Services news in this publication.

“Gene Nichol challenged us to become the greatest public law school in America. I have yet to meet any Carolina faculty member, student, alumnus or alumna who doesn’t share that goal.”

In addition to these new talented staffers, the School of Law will be blessed with substantial new fiscal resources. Throughout our dean search (led with exemplary judgment and devotion by Michael Smith, Dean of the School of Government, and a graduate of Carolina Law), the University signaled its acknowledgment of the law school’s past achievements and its future promise. During my negotiations, the University offered $1.3 million in new funding for faculty positions, $600,000 in new administrative support, and $150,000 for student scholarships — more than $2 million in increased annual financial support. This $1.3 million boost to faculty funds will support the recruitment of at least 10 new faculty members to Carolina Law. In addition, we will replace five members lost in the past year (Gene Nichol, Glenn George, Gail Agrawal, Arnold Loewy and Kevin Hynes). If we choose wisely, these 15 new hires will forcefully enhance Carolina Law’s already formidable scholarly, teaching and service capacity, and they will strengthen even further Carolina’s deservedly high national reputation.

Of great future significance, the University saw that we were bursting at the seams and awarded a University priority for building expansion and renovation. We’ve quickly translated that pledge into a designated place on the University’s 2008-2009 capital expansion budget list. Our Building and Grounds Committee, led by faculty member Elizabeth Gibson, has met with University architects for preliminary discussions of a 40,000 square foot expansion and 80,000 sq. ft. of renovations to the current building, at a price tag of $65 million. We plan to complete the initial planning process this winter and to seek General Assembly approval in the spring.

Why do we need additional space? Part of the answer, of course, lies in our faculty and staff expansion. We also need a second, modernized courtroom and a larger public space (sheltered by a roof somewhat more reliable than Carolina blue skies) as we welcome our entering class each fall, host major speakers and brilliant symposia throughout the academic year and carry out graduation events every May. Many of those events are currently held off-site, forfeiting student and faculty participation. Beyond these obvious needs lie deeper pedagogical concerns. Tomorrow’s Law students must graduate far better prepared to work together in teams, to untangle real-world legal problems, and to bring sophisticated interdisciplinary understandings to their work. We’ve enhanced our clinical and experiential programs, and we presently offer many smaller, more specialized classes to second- and third-year students. Yet our need for more experiential learning — simulated courses addressing business practice, state and local government issues, environmental concerns, intellectual property, media law and policy — will soon outpace the law school’s capacity.

Additionally, there are our centers, clinics, and externship programs, which face increasing space requirements. The Center on Banking and Finance, we would immediately claim, has become the finest in the nation. The Center for Civil and Human Rights — with dozens of enthusiastic students and a commendable service outreach throughout the State. The Center on Poverty, Work and Opportunity has brought to Chapel Hill the nation’s oldest thinkers on social policy from across the political spectrum. Professor Joe Kalo is co-directing a new inter-University Center for Coastal & Policy, and other promising opportunities — possible centers on government, environmental policy, intellectual property, media law and policy — will soon outpace the faculty capacity.

The “Self Study” invites all who love Carolina Law to assess our current strengths and weaknesses, to define new goals, and to think how best to achieve them. Indeed, during the next 12 months, Carolina Law’s faculty, staff, students and alumni must engage in a process of self-study in preparation for ABA reaccreditation in 2007, which comes around every 7 years. The “Self Study” invites all who love Carolina Law to assess our current strengths and weaknesses, to define new goals and to think how best to achieve them. I’m a great believer in the value of this process and am confident that the intellectual, moral and professional values drawn from Carolina’s rich past — the enduring legacy of William Kidder Graham, Frank Porter Graham, Bill Aycock, Graham, Frank Porter Graham, Bill Aycock, — will infuse themselves into the new commitments that emerge from our self-study.

Gene Nichol challenged us to become the greatest public law school in America. I have yet to meet any Carolina faculty member, student, alumnus or alumna who doesn’t share that goal. We have already traveled very far on that journey together. While the University’s new financial commitments will help us reach that goal, your financial support as friends and alumni of this institution is indispensable if we are to achieve our ambitious mission.

Many of you have given generously to the law school during the Carolina Campaign, and we’re deeply grateful. We have approached (though have not yet attained) our $30 million campaign goal. I hope to share with you in my next newsletter just why your contributions will be so crucial in coming years, and how your gifts can make Carolina Law, and the value of your own legal education, even finer than it is today.

John Charles Boger
Dean
The University of North Carolina at Chapel Hill

M e s s a g e
From the Dean
James Taylor, Jr. ’49 and Cecil Harrison, Jr. ’73 were neither classmates nor co-workers, and their legal careers followed divergent paths. However, they shared an abiding love of Carolina and a gratitude for the education they received, both as undergraduates and law students. They also shared a strong commitment to their North Carolina roots and allegiance to the School of Law.

Now, in honor of the personal and professional accomplishments of Taylor and Harrison, Carolina Law offers two new need-based scholarships that will allow future generations of law students access to a quality education in Chapel Hill.

“Scholarships address financial need”

Because admission to the School of Law is need-blind, the school admits students on the basis of their merit, not their ability to pay. Once administrators admit a student, they work to make a law education as accessible as possible. That task is becoming increasingly difficult with the rising cost of attending law school.

“As tuition and fees have risen over the past two decades, scholarships aid has become a crucial need for the law school,” says Jack Boger, Dean and W. Edward Distinguished Professor of Law. “There has been a nine-fold increase in tuition and fees in the past 15 years, from $1,360 per year in the early 1990s to $12,948 a year today—and that’s for an in-state student. Scholarship aid is absolutely crucial to achieve our public purposes: attracting the very best students to Carolina and ensuring access to all qualified students, regardless of their family income.”

The creators of the Taylor and Harrison law school scholarships were mindful of both objectives when they endowed the new scholarships.

Recipients will be chosen based on their academic accomplishments and financial need, with preference given to students from North Carolina and in Connecticut. Two years later added the duties of associate dean for clinical programs at Wake Forest University and in the early 1990s, he also began directing the school’s new clinic for the elderly. Taylor retired in 2000. He died the following year.

Born in Rural Hall and raised in Jonesville, Taylor attended what was then Mars Hill Junior College before he went to Carolina to earn his bachelor’s and law degrees. Following graduation, he spent two years in private practice in Boone before accepting a direct commission in the Judge Advocate General’s Department of the U.S. Air Force. His nearly 32-year Air Force legal career took him to Texas, Washington, D.C., and he attained the rank of major general. Taylor treasured the camaraderie of the Air Force family and retired in 1983 as Deputy Judge Advocate General; he was the first person to hold that post in the Air Force. In honor of his accomplishments, he was awarded the Distinguished Service Medal.

He then began a new career, this time in academia. He accepted a position as law professor and director of clinical programs at Wake Forest University and two years later added the duties of associate dean for external affairs to his already robust responsibilities. In the early 1990s, he also began directing the school’s new clinic for the elderly. Taylor retired in 2000. He died the following year.

“Scholarship gifts like those in honor of James Taylor and Cecil Harrison literally change lives by making it possible to bring people to Carolina Law who wouldn’t otherwise be able to come and who, in turn, can have an impact on our society,” Boger says. “Both of these men are very much the kind of lawyer we are proud to produce in Chapel Hill—people who are respected, both personally and professionally, throughout their lifetimes.”

Honoring a lifetime of service

James Taylor, Jr. was known as a gracious man who had the ability to bring out the best in friends and co-workers alike. With his ready laugh and sense of humor, lack of pretense and facility in discussing sports and politics with equal aplomb, he won friends easily—all of whom he treasured.

“He had always enjoyed mentoring people, which is something he was able to do both in the Air Force and in the university setting. And he absolutely loved the law!”

“Changing from a career in the military to one in academia isn’t as dramatic a career shift as it might seem initially,” says his daughter, Dawn Taylor Bartiste ’93. “When my father retired, he really couldn’t stop working and wanted to continue using his skills. He had always enjoyed mentoring people, which is something he was able to do both in the Air Force and in the university setting. And he absolutely loved the law!”

Louise Taylor created the new law school scholarship to honor her husband’s long-time love of Carolina and appreciation for what the school allowed him to accomplish.

“I established the scholarship because I thought it would be a good thing to do,” she says. “Jim graduated from Carolina with two degrees and really thought Carolina was a wonderful place. This scholarship is a way to honor that sentiment while helping someone else to afford law school a little more easily. I hope it will allow the recipient to focus on his or her studies, and maybe someday that person will be in a position to help someone else.”

Beyond the pragmatics of making a Carolina Law education affordable, the Taylor family hopes that the scholarship will enable students to find gratifying careers in law. “My mother and I hope that the scholarship recipient, whoever that is in any given year, will have a fulfilling legal career, just as my dad did. He genuinely loved being a lawyer,” Bartiste says.

“It’s wonderful to see someone enjoy something that much,” she adds. “It truly would be rewarding if the recipients of this scholarship can find that type of satisfaction and inspiration in helping others in whatever endeavor they pursue. We hope that they will always have faith that they can make a difference.”

Honoring an esteemed leader

Cecil Harrison has had a distinguished career with Poyner & Spruill, LLP, one of the state’s oldest and largest firms. For 10 years, he served on the firm’s management committee before taking over as managing partner in 1999. Recognized as one of the “Best Lawyers in America” for commercial litigation in 2003-2004 and 2005-2006, he is credited with the firm’s unprecedented expansion and progress without sacrificing collegiality among attorneys. On one long considered a hallmark of Poyner & Spruill.

When Harrison decided to step down as managing partner at the beginning of this year and return to the practice of employment-related litigation, his colleagues and friends showed their admiration of, and respect for, Harrison by endowing a Carolina Law scholarship in his name.

“Cecil is one of the most supportive people I know. By example, he has created a culture that fosters enthusiasm among our attorneys to do great things for themselves, for each other and for our clients—which is no small task in a firm like ours that has offices scattered across the state. We wanted to demonstrate how much his leadership has meant to the firm and to North Carolina,” says Joseph "Bo" Dempster, the firm’s new managing partner.

“Since Cecil is still practicing with Poyner & Spruill, we didn’t want to give him a traditional retirement gift. Instead, we chose something enduring at the university he loves so much.”

Dempster began the process by quietly disseminating an e-mail to the firm’s partners outlining the idea that Poyner & Spruill would donate the seed money for the scholarship, and then gave others the opportunity to contribute as well.

“Word spread like wildfire, and before long we were receiving generous donations from virtually everyone in our firm as well as from people who had worked with Cecil in the past,” Dempster says. “Even people I had never met were contributing to the scholarship fund, and I’m very pleased to say that we collected almost twice our target amount.”

that went forward as a close collaboration among the Puerto Rican Legal Defense Fund, the NAACP Legal Defense Fund, the American Civil Liberties Union, the Connecticut Civil Liberties Union and numerous black and Latino parents and community groups throughout the city and in Connecticut.

Boger chairs the Poverty and Race Research Action Council, a Washington, D.C.-based federation of civil rights, civil liberties and legal services groups that encourages national coordination of social scientific research and legal advocacy on behalf of the poor.

UNC Press. His other writings have appeared in various legal and public policy publications and as book chapters. He has twice been awarded the law school’s highest teaching award and has also received a campus-wide teaching award for post- baccalaureate instruction.

Boger has taught as a lecturer or adjunct professor at Harvard, New York Law School and Florida State University. At UNC, he teaches constitutional, education, racial discrimination and poverty law.

Features

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Wade Hargrove ’65 Helps Establish Center for Media Law and Public Policy
Helps Secure $200,000 Hearst Grant

As a result of the commitment and enthusiasm of Wade Hargrove ’65, fundraising for a Center for Media Law and Public Policy is off to a strong start. The Center is a joint project with the UNC School of Law and the UNC School of Journalism and Mass Communications.

Hargrove, who also attended Chapel Hill as an undergraduate, conceived the idea for the Center and played an instrumental role in securing a $200,000 grant from The Heart Foundation, Inc. The private philanthropy helps institutions to provide opportunities for underserved and underrepresented populations.

“Hearst has been very generous to the University in so many ways,” Hargrove said. “The goal is to create an endowment for the new Center of at least $2 million. We’re at one tenth of that now. Thanks to the Hearst grant, we’re up and running.”

“I live next door to the ‘Southern Part of Heaven’ and am surrounded by the smartest and most collegial group of lawyers on the planet.”

In keeping with Hargrove’s vision, the Center, when fully funded, will extend learning opportunities for students in media law and public policy through participation in activities and interaction with faculty members, government officials, lawyers and experts in the field. It will support both Schools’ efforts to educate students in the complex relationship between mass communication, the law and public policy. The Center will also provide learning opportunities for media and legal professionals, government policy makers and the general public. This initiative will constitute a major interdisciplinary effort to explore and contribute to the development of one of the nation’s most vital fields of law and public policy.

“A vibrant, competitive and free media is the lifeblood of any democracy,” Hargrove said. “It’s important that we protect those ideals, and I can’t recall a time when those ideals may have been in more peril. We have a lot of work to do.”

Hargrove’s interest in the creation of this new center surprises no one who has followed his legal career since graduating from the School of Law and knows about his love of UNC-Chapel Hill. He keeps a jar of Carolina Blue M&M’s in his office at all times.

His practice — Brooks Pierce McLendon Humphrey & Leonard, LLP concentrates in media, First Amendment, Internet and copyright law. He represents a variety of large and influential media clients. As a result of his expertise, Hargrove has been asked to testify before numerous Congressional Committees and the FCC on issues involving broadcast regulation, cable television, copyright law and satellites. He served as special counsel to the U.S. Government for treaty negotiations on satellite broadcasting in Geneva.

Hargrove began his practice in Washington, D.C., but his love for North Carolina pulled him back. He came home years ago and transferred his national media practice to Raleigh.

“I live next door to the ‘Southern Part of Heaven’ and am surrounded by the smartest and most collegial group of lawyers on the planet,” Hargrove said. “I’m a very lucky guy — and I owe so much to UNC and our media clients for making it all possible.”

Hargrove approached Dean emeritus of the School of Journalism and Mass Communications Richard Cole and former School of Law Dean Gene Nichol with the idea for the Center. He said both were immediately supportive and instrumental in the development of the concept.

“Wade Hargrove’s enthusiasm for the creation of this new center, and his desire to provide an educational environment to study the legal issues on which he has spent his professional career, are infectious,” said School of Law Dean Jack Boger. “I’m delighted to have the opportunity to help Wade’s vision become reality.”

“I’ve had a passion for these issues since I was a teenager,” Hargrove said. “It occurred to me that we have world-class schools of journalism and law in Chapel Hill. Chapel Hill, of course, is the perfect place to address, analyze and debate these issues. It’s close to Washington, New York and the major media centers.”

As a student, Hargrove was active in student government, served as news director of WUNC (FM), as news anchor for UNC-TV, and was inducted into the University’s Order of the Golden Fleece. The N.C. Association of Broadcasters recently inducted him into its Hall of Fame, and the National Law Journal has named him one of the nation’s most influential media lawyers. Governor Mike Easley awarded him the Order of the Long Leaf Pine, North Carolina’s highest award for public service.

Hargrove has said he is making a substantial personal gift to the Center, and added, “I encourage other alumni who share a passion for the work of the two schools to contribute and to encourage their companies to contribute. The UNC Center will become a model for other major universities.”

Scholarships continued from page 3

At the January celebration honoring Harrison, the firm unveiled its scholarship proposal. In characteristic fashion, Harrison responded with gratitude and humility.

“The first word that comes to mind is humbling, and I’m deeply appreciative of the fact that my colleagues and friends would honor me in such a fashion,” Harrison says. “The University has meant so much to me over the years, from the time I was an undergraduate through my years at the law school. To do something like this in my name is both flattering and humbling.”

Harrison requested a recipient from eastern North Carolina if possible because of his New Bern roots.

“Anyone who receives the scholarship will honor me, but it is nice to think that someone from the same state of the part in which I grew up could benefit. That is really the only request I made, and the folks at the School of Law were kind enough to guide you, so the process itself is pretty straightforward.”

The School strives to keep the process flexible to meet both the donor’s requests and the students’ needs. People who endow new scholarships have the expertise to guide you, so the process itself is pretty straightforward.

“Endowed scholarships allow us to provide financial assistance over an extended period of time, rather than as a one-time gift,” says Mary S. Murray, assistant dean for Academic Relations. “In an endowed scholarship, the principal is never invaded, which means that the gift exists in perpetuity.”

The School invests endowment funds and income in the UNC Law Foundation, Inc. Once a fund has reached $25,000, the minimum endowment required for a need-based scholarship, income is distributed to scholarship recipients annually. Interest is paid at 5 percent, and anything remaining in the fund over and above that amount is returned to the principal so that the scholarship fund continues to grow.

“Once you make the decision to endow a scholarship, the mechanics are not difficult.” Battiste says. “The people at the law school who facilitate establishing new scholarships have the expertise to guide you, so the process itself is pretty straightforward.”

For more information about contributing to the School’s scholarship funds, including those honoring James Taylor, Jr. and Cecil Harrison, Jr., contact Brandon Wright, deputy director of development, at (919) 962-5719 or weightb@email.unc.edu.

~Patty Courtright
Law Faculty Member Leads “Educational Diversity in Law Schools Project”

Project Receives Additional Grant of $540,000

An interdisciplinary and inter-institutional research project being undertaken by faculty from several institutions across the United States has received a $540,000 grant to continue their study into whether racial diversity in U.S. law schools results in educational benefits.

Henry Brubacher Professor of Law and Deputy Director of the Center for Civil Rights Charles Daye and psychologist professor Abigail T. Panter of the UNC College of Arts and Sciences co-lead the Educational Diversity Project.

Dr. Walter R. Allen, professor of sociology and education at UCLA, and Dr. Linda F. Wightman, emeritus professor of educational research at UNC-Greensboro, are also involved with the project.

The Law School Admission Council awarded the grant under its empirical research program, which awards grants for research about law schools, law students and legal education. The council has awarded more than $1 million to the project’s comprehensive research study since 2004. The latest grant funds the project through June 2008.

The researchers involved are gathering national data from law schools and law students to address the question of whether racial diversity results in educational benefits, and if so, to define and describe those benefits.

In 2003 the U.S. Supreme Court affirmed in Grutter v. Bollinger that educational institutions may consider race as a factor in admissions to derive the educational benefits of diversity. Three years later, controversy still exists about whether racial diversity offers educational benefits. The researchers believe that empirical research was needed to help provide some answers.

“We believe that data collection and rigorous analysis can lead to a better understanding of whether considering race and other factors in admissions supports constitutionally permissible educational objectives,” Daye said.

The team draws on interdisciplinary insights from law, psychology, sociology and educational research methodologies.

Wightman said, “This emotional debate is too often fueled by perception and anecdote, because we are so lacking in structured research and data.”

The Educational Diversity Project used the previous funding to conduct a national survey of 8,500 students at nearly 50 law schools who entered law school in fall 2004. The data gathered includes personal demographic information, family backgrounds, lifetime and college experiences, attitudes and perspectives, academic expectations and career aspirations.

Researchers also conducted focus groups with a selected sample of 200 law students from all over the nation during their first and second years of law school.

With the new funding, the researchers will follow up on the incoming student surveys with final-year surveys and focus groups. The team will also conduct interviews with law school faculty members about their pedagogy with respect to discussing race in the classroom and legal analyses of cases.

“By adding the faculty interview study to our research, we can now learn – from a non-student perspective – how diversity is addressed in the classroom setting, especially during the analysis of cases involving race and diversity,” Panter said.

For more information about the Educational Diversity Project, visit www.unc.edu/edp.
What I Did on My Summer Vacation or Why the Laws of War Matter in Times of War - By Marty Rosenbluth (2L)

The London Amnesty office, out of which all the research flows, was also monitoring the situation closely. They were trying to balance the safety of a research mission against the urgent need to gather independent documentation. After a day on the Internet searching for as much information as I could from our London office and other sources, I sent a late-night email asking if we were going to send a mission to the region soon. The next morning, my email inbox contained a message that changed my life. It read, “We are leaving in a few days. Do you want to come?”

Somewhere in the Career Services Office there should be a warning sign that says, “Beware of any project that starts with an email asking what size helmet and flak jacket do you wear…?” Less than 24 hours after getting the email from London, I was on my way. The original plan was to have the mission go into Lebanon and then into northern Israel, but it became clear that, with the apparent violations of international law occurring in both places escalating, we needed to be in both places at the same time. Thus I left my house in North Carolina bound for Beirut and ended up instead in Haifa.

The killing of civilians, mass forced displacement and attacks on civilian infrastructure on both sides of the border characterized the earliest days of the armed conflict between Israel and Hezbollah. The evidence, including the pattern of attacks, the extent of civilian casualties and the statements by the parties involved, indicated to us that the Israeli military and Hezbollah committed serious violations of the laws of war.

To some extent the media was reporting many of the violations. But as a human rights organization that prides itself on the accuracy of its information, documentation and analysis, we still needed to go in to see for ourselves what exactly was happening. Whenever possible, we tried to speak directly to victims or to eyewitnesses. We interviewed people whose homes had been damaged, families who were forced to flee to the south of the country for safety and victims who had been injured by Hezbollah rockets. We also spent a lot of time talking to people in bomb shelters, both for planned research purposes and by necessity. On one day we had to seek shelter over a dozen times when the air raid sirens sounded all day.

While we were in the north, we also spoke to hospital workers, public health officials, relief workers, municipal employees and volunteers, civil defense officers, NGO representatives and others to get a comprehensive picture of how the war was affecting Israeli civilians. Our colleagues in Lebanon followed the same protocol on the other side of the border.

From what we documented, there was little question that Hezbollah deliberately targeted civilians. During the course of the war, more than 1,300 rockets were fired into the north. About 10% of these were packed with up to 40,000 metal bearings that shredded everything within 100 yards or more. We could see no other purpose for these ball bearings other than to inflict the maximum number of civilian casualties. Hezbollah rockets killed over 40 Israeli civilians and injured hundreds more.

In Lebanon, our mission found that more than 1,000 civilians in Lebanon had been killed, many of them children. Israeli air strikes and threats of strikes forced hundreds of thousands to flee their homes. Tens of thousands had their homes destroyed by the Israeli army, and we found massive destruction in the villages. Repeated Israeli air strikes destroyed bridges, roads, electricity networks and other vital civilian infrastructure, paralyzing life in Lebanon. Amnesty International also documented that Israeli forces targeted vehicles carrying families fleeing their homes in south Lebanon and trucks carrying food supplies, as well as ambulances, rescue crews and United Nations observers.

In addition to documenting violations, our missions had another equally important role: to try to prevent further violations. With information gathered from the ground, Amnesty members worldwide wrote letters and emails to the Israeli government and Hezbollah officials, lobbied government officials in their own countries, held vigils and wrote letters to the editors of their local papers raising Amnesty’s concerns. The campaign focused on ensuring that civilians were not targeted and that all possible measures were taken to minimize the civilian casualties in accordance with International Humanitarian Law.

“I didn’t expect that I’d be working with a rocket fragment that was hit by a rocket.”

The killing of civilians, mass forced displacement and attacks on civilian infrastructure on both sides of the border characterized the earliest days of the armed conflict between Israel and Hezbollah. The evidence, including the pattern of attacks, the extent of civilian casualties and the statements by the parties involved, indicated to us that the Israeli military and Hezbollah committed serious violations of the laws of war.

To some extent the media was reporting many of the violations. But as a human rights organization that prides itself on the accuracy of its information, documentation and analysis, we still needed to go in to see for ourselves what exactly was happening. Whenever possible, we tried to speak directly to victims or to eyewitnesses. We interviewed people whose homes had been damaged, families who were forced to flee to the south of the country for safety and victims who had been injured by Hezbollah rockets. We also spent a lot of time talking to people in bomb shelters, both for planned research purposes and by necessity. On one day we had to seek shelter over a dozen times when the air raid sirens sounded all day.

While we were in the north, we also spoke to hospital workers, public health officials, relief workers, municipal employees and volunteers, civil defense officers, NGO representatives and others to get a comprehensive picture of how the war was affecting Israeli civilians. Our colleagues in Lebanon followed the same protocol on the other side of the border.

From what we documented, there was little question that Hezbollah deliberately targeted civilians. During the course of the war, more than 1,300 rockets were fired into the north. About 10% of these were packed with up to 40,000 metal bearings that shredded everything within 100 yards or more. We could see no other purpose for these ball bearings other than to inflict the maximum number of civilian casualties. Hezbollah rockets killed over 40 Israeli civilians and injured hundreds more.

In Lebanon, our mission found that more than 1,000 civilians in Lebanon had been killed, many of them children. Israeli air strikes and threats of strikes forced hundreds of thousands to flee their homes. Tens of thousands had their homes destroyed by the Israeli army, and we found massive destruction in the villages. Repeated Israeli air strikes destroyed bridges, roads, electricity networks and other vital civilian infrastructure, paralyzing life in Lebanon.

Amnesty International also documented that Israeli forces targeted vehicles carrying families fleeing their homes in south Lebanon and trucks carrying food supplies, as well as ambulances, rescue crews and United Nations observers.

In addition to documenting violations, our missions had another equally important role: to try to prevent further violations. With information gathered from the ground, Amnesty members worldwide wrote letters and emails to the Israeli government and Hezbollah officials, lobbied government officials in their own countries, held vigils and wrote letters to the editors of their local papers raising Amnesty’s concerns. The campaign focused on ensuring that civilians were not targeted and that all possible measures were taken to minimize the civilian casualties in accordance with International Humanitarian Law.

“I didn’t expect that I’d be working with a rocket fragment that was hit by a rocket.”

International Humanitarian Law requires that the use of force be both proportional and necessary, and all parties must distinguish between civilian and military targets, known as the “principle of distinction.” Recently, I read that many consider International Humanitarian Law to be the “Snufle Portuguese” of law, referring to Big Ben’s imaginary friend that only he could see. But the basic principles of international humanitarian law are really not fundamentally different than the basic principles of common law that we all learn in the first year of law school. My criminal law professor said that the most important underlying principle governing the use of force by law enforcement was “proportionality and necessity.” As we all know, those principles go back centuries.

You don’t have to explain the principle of distinction to an Israeli family hiding in a shelter or a Lebanese family who has fled for their lives. They understand it.

However, the challenge we face as a legal community, a challenge I feel I’m better equipped to meet every day I’m in the classroom at Carolina Law, is how to enforce international law. While this goes beyond the scope of this article, the basic rule that should guide our efforts to seek the enforcement of international humanitarian law is pacta sunt servanda. This axiom literally translates as “treaties should be observed” but it is usually interpreted as meaning treaties are to be followed in good faith. However, for those who have forgotten their law school Latin, Desmond Tutu put this axiom far more articularly when speaking about the human rights violations in Guantanamo. “Some seem to have bought into the argument that in order to defend yourselves, you have to use methods such as these, but that is why we have conventions,” he said. “In times of war, you have laws of war. You can’t say no holds barred, because then there is no civilization – it is just chaos, everybody for themselves.”

The University of North Carolina at Chapel Hill
CAROLINA LAW PRO BONO PROGRAM

The School of Law’s student-run Pro Bono Program received the 2006 Law Students Pro Bono Project Award during an awards ceremony at the North Carolina Bar Association’s annual gathering at Atlantic Beach, N.C. From left: UNC Pro Bono students Suzanne Buckley, Tracy Morrison, Mandi Hitchcock and Shane Standaim accept the Pro Bono award from Mike Colwin.

Pro Bono program assists attorneys in providing people of limited means with high-quality legal representation and fosters in UNC law students a commitment to pro bono service as a professional responsibility. The North Carolina Bar Association recently recognized the efforts of the Pro Bono Program by awarding the 2006 Law School Pro Bono Project Award to the program. Students participate in pro bono activities during the academic semester, as well as during winter and spring breaks. In 2005-06, more than 40 UNC law students spent those breaks in New Orleans assisting attorneys in providing pro bono legal assistance to Hurricane Katrina victims. Attorneys who would like students to assist with their pro bono cases during the academic semesters should contact Suzanne Buckley at sbuckley@email.unc.edu. Attorneys who would like student help during the winter or spring breaks should contact Becky Ballard at ef67@duke.edu or Matt Liles at hmlarb@email.unc.edu.

The Pro Bono Program also works with student organizations to plan and facilitate community education events, such as pro se divorce clinics, power of attorney or living will clinics and clinics for Spanish speakers. We need attorneys who are knowledgeable in these areas of law to supervise 1-2 clinics a year. Time commitments would be 3.5 hours per clinic, most of which would be during the evening. The location of the clinics vary, but they are primarily in Chapel Hill or Durham, N.C. If you are interested in volunteering to supervise community education clinics, please contact Elizabeth Harmert, Law-Related Education Coordinator, at elizabeth_harmert@unc.edu.

Finally, the Program would like to build more ties between alumni and current students interested in pro bono service. To that end, the Program is planning several networking events throughout the upcoming year. Please be on the lookout for more information about these events. If you or your firm or organization is interested in sponsoring a featured event, please contact Jennifer Hitchcock, Law-Related Education Coordinator, at jen_hitchcock@unc.edu.

C-PILO is seeking attorneys interested in becoming involved with our organization. If you are willing to be contacted for speaking engagements for the Seminar, have internship and/or job opportunities available in this area; are willing to mentor law students seeking avenues between law and policy; are interested in receiving information regarding forthcoming functions; or are interested in being on our listserv, please contact Ruby Powers at RubyPowers@ymail.com.

C-PILO Strongly Encourages Practices and others in environmental law and policy fields to take part in any or all of our projects. Any attorney or organization who would like to offer work in an environmental area of interest to a student or group of students, contribute funds for public interest internships or other ongoing projects, speak at an ELP event, be a mentor to future members of the environmental law community, take part in a fundraising event or just come to any meeting or event, please contact ELP president Ally Amavasic at ala@law.unc.edu.
UNC School of Law third-year students participating in the Clinical Program were incredibly productive over the course of the past year. Their legal work encompassed defending juveniles in the local community, lobbying United Nations and North Carolina policymakers, protecting women and children in Mexico and Guatemala from domestic violence, helping local groups address the HIV/AIDS problem in Africa and so much more. What follows are a few examples of the students’ work within the four clinics overseen by the Clinical Program – the Community Development Law Clinic, the Criminal Law Clinic, the Civil Legal Assistance Clinic, and the Immigration/Human Rights Policy Clinic.

COMMUNITY DEVELOPMENT LAW CLINIC (CDL)
Non-profit Drug Rehabilitation Center
CDL students provided hundreds of hours of legal service to a non-profit drug rehabilitation center. Before coming to the CDL Clinic, this entrepreneurial non-profit client had established itself as a national model and experienced rapid growth. Students first performed a legal audit for the organization and determined that the organization, which maintained several for-profit enterprises and owned a large and expanding real estate portfolio, was exposing all of its clients to judgments by satisfied patients as a result of its business plan, in violation of its charter document. The students counseled the organization to amend its business plan without exhaustive legal research and counseled the organization to forgo forward with its plans without jeopardizing its tax exempt status.

CRIMINAL LAW CLINIC (CLC)
Juvenile Criminal Defense
CLC students successfully defended several juvenile clients throughout the year. In one particular case, a juvenile client was arrested for a traffic violation. The students worked with the juvenile and his family to establish the juvenile’s innocence and obtain an adjournment for a psychiatric evaluation. They also helped the juvenile to gain a part-time job and to obtain a driver’s license.

CIVIL LEGAL ASSISTANCE CLINIC
Housing
Students represented an elderly woman in Durham whose only source of income is SSI and a small amount of Social Security (total income just over $600 per month). She owns her own home and had participated in a city low-income program to stabilize her house. Due to her income, according to the terms of the program, no payments were due for 10 years. At the end of 10 years, payments would start unless a review of her income showed she was unable to make them. At the end of the ten years, she received notice that she was required to begin making payments, which were over half of her total income. The demand for payment by the city was made without any review of her financial circumstances. As a result of student representation, the city agreed that she should not have to make payments.

Consumer
Students represented a woman who had purchased a used car. It had numerous mechanical problems and, to make matters worse, her car was repossessed. At the time the car was repossessed, the client had over $15,000 in the glove compartment in funds that she was using to pay bills, including the payment on the possession car. Students brought suit on behalf of the woman for wrongful repossession and unfair deceptive trade practices. They obtained a judgment for all payments made on the car and plus the money in the glove box. This amount was trebled and the clinic was awarded attorneys fees. The clinic was able to assist clients with expenses of litigation that they are unable to pay.

Domestic Violence
Students represented a battered woman in a domestic violence protective order matter against an abusive husband. At the hearing, the students successfully proved a long history of domestic violence including hard physical attacks, social isolation and financial control. During a two-day trial, the students provided evidence of the abuse including a 911 tape of a phone call by one of the minor children made during the incident. Additionally, the students examined witnesses who testified about the abuse system designed by the client and a neighbor whereby she had different colored flags she would put in her window if she needed her neighbor to either call law enforcement or simply send her own husband to dissuade the situation. The client was awarded the protective order, full temporary custody of her two children with no visitation and so many of the described themselves as being “quite sore” for a few days after the marathon, it didn’t deter them. The J-Train lives on, and many of the original members, along with some new faces, are planning to run the 2006 Marine Corp Marathon Washington, D.C., Oct. 29.

If you are an alumni living in the capital city, keep an eye out for the Carolina Law J-Train as you cheer on this year’s marathon runners. 4

Students Battle the Marathon of Law School by Running a Marathon!

Law School News

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Family
Clinic students provided representation in a complicated custody battle on behalf of a battered immigrant client who had lost custody of her child over a year prior to seeking clinic assistance. The client’s ex-husband brought allegations that the client had abused their child. At that time, the Department of Social Services substantiated that the client had inappropriately disciplined the minor child but did not recommend removal of the child from the home. The ex-husband, however, sued to establish custody in civil court where the court had granted the client limited legal assistance. The client was supposed to have weekly supervised visits with her daughter, but her ex-husband denied her all contact. Without legal assistance, the client had been unable to enforce the order. Meanwhile, there was new evidence that the father was abusing the minor child. The student filed motions for emergency custody and for a modification of custody. After several hearings, the client was awarded primary physical custody of the minor child. In this particular case, the students worked with several agencies, including legal health workers, domestic violence advocates and the local supervised visitation center. Additionally, the student was appointed to the Performance Guidelines Committee, where the student also had to work closely with an interpreter.

IMMIGRATION/HUMAN RIGHTS POLICY CLINIC
Violence Against Women Act (VAWA)
Students successfully represented a woman in obtaining lawful permanent residency under the immigration provisions of VAWA. The client, who was from Mexico, was married to a United States citizen who physically and emotionally abused her. As a means of maintaining control over her, he refused to complete the necessary immigration paperwork to allow her to stay in the country for lawful permanent residency. The students prepared detailed applications along with affidavits and several expert witnesses to demonstrate the client’s eligibility for relief. They researched the provisions of the Immigration and Nationality Act and prepared persuasive briefs, marshaled the evidence and argued the legal points on behalf of the client. They obtained work authorization for the client so that she would no longer suffer exploitation in the underground economy. They also prepared the necessary immigration applications to allow the client’s two daughters, who resided in Mexico, to join their mother as lawful permanent residents. In addition to successfully obtaining VAWA’s protection for the client’s clients, the students obtained a domestic violence protection order to prohibit the client’s husband from harming or threatening her.

International Covenant on Civil and Political Rights (ICCPR) Shadow Report Project
Students worked with Global Rights and the Bringing Human Rights Home National Network to coordinate the writing, distribution and lobbying of Shadow Reports to the United Nations. Under the U.S. State Department Report on the United States’ obligations under the ICCPR, students authored the report that was submitted to the United Nations (U.N.) regarding the plight of domestic workers in the United States. They were invited to attend various sessions of the Human Rights Committee (oversight committee to the ICCPR) at the U.N. As a result of the clinic’s report and lobbying efforts, the U.N. Human Rights Committee listed domestic workers as one of their priority issues for review with U.S. officials.

Gender Violence in Latin America Project:
Domestic Violence in Mexico and Guatemala
Students worked on a project with the Washington Office on Latin America (WOLA) on police reform and gender violence. They compiled research on North American and Latin American policies, and drafted a comprehensive memorandum identifying and critiquing police, prosecutorial and court practices relating to domestic violence. Primarily, WOLA specialists and human rights groups working in Mexico and Guatemala are using the memorandum. The document is the basis for lobbying efforts by WOLA and organizations in Mexico to assist the Mexican federal government, which is considering federalizing certain domestic violence offenses and enacting legislation similar to the federal VAWA. As part of the project, students were invited to attend hearings on femicide in Latin America at the Inter-American Commission on Human Rights in Washington, D.C.

Cd. Juárez Reparations Project
Students worked with the Washington Office on Latin America (WOLA) and prepared a comprehensive proposal to establish a reparations project for the families of women murdered in Cd. Juárez. The students outlined administrative, procedural and substantive measures for the Mexican government to implement on behalf of the families. They researched the problem of femicide in Cd. Juárez and the complaints of impunity with regard to the response of the Mexican government. The students drafted their proposal after researching the structures of various Truth and Reconciliation Commissions, Victim Rights Compensation statutes in the United States and Europe and the United Nations’ groundwater on the Inter-American Commission and the Inter-American Court on Human Rights. WOLA presented the report to the Special Commissioner on violence against women in Cd. Juárez, who was appointed by Mexican President Vicente Fox to investigate the murders of women and was given a broad mandate by Fox to coordinate federal programs to prevent violence against women. The clinic’s report was also submitted to a federal legislative commission in Mexico City, where it is being debated.

Tamara R. Birckhead
Assistant Professor of Law Tamara Birckhead’s article, “The Conviction of Lynne Stewart and the University of the Future of the Right to Defend,” appears as the lead article in the Winter 2006 issue of the American Criminal Law Review. She conducted research on the “Art of Movements: Tools for Your Defense,” at four regional Juvenile Defender Workshops sponsored by the UNC School of Government and the Office of Indigent Defense Services. She also presented on “Recent Developments in Juvenile Defense” at the School of Law’s 2006 Festival of Legal Learning. She has been appointed to the Performance Guidelines Committee and the Training Committee of the North Carolina Juvenile Defender. She was also an invited participant in a roundtable discussion for the Systems Evaluation Project, an initiative of the Indigent Defense Services Commission to evaluate the indigent defense system in North Carolina.

Lissa Lamon Broome
Wachovia Professor of Banking Law and Director of the Center for Banking and Finance Loss Broome wrote the Foreword for Volume 10 of the North Carolina Banking Institute Journal, Celebrating Ten Years of the North Carolina Banking Institute (SOCC). She spoke at the 112th Annual Convention of the Commercial Law League of America in Asheville, N.C., on “Bankruptcy. NC Article 9 Priorities and Preferences in Bankruptcy.” The 2nd edition of her casebook, “Regulation of Bank Financial Service Activities” (co-authored with Professor Jerry Markham of Florida International University College of Law) was translated into Chinese.

Kenneth S. Brown
Henry Brandis Professor of Law Ken Brown published the sixth edition of “McCormick on Evidence” (West, 2006), a national evidence text. This is the first edition for which Brown was the general editor. He has been a contributing author since 1972. He also published a chapter on “Scoulders & Berlin’s United States in ‘Evidence Stories’” (Foundation Press 2005). Brown and Professor Daniel Capra of Fordham Law School drafted proposed Federal Rule of Evidence 502 dealing with waiver of attorney-client work product privilege. The rule was accepted by the Advisory Committee on Evidence and Civil Procedure and the Standing Committee on Rules. It has been published for public comment. Brown and Capra have also written an article dealing with the rule that will be published by the South Carolina Law Review in coming months. He continues to serve as the chair of the Standing Committee on Local Rules for the United States District Court for the Eastern District of North Carolina. In August, he traveled to South Africa to conduct a trial advocacy program for the Black Lawyers Association Legal Education Centre. He helped train seven new teachers and 60 students from South Africa, Namibia and Botswana, including 30 others from the South African Defence Force Judge Advocate General Corps. He and his fellow teachers were honored in a banquet attended by many judges and government officials for their 20 years of work with the Black Lawyers Association in South Africa.

Patricia L. Bryan
Professor of Law Patricia Bryan was an invited speaker at various venues over the past several months, including the Virginia Festival of the Book in Charlottesville, Va., the Southern Kentucky Book Fest in Bowling Green, Ky., and the Red Mountain Reading Series, in Birmingham, Ala. Her article entitled “Occupying Espionage’s ‘Flexes’: Foreshadowing ‘Trifles’ and Concerns about Law and Justice” will be published in “Susan Glaister: New Directions in Critical Inquiry,” a forthcoming book published by Cambridge Scholars’ Press this fall. Her book, “Midnight Assassin: A Murder in America’s Heartland” (Algonquin 2005), will be published in paperback by the University of Iowa Press in 2007.

Andrew Chin
Associate Professor of Law Andrew Chin recently published “Artful Prior Art and the Quality of DNA Patents” (57 ALAB. L. REV. 975) and “Research in the Shadow of DNA Patents?” (97, PATENT LAW JALUMINUM 21-100) (2005). He presented “Artful Prior Art and the Quality of DNA Patents” at faculty workshops at
School of Law Partners to Create North Carolina Coastal Resources Law, Planning and Policy Center

First Advisory Panel Board Meeting Held at School of Law

The North Carolina Coastal Resources Law, Planning and Policy Center, an inter-institutional entity being developed to address North Carolina’s pressing coastal and ocean issues, will increasingly draw on the legal, planning and policy expertise of various units within the University of North Carolina system, including the UNC School of Law.

The School of Law has been intricately involved with and supportive of the Center since its inception, due to the participation of Graham Kersae, Professor Joseph J. Kalo and Walter Clark, Sea Grant Legal and Planning Specialist and Adjunct Professor of Law, in the creation of the Center.

The Center will be, and to a certain extent already is, a research, advisory and educational entity. The Center provides support to state departments and public interest and community government agencies, local governments and community organizations in their efforts to address pressing law and policy issues, and promotes the sustainable use of coastal lands, waters and natural resources.

The School of Law and the North Carolina Sea Grant Program agreed in principle to the North Carolina Coastal Resources Law, Planning and Policy Center in 2004. In July 2005, the University of North Carolina Office of the President gave authorization to plan an inter-institutional center.

The Center will also engage in the study of long term coastal use and development trends and issues. Outreach to coastal professionals, community organizations and others with an interest in coastal resource issues will also take place through Center-sponsored conferences and programs.

Students at the School of Law, as well as other institutions, will be given the opportunity to conduct research on behalf of the Center, providing another valuable opportunity for professional training for Carolina Law students. In addition, the Center will assist students in obtaining additional professional training in environmental coastal law, planning and policy through fellowships, internships and externships. It will help them find placement with government agencies, law firms and businesses where such training is of value.

In October of 2005, the UNC Department of City and Regional Planning officially joined as a partner of the Center. The UNC Department of Government and the UNC Environmental Program have also recently expressed interest in participating in the Center. East Carolina University’s graduate program in Coastal Management is exploring the possibility of its participation as well.

Advisory Planning Board

In early 2006, a 15-member Advisory Planning Board, was created to help guide the Center through the initial planning phase and assist it in its demonstration projects (see full list of Advisory Board on this page). The Board members, comprised of a highly diverse group of individuals drawn from the private sector, government agencies, local governments, academic departments and public interest and community organizations, all have special interests in coastal issues. The first meeting of the Board took place at the School of Law Aug. 2, 2006.

Center Pilot/Demonstration Projects

As of July 2006, examples of the Carolina Coastal Resources Law, Planning and Policy Center’s ongoing pilot/demonstration projects include:

- Assistance to the North Carolina Multi-Slip Docking Facility Advisory Committee in the study and development of a unified management policy for all multi-slip docking facilities.
- In March 2006, assistance to the Coastal Resources Commission on an issue before the commission relating to the potential use of a new technology in North Carolina’s coastal waters.
- Publication of a quarterly newsletter — Legal Tides — for lawyers, public officials and others interested in issues affecting the coastal communities of North Carolina.
- The publication of a white paper [“North Carolina Beaches: Beach Nourishment And Public Beach Access—May 12, 2006] which has been posted on the Center’s website. The paper discusses important issues relating to public access to North Carolina Beaches. Other white papers are being developed at this time.
- An example of a recently initiated research project is the investigation into whether any regulatory changes are needed in order for North Carolina to be prepared to assess and guide any potential offshore wind energy projects. 22

The University of North Carolina at Chapel Hill

The North Carolina Coastal Resources Law, Planning and Policy Center and UNC School of Law will host an Environmental Law Conference “The Shape of the Coast: Current North Carolina Coastal Development Issues” in Wilmington, October 27.

More information on back cover.
Center for Civil Rights Plays Crucial Role In Extension of Voting Rights Act: Receives $100,000 Dream Fund Grant to Explore Benefits of Racial Diversity in Schooling

Voting Rights Act
When President Bush signed legislation in July 2006 extending the Voting Rights Act another 25 years, he declared, “Congress has reaffirmed its belief that all men are created equal.” The historic 1965 law opened polls to millions of black Americans by outlawing racist voting practices in the South. The UNC Center for Civil Rights played an important role in making sure the law’s extension happened.

The Center produced two reports on the Voting Rights Act since 1982; one on the state of North Carolina and one on the state of Virginia. While the Center had been working for some time on the reports, the necessity to complete them took on a whole new level of intensity once the bill to reauthorize the Act was introduced in Congress. The reports, which were compiled utilizing extensive research and featured detailed reports on Voting Rights Act violations, were widely distributed to the media, as well as to influential decision-makers nationwide.

The Senate Judiciary Committee invited the Center’s Director of Advocacy Anita Earls to testify on “The Continuing Need for Section 5 Pre-Clearance.” The May 16 hearing included a panel of witnesses with distinguished records of research and testimony on polarized voting.

The reports and Earls’s written testimony can be found at the Center’s website – www.law.unc.edu/civilrights.

Dream Fund Grant
The UNC Center for Civil Rights recently received a one-year, $100,000 grant from the Fulfilling the Dream Fund to explore whether elite colleges and universities should preference applicants from racially diverse secondary schools to ensure that their child’s spot in an elite college or university is to enroll them in a racially homogenous school. The Center’s staff views this as parents falling into a winner/loser mentality that contributes to segregated schooling.

Consequently, the Center plans to convene a critical mass of college and university presidents to examine the legal and administrative dimensions of this issue, as well as conduct empirical research on numerous underlying assumptions.

The Center hopes this research, which in all likelihood will stretch beyond the one-year period covered by the generous grant from the Fulfilling the Dream Fund, might work to stem the tide of racial resegregation in the nation’s public schools.

Professor Daye Assumes Role of Deputy Director
When Professor Jack Boger took the helm of UNC School of Law as the ninth Dean, he also vacated the position of Deputy Director of the Center for Civil Rights. Longtime School of Law faculty member Professor Charles E. Daye was one of Dean Boger’s first appointments. Professor Daye, a graduate of North Carolina Central University, received his law degree from Columbia University School of Law. He is a full-time faculty member at the UNC School of Law.

Daye began his career as an associate with the firm of Dewey, Ballantine, Bushby, Palmer & Wood in New York. He served as a law clerk to the Honorable Harry Phillips, chief judge of the United States Court of Appeals for the Sixth Circuit, becoming the first African American to serve as a law clerk in that Circuit. Following his clerkship, Daye practiced as an associate with Covington & Burling in Washington, D.C. He joined the law faculty at UNC-Chapel Hill in 1972 where he was the first African American to hold a tenure-track position on the law faculty. In 1981, Daye was named dean of North Carolina Central University School of Law, where he served until 1985. He returned to Carolina Law in 1985 and teaches torts, housing and community development, and administrative process and advocacy. Daye is the senior editor of a course book, “Housing and Community Development.”

Chambers ’62 Receives Thurgood Marshall Award
Julius Chambers ’62, the director of the Center for Civil Rights, was the 2006 recipient of the Thurgood Marshall Award, presented annually by the American Bar Association’s Individual Rights & Responsibilities Section. Presentation of the award took place in Honolulu on Aug. 5 at the ABA Annual Meeting. Chambers was nominated by both the North Carolina Bar Association and Judge James Wynan of the N.C. Court of Appeals.

The renowned Charlotte civil rights attorney is the 15th recipient of this award, established in 1992 in honor of the first African American justice of the U.S. Supreme Court. Justice Marshall was the initial recipient of this award.

Chambers was a senior at Peabody High School in the Montgomery County town of Troy, N.C., when the initial Brown v. Board of Education ruling was handed down on May 17, 1954, and he has been intimately involved in the cause of school desegregation, and desegregation in general, ever since.

Noteworthy cases in which he has been involved include Swann v. Charlotte-Mecklenburg Board of Education, Griggs v. Duke Power Co. and Albermarle Paper Co. v. Moody.

Chambers, the first African American to serve as editor of the North Carolina Law Review at UNC School of Law, graduated first in his class, and later established the state’s first integrated law firm.

UNC School of Law Students Give Strong Support to First Annual Day of Community Service

When the UNC School of Law Student Bar Association (SBA), a student-led organization, decided to organize the first annual “Heels on the Street Community Service Day” on Sept. 8, they were not sure what kind of response they would get from students, faculty and staff. They knew that last year over 50 percent of the law school’s student body participated in Pro Bono and other programs that provide free legal services for a wide variety of people and organizations, but would they be interested in service that does not relate to the degree they are earning and the profession they are planning to enter?

SBA organizers need not have worried. By the time people gathered at lunchtime to head to the ten locations chosen for community service, nearly 150 students, faculty and staff were ready to go.

“This kind of turn out is extremely gratifying but, frankly, not surprising,” said Kelly Podger, director of student activities at the School of Law. “ Carolina Law students are among the best when it comes to serving the local community and fulfilling the University’s public mission.”

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The 2006 Banking Institute
More than 220 people attended the 10th annual Banking Institute held March 30-31, 2006, at the Charlotte Marriott City Center. The 2006 Banking Institute offered presentations on preemption, commercial lending concerns under the new Bankruptcy Act, data security breaches and responses, and credit union conversions. The featured speakers were Julie Williams, First Senior Deputy Comptroller and Chief Counsel of the Office of the Comptroller of the Currency; William Fox, former director of FinCEN and senior compliance executive for financial crimes at Bank of America; Jerry Hawke, former Comptroller of the Currency and partner at Arnold & Porter; and Dr. Susan Schmidt Bies, Board of Governors of the Federal Reserve System. The Thursday evening dinner celebrated Volume 10 of the North Carolina Banking Institute journal by honoring the seven former students who founded Volume 1 – David P. Broughton, Anderson D. Carpenter, Rodney Eugene Davis, Jr., Alan Kronovet, Lisa Lukasik, L. Thomas McLean, Jr. and Alan M. Presel.

Director Diversity Initiative
The Director Diversity Initiative strives to increase the gender, racial and ethnic diversity of corporate boards. In June 2005, the Center received a grant from the Z. Smith Reynolds Foundation to support this initiative. The Center said the funds, in part, to develop a web-based clearinghouse of information on director diversity numbers, research and best practices and to develop a database of potential diverse directors. The database and website will be available at http://www.law.unc.edu/banking/. Prospective diverse director candidates are encouraged to apply for inclusion in the database. Companies and nonprofits recruiting board members are invited to contact Lissa Broome (lbroome@email.unc.edu) for information about prospective director candidates. In June the Director Diversity Initiative received a second grant to be paid over the next two years from the Fulfilling the Dream North Carolina Consortium. The money will help continue work in this area, including developing a system of regular benchmarking of director diversity among the 50 largest N.C. public companies.

On May 15, 2006, the Center held a one-day program at the Reza Center in Chapel Hill, “Broadening Corporate Board Diversity: Earning a Board Seat.” Twenty-six diverse potential board members attended the program. Eight panelists and a moderator discussed topics such as skills needed and how to develop them, realistic approaches to advancing your candidacy, diverse directors in non-diverse settings and evaluating companies and opportunities. A similar program will be held in the spring of 2007.

North Carolina Bank Directors’ College
The current North Carolina Bank Directors’ College, co-sponsored with the North Carolina Office of the Commissioner of Banks and the FDIC, was recently completed with two-day sessions held in July, August and September. Four potential diverse directors attended the program on scholarship (underwritten by the Director Diversity Initiative grants) – Molly Broad, Marlowe Foster, Mary Mussachio and Richard “Stick” Williams. It is hoped that new banks and existing banks will consider this group of potential directors when nominating board candidates to fill board vacancies. A graduate of the 2004 Bank Directors’ College and the May 15 “Broadening Corporate Board Diversity” program, Jewell D. Hoover, was recently elected to the board of First Charter Corporation, parent corporation of First Charter Bank in Charlotte.

$2 Million Pledge
continued from page 1
Cuccia and Hayes have shown a keen interest in all of the Center’s programs examining the issues related to the working poor over the past year. As regular attenders of Center conferences and seminars, they have been intimately involved with the Center’s work since its inception.

“For too long, the issues facing the working poor have not received the attention they deserve. That is why we are proud to join Senator Edwards, the leadership of UNC and the law school to ensure that there will always be a permanent academic forum for the best minds in the state and the nation to address the issues of poverty, work and opportunity,” said Cuccia.

More about the Center on Poverty, Work and Opportunity
The Center, established in February 2005, is a non-partisan academic research center that brings together scholars, policymakers, lawyers, community leaders and students to further research and policymaking on issues relating to poverty, work and opportunity. Led by Senator John Edwards as director and Marion Crain, deputy director and the Paul Eaton Professor of Law, the Center also has an impressive and interdisciplinary Advisory Board made up of 20 distinguished faculty from various schools and departments at UNC-Chapel Hill.

To increase awareness of and productive discussion around issues of poverty, the Center supports monthly panels of experts, hosts discussions and conferences, and sponsors research on poverty from UNC faculty. In its first year of operation, the Center highlighted the issue of poverty through panel discussions on Hurricane Katrina, low-wage work, health care and the media’s coverage of these issues, among others. These panels brought academics and practitioners together in conversations aimed at solutions, including William Julius Wilson of Harvard, Tom Kane of The Heritage Foundation, Anita Brown-Graham of UNCG, Peter Edelman of Georgetown, Wade Horn of the Department of Health and Human Services, Tom Kelley of UNC School of Law, Anna Burger of Change to Win, David Ellwood of Harvard, Melissa Jacoby of UNC School of Law, Marvin Kosters of the American Enterprise Institute and Martin Eakes of the Center for Community Self-Help. The Center also hosted a dialogue between Sen. Edwards and Jack Kemp, former Secretary of the Department of Housing and Urban Development, to explore the roles of the market and government in alleviating poverty.

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Campaign Report

Dean Jack Boger announced that The Campaign for Carolina Law topped $25 million on June 30, 2006. The goal for the campaign, which ends December 31, 2007, is $30 million.

“Raising over $25 million is a wonderful achievement, but there’s still work to be done to reach the $30 million goal,” said Campaign Chair Marion Cowell ’64. “We have received many generous gifts from alumni and friends who want to support an institution, Carolina Law, they consider special. I’m confident that continued generosity from an incredibly loyal group of alumni and friends will help us reach our goal.”

“Since the inception of the campaign, Marion, our campaign committee members, and Carolina faculty and staff have worked tirelessly to make The Campaign for Carolina Law a success. I couldn’t be more grateful,” said Boger.

Mary Murray, assistant dean for external relations and director of the UNC School of Law’s campaign, said donors have created 11 new endowed professorships, 25 new law scholarships and internships, 10 endowed Dean’s Discretionary Funds, seven major planned gifts and record Annual Fund dollars.

“Greatly increasing the school’s endowment is another goal of the campaign because it enables the School of Law to compete with its peers and provide long-term support for the institution’s mission,” said Murray, adding that the generosity of donors to date had provided over $14 million to the law school’s endowment.

Planning for the Campaign for Carolina Law began on July 1, 1999 and was announced as a part of the University’s $1.8 billion Carolina First campaign on October 11, 2002. The Carolina First Campaign goal has since been raised to $2 billion.

To learn more about the campaign and how you can help, contact Mary S. Murray, assistant dean for external relations, at (919) 962-7701 or mmurray@email.unc.edu.

Alumni and Students Enjoy Summer Events

Thank you to all of the alumni who joined us for Carolina Law alumni events this summer, which were a tremendous success. We especially want to thank our hosts for sponsoring these events:

- Atlanta alumni and summer associate reception
  The law offices of Troutman Sanders LLP

- Charlotte alumni and summer associate reception
  The law offices of Robinson Bradshaw & Hinson, P.A.

- New York alumni and summer associate reception
  The law offices of Skadden, Arps, Slate, Meagher & Flom LLP

- Raleigh alumni and summer associate reception
  The law offices of Kennedy Covington Lobdell & Hickman, LLP

- Triad alumni and summer associate reception
  The law offices of Smith Moore Long & Aldridge LLP

- Washington, D.C. alumni and summer associate reception
  The law offices of McKenna Long & Aldridge LLP

If you or your firm is interested in hosting one of the 2007 Carolina Law alumni/summer associate receptions, please contact Louise Harris, assistant dean for alumni and special programs, at (919) 962-1592 or lharris@email.unc.edu.

2006 Annual Fund Experiences Another Successful Year

Alumni support pushed the UNC School of Law’s Annual Fund to new levels of success in fiscal year 2006. For the fiscal year ending June 30, 2006, the Annual Fund received $553,566 from more than 1,902 donors—easily surpassing its $515,200 goal.

The Annual Fund provides an excellent way for collective alumni support to directly impact the lives of future Carolina lawyers. For the 2006 – 07 academic year, tuition and fees total $12,948. Added to living expenses, book costs, travel and incidental expenses, today’s in-state students pay nearly $30,000 per year to attend Carolina Law.

Gifts to the Annual Fund allow the School of Law to provide much-needed scholarship assistance; improve academic support and student services; provide research support to faculty, and cover unanticipated expenses during the academic year. Every gift, no matter the amount, helps the School of Law meet ever-expanding expectations from students, faculty, alumni and the practicing bar.

“I am grateful to each alumnus and alumna who supported the 2006 Annual Fund. It is my sincere hope that every Carolina Law graduate remembers the Annual Fund in his or her yearly charitable giving,” said Dean Jack Boger.

“Our traditions of access and service are directly dependent on the generosity of those who already know what it means to be a Carolina lawyer.”

Annual Fund donors are recognized in the Honor Roll of Donors, which is included in this edition of Carolina Law Alumni News. Gifts are recognized at the following levels:

- A gift of $1 - $499 distinguishes you at the Associates Level;
- A gift of $500 - $999 distinguishes you at the Partners Level;
- A gift of $1,000 - $1,999 distinguishes you as a member of the William Homb Battey Society;
- A gift of $2,000 - $4,999 distinguishes you as a member of the Dean’s Club and UNC’s Chancellors’ Club;
- A gift of $5,000 or more distinguishes you as a member of the William Brantley Aycock Society and UNC’s Chancellors’ Club.

Annual Fund gifts are tax-deductible, and making a gift is easy. Simply fill out and return the gift envelope included in this newsletter, or if your prefer, you may make a gift online at https://www.law.unc.edu/alumni/MakeAGift.aspx.

If you have questions about gifts to the Annual Fund, please contact Brandon Wright, deputy director of development, at (919) 962-6718 or at bwright@email.unc.edu.
A Message from the President of the Law Alumni Association

In the last message to you from this column, The Honorable Erwin Spainhour, our former Law Alumni President, shared with you the process to select a new dean for our law school. The search committee, which included several alumni, screened applicants, conducted interviews and made recommendations to the provost. Under the leadership of Dean Michael Smith of the School of Government, the committee worked tirelessly to give careful consideration to a number of well-qualified candidates.

This process allowed the law school community to examine our resources, needs and goals. The alumni members of the search committee actively participated in this process. The committee also weighed input from many of you, including those of you who attended some of the on-campus interviews. Your involvement and input was extremely valuable to the search process.

When the resumes were all stacked away, the interviews completed and the dean candidate receptions finished, we found an outstanding new dean for our law school. During the interview process, Jack Boger, a 1974 graduate of UNC School of Law, conveyed his devotion to the law school and his desire to see it thrive. Dean Boger has now been put to the task and, by all indication, he is off and running.

I encourage each of you to offer the Dean your full support as he takes on the leadership of our law school. Some of you have had the opportunity to meet and talk with the dean as he has traveled to many of the summer alumni gatherings. We can expect to have the dean join us for more events in the upcoming year. In fact, each of us is encouraged to invite Dean Boger to our communities for local bar or civic organization meetings or other community events.

As we welcome the new dean and begin our work with him, I look forward to our organization’s continued active involvement with the law school.

President, Law Alumni Association

Carolina Law Tailgate Party November 11

Carolina Law invites you and a guest to the UNC vs. Georgia Tech Tailgate Party

November 11, 2006
Two hours prior to kick-off*
UNC School of Law
Van Hecke-Wettach Hall
Please join us prior to the game, and let’s get ready for a Carolina Victory.

GO HEELS!
$15/person - Carolina Attire

Please respond by November 7.
To register or for more information, please contact the Office of Alumni Affairs at (919) 962-1592 or louise@unc.edu.

Need Football Tickets?: You can contact the UNC athletic ticket office with ticket inquiries at (919) 962-2296. There are currently tickets available. The School of Law does not have tickets for the UNC vs. Georgia Tech game.

Parking: Parking will be available at the School of Law on a first-come, first-served basis. Parking is not guaranteed. Parking is limited on game day so please plan to arrive early.

*Game Time: Due to television network contracts with the Atlantic Coast Conference, game time may not be set until early November. Please check your local paper, the Athletic Association website at www.tarheels.com or call the Athletic Ticket Office at (919) 962-2296 to confirm kick-off time. As soon as the Office of Alumni Affairs learns the kick-off time, it will be posted at www.law.unc.edu.
Distinguished Alumni Awards and Outstanding Recent Graduate Award Presented During Annual Gala

On Friday, Oct. 13, UNC School of Law honored three distinguished alumni at the annual Carolina Law Alumni Gala and Reception, at the Carolina Inn in Chapel Hill as part of this year’s Law Alumni Weekend celebrations.

Distinguished Alumni Awards were presented to H. Parks Helms ‘61, The Honorable William L. Osteen, Sr. ‘56 and Ambassador Robert Weisberg ‘73.

H. Parks Helms, currently serving his seventh consecutive term on the Mecklenburg Board of County Commissioners, was first elected to the County Commission in 1992 and served as chairman during five of his seven terms. He was a member of the N.C. House of Representatives from 1974 to 1984 and was ranked one of the “10 Most Effective House Members” by the North Carolina Center for Public Policy Research for three consecutive sessions. He was chairman of the Mecklenburg County Democratic Party from 1986 to 1987. An attorney and president of the law firm of Helms, Henderson & Associates, P.A., he has served as vice president of the North Carolina Bar Association (NCBA), as well as a member of several NCBA committees, including the Judicial Independence Task Force, Legislative and Law Reform Committee, and the Task Force on the Quality and Value of Legal Services.

The Honorable William Osteen has devoted his career to serving his state and country. After graduating from the School of Law, he worked in the private sector for 13 years in North Wilkesboro and Greensboro, N.C. In 1969, he was appointed as the United States Attorney for the Middle District of North Carolina. Upon returning to private practice he focused on criminal defense and became widely regarded as one of the best trial lawyers in North Carolina. In 1991, he was appointed and confirmed as a United States District Judge. Despite assuming senior status in 2006, he maintains a full caseload. Judge Osteen’s record of service and accomplishments extends beyond the courtroom. His many volunteer roles include president of the Greensboro Bar Association, chair of the United States Judicial Conference’s Committee on Codes of Conduct, vice president and member of the Board of Governors of the North Carolina Bar Association, and member of the UNC School of Law Alumni Association Board of Directors.

Ambassador Robert Weisberg, a Foreign Service Officer for 23 years, has served in 11 countries. He was sworn in as Ambassador to the Republic of Congo on March 21, 2008. From 1984 to 1986, Ambassador Weisberg served at the U.S. Embassy in Moscow, where he was an active participant in the Mission’s outreach to Soviet dissidents and Soviet Jews who had been denied exit visas. In 1992, he helped open two embassies in former Soviet Union republics. He has been commended for leading successful efforts to eliminate host country taxation of U.S. Embassies in Norway, Finland, Estonia, Latvia, Venezuela and Indonesia. From 2000 to 2002, while assigned to Indonesia, Ambassador Weisberg oversaw the opening of the American Embassy in Dili, East Timor. Also during his tour in Indonesia, he organized the successful evacuation of more than 200 U.S. government employees and their families in the midst of extreme political unrest and violent demonstrations. Most recently, Ambassador Weisberg served as the Deputy Chief of Mission in Helsinki, Finland. Ambassador Weisberg received the Medal for Outstanding Y2K Service from the President’s Council on Year 2000 Conversion for significantly contributing to the Department of State’s overall preparedness for the millennium.

The Outstanding Recent Graduate Award was presented to Candice S. Wooten ’01. Established by the Law Alumni Association Board of Directors to formally recognize recent graduates for their achievements, the Outstanding Recent Graduate Award is presented to individuals who have brought credit to the legal profession, society or the School of Law.

Candice Wooten is an associate with the law firm of Costco, Brooks & Smith, LLC. She practices in the area of employment litigation, representing employers in state and federal court litigation involving employment discrimination. Candice is also an adjunct professor in the School of Business and Economics at Winston Salem State University, where she teaches courses in Business Law and the Legal Environment of Business. Wooten served three years as chairwoman of the N.C. Bar Association’s Minorities in the Profession Committee. In April 2007 she coordinated the first minority corporate counsel program. She is also on the Board of Directors of the Legal Aid Society of Northwest N.C. and serves as a member of the UNC School of Law Alumni Association Board of Directors. Her community activities extend beyond the legal profession. She is the parish council chair and lector at St. Benedict Moor Roman Catholic Church, has served as a member of the Diocesan Young Adult Council for the Roman Catholic Diocese of Charlotte, and served on the board of Amos Cottage Rehabilitation Hospital.

Henry ‘59 and Shirley Frye to Receive 2006 Justice Award

For the second time in the history of the American Judicature Society (AJS), a husband-and-wife team will receive the Society’s prestigious annual Justice Award. The society selected former North Carolina Chief Justice Henry E. Frye ’59 and Shirley Frye as joint recipients of the 2006 Justice Award, AJS’s highest distinction. The award recognizes people who make outstanding contributions in the administration of justice nationally. Past recipients include the late Chief Justice Warren E. Burger, the late Senator Howell T. Heflin of Alabama, former U.S. Attorney General Benjamin Civiletti, and Fred and Ruth Friendly.

“The Fryes’ efforts to secure a fair system of justice, accessible to all citizens, evidences the capacity each person has to improve our society. The dignity, grace, style and sensitivity they brought to those efforts are unmatched,” said AJS President Allan D. Sobel.

Most recently, Justice and Mrs. Frye played key roles in organizing the National Conference on Preventing the Conviction of Innocent Persons, which led to the creation of the AJS Institute of Forensic Science and Public Policy in Greensboro. The Institute’s mission is to identify steps to prevent miscarriages of justice and to educate and improve the public’s trust and confidence in our justice system.

The Fryes will be honored at the Society’s annual gala on November 30, 2006 in Greensboro, N.C. Both Fryes have made a lifelong commitment to improving the lives of other people and making justice accessible to all.

Justice Frye’s path-breaking career includes more than 30 combined years in the North Carolina General Assembly and on the Supreme Court of North Carolina. He was the first African American to be elected to the North Carolina House of Representatives in the 20th Century. Later, he became the first African American to serve on the Supreme Court of North Carolina. In 1999, Governor James B. Hunt appointed him to serve as Chief Justice of the Supreme Court, marking the first time an African American has held that position.

Shirley T. Frye is a civic activist and community volunteer. As a citizen, advocate and leader, Mrs. Frye has served her community in a host of ways including service to nonprofit, academic, professional, philanthropic and civic entities. She is frequently recognized for her dedication, contributions and humanitarianism.
Faculty Notes

John Marshall Law School, Penn State Dickinson School of Law and Thomas Jefferson School of Law. In addition, he presented “Antitrust in the Age of the Virtualized Computer” at the American Association of Law Schools’ mid-year meeting in Vancouver, Canada, at the Law & Society Association Annual Meeting in Baltimore; and at the Intellectual Property Scholars Conference in Berkeley.

Donald F. Clifford, Jr.


John Martin Conley

Along with Professor of Law Scott Baker, William Rand Kenan, Jr., Professor of Law John Conley served as faculty editor for the North Carolina Law Review Symposium, “Empirical Studies of the Legal Profession: What Do We Know About Lawyers’ Lives?” (84 N.C. L. Rev. 1415, 2006). He gave the concluding address at the University of Illinois’ Conference on Capital Markets and Corporate Governance titled “Short-Term Pressures in a Long-Term World.” Conley also gave two presentations at the annual meeting of the Law and Society Association in Baltimore, one on racial diversity in private law firms and the other on a new interdisciplinary course called “The Corporation as a Legal, Political, and Social Actor” that he will teach this year to UNC law students and anthropology graduate students at Duke. He published several articles, including “Engage, Embed, and Embellish: Theory Versus Practice in the Corporate Social Responsibility Movement” (31 J. of Corporation Law 1, 2005 — with Cynthia Williams); “Is There an Emerging Fiduciary Duty to Consider Human Rights?” (74 U. of Cincinnati L. Rev. 75, 2005 — symposium issue, also with Cynthia Williams); and “Corporate Governance and Social Responsibility: A Comparative Analysis of the United Kingdom and the United States” (14 Corporate Governance International Rev. 147-2006 — published in the U.K., with Cynthia Williams, Ruth Aguilera and Deborah Rupp).

Marion G. Crane


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Adrienne D. Davis  
Reef C. Ovel II Professor of Law Adrienne Davis discussed her work, “But It Feels So Good to Be Bad: Abduction & Consent in Art & Law,” at the Feminist Legal Studies Colloquium Workshop at the University of Toronto Law School. She gave talks entitled “Slavery & Shadow Families: Re-Thinking William Henry Thomas Thompson’s ‘The Lens of Casting’” and “From the faculty workshops at the University of Virginia and Ohio State Law Schools, she participated in the Teaching of Law: An American Historical Distinguished Lectures” at the Southern Illinois University and Portland University History Departments, discussing critical perspectives on teaching first year property law at Emory Law School, and presented papers at the University of Southern California’s “Law School Clinical” during the 2006 Annual Supplement to “Daye and Morris, Notes and Comments” on “Torts of Law” (second edition) for upcoming publication. He was reappointed to serve as a member of the Board of Governors of the North Carolina Academy of Trial Lawyers. Previously, he served three terms as the Academy’s Legal Affairs Vice President.

Adam Feibleman  
Associate Professor of Law Adam Feibleman organized the University of Cincinnati’s annual Corporate Law Symposium, which took place this spring. The title of the symposium was “Debt as a Lever of Credit.” He wrote an article for the symposium, “Commercial Lending and the Separation of Banking and Commerce,” which is forthcoming in the University of Cincinnati Law Review. He gave presentations of another article, “Contract, Priority and Odious Debt,” at Duke’s Law School’s “Finance and Law” series, at a University of Cincinnati faculty workshop, and at the annual conference of the Southeastern Association of Law Schools. He also presented a work-in-progress on “Debt relief and Social Insurance in India” at the annual meeting of the Law and Society Association. Feibleman also helps UNC’s Student module “International Journal of Law and Commercial Regulation organize a symposium on the European debt that will take place in February 2007.

Elizabeth S. Gibson  
Burton Craige Professor of Law Elizabeth Gibson served as a faculty member for the Federal Judicial Conference’s two national workshops for bankruptcy judges. At each event she led discussions among the judges about their experiences in implementing the recent changes in bankruptcy law affecting Chapter 13 cases. One workshop was held in April in New York, and the other was held in August in San Diego.

Thomas Lee Hazen  
Gary C. Bohmker Distinguished Professor of Law Tom Hazen co-chaired and was a faculty member for “Fundamentals of Securities Law,” a continuing legal education program sponsored by ALI-ABA and held in August. It is the second in a series of three workshops on its “Securities Regulation Handbook” and “Nutshell,” both of which will be published this fall. Hazen was recently named Chairman of the North Carolina Children’s Hospital Board of Visitors.

Donald Thomas Horstein  
The Cambridge University Press published a chapter that Professor Horstein co-authored in “The Data Quality Act and Adaptive Governance,” by Audrey Brooks Distinguished Professor of Law Donald Horstein and “Re-Thinking Transportation Politics.” UNC Provost Bernadette Gray-Little appointed Horstein to the University’s Teaching Awards Committee, where he will oversee the evaluation of the University’s 2006-07 Lifetime Mentor Award. In May, Professor Horstein agreed to try and follow in Professor Loewy’s footsteps as Faculty Advisor to the overall Holden Shearer, a new faculty member at the School of Law. Finally, in addition to his full duties at UNC, Horstein is teaching Administrative Law at Duke Law School this fall as a Senior Lecturing Fellow.

Melissa B. Jacoby  
Professor of Law Melissa Jacoby recently published the following: “Beyond ‘Hospice Misbehavior: An Alternative Account of Medical-RelatedFinancial Dangers” (150 Northwestern Law Review 515, 2006); “A Bridge, a Tax Revolt, and the Struggle to Industrialize: A Comment” (94 Geo. L.J. 1537, 2006); “A Professor of Law Tom Kelley’s latest article, “Exploring Western Law to the Developing World: The ‘Troubling Case of Nige,’ will appear this fall in the George Washington Law School’s Journal of International Law.

Joseph E. Kennedy  
Associate Professor of Law Joseph Kennedy concluded his service as Associate Dean for Academic Affairs on July 1 of this year. Last spring he published a forthcoming article analyzing trends in the Rehnquist Court’s criminal justice jurisprudence in the Georgetown Law Journal, “Cautious Liberalism” (94 Geo. L. Rev. 1151, 2006). He is currently working on a book review in the Michigan Law Review’s Annual Survey of Books, “Facing Evil” (104 Mich. L.Rev.1267, 2004). During the last year, he has presented papers in Stanford Law School’s faculty workshop series and in Duke University’s summer workshop series. He also gave a lecture titled “The Cultural Roots of American Over-Incarceration in the 80s and 90s” as part of the Invited Lecture Series of the Department of Criminology at Simon Fraser University, in Vancouver, Canada, and spoke as a panelist on punishment policy at the Federal Judicial Conference for the Eastern District of California. Recently, he has been appointed to the program committee for the 2007 Annual Meeting of the American Society of Criminology. In his former capacity as Associate Dean, Professor Kennedy co-supervised a study of bar passage with the UNC Office of Institutional Research and Assessment, which he recently presented to the Law Alumni Association’s Board of Directors.

Arnold Herbert Loewy  
Professor Emeritus Arnold Loewy delivered a paper called “Systemic Changes for Reducing the Conviction of the Innocent” to the international Society for the Reform of Criminal Law in Brisbane, Australia. He also addressed the SEALS conference on the 2005 term of the Supreme Court. Prior to taking emeritus status at the School of Law, he addressed a criminal justice roundtable at the University of Cincinnati law school on the topic of ‘Are we moving towards requiring National Identity Cards and, if so, would that be a good thing.”

Ruth Ann McKinney  
Clinical Professor Ruth Ann McKinney’s recently published book, “Reading Like a Lawyer,” was featured in the opening issue of the ABA’s Student Lawyer magazine. As interest in reading skills for law students continues to increase, she has also been invited to the October issue of The National Joint focusing on effective reading strategies for law students.

Hiroshi Motomura  
Kamran Distinguished Professor of Law and Associate Dean for Faculty Affairs Hiroshi Motomura’s book, “Americans in Waiting: The Last Story of Immigration and Citizenship in the United States,” was published by Oxford University Press in September 2006. He is involved in the publishing of a new textbook, “The Law of Foreign Nationals,” published by Allyn & Bacon. He is also interested in the field of immigration law. He is currently developing a new course on immigration law that will be offered in the fall of 2007.

William Patrick Murphy  
Professor Emeritus Bill Murphy was presented with an award in March by Labor Arbitration Services in Thornton Beach, Fla., for his outstanding recognition of his 25-year participation in its arbitration advocacy training program. Murphy is a former member of the original panel of arbitrators who began the program in 1980.

John V. Orth  

Deborah M. Weissman  
Professor of Law and Director of Clinical Programs Deborah Weissman published an essay, “Crawford v. Washington: Implications of a Hybrid Health Policy and Practice in a Domestic Violence Context” (121 Public Health Reports 464, 2006). In the past seven months, she has also participated in several lectures and presentations. She was a panelist at the “Language Interpreter as Political Art” presentation hosted by the American Association of Law Schools during its conference on Clinical Legal Education. She was a lecturer for the “Breaking the Cycle of Violence, Poverty, and Impunity: Efforts to Prevent and Punish Murderers in Women in Ciudad Juarez and Guatemala” gathering hosted by the Center for Human Rights in Latin America and the Scholars Association in San Juan, Puerto Rico. In addition, Weissman was invited to attend the House of Representatives’ Subcommittee on the United States Commission on Human Rights in March, 2006, and was reappointed to the Board of Advisors of the UNC Chapel Hill Lawyers Committee on Human Rights in March, 2006. She was also appointed to the Advisory Board of the UNC Student Lawyer, and recently appointed to the Advisory Board for the Center on Poverty, Work, and Opportunity. At the end of the academic year she received the Provost’s Student Faculty of the Year Award.
Walter F. Brinkley was one of four lawyers whose image was inscribed on a glass panel at the North Carolina Bar Association’s Liberty Fund Ball of Honor.

Stephen Perry Million was retained the highest individual honor presented by the North Carolina Bar Association, The Distinguished Service Award.

Charles Edward Melvin, Jr. was named in the 2006 publication of North Carolina Super Lawyers in the division of business litigation.

Robena Ledbetter Hinson was named in the 2006 publication of North Carolina Super Lawyers in the division of business transactional law.

Barbara Ann Moseley retired as the managing partner of the firm Burt, Snow, Plotkin & Burt, P.A., after 30 years of representing counties in North Carolina, having most recently served as Guilford County Attorney since 1999. She has been a member of the North Carolina Association of County Attorneys. Elizabeth Lewis Quick is appointed as the managing attorney of the office. Elizabeth Lewis Quick is named in the 2006 publication of North Carolina Super Lawyers in the division of civil litigation.

The Thompson Alford was presented with the N.C. Hospital Association Trustee Award for his career as a defender of news organizations and the First Amendment.

Governor Jim Hunt was presented with the N.C. Hospital Association Trustee Award for his career as a defender of news organizations and the First Amendment.

Fred Parker Baggett was named in the 2006 publication of North Carolina Super Lawyers in the division of business and corporate law.

The Best Lawyers in America for 2006 honored D. Michael Jones with the Outstanding Trial Judge award in June.

Dwight Hernard Wheless was named in the 2006 publication of North Carolina Super Lawyers in the division of business and corporate law.

The Best Lawyers in America for 2006 named J. William Porter as one of the Triangle’s top 10 lawyers in the division of business litigation.

Kevin Peter Roddy was appointed as the U.S. District Judge for the Eastern District of North Carolina. Roddy argued in the U.S. Supreme Court, a case involving the Fourteenth Amendment.

Thomas Pearson Holderness was named in the 2006 publication of North Carolina Super Lawyers in the division of business litigation.

The Best Lawyers in America for 2006 named Keith Michael Weddington as secretary of the National College of Trial Judges. He is concentrated in corporate law.

Robert Rees Sloan was elected to the Board of Governors of the North Carolina Bar Association.

Ben Fortune Tennille is the director of the Durham-based Center for Death Penalty Litigation.

Kieran Joseph Shanahan was honored at the annual North Carolina Super Lawyers Outstanding Trial Judge award in June. He serves in this capacity.

John Thompson Alford was presented with the N.C. Hospital Association Trustee Award for his career as a defender of news organizations and the First Amendment.
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'93 John Nathan Hunter was named partner at Womble Carlyle Sandridge & Rice. He is the junior partner in the largest law firm in the Carolinas. He joins his father, John G. Hunter, in the firm's Raleigh office. Mr. Hunter earned his J.D. from the University of North Carolina School of Law in 1992 and his B.A. from Wake Forest University in 1989.


'95 Charles David Chimney was elected a member of McGuireWoods & Couric as chairman. Keith Eiken Colman authored the North Carolina chapter of the "Federal Bond Manual" (3rd Edition), published by the American Bar Association's tort trial and insurance practices section.

'96 Eric Hamilton Biesecker was elected partner of Nexsen Pruet Adams Kleemeier PLLC. He is the partner in charge of the firm's real estate practice. He is the founder and managing partner of The Business Group of Nexsen Pruet Adams Kleemeier, a division of Nexsen Pruet Adams Kleemeier PLLC. She will continue her practice in business, commercial and construction litigation. David Popham Broughton [BELOW] was recognized with the North Carolina Banking Institute [BELOW] Estate Planning Council for 2006-2007. Jennifer L. J. Koenig was elected to a three-year term on the Board of Directors of the North Carolina Title Insurance Association's tort trial and insurance practices section.

'97 Alvaro F. Gaitan Jr. was named president of South Carolina Business Law. Joseph Joaquin Santaniello was named senior corporate counsel atkilpatrick stockton llp. Christopher T. Shank was elected president of the N.C. Superior Court in Wake County.

'98 George Thomas Brady III was named partner at Kilpatrick Stockton LLP. He practices in the firm's intellectual property section. Joseph M. Bonner-Partin was named partner at Merchant & Osland, P.A. Edward R. Davis was named director in the law firm of Bell, Davis & Pin, P.A., where his practice concentrates on general civil litigation.

'99 Keith Frederik Atkinson joined the legal department of TIAA-CREF where he serves as senior counsel in the asset management division. Joseph M. Bonner-Partin was named partner at Merchant & Osland, P.A. Edward R. Davis was named director in the law firm of Bell, Davis & Pin, P.A., where his practice concentrates on general civil litigation. Richard Scott Dillingham was named partner at the firm of Lovett, Dresdick, Donet, Keating & Reed, P.A. Scorteline Kate Gardner is now working with the North Carolina Medical Society.

'00 James Nathan Smith II was named partner at the firm of Foster, Spirrell & Epp. He practices in the areas of administrative and health law. Tiffany Wastland Stead was elected to a three-year term (2006-2009) on the Board of Governors of the North Carolina Bar Association.

'01 Keith Frederik Atkinson joined the legal department of TIAA-CREF where he serves as senior counsel in the asset management division. Joseph M. Bonner-Partin was named partner at Merchant & Osland, P.A. Edward R. Davis was named director in the law firm of Bell, Davis & Pin, P.A., where his practice concentrates on general civil litigation. Richard Scott Dillingham was named partner at the firm of Lovett, Dresdick, Donet, Keating & Reed, P.A. Scorteline Kate Gardner is now working with the North Carolina Medical Society.

'02 John Thurston O'Neal opened the O'Neal Law Office in downtown Raleigh. He is also pleased to announce the birth of his third child, Cameron Martin, born July 18, 2005. Mark Andrew White was named partner at Horne & Taylor. He concentrates on individual and business litigation.

'03 Lesser Ortzi Chillders and Jeffrey Chillders '83 were pleased to announce the birth of their children, Miranda Lauren and Jesse William. The twins were born on January 11, 2006. Ryan J. Paisley joined the Talbott Justice Center in northern Virginia as a full-time law associate. Michael Paul Johnson was named partner at the firm of Bond, Ulrick & Jackson, P.A. Steven Vann was named partner at the firm of Lovett, Dresdick, Donet, Keating & Reed, P.A. Kristi Koozer Walters was named to the Professional Development Committee. Torrie Nicole Williams was elected to the UNC Board of Visitors by the UNC-Chapel Hill Board of Trustees. She was also selected as part of the sixth group of William C. Friday Fellows for Human Relations.

'04 Nabora Chatterjee Banerjee joined Charles Rhyne & Associates, P.A. She will practice in consumer bankruptcy. Joe Robert Rhyne [RIGHT] joined the Womble Carlyle Sandridge & Rice law firm as an associate in the intellectual property group. Michael Edward Blyphy joined Foster & Spirrell & Epp as an associate. He focuses his practice in corporate law. Mark David Edmond joined the law firm of Haskell, Bell, Holbrook & McDonough, P.C. as an associate in the litigation department. He will focus his practice in general civil litigation.

'05 Matthew Grady Martin joined Smith, Anderson, Blount, Dorsett, Mitchell & Forrester, LLP as an associate. He will focus on representing mortgage lenders in commercial real estate. Rebecca Ruth Peterson married John Clinton Petersen on April 29, 2006.

'06 Eric Scott Tart was named partner at Narron, O'Hale and Whittington, P.A. He is pleased to announce the formation of Huffman Riley & Tart in Wake Forest. He concentrates in employment law and general commercial litigation.

'07 Tasha Agruso was named partner at Davis Polk & Wardwell in New York, New York. She will focus her practice on corporate law. Elizabeth Broughton joined the law firm of Bass, Berry & Sims PLC. She is pleased to announce the formation of Huffman Riley & Agruso in Raleigh. She concentrates in employment law and general commercial litigation. Deborah Evans Sperati was named partner at the law firm of Davis Polk & Wardwell in New York, New York. She is pleased to announce the formation of Huffman Riley & Sperati in Raleigh. She concentrates in employment law and general commercial litigation. Elizabeth Broughton joined the law firm of Bass, Berry & Sims PLC. She is pleased to announce the formation of Huffman Riley & Agruso in Raleigh. She concentrates in employment law and general commercial litigation. Deborah Evans Sperati was named partner at the law firm of Davis Polk & Wardwell in New York, New York. She is pleased to announce the formation of Huffman Riley & Sperati in Raleigh. She concentrates in employment law and general commercial litigation.
CLE Calendar of Events

Environmental Law Conference
"The Shape of the Coast: Current North Carolina Coastal Development Issues"
October 27, 2006
The Executive Development Center
Wilmington, NC
CLE credit: 4 hours
Fee: $125*
With the continuing, mounting development pressure on the North Carolina coast and attendant shoreline, practice, developers and waterfront property owners need to understand the scope and limits of the common law and statutory rights of coastal and oceanfront waterfront owners, the relationship of these rights to public trust rights, the impact of beach nourishment projects, the Coastal Area Management Act regulations applicable to rebuilding after hurricanes and other coastal storms, the process of petitioning the Coastal Resources Commission and challenging adverse permit decisions, and other current coastal issues. In this four hour program a group of distinguished speakers and panels will explore these issues.

This program is co-sponsored by the North Carolina Coastal Resources Law, Planning and Policy Center and UNC School of Law.
A brochure with the programs agenda will be available in printed form in early September. To receive a copy of this brochure, send your request to jwegner@email.unc.edu.
*$125 is the registration fee for attorneys needing CLE credit; $100 is the fee paid by judges, academics, legal aid and government attorneys.

The 17th Annual Festival of Legal Learning
February 2 & 3, 2007 (Friday-Saturday)
The William & Ida Friday Continuing Education Center
UNC
CLE credit: 12 hours
Fee: $400*
The Festival of Legal Learning is a convenient, affordable and enjoyable way to satisfy your CLE requirements. Offered over 85 courses during an intensive two-day period, the Festival of Legal Learning is designed to build basics, sharpen skills, provide perspectives and highlight new developments in the field of law. The time-intensive format offers you 12 hours of CLE credit, including professionalism and professional responsibility courses, within a concise time frame. This diverse program also lets you customize your learning and choose the courses most beneficial to your needs. The quality of the course you select is assured. Your instructors are recognized experts in their field and will include professors from the UNC School of Law, as well as distinguished guest faculty.
*$400 is the early registration fee for attending programs on Friday and Saturday; $250 is the fee paid by judges, academics, legal aid and government attorneys to attend programs on Friday and Saturday. Lower fees are available to those who wish to attend one day of programs. Please add an additional cost of $15.00 for lunch served at the Friday Center. Add an additional $50 for registrations received after January 19, 2007.
A brochure with the program's agenda will be available in printed form in early January. To receive a copy of this brochure, send your request to jwegner@email.unc.edu.

$2 Million Pledge
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In accordance with the Center's mission of educating the public about issues of the working poor, the Center is using a grant from the Park Foundation to film a short documentary for use in college classrooms, expected to be released in the fall of 2006. This project will explore the lives of the working poor in the hospitality industry, provoking college students and interested community members to engage in further conversations about this issue. Interviews with hotel staff and management, union leaders, and the business community will investigate a variety of perspectives on the matter.
For the fall semester, the Center has already hosted a panel marking the progress being made and the challenges still to be met in the aftermath of Hurricane Katrina on September 8. The Center also co-hosted a conference on high-poverty schooling with the Center for Civil Rights and the North Carolina Law Review on October 13, and will be presenting a mini-conference on education on November 9, 2006.
All of the Center's programs are video- and audio-taped for dissemination through its website, helping the Center to share the valuable discussions and events it hosts to a wider audience. For more information about the Center, or to watch any of the Center’s events, please visit www.law.unc.edu/povertycenter as future events and opportunities are continually being added to the calendar. ❖