Walker Blakey Memorial Service  
UNC School of Law – Thursday, November 10, 2011

Good afternoon and welcome to all of you who’ve gathered this afternoon to commemorate one of our dear colleagues and friends, Emeritus Professor of Law Walker Jameson Blakey, who retired in June of 2010 and who died suddenly, unexpectedly, and far too soon on Saturday, September 24th of this year, during an evening out with his adopted son Michael. A reception was held the following Saturday afternoon, October 1st at Walker’s Funeral Home, with a graveside service following. Yet many here at the School of Law where Walker had taught for nearly 40 years, were unable to attend those remembrances, and calls for some occasion here, in Van Hecke-Wettach Hall, came from many of his friends, former students, and admirers.

And so we gather this afternoon, and we are pleased that all of you have come. I especially want to welcome Walker’s brother Jay Blakey, Jay’s wife Choi Ling, and Walker’s long-time friend and partner Professor Anne Matthysse from the UNC Department of Biology. We are so pleased to have you with us.

No date was ideal for everyone, and we regret keenly that a number of those closest to Walker are unable to join us today. Former deans Kenneth Broun and Judith Wegner are among those unavailable, and a number of faculty members, including Elizabeth Gibson, Bob Mosteller, and Melissa Jacoby, are out of town and sent their regrets. Yet amid the host here are many who remember Walker fondly, and four have been tapped to share their thoughts. I will begin with some reflections on Walker’s background, his life and accomplishments generally. Associate Dean Richard Myers will then read a tribute from Ken Broun, Walker’s long-time collaborator as an evidence and trial advocacy teacher, and eventually his dean. Patricia Bryan will read reflections from Dean Judith Wegner, which Judith prepared before flying off to Los Angeles
earlier today. Then we’ll hear from Taiyyaba Qureshi, one of the thousands of Walker’s
Carolina Law students over these forty years, and one who served as his research assistant.
Finally, we’ll hear from Dr. Elliott Silverstein, the Director of Psychological Services at
Dorothea Dix Hospital in Raleigh and long-time friend, collaborator, and co-teacher with Walker
Blakey of law school courses in interviewing, negotiation, and counseling.

Both Walker and his brother Jay Blakey hail from a small Kentucky town, Beattyville,
whose population soared to 1193 in the 2000 census. It was the county seat of Lee County in the
east central part of the state, 40 miles from Daniel Boone’s original Boonesboro settlement, an
area whose early settlers displayed singular imagination and wit in naming their towns:: within
25 miles of Beattyville, one can find Turkey, Hardshell, Quicksand, Shoulderblade, and Kerby
Knob. Walker Blakey must have been one of the brightest young students ever to emerge from
this rural region. His parents found it hard to find work in this rural part of Kentucky, and so
they would venture to Barberton, Ohio, near Akron to work in the rubber plants and other similar
fields.

His first stop after high school was not Georgetown College or Center College the
University of Kentucky in Lexington, or the University of Cincinnati, but improbably,
Cambridge, Massachusetts. The Harvard National Scholarship had been established in the
1930s, in honor of Harvard’s 300th anniversary, with the goal of encouraging and enabling a
small number of the best students from across the nation to attend Harvard, which at that time
was populated largely by students from the Northeast corridor. Harvard chose Walker Blakey in
1958 as a Harvard National Scholar -- prepared not by Groton or St. Paul’s or Phillips Andover,
but by Lee County, Ky. High School. Yet his talent could not be hidden. There is a charming
short news story located by our Catherine Pierce that appeared in The Harvard Crimson for
November 26, 1958:

_The Freshman Debate Team last night ‘beats Wellesley,’ convincing a Wellesley
audience of 60 girls that ‘women do not prefer death to dishonor.’ Walker J. Blakey and Terry
W. Schwab spoke for the [Harvard] Yardlings. . . . One Wellesly debator, dressed in black,
claimed to be ‘in mourning’ for a close friend who had committed suicide rather than risk
dishonor. Another claimed she had once refused a date with an MIT boy (apparently a
particularly dishonorable choice). But the freshmen, the article continues, though without
specifying the speaker, replied with a quote from Emerson [obviously a particularly powerful
source of authority in Transcendentalist New England]: ‘The louder he talked of his honor, the
faster we counted our spoons.’” Somehow, I hear nascent debater Walker Blakey’s young voice,
triumphant even after the passage of five decades, bestowing his coup de grace on the honor of
Wellesley women everywhere.

Walker was an outstanding debater at Harvard, secretary of the Debate Council, treasurer
of the Debate Union, winning coveted Ballentine Debate Medals his sophomore and junior years,
joining with Laurence Tribe, later Harvard Law School’s great constitutional law scholar, to
form a two-person team that went far. In a history certainly lost to my knowledge, Walker also
branched in other directions, participating in plays and opera groups before graduating in 1963
with an AB from John Harvard’s College.

Finished, for the time, with New England, Walker returned to the Western Reserve, to
Ohio and its great law school in Columbus, Ohio State, where he served as freshman class
president, president and secretary of the Young Democrats during the Great Society era of
President Lyndon Baines Johnson and Robert Kennedy. Retooling his debate skills for use in the
legal setting, Walker became part of the winning team and was the winning oralist in the Regional Moot Court Tournament of 1966. Not one to neglect his studies, he graduated \textit{summa cum laude}, Order of the Coif, a member of the Ohio State Law Journal.

Walker was not apparently the most conventional, or to the minds of many law professors, the most ideal of students. Indeed, a classmate of Walker’s shared a recollection of Walker’s Ohio State days with me at the graveside service on October 1\textsuperscript{st}. “Walker never, ever came to class, except for the final examinations, on which he nearly always had the very highest grade. I recall one day,” Walker’s classmate continued, “in which, to our surprise, he did show up midway through the semester. His presence was not unnoticed by the professor, who called on Walker for seven or eight tough questions in a row. Walker answered every one of them perfectly — fluent, informed, even witty. ‘Ladies and gentleman,’ the professor finally sighed in defeat, all of you have been struggling with the concepts we’ve been discussing today. Mr. Blakey, who rarely darkens the door of my classroom, has arrived and addressed every one of them to my satisfaction. May you eventually do likewise.’”

Then after two years in private practice in Columbus, Walker was called back to New England, back to Harvard Law School, which named him both a Teaching Fellow and the Faculty Assistant in Charge of the Ames Competition – Harvard’s internal moot court that challenges second year students to learn the art of appellate advocacy, and usually ends with a face off between finalists presided over by sitting Justices of the Supreme Court of the United States. Future judges Henry Friendly and Harry Blackman and future scholars Cass Sunstein and Kathleen Sullivan have been Ames winners. For two year, it was Walker Blakey to whom Harvard Law entrusted this venerable institution.
During this fertile period, as Ken Broun’s tribute will suggest, Walker Blakey helped to conceive and develop the entire practice of modern law school trial advocacy, taking over the co-editing of a key early text, *Assignments in Trial Practice*, 3d edition (Little, Brown 1971), which eventually went through five editions.

Yet despite his success, the Ivy League would not become a permanent home for Walker, for in 1971, Dean Dickson Phillips, Jr. lured the promising young law teacher south, to Chapel Hill, where he was to spend the next 40 years of his life. First as assistant professor, then associate professor, then full professor of law, Walker pioneered the teaching of trial advocacy, interviewing, counseling & negotiation skills, as well as continued Chapel Hill’s 70 year eminence in evidence scholarship. Walker was never a prolific writer of law review articles, but his tenure pieces included one in 1974 on ‘the redefinition of hearsay in the proposed federal rules,’ and another on ‘the use of prior inconsistent statements,’ both of them important topics in the law of evidence. Eventually Walker would team with Dean Ken Broun to complete a book, *Evidence*, in *West’s Review*, a West Black Letter outline series on *Evidence*, which saw three editions from 1984 through 2001, and a *North Carolina Evidence Courtroom Manual* with two students that ran through five editions. As part of his life in the field of evidence, Walker served as secretary in 1979 and eventually as chair in 1981 of the Evidence Section of the Association of American Law Schools, the AALS.

In a different though related effort, Walker early became a Reporter for the Committee on Pattern Jury Instructions for the North Carolina Conference of Superior Court Judges, and from 1972-1976 prepared pattern jury instructions for North Carolina judges in contract cases. He also served the American Bar Association on its Client Counseling Competition Committee from 1976-83, helping to popularize that innovative simulation exercise that imaginatively introduces
law students to the complexity of advising real life clients who bring to a lawyer’s office their unrefined mix of legal and personal and psychologically problems, utterly unpredictable and infinitely interesting. It was a world that Walker cared about, and delighted in introducing students to throughout his career. He was

After his stint as Chair of the Evidence Section of the AALS in 1982, Walker began the direction of what eventually became a 20-year-long series of UNC North Carolina Evidence Seminars, running annually from 1982 and continuing through 2003, some 43 in all, held in Chapel Hill or Asheville. And he directed the National Institute for Trial Advocacy’s Southeast Negotiation Program from 1987 through 1995, 9 years of seminars in Chapel Hill. There was other University service: on the UNC Faculty Grievance Committee from 1990-1993, and on the Academic Freedom Committee of the UNC-Chapel Hill chapter of the American Association of University Professors. In sum, Walker was an active faculty citizen of the School of Law, the North Carolina bar, the national AALS, NITA, and other worthy scholarly and applied legal organizations.

Walker did not resist, I’m happy to report, the lure of travel and adventure. Over a series of summers between 1976 and 1997, Walker taught as a visitor at the University of Tulsa, Indiana at Bloomington, the University of Arkansas, the University of Kentucky (multiple summers back in his home state), and then at University Jean Moulin in Lyon, France in 1997, and finally as participant in and director of the UNC Sydney program in Australia until 2009.

You will hear from Ken Broun, Judith Wegner, Elliot Silverstein, and Taiyyaba Qureshi about the human qualities and inimitable personal style Walker brought to all of his activities. I’ve tried to give you a sense of his brilliant beginnings as a young student and law school professor, his profound commitment to a form of applied legal training that was virtually absent
from most law schools when he began his teaching, and that is common everywhere some 40 years later. Like his fellow Kentuckian Sally Sharp, who died a year ago, Walker Blakey gave this University and this great law school a connection to the world of courts and judges and lawyers and clients that many other law professors lack the knowledge to bring to their students.

Though his enthusiasm for written scholarship abated, as he turned increasing attention to the people in his life for whom he cared most, Walker never lost his deep love for students, for learning, for the excitement of the clash of ideas. He brought us a lifetime of earnest devotion to those things that his keen intellect and his passion told him were important. It was a great bounty, for which we are forever grateful.