
America has a moral obligation to eliminate poverty in our country, just as neighbors help each other in times of need, our nation must help the 36 million people who currently live at or below the poverty level. This conviction has motivated former U.S. Sen. John Edwards ’77 to lead the University’s efforts to find innovative ways for addressing the problem.

As head of the new Center on Poverty, Work and Opportunity, which houses at the School of Law, Edwards plans to bring together scholars from various disciplines throughout the University, along with national policy makers, lawyers, community leaders and students to address the needs of people living in poverty and to generate inventive, practical ideas to help them move out of their plight.

“The issue of poverty is very important to me and has been for a long time,” Edwards says. “Before I was involved in politics, I served on the board of Urban Ministries in Raleigh, where we worked on issues of poverty and homelessness. I feel passionately that we should address the problem...”

Gene Nichol

Nichol to Lead William & Mary

Gene R. Nichol, dean and Burton Craig Professor at the School of Law since 1999, has been selected the next president of the College of William and Mary in Williamsburg, Va.

By unanimous vote, the William and Mary Board of Visitors has named Nichol to succeed Timothy J. Sullivan, who has served as president of William and Mary since 1993.

When Nichol takes office on July 1, 2005, it will mark his return to William and Mary. From 1985 to 1988, Nichol served as Cutler Professor of Constitutional Law and director of the Institute of Bill of Rights Law.

“I am delighted to be asked to serve as president of William and Mary, which I consider a national treasure,” Nichol said in a statement released by the William and Mary in Williamsburg, Va.

University of North Carolina at Chapel Hill Chancellor James Moeser said William and Mary made “a very wise and insightful choice for its next president” and described Nichol as “deeply committed to the concept of public higher education.”

“Their gain is clearly our loss, but we celebrate the fact that a Chapel Hill colleague has been chosen for the leadership of one of America’s most venerable and distinguished institutions,” said Moeser.

“The UNC School of Law has benefited greatly from his passion for public service and his visionary leadership.”

The decision to leave Carolina was a difficult one for Nichol, but the opportunity to lead William and Mary presented a challenge he decided he could not pass up.

“I have had powerfully conflicting emotions,” said Nichol. “I have never before made a decision that entailed giving up so many things that I love. I feel, immodestly, like I have given a good deal to the School of Law and its community over the past six years, but I am quite certain that I have received much more than I have given.

In an e-mail to the law community, Nichol focused on the future of the School. “I am confident that Carolina Law is, at present, in one of the most energizing and accomplished stages in its long, storied history. My only regret is that I won’t be here to witness the progress.”

“I have loved this place and its people like nowhere I’ve been before. It is remarkably hard to leave.”

Robert Shelton, provost for the University of North Carolina at Chapel Hill, has named professor of law Gail Agrawal the interim dean for the School of Law as of July 1, 2005. Agrawal, currently senior associate dean at the School, will hold the position until a new dean is selected to replace Gene R. Nichol, who is leaving Carolina Law to assume the presidency at The College of William and Mary.

Interim Dean Agrawal recently announced a restructuring of the dean’s senior staff. Beginning at the end of the summer, Kenan Distinguished Professor of Law Hiroshi Motomura will serve as associate dean for Faculty Affairs and associate professor of law Joseph Kennelly will serve as associate dean for Academic Affairs. Agrawal also announced that Sylvia Novinsky has been promoted to associate dean for Student Affairs and will, as of May 1, oversee all student matters, the registrar’s office and international programs.

New Senior Administrators Announced

Agrawal Named Interim Dean

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C a r o l i n a   L a w

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Inside:

Message From the Dean...................2
Alumni & Development............8-11
Career Services .........................12
Class Notes/In Memoriam .......14-16
John Edwards continued from page 1

because it is a huge moral issue our country faces. A country of our prosperity and wealth shouldn’t have this many people living in poverty every day. It says something about the character of our country how we care about those in need; however, the issue has not received appropriate national attention for a long period of time."

Drawing on Carolina’s vast resources – and bringing in experts to address diverse aspects of the problem – Edwards plans to use the new Center as a springboard to raise awareness of poverty as a national issue.

“We want to engage the University community, and particularly the students, in this cause so that the issue is brought on board, though, Edwards and his colleagues want to understand the issue from the perspective of the people who live it. Edwards has spent the last couple of months traveling around the country to visit centers aimed at fighting poverty and listening to people talk about their struggles and what might be useful to them.

“In these meetings, I have a chance to talk privately with people who live on the margin and to find out what some of their toughest issues are and what’s being done now to help them,” he says.

In conjunction with seeking firsthand accounts of the problem, Edwards hopes to lift in experts on poverty from around the country so that the Center can probe ideas for lifting people out of poverty. "We’ll work with people in the UNC community who have been working on this issue for years," he says. "And we’ll consult with experts around the country to examine creative, innovative ways to combat poverty."

For example, the Center’s first seminar, held on campus last month, focused on asset building among poor families. Panelists included experts in the field from California, the head of Self-Help in Durham, Carolina faculty members from various disciplines, a woman from eastern North Carolina who struggles to rise above poverty and Pulitzer Prize-winning author David Shipler, who wrote “The Working Poor: Invisible in America. Among the issues examined were the impact of raising the minimum wage, using the tax system to expand wage support and creating baby bond accounts for children to launch individual long-term savings programs.

Addressing the issue of poverty from the grassroots level and from many different perspectives is a hallmark of Carolina’s new Center on Poverty, Work and Opportunity.

“One of the largest problems in American life is our willingness to turn our gaze away from those trapped at the bottom of the economic ladder,” says Gene R. Nichol, dean and Burton Craige Professor of Law. “I think we do it in law, in education, in health care and in politics. By taking questions of economic access and economic justice off the table, in my view, we turn our backs on some of this state’s and this nation’s strongest aspirations.

“I am delighted about this Center, first of all as a way of making more visible the questions about poverty in America and in North Carolina and by bringing together experts from around the country as well as ordinary people to try to propose solutions for crushing problems of inequality we face. I am equally delighted that Sen. Edwards has agreed to help lead this effort. I believe this Center is going to have a very long and productive life at the University of North Carolina and it will become a permanent part of our School. Its work is at the very core of the mission of UNC.”

The new Center has four primary goals: to address the pressing needs of people living at or below the poverty level; to provide a non-partisan interdisciplinary forum to examine innovative, practical ideas to move more Americans out of poverty; to raise public awareness of issues related to work and poverty; and to train a new generation to combat the causes and effects of poverty.

At Carolina, Edwards holds a part-time, two-year, fixed-term faculty position. He is designated a University Professor and holds an Alumni Distinguished Professorship, which is funded by private gifts to the University.

-- Patty Courtright
Brad Ives '89 got in on the ground floor of securitization, a field that builds legal firewalls around asset-backed securities to give investors more protection against a corporation going belly-up. As a first-year associate working on deals worth hundreds of millions of dollars, he pulled all-nighters – feeding page after page of documents into the balky fax machines of the time. Even as "a cog in this important machine," as he described it, Ives could see the complexities of cash flow and legal structure in an esoteric construct that ultimately lowered the cost of borrowing for consumers. And nights at the fax machine notwithstanding, working in a field that developed with every deal gave him more responsibility than most young associates have to figure out technologies and solve problems.

"You could be an expert at this at quite a young age," Ives said. "In other types of finance, people have been doing it for 30, 40, 50 years."

The field of securitization originated in the mortgage loan market in the mid-1980s and grew dramatically in the 1990s, fresh on the heels of the savings and loan crisis that arose from the collapse of a number of S&Ls. As a struggling car manufacturer finds few tenants or buyers for the spaces they defaulted on their loans, the government bailed out the S&Ls in part by bundling the good loans with the bad and selling the package as mortgage-backed securities. Just as a struggling car manufacturer found few tenants or buyers for the spaces they defaulted on their loans, the government bailed out the S&Ls in part by bundling the good loans with the bad and selling the package as mortgage-backed securities.

The asset doesn't exist yet," Clarkson said. "I think of it as a "structured finance" problem. The structuring finance and securitization business is a great way to get trained in a transactional practice very quickly."

From the mortgage industry, securitization grew to package credit card cash flows, auto loans, commercial mortgage loans and more. "I rate these deals," Clarkson said. "I rate these deals, this is a very active deal practice."

Making A Difference: the UNC Center for Civil Rights Takes on Voting Rights, Municipal Underbounding and Resegregation

Some people showed up to vote on Election Day only to find out that their polling place had moved and they hadn't been notified of the new location. Other registered voters were turned away from the polls because their name wasn't on the precinct list. Ballots were uncounted. Lines were frustratingly long.

For a country that has been holding elections for more than 200 years, you'd think we'd be better organized. Thanks to the election protection initiative spearheaded by Anita Earls, director of advocacy at the UNC Center for Civil Rights, votes cast in North Carolina in future elections may be accomplished more effectively and smoothly.

"Anita's work puts us on the map with the national voting rights people," said Jack Boger, deputy director of the Center for Civil Rights and Wade Edwards Professor of Law.

Voting rights is one of the three major areas that the Center for Civil Rights, now in its third year, has focused on. The Center's storefront staff also has taken on such weighty issues as the insidious regeregeration of schools and the invisible fences around some traditionally black neighborhoods.

With Julius Chambers as its director, the Center's achievements were accomplished by the work of Boger, Earls, program administrator Catherine Pierce and two young lawyers who each serve two-year fellowships. Success brought the addition of a senior lawyer, Ashley Osmont, in February. Osmont was formerly in practice with her husband, Al McSurely, at McSurely Osmont, the Chapel Hill firm that brought the UNC housekeepers' living-wage lawsuit against the University.

"It's one of those bootstrap things where you have to produce in order to get money to get staff, and and be familiar with the underlying asset being securitized, such as real estate loans or consumer assets. Energy and organizational skills help, too.

"You have to be organized and have a lot of get-up-and-go to get people corralled and meet deadlines to get deals closed when they need to close," he said.

Brian Clarkson '87 began working on securitization transactions at a law firm in New York. His career took a turn when he joined the structured finance group at Moody's Investors Service, one of three credit rating agencies. Fourteen years later, he is co-chief operating officer of the company.

"I rate these deals," Clarkson said. "I have all the structured finance and securitization business under me. When I started doing this stuff in the early '90s, it was 3 percent of our overall business. Now it's 41 percent."

His perch at Moody's enables him to see all of the new structures and types of assets being securitized.

"I see everything that banks are trying to do," Clarkson said, "because in order to sell new things, they need someone to give an independent opinion as to their creditworthiness."

When he joined Moody's in the early 1990s, six types of assets were being securitized: residential mortgages, home equity securities, manufacturered housing securities, credit cards, autos and commercial mortgages. Last year, he counted 125 categories of securitizations that there's an identifiable cash flow, you can attach it and measure the risk, and do a securitization."

continued on page 4

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continued on page 5

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continued on page 5
Crisp Named Senior Associate Dean of Students for UNC-Chapel Hill

Winston Crisp is a man who, in good times and bad, has been the face of the School of Law and has been, some have said, the School’s heart as well.

His soft, approachable manner is apparent even during a simple stroll along Franklin Street, says Esphur Foster, his long-time assistant who retired last year.

“That’s what I really love about him — when we pass people on the street, he makes a point of speaking to everybody,” Foster said. “He is so respectful.”

It is Crisp’s steadying presence that the law school community will miss when Crisp leaves his position as associate dean for student services to become the University’s senior associate dean of students. There, he will manage day-to-day responsibilities related to judicial affairs, crisis management, community relations, Greek Affairs, disability services and the Center for Healthy Student Behavior.

His colleagues are sorry to see him go. But they say Crisp has accomplished a great deal during his 13 years at the School of Law and a promotion is necessary — indeed, long overdue — for his own professional development. They’re just grateful it will take place on the Carolina campus.

“The law school’s loss is definitely the larger University’s gain,” said David Watters ’92, director for Alumni and Development at the John Morley Morehead Foundation. “I have no doubt that Winston will do wonderful things at the University. His work at the law school has prepared him well for his new role there.”

Gene R. Nichol, dean and Burton Craig Professor of Law, agreed.

“It’s hard to think of the law school without Winston Crisp,” Nichol admitted. “But Winston has performed remarkably well, so it is predictable and heartening to know that he will pursue new and greater opportunities.”

Crisp’s tenure with the School actually began when he was still a student. As he considered career options — including the Army’s JAG Corps — Crisp was approached by then-Dean Judith Wegner with a proposition: Come back after graduation to turn the School of Law’s loosely arrayed student services into a well-integrated, student-friendly program.

“Winston, in effect, created the position,” Wegner said. “He was an active and articulate student leader and while we didn’t always agree on everything, I thought he was thoughtful, ethical and adept at working with people from different backgrounds.”

His work was cut out for him.

“There wasn’t much structure — there were lots of departments reporting into the dean without much shared identity, common missions, collaboration and cohesiveness,” Crisp recalled. “I set out to help build a culture among staff, faculty and students that our was a student-oriented, service-oriented place — that Carolina provided more than just excellent academic preparation, we tried to develop students as people, as well.”

“He has made sure the School remained focused on serving our students and giving them the best possible educational experience we could.”

Over the years, Crisp consolidated student-oriented functions into one division that now includes admissions, financial aid and scholarships, student affairs, career services, the registrar’s office and parking — anything affecting student life.

“A lot of people deserve credit for hard work and vision; it wasn’t just me,” Crisp said. “It took work and commitment from staff, faculty and students, but I believe we’ve become the law school with a heart.”

Others say Crisp is too modest.

“Winston is, in many ways, the heart of the administration,” said Richard Rosen, professor of law and former senior associate dean. “He has made sure the School remained focused on serving our students and giving them the best possible educational experience we could.”

Frequently being the heart of the School of Law meant taking a lead during crises.

“Whenever there was a crisis — and we’ve certainly had our share — we all relied on Winston to help us deal with it,” Rosen said. “Whether it was one of our students suffering a family crisis or whether it was power going out in the middle of an exam, Winston remained calm and dedicated to doing whatever needed doing.”

Reggie Shuford, president of the class of 1991 and a senior staff attorney at the American Civil Liberties Union, witnessed Crisp’s capacity for handling a crisis after the 2003 death of his former roommate, Jonathan Luna ’92. Luna, a federal prosecutor in Baltimore, was found stabbed to death along a Pennsylvania roadside. No one has been charged in his death, and the FBI is still investigating the case.

“There was an inordinate amount of media attention, and Winston responded to that pressure very well and very capably, because not every media representative had Jonathan’s or his family’s best interest at heart,” Shuford said. “Winston acted really compassionately, really responsibly and really carefully.”

Crisp even helped organize a memorial service at the School so Luna’s classmates could collectively grieve for their loss.

“Jonathan’s death was painful for a lot of people, including me,” Shuford said. “Winston was a very strong, comforting presence for a lot of us.”

Watters agreed. “Winston just has a great understanding of human nature. Our law school is a richer school for having someone of Winston’s character in his position.”

For Crisp, leaving the School of Law feels like leaving home.

“If you count my years as a student, I’ve been coming here every day since I was 22, so my entire adult life has been spent within this community,” he said. “I really love this place and the people in it, and part of me would be totally content staying here forever. But another part of me has a vision for myself professionally that says it’s time to move on.

‘To everyone I’ve had the pleasure of working professionally that says it’s time to move on. To everyone I’ve had the pleasure of working with, I would say ‘thank you.’ My experience has been tremendous because of those who touched my life.’”

~ Karen Stinneford

Securitization continued from page 3

Securitization has taken a huge slab out of the capital markets pie for the global economy, Brad Ives said; it’s now bigger than the U.S. corporate bond market. Despite describing himself as “a deal junkie,” he has moved from structuring securitizations for Babson Capital in the United States to selling the company’s investment products from their London office.

“The deals are so complicated, you need fairly senior people to explain them to buyers,” he said. Whereas 15 years ago, he stayed up all night finalizing legal opinions to meet the drop-dead closing time required in public securities, now he pulls all-nighters flying from one side of the world to the other to educate potential investors.

“If they understand it better, hopefully, they’ll buy more of it,” he said. “Ultimately, sales are what drive the business. The only reason you get these deals done is because somebody’s buying them.”

As securitization continues to grow, the legal community handling the deals remains tight-knit, perhaps because of surviving the pressure that comes from shaping the field. Asking for credit ratings through documents with newly negotiated provisions handwritten in the margins, moving to a new town to launch a branch office in a field few people know of, and assigning a risk rating to an asset that doesn’t exist, were some of the career risks Ives, Nehdiola and Clarkson took. As the field grows beneath them, they emerge as leaders, taking securitization to its next level.

~ Nancy Oates
Voting Rights continued from page 3

franchisement of black voters in the November 2002 election and the practice of banning ex-felons from voting. In Rhode Island, she challenged the way voting districts operated to the disadvantage of minorities. In that instance, she won a major political victory, as well as obtaining excellent relief. She has filed briefs with the U.S. Supreme Court stating whether cases should or shouldn’t be heard.

“She’s done a lot of work in very sophisticated settings on voting rights,” Boger said. Earls had worked on election protection projects elsewhere in the country during previous elections. When she looked at the data from elections in North Carolina in 1998, 2000 and 2002, she found the rate of uncounted votes to be high. In 2000, the percentage of uncounted votes was higher in North Carolina than it was in Florida. She blames part of that on the confusion over voting a straight-party ticket. In North Carolina, voters have to mark their vote for president separately.

“Voters think if they have voted straight-party ticket, they have voted for president,” Earls said. “We felt it was important for us to educate voters on what they needed to know to effectively count their vote.”

They began the North Carolina Election Protection Project in the summer of 2002, talking with grassroots groups to find out issues from previous elections. The Center for Civil Rights formed partnerships with the Institute for Southern Studies and N.C. Fair Share to contact the 150 boards of elections in North Carolina to find out how each would count provisional ballots and register voters with a prior felony conviction, and other procedural questions. Then she met with the state board of elections to report the results.

“Things weren’t in disarray, but there were counties that gave us information that was different from what the state board issued as its policies,” she said. “We were able to do some trouble-shooting before the election.”

Earls trained a group of volunteers—law students and professors and lay people—who, on Election Day, worked at polling places to give nonpartisan information about the mechanics of voting. Other volunteers staffed a hotline that received more than 800 calls, not including callers who simply wanted to know where they were supposed to vote. The hotline’s biggest contribution, Earls said, was in settling disputes over provisional ballots. Some poll workers refused to give provisional ballots to voters whose names did not appear on the precinct list or who had come to vote at the wrong precinct.

“We were able to get ballots for people who otherwise would have been told to go home without being allowed to vote,” she said.

Earls is working on the assessment phase of the project and will produce a report for the state board of elections, then follow up on her findings. The Center has filed an amicus brief in pending provisional-ballot cases and is examining the implications of a disproportionate number of black voters who voted out of precinct.

“We think there are Voting Rights Act implications,” Earls said. “We may end up in federal court over that.”

As it is, the Center is bringing a lawsuit in Virginia to challenge that state’s practice of excluding ex-felons from voting. The Center has been asked to weigh in on a case in the 2nd Circuit Court in New York. The Center also is addressing provisions of the Voting Rights Act set to expire in 2007.

“The cases we are litigating … have more to do with how elections should be structured and who should have the right to vote,” Earls said. “I think getting information to Congress about the experience in North Carolina under the Voting Rights Act is the major new thing we are working on.”

The Center for Civil Rights has taken on the issue of undercounting—municipalities arbitrarily designating which areas receive water, sewer and other municipal services. For example, a neighborhood in which the majority of the residents are black receives no city water or sewer services, even though a golf course across the road is kept green by a sprinkler system on city water.

“We call it ‘invisible fences,’” Boger said. “You can drive through these areas and not see where boundaries are, but you can look at maps, and it’s shocking.”

The Center has used a GIS mapping system to identify places around the state where traditional black communities have been left out of towns even though they are immediately adjacent to town boundaries. The neighborhoods receive no municipal services but are subject to town zoning authority.

“These folks are inside an area the city can control, but they aren’t city residents and can’t participate politically in decisions about their own future,” Boger said.

The Center organized a conference on under-counting in November and is working in six municipalities in North Carolina to find people from the communities who want to take on the fight. Once indigenous leaders have been identified, the Center will work with them to present to town officials some proposed changes.

The third major initiative the Center has addressed is the trend toward resegregation of public schools. The Center is seeking to join parents who filed a lawsuit in Charlotte claiming that school assignments are unfair to their children and may be out of compliance with regulations that followed the landmark lawsuit. Boger, working with a team of lawyers, has filed a dozen briefs in the Leandro case over the past decade.

In 2002, the Center held a conference on resegregation, bringing together scholars from around the country. Out of that came a book, School Reorganization: Must the South Turn Back?, coedited by Boger, that will be published this summer. The Center is organizing a follow-up conference to be held May 23.

Al McSurely, who was active in the civil rights movement in the 1960s and concentrates his law practice in civil rights cases, said he is pleased to see the institutional backing that the University provides to support the cutting-edge issues of the civil rights movement in 2005.

“This is the first time there’s been a Southern-based civil rights center,” McSurely said. “Now we have a beachhead in the Up South” — North Carolina, as opposed to the Deep South of Alabama, Mississippi, Louisiana and Georgia.

“Historically, we’ve moved from having Northern-based lawyers and organizations helping African Americans in the South, which is mainly where the African-American population lives— and where issues that people face daily are. Now we have a base to begin providing litigation support for the struggles against racism.”

He continued, “I know the main theme is to turn out another generation of strong civil rights lawyers.”

— Nancy Oates
Q&A With Michael States, the New Assistant Dean for Admissions

Last fall, the UNC School of Law welcomed Michael J. States as its new assistant dean for Admissions. Prior to coming to Carolina, States served as assistant dean of Enrollment Management at the Stuart Graduate School of Business at the Illinois Institute of Technology in Chicago; as director of Admissions at the Hamline University School of Law in St. Paul, Minn.; and as associate director of Admissions and Financial Aid at the John Marshall Law School in Chicago. States earned his law degree from Saint Louis University and his bachelor’s degree in political science from the University of Kansas.

When States arrived in September, he immediately hit the road to begin recruiting for the class of 2008. Now that acceptance letters have gone out, we caught up with States and asked him to reflect on topics such as his vision for admissions at the School of Law, student body demographic trends and college basketball.

Q: You’ve been at the UNC School of Law about six months now. What are some of your initial impressions of the school?

A: My initial impression is I love it here. During the interview process, everybody was wonderfully nice and talked about how they felt we had a “family” – but really, you expect that during an interview process. However, on the first day I arrived, students I’d never met before showed up in my office to say, “Welcome to Carolina. If there’s anything I can do to help, let me know.” I asked my colleagues whether they had encouraged the students to do that and they said no – the students just did it on their own. Everyone has been incredibly supportive and very forthcoming whenever I’ve needed help. So my initial impression is that I love it here, and I can understand why alumni love this place, why they come back here and why they care about what happens here.

Q: Any thoughts about strengths or opportunities for the School of Law?

A: One of the great opportunities we have at Carolina is to make a more concerted effort to persuade the best of the students we admit to actually accept our offer and enroll next fall. These are students at the very top of the admitted class who receive substantial scholarship offers from nearly every other school to which they’ve been accepted. Often they’ve received offers of full scholarships from private universities, and admittedly, it’s difficult for us to compete with that. But that being said, we are still – by far – the best bargain out there in terms of the value of the education and the reputation of our law school. If we could extend just one-fourth of the financial aid that private universities are offering the best students, we’d become competitive immediately on a bottom-line level. That’s certainly an opportunity with which our alumni could help support our admissions process.

Another great opportunity for the School, which alumni can support, involves developing relationships with admitted students who haven’t yet accepted our offer letters. Carolina is a special place, and once you experience it, it becomes very difficult to say no and go somewhere else. I’d like to work with alumni organizations in various cities to host receptions for admitted students who cannot travel to Chapel Hill for events. That way, admitted students can learn more about the Carolina experience from our alumni and hopefully, it would persuade more to choose us. Particularly for younger alumni who have other options out there in terms of the value of the education and the reputation of our law school. If we could extend just one-fourth of the financial aid that private universities are offering the best students, we’d become competitive immediately on a bottom-line level. That’s certainly an opportunity with which our alumni could help support our admissions process.

Q: What was it that attracted you to Chapel Hill?

A: Certainly the reputation. And I knew people who worked here who absolutely loved it here. For me, though, coming to Carolina meant more than strong reputation or good work environment. Carolina offers me a platform, I’ve always been interested in working with students who want to attend law school, but don’t necessarily have access to people who have done it before – students who are poor, or are the first in their families to go to college, students of color, etcetera. Previously, when I’ve called schools to schedule recruiting visits and said, “I’m Michael States and I’m calling on behalf of…” people responded with “Who? Where?” Now when I call to say, “I’m dean of admissions at the UNC School of Law,” people listen and want me to come and talk with their students. The name of this place opens doors and allows us to create relationships with other universities and even high schools to encourage students to consider law as a future career. That was a real draw for me.

Q: What type of student are we trying to attract to Chapel Hill? Are we any different from the Dukes or Wake Forests of the world?

A: The reason why, I think, is no one wants to be confined to a particular profile or stereotype. We’re looking for the broadest cross-section of students possible – for example, we want students right out of college and older students coming back after working 20 years in another field so they can pursue a second career.

Q: The Class of 2007 profile certainly reflects the diversity of which you speak. Of the 238 students who enrolled, 74 percent hail from North Carolina, while 26 percent are from out of state. The average age is 25, although ages range from 20 years to 52 years,
In the midst of short film clips about the health impact of smoking, Chip Muller found a pink elephant that he turned into a gold Emmy.

“Golden,” Muller corrected, referring to the statuette he brought home from the awards ceremony in Nashville, Tenn., in January. “It’s definitely not gold.”

As a producer at UNC-TV before he started law school last fall, Muller, 35, created a series of eight- to 12-minute shorts that covered the addictive nature of smoking, how to quit, safer cigarettes, what the state is or is not doing to prevent smoking, and other related issues. By conducting interviews and splicing in fresh footage, Muller created a documentary that earned him an Emmy for Best Documentary – Topical for the mid-South region. The one-hour film, “North Carolina’s Dependence on Tobacco,” tells the story of the state’s reluctance to spend money on anti-smoking programs even though North Carolina spends millions to treat those with smoking-related illnesses. The film aired on UNC-TV in 2004.

“It’s one of those issues so close to you but talked about so rarely,” Muller said. “The high percentage of smokers in North Carolina costs the state dearly in Medicare and Medicaid payments. Yet the state does relatively little to reduce smoking.”

Muller, a first-year law student this year, had logged more than a decade as a journalist before enrolling in the UNC School of Law. In 2002 he used grant money to produce the series on smoking issues and thought he had enough material to put together a documentary.

“I thought I’d see the pieces together,” he said. “It’d be real easy – just add water and get a docu-ment, right?”

But as he sliced and spliced, he saw that the clips didn’t flow together naturally. And he wanted to bring our issues beyond the material he had already collected.

“The right way to do it was to take it all apart and start from scratch,” he said. “It was my first docu-mentary, and I had a lot to learn. And, boy, did I learn it.”

Muller was no film neophyte. At age 15, he got his first job as a studio cameraman for a local news show in Westport, Conn., where he grew up. He started a broadcast journalism degree at Syracuse University, then transferred to Middlebury College in Vermont where he completed a liberal arts de-gree. But a few years later, he was back in television production, this time in Boston. When a position opened at WRAL in Raleigh, he moved south. His first day at UNC-TV was Sept. 11, 2001.

Working on the frontlines of breaking news is good preparation for trial work, Muller said. “Doing live broadcasts forces you to think on your feet. It’s half-true articulate,” he said. “I had to distill information into a short piece that is under-standable and meaningful. That is the same skill that lawyers use in the court room.”

Muller had long been interested in policy and legal issues, especially First Amendment rights of free-dom of speech and the press. Making the documen-tary put him in touch with laws and public policy-issues that sparked his interest in law school. Dean Gene R. Nichol said he was delighted to hear of Muller’s award and recognition.

“There’s nothing we believe in more at Carolin-a than engagement with the problems faced in our broader communities,” Nichol said. “Chip’s work before law school, I hope, will join with the expertise he develops here to constitute a career of real citizen engagement. And I think that serves the University of North Carolina well.”

Sylvia Novinsky, the assistant dean for Student Affairs, concurred, saying that law school gives students the tools to be not only social activists but to argue any point in a legal context.

“We hope that in law school, we are enhancing their ability to be the best advocate they can be,” Novinsky said.

In making the documentary, Muller learned about the tension between the economic and health interests in the state. People assume the state doesn’t do more to encourage people to quit smoking because of its economic interest in the tobacco industry, he said. And in part, that’s true. But not reducing the number of smokers costs the state more in medical expenses than it is saving in preserving jobs in the tobacco industry. The issue goes beyond economics and health arguments.

“The state is reluctant to turn on industries that have been a part of the social fabric of the state,” Muller said.

Muller has no new films in the works – law school and family take up all of his time now – but he’s not ruling it out for the future.

“I never want to close a door,” he said. ~ Nancy Oates
Brian M. Clarkson ’87 Establishes Need-based Scholarship for Law Students with Families

Funding a legal education can be challenging under any circumstance, but when you’re supporting a family, at the same time, the financial burden can be daunting.

That’s why Brian M. Clarkson ’87 recently contributed $100,000 to the UNC School of Law Foundation, Inc. to endow the Clarkson Family Scholarship Fund, a need-based scholarship targeting law students who have children. The fund will also help support other non-traditional law students with demonstrated financial need.

“Brian’s scholarship will make it more feasible for experienced, creative, hard-working and engaged students with families to take full advantage of the opportunity of a legal education at one of the best institutions in the country,” said Gene R. Nichol, dean and Burton Craig Professor of Law. “Carolina has always opened its doors to non-traditional students, but frequently, opening the door is not enough. This kind of financial aid makes that opportunity more meaningful, and the School of Law is very grateful for Brian’s gift.”

For state residents, the cost of tuition, fees, books and living expenses averages about $25,000 annually. For out-of-state residents, it is $37,000. Although the price tag is much less than those at other law schools, professional students are typically restricted to a maximum of $18,500 annually in federally funded educational loans. That leaves state residents $7,500 shy in financing law school; the deficit for out-of-state residents is much higher. These costs do not include the added financial responsibility of supporting children.

“Brian’s scholarship will make it more feasible for experienced, creative, hard-working and engaged students with families to take full advantage of the opportunity of a legal education at one of the best institutions in the country,” said Gene R. Nichol, dean and Burton Craig Professor of Law. “Carolina has always opened its doors to non-traditional students, but frequently, opening the door is not enough. This kind of financial aid makes that opportunity more meaningful, and the School of Law is very grateful for Brian’s gift.”

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Having been a non-traditional student himself, Clarkson understands the issues well. “When I entered law school, I was an older student who had been in the service and I had two young children. But for the benefit of scholarships and student loans, it would have been difficult—if not impossible—for me to get through law school,” he said. “Trying to balance the demands of law school with the demands of being a parent can be very challenging. It certainly was for me. Endowing this scholarship is my way of returning some of my good fortune to others.”

Clarkson named his endowment the Clarkson Family Scholarship Fund in honor of his daughters, Tracy and Jill. “They endured many sacrifices along the way that made it possible for me to finish law school,” he said.

As far as targeting other kinds of non-traditional students, Clarkson said, “the global capital market is very diverse, so having a student body representation with different backgrounds at the law school is not only a good thing to do, but also consistent with the profile of the marketplace.”

Clarkson recently was appointed executive vice president and co-chief operating officer at Moody’s Investors Service, where he is responsible for the organization’s global structured finance and U.S. public finance businesses. He also shares management responsibility for Moody’s Investors Service research business. Clarkson, 48, joined Moody’s in 1991.

Prior to his recent promotion, he served as senior managing director and head of Moody’s Structured Finance Group in the Americas, where he oversaw all structured finance ratings and research activities in the United States, Canada and Latin America. Under Clarkson’s leadership, the structured finance group has been Moody’s fastest-growing business line and now represents the largest business line within the company.

“My legal education and overall experience at Carolina have provided me with professional opportunities I would not have had otherwise. I make sure not to forget that,” Clarkson said. “I think it is very important to keep things in perspective and remember the help you had along the way, and then give back whenever you can.”

Added Mary S. Murray, assistant dean for External Relations, “Brian has always been very upfront in stating that the financial support he received made a big difference to him. And he’s been one of our very best cheerleaders in saying he wouldn’t be where he is today professionally without his law degree. He not only gives back, he gives back enthusiastically. He’s very excited about what this will do for the law school, as are we.”

Created in 1959, the UNC School of Law Foundation manages and administers gifts alumni and friends make to the School of Law. As part of its $30 million Campaign for Carolina Law fundraising effort, the Foundation is working to raise $7 million in scholarships to help meet students’ financial needs, reward academic merit and fund student organizations and activities. The Campaign for Carolina Law began in 1999 and is part of the University’s greater effort to raise $1.8 billion by 2007.

“One of the most heartening experiences I’ve had as a dean, time and again, is when accomplished alumni give back to an institution they feel has had a huge impact on their achievement,” explains Nichol. “Like Brian, they say they want to make possible for students who follow them the same opportunities they had. It’s a marvelous sentiment, and music to a dean’s ear.”

—Karen Stinneford

Spring Alumni Events

D.C. Regional Alumni Event Pre-ACC Tournament Gathering

The Washington, D.C., Regional Alumni Council organized a Pre-ACC Tournament gathering for law alumni in the nation’s capital at the law offices of Wilmer Cutler Pickering Hale and Dorr LLP. The event was a tremendous success and a great way to get local Tar Heels ready for the ACC Tournament, which was held this weekend in Washington, D.C. Guests enjoyed answering ACC Tournament trivia and bidding for ACC Tournament tickets. (Thanks to Reich Lerner ’81 for providing the tickets!)

Triangle Alumni Event

Carolina Law alumni from around the Triangle gathered at the home of Chris ’98 and Mitch Mumma on March 23 for an opportunity to visit with fellow alumni and Carolina Law faculty and staff. The event brought together many Carolina Law graduates from the classes of 1950 to 2005. Dean Gene Nichol visited with area alumni and gave an update on recent developments at the School of Law.

Witt Dinner

Carolina Law alumni and colleagues from the legal profession gathered at the Friday Center on Feb. 8, 2005 for the annual Witt Professionalism Dinner. Florence B. Witt and members of the Witt family attended the event. Witt Dinner, which was started by her late husband, Raymond B. Witt ’39. The Witt Dinner was established to give students the unique opportunity to discuss ethical issues with seasoned attorneys, judges and faculty members. This year’s dinner offered a forthright discussion regarding the ethical issues surrounding the N.C. Rules of Professional Conduct with regards to confidentiality of information, truthfulness in statements to others and organization as client.

New York Regional Alumni Council

Carolina Law is pleased to announce a new regional alumni council. The New York Regional Alumni Council had its first meeting on Monday, April 4, at the law offices of Lowenstein Sandler. Special thanks to Bill Uptegrove ’83 who will be chairing the new alumni council. We would also like to thank the following alumni for their involvement with the Council:

Greg Boyd ’04
Lance Koonce ’96
Denise Dyce ’95
Mark Koontz ’03
Karen Jacobs ’94
Edward Marshall ’02
Jule Johnson ’99
Henry Robbins ’04

If you are interested in being involved with the New York Regional Alumni Council, please contact the Office of Alumni Affairs at (919) 943-3471.

Area alumni should watch their mail for announcements of New York Regional Alumni events coming this summer and fall.

— The University of North Carolina at Chapel Hill
The University of North Carolina School of Law Alumni Information Update Form

The Law Alumni Association needs your help to stay in touch. Please use the form below to note address changes, career information or other news you would like to share through the Alumni News. We look forward to hearing from you.

First Name ___________________________ Middle ___________ Last ___________ Class Year ___________

Employer ___________________________

Business Address ___________________________ City ___________ State ___________ Zip ______

Business Phone (__) ___________________ Business Fax (__) ___________________ E-mail ___________

Home Address ___________________________ City ___________ State ___________ Zip ______

Home Phone (__) ___________________ Do you prefer to receive mail at ○ your home, or ○ your business?

Is there news you’d like to share with your fellow alumni?

Please mail or fax to: Louise Harris, UNC-Chapel Hill School of Law, CB #3380, Chapel Hill, NC 27599-3380 Fax: (919) 843-9917

You may also e-mail your updates to: law_alumni@unc.edu

or submit changes online!

Visit the Carolina Law Online Alumni Directory at www.law.unc.edu/alumni
Alumni & Development News

Attending the Annual Meetings of the NCADA, NCATL or NCBA?
Please join us for a Carolina Law alumni event!

Carolina Law Alumni Luncheon – June 10
N.C. Association of Defense Attorneys Annual Meeting
Hilton Head Oceanfront Resort, Hilton Head Island, S.C.

The Law Alumni Association invites all alumni attending the NCADA annual meeting at the Hilton Head Oceanfront Resort to join friends and colleagues for a Carolina Law Luncheon at 1:00 p.m. on Friday, June 10, 2005. Gaul B. Agrawal, interim dean, will be present to visit with alumni. Reservations are requested by June 4.

Carolina Law Alumni Breakfast – June 22
N.C. Academy of Trial Lawyers
Sea Trail Resort, Sunset Beach, N.C.

Join fellow Law alumni at Sea Trails Resort for the NCATL annual meeting in Sunset Beach, N.C. The Law Alumni Association will host an Alumni Breakfast on Wednesday, June 22 at 8:00 a.m. Dean Gene Nichol will be present to visit with alumni. Reservations are requested by June 9.

Carolina Law Alumni Breakfast – June 25
N.C. Bar Association Annual Meeting
Grove Park Inn, Asheville, N.C.

The Law Alumni Association invites all alumni attending the NCBA annual meeting to enjoy an early breakfast with friends and colleagues at 7:45 a.m. on Saturday, June 25, 2005. Dean Gene Nichol will be present to visit with alumni and give an update on Carolina Law. Reservations are requested by June 9.

To reserve your space at any of these events, please contact Louise Harris, assistant dean for Alumni and Special Programs, at louise@unc.edu or (919) 962-1592.

Call for Nominations!
The Carolina Law Alumni Association is seeking nominations for its Distinguished Alumni Award and its Outstanding Recent Graduate Award. Letters of nomination for the 2005 Distinguished Alumni Award and the 2005 Outstanding Graduate Award will be accepted until July 18 for this year's awards. Both awards will be presented at the annual Law Alumni Gala on Friday, September 30, 2005.

The Distinguished Alumni Award
The Distinguished Alumni Award is an annual award given by the Carolina Law Alumni Association to a graduate whose accomplishments and contributions have enhanced the School of Law and the profession of law at the local, state, national or international level. The recipient must be a graduate of the UNC School of Law and should demonstrate one or more of the following:

• Excellence in the practice of law
• Excellence in public service as members of the judiciary or other elected/appointed office
• Exemplify the high ideals of the legal profession.

The Outstanding Recent Graduate Award
The Carolina Law Alumni Association established the Outstanding Recent Graduate Award in 2002 to formally recognize recent graduates for their achievements. This award is presented to an alumna whose achievements have brought credit to the School of Law, the legal profession, or society. The recipient must be a graduate of the UNC School of Law within the past 10 years, and must demonstrate one of the following:

• Accomplishments within the legal profession
• High level of community involvement

Letters of nomination may be submitted to Louise Harris, assistant dean for Alumni and Special Programs by e-mail at louise@unc.edu or by fax at (919) 843-9917. Nominations may also be mailed to Louise Harris, Assistant Dean for Alumni and Special Programs, UNC School of Law, CB# 3380, Chapel Hill, NC 27599-3380.

Tipping The Scales: Women in the Legal Profession Symposium
3. Carolina Law students, (left to right) Natalia Powell ’05 and Chris Meehan ’05, visit with Beth Finchman ’77, an alumna panelist from the session, “When You Are The Only Woman in the Room.”
4. Tristen A. Fareiner ’03, Marianne Fuierer, Brain Draci ’97, Mimi Van and Maria Mangano ’10.

Summer 2005 Calendar of Events

May
14 Davis Society Inductions
15 Chancellor’s Scholars Reception
Graduation BBQ
UNC School of Law

19 Gene R. Nichol
Commencement
6:30 p.m.
UNC School of Law

June
10 NCADA Carolina Law Alumni Luncheon
14 NCATL Carolina Law Alumni Reception
Arnold Golden Gregory
Atlanta, Ga.

22 NCATL Carolina Law Alumni Breakfast
NCATL Annual Conference
Sunset Beach, N.C.

July
19 Raleigh Summer Associate Reception
UNC School of Law

July
Washington, D.C.
Summer Associate Reception
Location TBD
Washington, D.C.

25 NCAWA Carolina Law Alumni Breakfast
NCWA Annual Conference
Asheville, N.C.

August
25-26 UNC School of Law Orientation
UNC School of Law

September
30 - October 1 Law Alumni Weekend

October
7 NCAWA Carolina Law Alumni Breakfast
NCWA Annual Meeting
Wrightsville Beach, N.C.

November
7-8 U.S. Supreme Court Admission Trip
Washington, D.C.

The University of North Carolina at Chapel Hill
A Message from the President of the Law Alumni Association

Dear Friends:

Our law school will enter a new era with the departure of Dean Gene R. Nichol at the end of June when he leaves to become the president of The College of William and Mary. Dean Nichol awakened a new energy among our alumni that needs to be perpetuated by a new dean. Financial contributions to the School of Law from alumni have increased, and alumni have exhibited heightened interest in its activities during his tenure.

Those who did not get to know Gene Nichol while he has been at Chapel Hill have been deprived of the opportunity to meet and observe an extraordinary person. He is a noted constitutional scholar, a dynamic speaker and leader, and a riveting lecturer. I have personal knowledge of his classroom demeanor and delivery. I attended a wonderful lecture series that he and professor William Leuchtenburg conducted at the William Friday Center on the 1937 constitutional crisis in the U.S. Supreme Court and the events leading up to Franklin D. Roosevelt’s failed attempt to pack the court.

Gene is a person that one just has to notice. Many of the opinion pieces published in The News and Observer have stirred up some people, but Gene has taken care to bring to the School nationally known persons with political and philosophical views diametrically opposed to his own. I believe that is how it should be at a great law school. Law students should be exposed to all sides of controversial concepts, be trained to analyze the facts, determine where the truth lies and make reasoned decisions. Good lawyers do this every day. Gene Nichol has encouraged and fostered this process.

We wish him the best of everything, but we will miss him.

Sincerely yours,

W. Edwin Spanhour ’70

Changes in Firm Campaign to Broaden Appeal to Smaller Firms

Each spring, the School of Law encourages a friendly but competitive campaign among those law firms in the state and nation that employ a number of Carolina Law alumni. With the assistance of alumni volunteers, the School’s development office challenges law alumni employed by the firm to give some amount to the campaign with the goal of reaching 100% participation.

Previously, the Firm Campaign was only open to law firms with nine or more Carolina Law alumni. This year the number of alumni has been lowered to five, opening the campaign to more firms and responding to a request by smaller firms that wanted an opportunity to participate in the campaign.

Each firm achieving 100 percent participation will be featured in the way of bragging rights as well as substantial name visibility to law students interviewing for jobs. Firms achieving 100 percent participation will also be listed in the summer edition of Carolina Law Alumni News.

The majority of gifts received during the Firm Campaign are designated to the Annual Fund, which funds a variety of important initiatives, including scholarship assistance, support for student services and research support to faculty. As such, the Firm Campaign is a vital component of the School of Law’s annual giving program.

If your firm is interested in participating in the Firm Campaign, please contact Brandon Wright at (919) 962-6718 or e-mail at WrightB@email.unc.edu. It also be listed in the summer edition of Carolina Law Alumni News.

MARK YOUR CALENDAR NOW!

for the 2005 Law Alumni Weekend

Sept. 30 - Oct. 1, 2005

Celebrate your reunion at Law Alumni Weekend! We will honor the classes of ’55, ’60, ’65, ’70, ’75, ’80, ’85, ’90, ’95 and ’00.
Fall Recruiting at Carolina Law

On-Campus Interviewing

Dates for on-campus interviewing visits this year are August 18 - Sept. 30, 2005. Interviews will not be held on September 2 and 3 (Labor Day Weekend). Please keep in mind that interview dates are scheduled on a first-come, first-served basis.

Unlike many other law schools, Carolina Law allows employers to prescreen interviewees by reviewing resumes collected at the School of Law in the weeks prior to the on-campus interview date. Employers may choose a 20- or 30-minute interview schedule and may interview second- or third-year students. During the on-campus visit, recruiters are given reserved parking spaces next to the School, greeted by a student who escorts them to the Career Services Office (CSO) and treated to lunch at the Carolina Club.

Other Recruiting Methods: Resume Collections and Direct Contact

Employers do not have to come on-campus in order to recruit Carolina Law students. The CSO offers employers two other methods of recruiting students for summer and permanent positions. The first option is called a "resume collection." Upon request from the employer, CSO will advertise to its students the availability of summer clerkships or permanent positions with an employer. The office will collect resumes over a two-week period and will send the resumes as a group to the employer. The employer may then contact CSO to set up an on-campus interview or the individual student to schedule an interview at a mutually convenient time and location. The second type of off-campus recruiting activity is called "direct contact." At the request of the employer, CSO will advertise the employment opportunity to Carolina students and interested students will contact the employer directly.

To recruit Carolina Law students by any of the methods listed above, please complete the recruiting form found in our "Invitation to Recruit." A copy of the "Invitation to Recruit" can be downloaded online at http://www.law.unc.edu/CareerServices/Documents/InvitationtoRecruit2005.pdf or you may contact Kala Glenn-Pruitt, recruiting administrator, at (919) 962-0280 or kglennp@email.unc.edu.

Career Services is planning the 5th Annual Carolina Law Career Night and Alumni participation is needed!

Many first-year students do not know in which area of law they want to practice. They may not know what it means to be an entertainment lawyer or a lawyer who does labor or securities work. They may not have thought about working for the government or becoming a solo practitioner.

For the fifth year, the Career Services Office (CSO) is organizing a program at the School of Law to help students better understand their career options. Current plans are to hold an evening session in early November to provide students with an opportunity to talk with attorneys working in various areas of specialty. Attorneys will be seated at a table behind a sign with his or her area or type of practice, and the students will circulate from table to table asking questions. Last year, nearly 40 alumni and more than 150 students participated.

In order to provide as large a range of practice areas and types as possible, CSO needs the participation of alumni who are interested in assisting our students. If you are willing to volunteer an evening of your time, please contact Ellen Hill, deputy director of CSO, at (919) 843-9918 or eshill@email.unc.edu.

Fees for Fall Recruiting*

| Law Firm (1-10) | $75 |
| Law Firm (11-50) | $250 |
| Law Firm (51+) | $300 |
| Corporations | $300 |

*Government agencies and public interest organizations are exempt from all fees. For on-site room/schedule - additional interview rooms may be reserved upon request for an additional fee of $100 per room.

The University of North Carolina at Chapel Hill

Faculty Notes

Tamar Birckhead

Clinical assistant professor of law Tamar R. Birckhead has been appointed to the Advisory Board for the North Carolina Juvenile Defender, a newly established position intended to elevate the quality of juvenile defense practice across the state. Birckhead was also appointed to the board for The North Carolina Center on Actual Innocence.

John Boger

Wade Edwards Professor of Law and Deputy Director of the Center for Civil Rights John Boger was a featured presenter this spring at law schools in Ohio, Louisiana and Minnesota. He presented "The Legal Status of Race-Conscious Student Assignment Plans" as part of "Meeting the Challenge of Grueter: Affirmative Action in Twenty-Five Years," at Moritz College of Law, Ohio State University; "Invisible Fences: How Southern Communities Exclude Their Low-Income (and Minority) Neighbors" at Loyola New Orleans School of Law; and "The Achievements of Desegregation in North Carolina" as part of "With All Deliberate Speed: Brown II and Desegregation's Children" at the University of Minnesota School of Law. In addition, he presented at the Mecklenburg Bar Foundation Leadership Institute on "Recent Legal Developments in CMS Public Schools," and he participated in a debate on affirmative action in education, presented by the North Carolina Young Lawyer's Division.

Lissa Broome

Director for the Center of Banking and Finance and Wachovia Term Professor of Banking Law Lissa Broome spoke at the School's 2005 Festival of Legal Learning, where she presented "UCC Article 9 - Priorities."

Patricia Bryan

Professor of law Patricia Bryan was a featured speaker at a program at the Chicago Cultural Center sponsored by several organizations, including the Illinois Chapter of the American Association of University Women, and celebrating the 25th anniversary of the movie "A Jury of Her Peers." In April, she appeared at three local bookstores and eight different venues in Iowa, including the State Historical Society of Iowa, to promote her new book, Midnight Assassin: A Chilling Account of Iowa's Honaker Murder.

John Calmore

Reef C. Ivy II Research Professor of Law John Calmore recently published "Displacing the Common Sense Infringement of Whiteness from Whitehouse and Whithorne: The Chicano Fight for Justice in East L.A.!," in the California Law Review and "Chasing the Wind: Pursuing Social Justice, Overcoming Legal Miseducation, and Engaging in Professional Re-Socialization," in the Loyola Law Review. In January, he was the keynote speaker at Loyola Law School's King Day Celebration in Los Angeles where he spoke of "The Sustaining Power of Hope Against the Odds," a quality that Martin Luther King, Jr. personified. Calmore also served as a panelist in February, discussing the topic of "Meeting the Challenges of Integrating Race into the Law School Curriculum," at a conference sponsored by the Center for the Study of Race & Race Relations, University of Florida Levin College of Law. This spring, Calmore worked with the Orange County Board of Commissioners and staff to develop and implement "social justice goals." Presently, at the county government level, it appears that only Santa Barbara, Santa Cruz and Marin counties in California have adopted social justice goals.

Andrew Chin

Associate professor of law Andrew Chin recently published "Antitrust Analysis in Software Product Markets" in Harvard Journal of Law and Technology Decoding Microsoft" in Wake Forest Law Review. He presented "Decoding Microsoft" at the DePaul Center for Intellectual Property Law and Information Technology in April and "Research in the Shadow of DNA Patents" in May.

continued on page 13
at a Wake Forest Law School faculty workshop in March. Chin was a panelist on “The Future of P2P: Effects on Efficiency and Competition” at a program sponsored by the Federal Trade Commission last December.

John Conley
William Rand Kenan Professor of Law John Conley joined Henry Brands Professor of Law Ken Spencer in presenting “Scientific Evidence in North Carolina after Howerton” at the School of Law’s 2005 Festival of Legal Learning and “Forensic DNA Analysis” at a conference sponsored by the North Carolina Journal of Law and Technology. He recently spoke on software patents at the “Hot Topics in Intellectual Property Law” conference at Duke Law School and is the keynote speaker at the upcoming 50th Anniversary International Linguistic Association conference in New York City. This past December, Conley participated in filing an amicus curiae brief in the U.S. Court of Appeals for the Federal Circuit on the subject of the patentability of gene fragments called expressed sequence tags.

Adrienne Davis
Reef C. Ivey II Professor of Law Adrienne Davis presented “ ‘The Snapshot of Engagement, or, the Scholar Modified’,” at the plenary session of the AALS annual meeting in January. She was recently at the University of Virginia Law School where she presented “Through the Tort Lens Darkly: Slavery, Unjust Enrichment, and Corrective Justice” at a social justice conference and “Miscegenation & Morality: The Contemporary Politics and Racial Meaning of Marriages” to a class on critical legal thought. In March, Davis delivered a distinguished lecture on behalf of the Organization of American Historians at the North Carolina University; presented “Manumission, Miscegenation & Marriage: The Sexual Economy of American Slavery” as a faculty workshop at Duke Law School; and participated in a discussion panel on “Feminist Approaches to Labor History” for the Triangle Working Group in Feminist History.

Charles Daye
Henry Brands Professor of Law Charles Daye’s article “Intersections, Roadblocks, and Dead Ends – Sketching A Housing Social Efficiency Analysis” will soon appear in American Planning Association’s Planning Reform in the New Century. Daye has also written “In Memoriam – Marilyn V. Yarbrough: “She Was a Great Woman,” which was published in the North Carolina Law Review, and “Q & A on the Collateral Source Rule in North Carolina,” which appeared in Trial Briefs, a publication of the North Carolina Academy of Trial Lawyers. His essay, “Promise and Paradox,” will be included in Voices from the Brown Generation, a publication edited by Mildred Robinson and Richard Bonnie.

Adam Feibelman

Elizabeth Gibson
In February, Barton Craig Professor of Law Elizabeth Gibson presented “What Remains of State Sovereign Immunity In Bankruptcy Cases After Hood?” at the School’s 2005 Festival of Legal Learning. She spoke in Atlanta at the 31st Annual Southeastern Bankruptcy Law Institute on “Sovereign Immunity” and “Bankruptcy Court Jurisdiction” and also moderated a panel at the spring meeting of the American Bankruptcy Institute in Washington, D.C., on “Proof of Claim Documentation.”

Turn of the Century Murder the Subject of Law Professor’s New Book
Patricia Bryan publishes Midnight Assassin: A Murder in America’s Heartland

Professor Patricia Bryan’s long awaited book, Midnight Assassin: A Murder in America’s Heartland, has arrived at local bookstores. The book, written by Bryan’s husband Thomas Wolf and published by Algora Press, is a nonfiction acount of the murder that inspired Susan Gaspel to write her classic short story, “A Jury of Her Peers” in 1917. Many of Bryan’s former students will recognize the subject matter, because she has discussed the story in her law and literature seminars for the past 15 years.

Midnight Assassin tells the story of the murder of John Hossack, a prosperous Iowa farmer, in December 1900. He was murdered in his bed – killed by two blows by an ax to his head. Four days later, the victim’s wife of 35 years, Mar-garet Hossack, was arrested at her husband’s funeral and charged with the crime. The accused woman, who was supported by all nine of her children, claimed to be innocent, but she was tried for first-degree murder in one of the most sensational murder trials of the time. The prosecutors relied on testimony that the defendant had been abused and threatened by her husband to save that she had a motive to kill him, and they asked that she be sentenced to death.

The book covers the murder, investigation, the Hossack family, and the lawyers who argued the case in the courtroom. According to a starred review in Publishers Weekly, Bryan and Wolf “vividly portray the era’s attitudes toward women (indicated by a tolerance of domestic abuse) while crafting a tale that reads like a good novel…”

For more information about the book and the Hossack case, including transcriptions of Susan Gaspel’s newspaper articles and pictures of the places and people involved, visit the Web site at www.midnightassas-sin.com.

al Study of New York Law Firms,” with Scott Baker in the University of Illinois Law Review; and “Organizational Misconduct: Beyond the Principal-Agent Model,” in the Florida State Law Review. This spring she presented “The Future of Closely Held Business Entities” at Wake Forest University School of Law and “Default Rules in Public and Private Law” at Florida State University School of Law.

Arnold Loewy


William Marshall

Professor of Law William Marshall recently published “False Campaign Speech and the First Amendment” in the University of Pennsylvania Law Review; “Be Careful What You Wish For: The Problems with Using Empirical Rankings To Select Supreme Court Justices” in the Univer

$sy$ity of Southern California Law Review and “The Limits on Congress’s Power to Investigate the President” in the Illinois Law Review.

Hiroshi Motomura


John Orth


Daniel Pollitt

In January, Kenan Professor of Law Emeritus Dan Pollitt was honored by the University/Community Planning Corporation Board of Directors with the 2005 Martin Luther King Citizenship Award. Pollitt was honored for “a lifetime of strong and determined work against injustice, for an ongoing legacy of standing in behalf of human and civil rights, and for a remarkable history of always choosing to stand on the side of those whose voices others sought to silence.”

Gerald Postema

Cary C. Bishaner Professor of Philosophy Gerald Postema has received a number of honors, includ

in the University of North Carolina at Chapel Hill and three fellowships for 2005-2006 (the John Simon Guggenheim Foundation Fellowship, the National Humanities Center Fellowship and the W.N. Reynolds Fellow

ship). Postema has also been named the Arthur L. Goodhart Distinguished Visiting Professor of Legal Science at Cambridge University for 2007-08 academic year. Postema served as associate editor for Treatise of General Jurisprudence and the Philosophy of Law, the first five (of eleven) volumes of which will be published in May by Springer Verlag. He also served as editor for Philosophy and the Law of Torts and associate editor for the Chinese translation. In April, he attended a conference on the legal philoso

phy of Joel Feinberg at Georgia State University, where he presented “Politics is in the Grievance.” Earlier in the month, he spoke at Wake Forest University during the Hester seminar on Hume’s Naturalism, presenting “Whence Avidity? Hume’s Psychology and the Origins of Justice.”

Law Community Mourns Death of Mary Oliver

Mary Oliver ’51, former law librarian and professor of law, died April 1 at Carol Woods in Chapel Hill. Described as “a great teacher, librarian and colleague,” Oliver joined the UNC School of Law’s Law Library as an assistant law librarian in 1952. In 1955 she was appointed law librarian and assistant professor of law, becoming the first female faculty member at the School. Oliver remained at the School of law until her retirement in 1984.

Donations in memory of Mary Oliver may be made to the Mary Oliver Memorial Book Fund. For more information, please contact Brandon Wright, deputy direc

tor of Development, at (919) 962-6718 or wrigble@email.unc.edu.

Mark Weisburd

Professor of law Mark Weisburd was the “Dis
tinguished Discussant” at the Annual Grotius Lecture on March 19 sponsored by American University and the American Society of Intern

national Law. His role was to comment on the lecture itself, which was given by Justice Mi

chael Kirby of the Supreme Court of Australia. Weisburd provided a short comment on Roper v. Simmons, the recent Supreme Court decision holding the death penalty unconstitutional when applied to a person as punishment for a crime committed before the offender’s eighteenth birth

day to the Virginia Journal of International Law.

Deborah Weissman

Director of Clinical Programs and associate professor of law Deborah Weissman was the keynote speaker for the Conference in Celebrat

on of the International Day for the Elimination of Violence Against Women and Children. She also spoke on “The Political Economy of Violence: Toward an Understanding of the Gen

der Murders in Cd. Juarez” at the North Carolina Journal of International Law and Commercial Regulation symposium on U.S. Mexico Relations and at The Intersection of Domestic Violence and Immigration Law, held this past March at Duke Law School. Weisman participated in the UNC-Chapel Hill Women’s Week panel on Do

mestic Violence and was a panelist for the AALS Annual Conference, Poverty and Democracy. In February she taught “Domestic Violence: State, National and International Developments” at the School of Law’s 2005 Festival of Legal Learning.
continued from page 14

‘72 Michael David Marker [RIGHT] was selected as a member of Business North Carolina’s “Legal Elite” for 2005.

‘73 Samuel Allen Cathay retired after 25 years on the bench in Iredell County. Richard Lynn Gray was promoted to executive vice president and general counsel at AGI United Gunsmiths. Cecil Webster Harrison, Jr., was selected by his peers for inclusion in The Best Lawyers in America 2005–2006. Edward Fitzgerald Pamela II was selected by his peers for inclusion in The Best Lawyers in America 2005–2006.

‘74 Edward Cyrus Window III [RIGHT] was selected as a member of Business North Carolina’s “Legal Elite” for 2005.

‘75 Michael Allen Almond retired as president and CEO of the Charlotte Regional Partnership.

‘76 Barry “Hank” W. Harry III was named to the prestigious Best Lawyers in America 2005–2006 in the area of business litigation. Catherine Canady McLamb formed Wake Family Law Group in Raleigh, N.C.

‘77 Hubert Glenn Tolson Duan was selected by his peers for inclusion in The Best Lawyers in America 2005–2006.

‘77 Lenard Hardy Gibbons III was selected by his peers for inclusion in The Best Lawyers in America 2005–2006. Gary Stephen Parsons was voted the top Business Litigation Attorney in North Carolina in a poll conducted by Business North Carolina for its January 2005 cover story rating the state’s “Legal Elite.”


‘79 Isaac News Northrop, Jr., has become a fellow of the American College of Trial Lawyers. Stanley Leigh Reddenough IV [RIGHT] was selected as a member of Business North Carolina’s “Legal Elite” for 2005.

‘80 Mary Thompson Skinner opened a law office in Oriental, N.C. Peter William Shad was promoted to executive vice president of Morenci, L.L.C.

‘82 Martin Luther Holton III was promoted to senior vice president and deputy general counsel for litigation at R.J. Reynolds Tobacco Company. William Leonard McBlief was named attorney for Halifax County. Michael Fred Stellwag has formed the Wake Family Law Group in Raleigh, N.C.

‘83 Thomas Dolan Emmett, Jr., was selected by his peers for inclusion in The Best Lawyers in America 2005–2006. Lisa Jeffrey Gilliland was named to the new position of vice president and chief operating officer in the international development group at RTI International. Mark Robert Hastings recently joined Prudential as a vice president in Newmarket, N.J. Ruth Robin Speding was selected as a member of Business North Carolina’s “Legal Elite” for 2005.

‘84 Marc David Bishop [RIGHT] was selected as a member of “Flamma North Carolina’s” “Legal Elite” for 2005. Robert Michael Di Giovanni joined IBM as a senior negotiations executive. He will continue to be based in Los Angeles, Calif.

‘85 Ramona Cunningham O’Byrant received the 2004 Women in Business Award at the Business Journal of the Greater Triad Area’s 6th annual lunch on November 2004. Janice Flima Paul opened a law office in Manatee, N.C. She plans to limit her practice to family law matters. Robin Wicks Robinson received the Pro Bono Award from the New Hanover County Bar Association.

‘86 Laura Goldberg Lep was named a Distinguished Teaching Fellow at Syracuse Law.

‘87 Mark Thomas Cain has been named a fellow at Schell Bray Aynsley, Abdul & Livingstom, LLP. Eugene Steven Gugge [RIGHT] joined Fryatt & Sponsull, LLP in their Charlotte, N.C., office.

‘87 Douglas Earl Boger joined The Law Offices of James Scott Farrin as mediator for worker’s compensation cases.

‘89 Barbara Ann Jackson was room in as the newest member of the N.C. Court of Appeals. She becomes the 61st person to serve on the N.C. Court of Appeals. Anne L. Johnson is one of a select group of executives and business leaders statewide who have been chosen to participate in Leadership Maryland. She is special counsel in the business department of the mid-Atlantic regional law firm Said Ewing LLP.

‘90 Michael Elliott O’Neill has been elected as partner at Paul, Hastings, Janofsky & Walker LLP in their Atlanta, Ga., office.

‘91 David Robert Barnard was named member at Luthe & Gray, L.C.

‘91 John Huddleston Byer was named partner at Parker, Poe, Adams and Bernatmen in their Charlotte, N.C., office. Drupi P. Chauhan was selected by the World Affairs Council as a 2005 American Marshall Memorial Fellow from North Carolina. Thomas R. Johnson [RIGHT] was voted partner at Fordham, Cus. He focuses his practice on business and commercial litigation. Alan Kerwin was recently promoted to managing director with West Virginia. Suzanne Richards Laiden formed the Wake Family Law Group in Raleigh, N.C. Scott David Sykes was named member at Moore & Van Allen in their Charlotte, N.C., office.

‘92 Jonathan Michelle Bradley joined the newly formed Wake Family Law Group as a senior associate. Denise Arlene Lockart joined the Bass, Rowland, Rowland & Epp, N.C., Office of Legal Aid as managing attorney. Paul Matthew Sykes [RIGHT] joined the law firm of Bradley Arant Rose & White, LLP in Birmingham, Ala. Mr. Sykes represents businesses and individuals in a wide variety of intellectual property and technology-related legal matters. Andrew Reeves Usher [LEFT] was elected as a member of McAngus Goodeck & Conroe PLLC in Charlotte, N.C.

‘93 Jennifer Michelle Bradley joined the newly formed Wake Family Law Group as a senior associate. Denise Arlene Lockart joined the Bass, Rowland, Rowland & Epp, N.C., Office of Legal Aid as managing attorney. Paul Matthew Sykes [RIGHT] joined the law firm of Bradley Arant Rose & White, LLP in Birmingham, Ala. Mr. Sykes represents businesses and individuals in a wide variety of intellectual property and technology-related legal matters. Andrew Reeves Usher [LEFT] was elected as a member of McAngus Goodeck & Conroe PLLC in Charlotte, N.C.

‘94 James Calvin Cunningham III has been called to active duty in the U.S. Army Reserve in connection with Operation Iraqi Freedom. Doloral Evans Spurrier was selected to serve on the board of directors for the Rocky Mount Chamber of Commerce through 2007. She practices with Fryatt & Sponsull, LLP.

‘95 Debra A. Dunn joined Barclay Global Investors, N.A. as principal counsel in their headquarters in San Francisco, Calif. Patricia Wilson Ferguson opened Ferguson & Hyatt in Fayetteville, N.C. Karen Jacobs joined Hoffmann-La Roche in the patent department and her licensing group. Pamela Nowell Williams [RIGHT] joined the legal team at Brent, Adams and Associates in their Raleigh, N.C., office.

‘01 Matthew A. Fisher joined the law firm of Bone, Call and St ropes, LLP in Raleigh, N.C. Frank Walter Leuk, Jr., joined Young, Morris, Rush & Taylor in Hickory, N.C. He focuses on intellectual property litigation. David Lybrook Naid was elected to the board of trustees of the J. Smith Reynolds Foundation for a three-year term. William Augustus Odem III [RIGHT] joined Ward and Smith in New Bern, N.C.

‘02 Andrea Winter [RIGHT] joined The Comer Law Firm, PLLC in July 2004. She concentrates her practice in family law, real estate, and employment law.

‘03 Ross McCoy Bradford was appointed assistant general counsel at the National Trust for Historic Preservation in Washington, D.C. Richard Alexander Doner opened his own practice in the Groove Country town of Snow Hill, N.C. Rebecca Suits Hartsough has been appointed as mag-istrat court judge in Cotulla, Tex. Gracia Welma Lawrence is the new assistant district attorney in North Carolina’s First Prosecutorial District. She will cover the seven counties in the state’s northeast corner.

‘04 Towards Natasha Foster is a assistant district attorney for Johnston, Harnett and Louis counties. Crishon Danielle Jordan accepted a position with the Chatham Hall Law Firm and will focus on real estate and eminent domain. Moses Kim joined Faison & Gillette. He will focus his practice on plaintiffs’ medical malpractice cases. Laura Rives Smith joined Ulmer & Bhave, LLP in their litigation department.

In Memoriam

‘17 Henry Wilkins Lewis

‘41 William Mchawter Cochrane

‘48 James Rufin Bailey

‘50 Marshall Turner Spears, Jr.

‘62 Alvis Augustus Lee

‘69 Gerald Edwin Shaw

‘93 Gregory John Ramage

‘94 Nancy Williams Warren Gregory

‘95 Daniel Paul Bishop

‘00 Clyde “Trey” Alexander Cheek III
Q&A With Michael States

continued from page 6

and one-fifth of the class is 28 years or older. Women make up 45 percent of the class, while minorities make up 24 percent. Are you pleased with the diversity reflected in the incoming class? And did you notice any interesting trends this year?

A: When I look at a class, I try to put together a group whose backgrounds and experiences are so varied that when they get together in a classroom, they will think differently about the questions their professors ask, and I hope they share those experiences. There is a real commitment here to having diverse people converge on this place to share their life experiences, and I plan to maintain that tradition. Although I haven't noticed anything I would call a "trend," I have seen more active duty military personnel who have served in Afghanistan or Iraq wanting to come to law school. That's obviously some unique life experience I would love to have in our classrooms next fall.

Q: How do you spend your time when you aren't at the School of Law?

A: (Laughing) There is no time when I'm not at the law school. Devora Murchison, who worked here for 14 years and whom I'm sure many of our alumni remember, retired in December, so I am in the process of hiring another person to work in our office. We're a little shorthanded in the meantime, and I don't have a lot of spare time these days. But I'm looking forward to getting out and playing golf. And I haven't seen any basketball games yet. I am a University of Kansas alum, and I am as nutty about basketball as anyone out there.

Q: Any other trends? For example, in students' motivations for attending law school?

A: I don't think there are any new trends in student motivations — students seem interested in law school for the same reasons they've always wanted to go to law school. Many students express interest in helping people who can't help themselves, and Carolina has always attracted that kind of student. We also have students expressing interest in international, intellectual property, banking, civil rights, immigration and public interest law. Being a school of this reputation, we're going to attract students who want to do everything. That's the great thing about Carolina and its curriculum — we can prepare students to do whatever they are interested in doing. Our alumni work throughout the world practicing every specialty of law possible. That's one of the strengths of Carolina Law.

Q: That being the case, our coach must look a little familiar to you.

A: I'm a big fan of Coach Williams. I may be one of the few Kansas fans who wasn't disappointed when he left the school. And now that I am here, I can completely understand why he decided to come home; it was a no-brainer. You only need to spend a week here in Chapel Hill to figure it out.

~ Karen Stinneford

MARK YOUR CALENDAR NOW!

Law Alumni Weekend
Sept. 30 - Oct. 1, 2005

Celebrate your reunion at Law Alumni Weekend! We will honor the classes of: