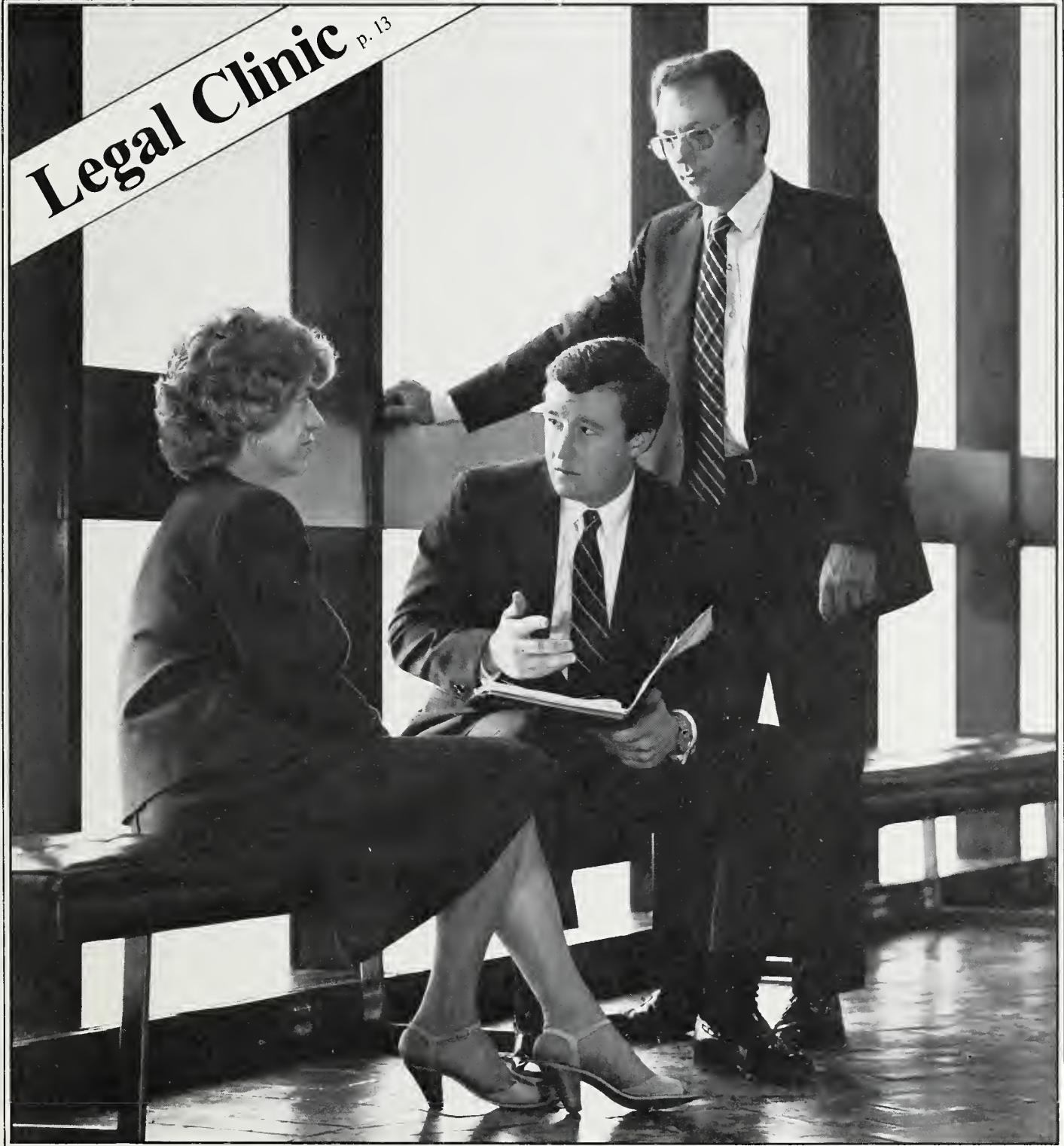


Wake Forest JURIST

SPRING 1983 Vol. 13, No. 2

Legal Clinic p. 13



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Contents

Spring 1983 Volume 13 Number 2

Continuing Legal Education	inside cover
Dean's Letter	2
Editor's Corner	3
Law School News and Features	
SBA Distinguished Alumni Speaker Series	4
Zeliff Trial Competition	8
National Trial Teams	8
Moot Court	9
Joint MBA - JD Degree Offered at Wake Forest	11
Wake Forest Continuing Legal Education	12
National Lawyers' Wives Scholarship Merit Award	12
The Legal Clinic	13
The Fourth Circuit Clinic Experience: The Lions in Winter	17
Law Day 1983	19
Excellence in Teaching Award	20
Outstanding Alumnus Award	20
Legal Article	
The General Assembly Faces the Forced Annexation Issue After a Quarter Century Of Legislative Peace, but Judicial Turmoil	21
Alumni News and Features	
Wake Forest Loses Former Dean Weathers to Heart Attack	24
Carroll Wayland Weathers Scholarship Fund	24
Alumni's Article Cited by U.S. Supreme Court	26
Class Notes	27
1982 Graduates	38



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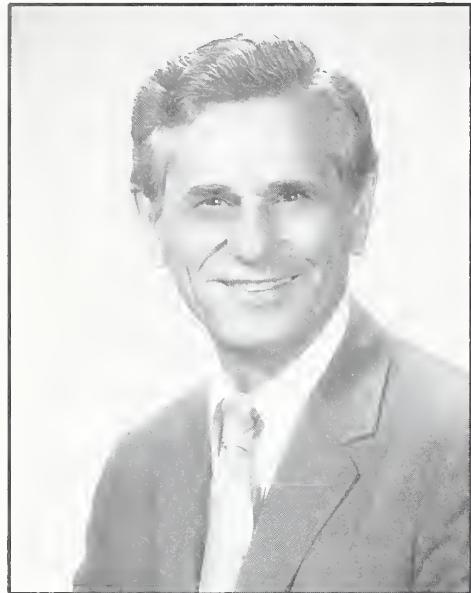
STATEMENT OF PURPOSE AND POLICY

The *Wake Forest Jurist* is published twice yearly by the Wake Forest School of Law of Wake Forest University. Its main purpose is to inform the friends and alumni of the Law School about activities and events of interest at the Law School, of recent important decisions by the courts of North Carolina and other jurisdictions, and news of the achievements and activities of fellow alumni. In this way the *Jurist* seeks to provide a service and a meaningful link between the School of Law and its alumni. Also, the magazine shall provide a forum for the creative talents of students, faculty and its alumni and an opportunity for legal writing by them. Opinions expressed and positions advocated herein are those of the authors and do not represent official policy of the School of Law.

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Another graduating class received Jurist Doctor degrees May 16 in hopes of matching the performances of those classes which preceded them.

Dean's Letter



"Clinical education, in one form or another, has come to be a major factor in the curriculum of almost every law school in the country."

The Law School community has been saddened in recent weeks by the death of Carroll Weathers. Dean Weathers was truly a legend in his own time. To all of us whose lives were touched by him, he was the personification of all the great and good values and principles for which Wake Forest stands. He was our mentor, our colleague, our counselor, and our friend. The strength of his character and his will led this Law School through a crucial period in its development, and it is today in large measure molded in his image. Wake Forest is deeply indebted to Carroll Weathers in the true sense of the word, and so are all of us. We will miss him, and we are grateful that he has been a part of our lives.

This issue of the **Jurist** is focused primarily upon the newly developing clinical education program in the Law School. Clinical instruction has been a part of medical education for many years and was an integral part of "reading the law" before legal education moved out of the law offices and into the law schools. With the development of the law school system, primarily as a part of the university campus, clinical education and skills training fell into disrepute and came to be regarded as "trade school" work rather than as real education. The increasing sophistication and complexity of the demands upon the modern legal profession have led to a reversal of this trend during the last fifteen years. Clinical education, in one form or another, has come to be a major factor in the curriculum of almost every law school in the country. This has not been an easy adjustment, and many problems remain to be worked out. Because it must be provided in small groups rather than in large classes it is

extremely expensive and requires outside funding. It cannot operate successfully without the involvement and close cooperation of the judiciary, the prosecutorial system and the practicing bar, and the development of student practice rules. Clinical teachers are generally cut from a different pattern than the traditional law school professor, but they must operate as a distinct minority within a faculty system designed by and for their more traditional colleagues. All of these, and many other problems which make the task of designing and operating clinical education programs both interesting and challenging, have been recognized and discussed and in many instances solved. Here at Wake Forest Ken Zick, the Acting Director, and Inga Kear, the Administrator, of our new program have done a superb job this year with the invaluable help of a committee of the Forsyth County Bar Association. Perhaps the one major remaining problem facing clinical educators today which has not yet been addressed either here at Wake Forest or elsewhere, is the in-depth integration of clinical education and skills training into the overall law school curriculum. This problem is exacerbated by the fact that existing law school curricula are not exactly noted as prime examples of careful and thorough educational designing, as well as by the fact that many law professors still view clinical education as something which should be tolerated but not encouraged in the hope that it might still go away. It is clear, however, that it is here to stay, and that it is a vital and necessary element in the development of a competent modern profession. It is also reasonably clear that in the best of all possible worlds the ability to make effective use of the knowledge and understanding acquired in any specific legal field can best be developed in close conjunction with the provision of that knowledge and understanding. Whether and how this kind of integration can best be accomplished will be the focus of a great deal of our attention here at Wake Forest in the years ahead.

Editor's Corner

As the members of the class of 1983 contemplate graduation, bar exams, and generally whatever happens beyond that point, changes that have occurred within the walls of Carswell Hall since orientation week way back in August of 1980 are obvious to all. Not only have students come and gone during that three-year period, but so have office personnel, professors, and even entire courses. One relatively new course that has attracted a great deal of attention is the subject of a special feature in this issue of the **Jurist**.

The Legal Clinic program, which allows third-year students to engage in limited practice while under the

"... even the least enthusiastic student must achieve great satisfaction out of making it over each hurdle, surviving each challenge."

supervision of practicing attorneys, has captured the key support of the Forsyth County Bar. That support, coupled with the enthusiasm of the program's director, Ken Zick, and administrator, Inga Kear, has made actual on-the-job training a very viable aspect of the Wake Forest law curriculum. Many thanks go to all who assisted with this story, with a very special note of thanks going to Inga Kear, who was a tremendous help in providing information and in basically assisting with the entire makeup of the article.

Other items of interest in this issue include a feature on Wake's combination Law-MBA program, an alumni feature on Winston-Salem attorney David Shouvlis, continued coverage of the Student Bar Association Distinguished Alumni Speaker Series, and a legal article dealing with the annexation issue, which was written by third-year student John Motsinger. Finally, our school's deep loss of former Dean Carroll W. Weathers is noted by Russell Brantley of the Wake Forest News Bureau.

You may notice that, rather than including much written material about the Law Day festivities held March 26, we've elected to let pictures tell the story. Suffice it to say, however, that the banquet held at Bermuda Run was a great success. Besides former presidential candidate John Anderson's after-dinner speech to the guests in attendance, the evening was highlighted by the presentation of the Outstanding Alumnus Award to Sidney S. Eagles, Jr., recently elected to the North Carolina Court of Appeals, and the **Jurist** Excellence in Teaching Award to Professor Charles Rose.

The tremendous response to our alumni letter has resulted in the noticeable swelling of our Class Notes section. That section was artfully organized by alumni editor Kathy Kelly, a second-year student from Winston-Salem, who will serve as editor-in-chief of the **Jurist** in 1984. Besides Kathy and the members of her staff, there are two others who deserve special mention for their hard work and dedication to this year's magazine. Chief photographer Raymond McAllister has truly been "the indispensable man," and managing editor Sue Williams has seen to it that all the tedious details were tended to with no (or very few) complaints. Their time and effort is very much appreciated, as are the contributions of every member of the 1983 **Jurist** staff, particularly the members of the Board of Editors.

Finally a personal note. Law school is rarely, if ever, accused of being the three most enjoyable years of anyone's life. Certainly, there are fun times. Many new and lasting friendships are made, and even the least enthusiastic student must achieve great satisfaction out of making it over each hurdle, surviving each challenge. But, still, as a member of the graduating class of 1983 I would wager that, especially by the third year, we all share a certain boredom with the day-to-day class routine and that what we really want is a crack at the "real world," so that we can finally put to use what all the cases and recitations have taught us. Hopefully, that time is

not very far away for all of us. And as we prepare for the beginning of our long-awaited careers, we can look back at our three years at Wake Forest School of Law and say the same thing that every lawyer told me back when I was contemplating law school — "It was rough, but it was worth it!"

Drew Williamson
Editor-in-Chief



COVER: Third-year student Ed Gehrke talks to a client under the watchful eye of his supervising attorney, Nick Gordan. Gehrke is one of many students taking advantage of Wake Forest's Legal Clinic program Photo by Bernard J. Carpenter, ©1983

SBA Distinguished Alumni Speaker Series

Atlanta trial attorney Baxter H. Finch and former state senator I. Beverly Lake, Jr. address Wake Forest students and faculty.

Baxter H. Finch

By John Burns

In 30 years of trial practice, Baxter H. Finch has developed a high regard for the importance of the opening statement and the closing argument. They are two of the trial advocate's most powerful weapons, and making the most of them need not add substantial time to trial preparation, Finch told a group of some 70 students at the Wake Forest Law School on January 19.

Finch was the fourth speaker in the Distinguished Alumni Speaker Series sponsored by the Student Bar Association. He received his law degree from Wake in 1950 and practiced in Statesville, NC for about 10 years before moving to Atlanta, where he now practices.

Preparing for trial is inextricably linked to preparing for the opening statement and closing argument, he said.

Finch said his experience as a litigator has taught him that effective use of the opening statement is not additional work for the lawyer who is prepared for trial. Preparation means investigating the case, making full use of discovery, researching the law and writing trial memoranda. "If you've done that, you're ready for the opening statement," Finch said. The opening statement should flow naturally from pre-trial work. If a lawyer must put substantial amounts of extra work into the opening statement, it is only because the case itself required more work, he indicated.

"I can't understand why lawyers waive the opening statement" he said "— except that a lot of lawyers are lazy. They're not ready to go to court."

The closing argument also should be essentially ready before trial begins, Finch said. The outline of the argument is identical to the outline of the case as it is to unfold at trial. The lawyer who is not prepared for his closing argument is not prepared for trial. Finch has found it easy to beat an unprepared lawyer. "Sometimes it's like shooting ducks on a pond," he said of his experience with lawyers who ad lib their cases.

The opening statement often is not accorded its proper status as an important "persuasive tool in the trial lawyer's battery," he said. It is the advocate's chance to introduce himself and his client to the jury. He can strike first to establish rapport with the jury. He can sketch



Baxter Finch

for the jury the picture to be painted in detail with evidence and argument. He gets a foot inside the jury rail.

But once behind the rail, the foot becomes vulnerable. Finch suggested ways to reduce the risk.

The wise advocate spares the verbiage. "Brevity is righteousness," he said. "The time to be eloquent and comprehensive is in the closing argument. The opening statement should be "sincerely and succinctly done." If it is, the opening can become the attorney's chance to argue in addition to the full, formal argument at closing, he said.

The issues of liability and damages should be raised in the opening statement. The sooner jurors start thinking about those issues, the better, he said. But two caveats go with that advice.

First, the attorney should avoid overoptimism. "Don't ever say you are going to prove something you can't prove," Finch warned. Giving one's adversary a chance to point out a failure to prove as promised can be "devastating," he said.

Second, the attorney seeking a big judgment should avoid early mention of those big dollars if the plaintiff's injury is not obvious. A jury can be alienated by the lawyer who says, "We are expecting a quarter of a million dollars" for someone who looks healthy. Large amounts sound unreasonable to jurors who have yet to hear evidence or arguments. Their impression that the plaintiff is unreasonable and greedy can adversely color their reception of what follows. But, Finch said, "with a client who is paraplegic, blind or badly burned, you need to get the jury thinking in large sums to begin with."

While jurors may be influenced subliminally by an effective opening statement, they are consciously appreciative of a clear presentation. Jurors take their seats eager to know what the case is about. The opening statement "gives you a chance early on to tell the jurors what the case involves and what you will be expecting of them," he said. "You can imagine how inquiring their minds are" when the trial begins. "You ought to leap at the chance" to satisfy that curiosity, he said.

The strongest opening statement cannot match the power of a good closing argument. "I don't know of anything more powerful than the closing argument," Finch said.

The content of a closing argument is fixed when the time comes to deliver it. The lawyer who has followed Finch's advice to outline his case before trial begins has the skeleton of his opening argument, with penciled-in additions of any surprises that came up during the trial.

Finch divided his tips on closing argument technique into two categories — Do's and Don'ts.

Do take all the time necessary to argue the case fully, but no more, he said. "It's like a lady's skirt. It should be long enough to cover the subject but short enough to keep it interesting."

Do ease a jury's misgivings about big-figure damages by likening the award to something tangible and familiar, he said. "Say that a yacht or a jet could cost a million dollars, and we are asking a million dollars for a blind man. Ask the jury whether it isn't better to think about using that money to compensate this person rather than to think about spending the money on a yacht or a plane," he said.

Do look jurors in the eye when addressing them.

Do tell the jurors that they are encouraged to take common sense and experience to the jury room and apply them to the case.

Do refer to the principles of law on which the judge will charge the jury that will be favorable. Because the text of the charge is available before closing arguments, the lawyer can quote from it verbatim. Later, the judge will use the same words. The jury will think the lawyer knew what he was talking about.

Do relax. If a lawyer looks nervous, the jury will think he is nervous about the merits of his case. Jurors will ask themselves, "If

you are all that sure of your case, why are you exhibiting signs after signs of nervousness?" Finch said. But he admitted that this piece of advice is more easily given than carried out.

Do appeal to the jury's sense of fair play.

Some of the most common errors in opening argument are relatively easy to correct. Finch suggested some errors of technique that the advocate can avoid simply by altering his style.

Don't mimic other lawyers. A lawyer's best style is one that emerges from his own personality and ability. "You are not Melvin Belli, Clarence Darrow or Percy Foreman," he said.

Don't stand in one place. Motionlessness is monotonous. But constant pacing back and forth can be unsettling. The ideal is between the two. Movement can be artistically purposeful. For instance, when the argument shifts from liability to damages, the speaker should shift his physical position, reinforcing the change in thinking that he is calling for the jury to undergo. He should also take every chance to move pictures and other demonstrative evidence to a better place for jurors to view them.

Don't jangle keys, tap on a table or display other nervous tics. Fidgeting can be contagious.

Don't use long sentences or, in contrast, talk down to a jury. Jurors are normal. They do not like being confused any better than they like being patronized.

Don't dwell on meaningless discrepancies in the evidence. Jurors intuitively sift out the unimportant. "Get right to the meat of the case," Finch said.

Don't call the opposing parties by name. The other side should be referred to by status, as "the plaintiff" or "the defendant." But the advocate's own client's name should frequently be used.

Don't ask for a judgment that is extravagantly higher than is supported by the evidence.

Don't memorize the argument. If opposing counsel interrupts with an objection, a speaker reciting from memory has to deal with the interruption and then try to return to his place in the speech. That is a lot more difficult than glancing down at an outline on a legal pad, Finch suggested.

Don't say that a witness has lied. Even jurors who have already decided that the witness was less than candid will feel sympathy for a witness attacked so directly.

Don't interrupt opposing counsel's argument. Too many objections during arguments can create jury sympathy for the attorney who is being interrupted.

Don't refer to insurance unless the insurance company is a party or unless the policy has been introduced in evidence.

Don't refer to the financial status of a party. "It's improper," Finch said.

Don't appeal directly for jury sympathy. The judge, in charging the jury, will say that sympathy must not figure in the verdict. "If the lawyer has asked for sympathy in his closing argument, he loses credibility" when jurors realize that he has asked them to do something the judge has forbidden, Finch said.

Don't attempt to invoke prejudice by attacking corporations as huge, heartless entities. As with an appeal to sympathy, an appeal to anti-business sentiments will collide with the judge's instructions. "The judge will tell the jury that corporations are to be treated as if they were individuals," he said.

Don't belittle the other side. The tactic inspires jury sympathy for the opposition, more than offsetting the benefits of demonstrating one's superiority.

Finally, don't speak flippantly or casually about the case. Jurors expect lawyers to display sincerity and sobriety. A lawyer disappoints them at his peril.



I. Beverly Lake, Jr.

I. Beverly Lake, Jr.

By John Burns

Former State Sen. I. Beverly Lake Jr. understands why many lawyers believe that they should abstain from politics. He once felt the same way, as did his father before him. Yet the two Lakes have been important figures in North Carolina politics for the last quarter of a century.

The younger Lake told a group of Wake Forest Law students about his changed opinion of the proper role of the lawyer in politics and government when he appeared on February 2 in the Distinguished Alumni Speaker Series sponsored by the Student Bar Association.

As a lawyer who took his degree at Wake Forest in 1960, later served as an assistant and later a deputy state Attorney General, and has run as the Republican candidate for governor, Lake has had ample opportunity to gather evidence in support of his belief that lawyers should seek public office.

Ironically, he acquired an early aversion to politics from I. Beverly Lake Sr., who was professor of law at Wake Forest before twice running for the Democratic nomination for governor and finally receiving appointment to the state Supreme Court.

Once, in 1950, during the virulent Democratic primary in which Willis Smith defeated Frank Porter Graham, Professor Lake and his young son watched from the porch of their house near the old Wake Forest campus as a motorcade of Smith supporters passed by. "My son," Beverly Lake Jr. quoted his father as saying, "There is one

“Lawyers who stay out of politics because they believe there is little demand for honesty and intelligence in elective office are the very people who should run.”

thing I intend never to get involved in and I hope you never do, and that's politics.’”

But within a decade, both men were involved in politics. I. Beverly Lake Jr. barnstormed western North Carolina with busloads of collegiate Lake supporters in 1960. “I learned a lot,” he said. “But I was determined to get no closer to politics than helping in my father’s campaign.”

Like many lawyers and laymen, he felt that politics was “very dirty.” Even his own mother-in-law, he said, once said of entering politics: “Nee people just don’t do that.”

But experience — his own and his father’s — changed Lake’s mind. He learned that politics is a principal route to making a significant and lasting contribution with one’s career. He illustrated his point with I. Beverly Lake Sr.’s career. He asked rhetorically if the students in the law school courtroom fully understood why his father was appointed to the Supreme Court in 1965.

“Was it because Governor Dan Moore was grateful to Wake Forest University? Was it because my father had a law degree from Harvard? Was it because he had an LLM from Columbia University? Was it because he had been an assistant Attorney General of North Carolina? Was it because he had been general counsel to the War Department? Was it because he taught for 18 years on the faculty of Wake Forest Law School? Was it because he was the author of books on the practice of law?” he asked.

“If you think the answer (to any of those questions) is in the affirmative, you are sadly mistaken,” he said.

“He (I. Beverly Lake Sr.) and he alone was the man who made Dan Moore governor of North Carolina,” he said, referring to his father’s endorsement of Moore after finishing third in the 1964 Democratic primary for governor. With I. Beverly Lake Sr.’s support, Moore defeated Richardson Preyer in a runoff. “Granted, he contributed greatly to the quality of the court during his 14 years on the bench. But that’s not why he was appointed,” the younger Lake said.

“To be able to get into position (to contribute to the public good through politics) you need to do the things necessary to put you in the right place at the right time.”

Not every legal career is advanced as dramatically by political involvement as was I. Beverly Lake Sr.’s, but some reward is virtually assured to the lawyer in politics, regardless of whether he wins or loses elections.

The lawyer who runs for office makes his name widely recognized. “There’s no better way to get your name before the public,” Lake said. “Even if you lose two or three times, it’s the best advertising there is.” Campaigning also increases the number of names and faces the lawyer recognizes. “Even in losing, you gain a lot,” Lake said.

Lawyers who win get a chance to learn, from the inside, how government works. They become better able to represent clients in matters involving government.

Election to the General Assembly can lead to financially rewarding work in lobbying, a field dominated by former legislators because success as a lobbyist depends “not so much on what you know but who,” Lake said. “Lobbying pays very good money and takes a relatively small amount of time.”

There are some disadvantages to mixing law and politics, he said, particularly for state legislators. While the General Assembly is in session, a lawyer has only Mondays, Friday afternoons and Saturdays

to practice law. “You’ve got to have an understanding partner,” he said.

Political involvement can take a toll on the quality of family life, not only in time that must be spent away from home but also in privacy that must be surrendered to inquiring and sometimes critical media, he said. “The minute you become a candidate, you become meat on the block.”

Politics often means controversy. When the politician who is also a lawyer must make a decision, he risks alienating the hometown judges and lawyers whose good will or lack of it is an important determiner of whether he can practice law effectively.

Lake believes the advantages outweigh the disadvantages, but even if they did not, there are compelling pro bono reasons for lawyers to enter politics, he said.

Lawyers who stay out of politics because they believe there is little demand for honesty and intelligence in elective office are the very people who should run, Lake said. Politics “is dirty and corrupt only to the extent of non-participation by the better people in our society,” he said.

“I firmly believe that all of our people need to be more actively involved in the political process,” he said. The need for active involvement “is particularly true of lawyers,” he said. “Lawyers are the best qualified (for public office) by their training and experience.”

Lake said he is concerned about the decreasing number of lawyers in the state legislature. He believes that, as that number falls, so does the quality of legislation.

“There has been a decline in the caliber of members of the General Assembly,” he said. In the early 1930s, more than half of the state senators and nearly half of the house members were lawyers. Today, the percentage of lawyers in either house is less than 20 percent, he said.

Consequently, the ability of legislators “to address bills with complex legal questions is being impaired,” he said.

He recalled an occasion in a legislative committee meeting in which a millionaire legislator asked how to spell “utilities.” He said that in debate on a change in evidence law, it required “days and days to explain what we meant by the hypothetical question.” In discussion of a bill on tort claims against the state, a legislator who had trouble understanding the meaning of “tort” lost patience and shouted, “‘Damn it. Why can’t you lawyers just say you’re talking about prostitute claims settlements?’”

North Carolina needs more lawyers in government, and lawyers can gain from their involvement in government, but Lake warned against making professional gain the primary goal.

Mere opportunism is counterproductive, he said. The lawyer, whether he gets involved in politics, charities or other civic affairs, “should get involved because he sincerely wants to make a meaningful contribution.” If enhancing a law practice is the sole motivation, “it won’t work,” Lake said.

“I can’t think of a better way to make a broad and lasting contribution than through government service,” he said. “But don’t do it unless you have a sincere philosophy.”

John Burns is a second-year student from Whiteville, N.C. Before coming to law school, he was editor of the Jacksonville (NC) Daily News.

Zeliff Trial Competition

George E. Kelly, a second-year student from Raleigh, N.C. won the third annual Cynthia J. Zeliff Trial Competition in the finals held March 9. By the narrowest of margins, Kelly defeated David P. Hersh, a second-year student from Independence, Mo.

Superior Court Judge Douglas Albright presided over the final round, which was highlighted by a display of superior trial advocacy skills of both finalists. The difficult task of breaking a numerical tie fell to Judge Albright, who in announcing Kelly as the winner, confessed his extreme discomfort in having to pick a winner between the two. Both Hersh and Kelly impressed the jury of deans and professors with their preparation, research and persuasive closing arguments.

The fictional case concerned Mrs. Sarah Lee Tompkins, an elderly tenant of the Shady Oaks Apartments, who fell over the

laundry room doorsill and fractured her hip. George Kelly represented Mrs. Tompkins in her negligence action against the apartments, which were defended by David Hersh. Each advocate had five minutes for both an opening statement and cross-examination and ten minutes for a direct examination and a closing argument.

Hersh advanced to the finals by defeating David A. Senter "by just a cat's whisker," in the words of presiding District Court Judge Gary B. Tash. Tash also had the task of breaking a numerical tie between Hersh and Senter. In the other semi-final round, Kelly defeated Susan C. Smith.

The Zeliff Competition is dedicated to the memory of Cynthia Jean Zeliff, a 1973 graduate of the Wake Forest University School of Law and an outstanding trial advocate who was killed in an accident several years ago. This intramural

competition is sponsored by the Student Trial Bar to promote the development of trial advocacy skills and to recognize outstanding advocates from the second and third-year classes. Members of the Wake Forest National Trial Teams are selected from among the Zeliff participants.

About 55 second and third-year students participated in this year's competition, organized by the Zeliff Committee Chairman Kim Ledford, a third-year student from Franklin, N.C. The number of participants reflects the growing interest in developing trial advocacy skills during the law school years. With the growth of the Student Trial Bar at Wake Forest, the Zeliff Trial Competition promises to remain an exciting competition for aspiring trial advocates and to become another Wake Forest tradition.

National Trial Teams



Members of the National Trial Competition team are **Locke Bell, Bill Reingold, Laurie Woltz, Blaine Merritt and Clint Corrie**.

By Cindy Sechler

For the third year in a row, Wake Forest University advanced to the championship trials of the National Trial Competition in Houston, Texas. The team of Locke R. Bell, William B. Reingold and alternate Blaine Merritt finished among the top eight teams as a quarter-finalist in the competition held March 24-26. A total of 23 teams, representing eleven regions and one at-large berth, participated in a grueling, intensive test of their trial advocacy skills.

The National Trial Competition, now in its eighth year, is sponsored by the Texas Young Lawyers' Association. Funding and support is also given by the American College of Trial Lawyers and the American Bar Association's Litigation and Young Lawyers Divisions.

Preparation for the competition began last spring when the two coaches, Dean Leon H. Corbett and Professor Rhoda B. Billings, chose the Wake Forest teams: Bell and Reingold and a second team of Clint Corrie and Laurie Woltz. The teams received the Regional Competition problem, a murder case, just before Christmas and started an intensive daily practice schedule that would last until February 16, when the

regional competition began in Chapel Hill, N.C. Over twenty teams from law schools in North Carolina, South Carolina and Tennessee competed in the Southern Regionals. Both Wake Forest teams did well, with Bell and Reingold placing second overall, after facing the University of North Carolina, Campbell University and the University of South Carolina. The top two teams, Campbell and Wake Forest, qualified for the nationals in Houston.

After a ten-day rest, Bell and Reingold had about three weeks to prepare for the Nationals. The problem was another murder case, with only circumstantial evidence to work with. Each team had to prepare both the prosecution and the defense for the competition. The trial was governed by the Federal Rules of Evidence, requiring a thorough and detailed by-the-numbers knowledge of all the rules.

The Wake Forest contingent of Bell, Reingold, Merritt and coaches Billings and Corbett, arrived in Houston March 24 with Wake Forest already matched up for its two preliminary rounds. In the morning, Bell and Reingold prosecuted the case against a team from Stetson University and after lunch Wake Forest switched over to the defense in a round against Golden Gate University.

The third round matches on Friday morning were determined by "power pairing" the strong teams against each other, based on Thursday's results. Wake Forest, again defending the case, was paired with a team from Washington University in St. Louis, Missouri, who ultimately won the competition. The teams were told their opponents and what side they would argue at 8:30 a.m. for a round which began at 9:00 a.m.

"The trial between Wake Forest and Washington University was absolutely superb!" Professor Billings recalls. "Both teams were good." Dean Corbett characterized the match as extra-ordinarily close. "One of the Washington University team members was in the Nationals last year," Corbett noted.

The trial was finally over at 12:30 p.m. and an exhausted Bell and Reingold tried to relax at lunch, while their coaches Billings and Corbett waited anxiously to hear if Wake Forest would make the quarter-final cuts. The results of the three preliminary rounds were not announced, but based on those scores, the top eight teams advanced to the quarter-finals. Wake Forest, Stetson and Washington Universities all made the top eight, indicating the stiff competition Wake Forest faced in the opening rounds. "We found out later that we had beaten Stetson, but we still don't know if we beat

Washington University," said Professor Billings. Campbell University, which had won the Southern Regionals by defeating Wake Forest, did not make the cut.

Wake Forest drew Syracuse University in the quarter-finals and a coin toss only 20 minutes before the trial began determined that Wake Forest would once again defend the case. "We (Billings and Corbett) didn't watch the trial," said Billings. "We were out buying supplies for making new charts in case Bill and Locke advanced to the semi-finals."

Syracuse won the round, but apparently not easily. A three-judge panel composed of attorneys judged each round. "Bill did the closing argument for the defense and the judges were effusive in their praise for him," Billings said proudly. "They were really overwhelmed by it."

Bell and Reingold were effusive in their own praise of Dean Corbett and Professor Billings, emphasizing the tremendous amount of time and effort they put into coaching the teams. Both Corbett and Billings spent at least eight to ten extra hours a week coaching the teams. "They spent two or three times per week helping us," Reingold said. "This has been the most invaluable experience I've had in law school — working with two professors on an individual basis who gave us invaluable insight into trial advocacy."

The grueling intensity of preparing for a trial competition may be comparable to an appellate advocacy competition, but the differences between the two indicate the importance of learning trial advocacy in law school. "In appellate advocacy, you're stuck with the record and you work with it the best you can. In a trial, you shape the facts into law — you actually make the record," said Corbett, contrasting the two. "Law is creative. The task is to create solutions for people's problems. If you focus only on the academic or intellectual aspects in law school, you're missing a vital part of the law. The trial competition is intensive. Not only do the advocates conduct direct and cross-examinations, but they also have to argue points of law on the side, just as in appellate advocacy," Corbett added.

Corbett remarked that the nationwide call to improve trial advocacy seems to be having an effect. "The competition gets harder every year. The quality has improved greatly since the earlier years of this National Competition," he noted. Corbett has also noticed that more second-year students at Wake Forest are getting into the trial advocacy program earlier, through the intraschool competitions sponsored by the Student Trial Bar, and in the trial court class.

Professor Billings had similar comments. "There has been a tremendous upsurge of interest in trial advocacy in the last several years. It's exciting to see the emphasis on trial advocacy in law schools today," she said. After her first trip to the Nationals this year, Billings was impressed with the tremendous quality of advocates there. "And it's interesting to see that the same schools keep appearing in National rounds. Both Syracuse and Baylor have won twice in the last six years," Billings noted.

All five Wake Forest participants are to be congratulated on their outstanding performances in this year's National and Regional Competitions. With coaches as hard-working and enthusiastic as Professor Billings and Dean Corbett, Wake Forest can look forward to similar success with its National Trial Teams in the years to come.

Cindy Sechler is a second-year student from Hockenin, Delaware.

Moot Court

By Elaine Verzi

First Year Competition

This year there were 98 first-year students participating in the Moot Court Competition. Because of the large number of participants, two separate problems were prepared and the competition divided in half. Each student prepared a brief and argued twice, once on-brief and once off-brief. After the first round, 16 quarter-finalists were chosen, and these students will be invited to become members of the Moot Court Board.

The first problem concerned a search and seizure case, raising Fourth Amendment questions. The second problem raised the issue of rights of the pretrial detainee to bail and visitation.

The final arguments, which were judged by faculty members, were heard April 6.

Edwin M. Stanley Competition

Every fall, the Moot Court Board conducts the Edwin M. Stanley Moot Court Competition, a competition in appellate advocacy open to second and third-year students. The competition is named for the late Judge Edwin M. Stanley, distinguished Wake Forest Law School alumnus and

Law School News and Features

United States District Judge.

In this year's competition, which began in mid-September, 59 students participated and 16 were selected for Moot Court Board membership. The final arguments were heard on November 20 before the most distinguished panel in recent memory. Sitting on the bench for this final round were: Sam J. Ervin, III, of the Fourth Circuit Court of Appeals; James C. Hill, of the Eleventh Circuit Court of Appeals; Hiram Ward, Chief Judge of the Middle District Court of North Carolina; and James G. Exum, Jr. and Lewis B. Meyer, both Associate Justices of the North Carolina Supreme Court.

The problem used in the competition was based on the actual D.C. Circuit Court case, *Jones v. United States*, which was scheduled for oral arguments before the United States Supreme Court. The problem, written by Committee Chairman Cheryl Light and Ann Gillooly, concerned the use of the insanity plea in a case which bore striking similarities to the John Hinckley trial.

The finalists in the competition were Nancy Stover and David Senter. After arguing before 200 spectators, Nancy Stover was judged the winner. Following the argument, a reception was held for the participants, the panel and the Board at the Hyatt Regency.

Moot Court Competition Teams



Left: The National Moot Court team of Landis Wade, Linda Appleby and John Schafer won first place and came away with the best brief award at the regional competition in Charlottesville, Va. Right: The National Labor Law Moot Court team consists of members Thomas Soderberg, Hamilton DeSaussure and Brian Gallagher.



During the Spring 1983 semester, the board sponsored teams in five extramural moot court competitions.

The Tax Law team of Christopher Correnti, Nancy Connelly and Eric Sanne competed in the Albert R. Mugel Tax Competition at the State University of New York at Buffalo on March 4-5. Their faculty advisor was Professor David Shores.

The Marshall-Wythe Moot Court Competition was held at William and Mary College in Williamsburg, Virginia, during the week of February 7. The problem concerned a child's right to leave his parents and be declared emancipated. The team of Sherry Shurden, Carrie Carroll and Chris Leon won a Best Brief Award, advanced to the final round and ranked in second place for the competition. Professor David Logan was the advisor for this team.

The Constitutional Law team of Sally Spong, David Hersh and Craig Fidler competed in the J. Braxton Craven Moot Court Competition the week of February 7. The competition was held at Chapel Hill and drew teams from as far away as UCLA and the University of Chicago. The competition involved the right of a religious monastery to erect a satellite structure for religious broadcasts versus the state's right to regulate the use of land, a First Amendment issue. The final round of the competition was judged by United States Supreme Court Justice John Paul Stevens. The faculty advisor for the team was Professor Charles Rose.

The Senator Robert F. Wagner Memorial National Labor Law Moot Court Competition was held March 23 at the New York Law School. The problem concerned the firing of an employee, allegedly for in-house union organizing activity. The team of Hamilton DeSaussure, Thomas Soderberg and Brian Gallagher ranked 17 out of 49 schools competing. Thomas Soderberg was judged fourth best oralist out of 53 participants. Professors Ken Zick and Calvin Sharpe co-sponsored this team.

The International Law Team travelled to Duke University to compete in the Southeast Regional Competition. The team, consisting of Allison Brown, Donald Rumsey, Patricia Carter, Sean Gill and Dave Mathus was ranked fourth out of 24 teams. Dave Mathus was runner-up for Best Oralist. The competition, which took place February 28, dealt with the issue of the blocking of international assets, as occurred in the Iranian hostage crisis. Professor George Walker was the advisor for this team.

The performances of all the Moot Court Competition Teams are considered to have been the best since the Moot Court Board began sponsoring competition teams in the early 1970's.

Elaine Verzi is a second-year student from Bethesda, Md.

Moot Court Problem Book

The Wake Forest Moot Court Board has just released a new publication — **The Moot Court Problem Book**. The function of the book is to supply other law school moot court boards with legal problems to use in their own intramural moot court competitions. The book consists of three problems covering three different and current legal issues, with each problem having its own record on appeal, and two briefs which analyze both sides of the issues raised.

The first edition of the problem book was published in April and was distributed to schools nationwide at a cost of \$12. While the total number of orders was relatively low (20 percent of those contacted actually ordered a book), the board anticipates greater support in upcoming years.

The problems that are published in the book are created by students on the Wake Forest Moot Court Board. In fact, writing a moot court problem is one of the requirements for membership on the board.

A publication committee, again comprised of Moot Court members, reads over all the briefs submitted for publication and selects the three most current and diverse issues. The student whose problem has been selected is then given his work back for a final rewrite. Once that matter is completed, the publication committee edits each of the problems, making sure that the issues raised will not be mooted by a Supreme Court decision before publication or during the book's most useful time period six months after publication.

The issues covered in the first edition of the book are: 1) Right to Counsel in Summary Criminal Contempt Proceedings, 2) Commerce Clause and Equal Protection, and 3) Wrongful Life. The board is still accepting orders for this year's edition. Anyone wishing to order a copy is asked to send \$12 to the Moot Court Board, c/o Allison Brown, P.O. Box 7209, Reynolda Station, Winston-Salem, N.C. 27109.

Joint MBA — JD Degree Offered at Wake Forest

By Sue Williams

What will eight first-year MBA students and one first-year law student have when they graduate that no other students currently enroled in either school will have? A joint MBA-JD degree. These nine students will be the first to receive the joint degree from Wake Forest University because this is the first year of the program. Such a program had been talked about for years but it was not until last year that a committee consisting of Professors Don R. Castleman and I. Boyce Covington from the law school and Professors Jack D. Ferner and J. Timothy Heames from the Babcock School of Business got the ball rolling. They drafted a recommendation resolution concerning the joint program that went before the faculty at both schools. The resolution was almost unanimously passed and, consequently, nine students are involved in the program this year.

The joint program allows students to complete a MBA-JD curriculum in four rather than five years. Both schools compromised by giving up a few required classes, but that does not mean that the Joint Degree students are any less busy than any other student at either school. They are required to take the first year core classes at both schools and then during the next two years their time will be divided between the two schools. The split in the third and fourth years will probably consist of three semesters at law school and one at management school.

This year, second-year law students were allowed to participate in the Joint Degree Program. From now on, however, only first-year enrolled students in the law or business schools will be eligible to apply. Students must be accepted at both schools and then pass a final review and receive a Joint Degree Acceptance Letter. The accepted student must designate a preference of which school he or she would prefer to attend initially. Then every effort will be made to place them in the requested school.

As previously mentioned there are currently nine Joint Degree students but only one of them started out at the MBA school. Bill McLean, a Winston-Salem native, graduated from the University of North Carolina and then entered the Babcock Graduate School of Management. Bill eventually intends to take the bar but wants to work in the area of business management. Finance is one of Bill's main interests. Kim Fadel from Charlotte, NC, is another student in the program who

eventually wants to get out of the practice of law. Kim, who has completed two years of law school, would like to someday own his own business. Only one other student is currently interested in working primarily in the business world. Ed Hartshorn from Lenoir, NC, who had also completed two years of law school does not intend to practice law. Although he, like Kim and Bill, will take the bar he wants to work in some type of managerial position. The other students involved in the Joint Degree Program, however, intend to practice law.

Bill Roberts, who graduated from Vanderbilt University and has also completed two years of law school, is interested in working in the corporate environment. So is David Harrison who interestingly enough was a criminology major at UNC-Charlotte. One of David's reasons for entering the Joint Degree Program was the current job market. David points out that, "The training in the two schools mesh well and the Joint Degree increases your marketability." Another student involved in the program who wanted a more marketable degree is Leslie Miller Neale. Leslie, an English major from Davidson College is also interested in working for a corporation in a legal capacity, and she felt that she needed the MBA program to supplement her legal education. The program is certainly advantageous to those interested in the corporate world but not all the students in the Joint Degree Program are interested in working in that area.

In fact Sharon Lowe, a UNC graduate from Low Gap, NC, intends to use the skills she attains from the Joint Degree Program in a general law practice. Sharon has completed two years of law school already and suggests that perhaps the Joint Degree Program might be more beneficial to those entering a more specialized practice of law. For example, areas where the joint degree will be especially helpful are the fields of international, tax and securities law. Bill Musser, a chemistry and history major at UNC intends to use his education in the area of international law. And Jay Kepley, a graduate of Wake Forest University, intends to practice law in the field of tax and estate planning. Jay would eventually like to create a total financial planning center with the skills he has acquired from the Joint Degree Program.

Some students are more impressed by the Joint Degree Program than others. Yet every single one of them would recommend

the program to other students. "However, I would not give it a blanket recommendation," says Bill Roberts. "It would depend greatly on what someone's future goals were." The program does seem to be most beneficial to those entering the corporate, international, tax or securities worlds.

All of the students feel that the managerial skills at the business school will supplement their legal educations. As Kim Fadel states, "The MBA school gives you a better understanding of the language and tools of the business world." The skills taught at the MBA school are very different from those taught at the law school. "The emphasis seems to be more on people and how to prevent problems in business situations rather than on case recitation and what can be done after a problem occurs," says Leslie Miller Neale. However there is a lot of class discussion at the business school. In fact, fifty percent of a student's grade at the business school depends on class participation. And the atmosphere at the business school is a little more relaxed than the law school. But relaxed does not mean any less work. In fact most students involved in the Joint Degree Program find the workload to be similar at both schools. Still law school plays a vital role in the education of these students. As Bill McLean points out, "The mental discipline of analyzing law and cases taught at the law school is also important and gives those entering the business world a distinct advantage."

But like any new program, the Joint Degree Program has also caused the students involved in it some concern. One of the biggest concerns mentioned by the students is communication between the two schools. The students feel there should be more. They are not ever real sure who (or which school) to turn to when they have a problem. For example, there is a great potential for scheduling conflicts. Most law school classes start on the half hour and run for fifty minutes while MBA classes start on the hour and run for about eighty minutes. Hopefully, these types of problems can be ironed out in these first few formative years of the program. Regardless of these problems, the nine students involved in the program will have acquired skills which will aid them in both the business and legal worlds and will have at least some advantage over others who do not possess a Joint MBA-JD Degree.

Sue Williams is a third-year student from Muskegon, Michigan. She is managing editor of the Jurist.

Wake Forest Continuing Legal Education

Practicing attorneys in every state can attest to the practical impossibility of staying abreast with our dynamic and ever-developing modern law. Courts and legislatures alike strive to shape and apply law that does justice in our rapidly changing society, and nobody feels the pressure inherent in this process more than the lawyer.

In response to cries from the practicing bar for relief from the growing weight of authority, law schools and bar associations across the country have experimented with seminars, institutes, and publications designed to pull together and summarize in a cogent fashion the law as it relates to specific, practical aspects. Some programs have failed; some have enjoyed a degree of success.

One program that is very much alive and well is the Wake Forest Continuing Legal Education Program. Begun in 1980 and currently operated under the careful auspices of Professor Charles H. Taylor, CLE has progressed from nothing more than a good idea to a valuable institution in North Carolina, and promises to even more firmly endear itself to the hearts of North Carolina lawyers as its operations and horizons expand.

The program's first endeavor was a **Product Liability Handbook** and accompanying institute in early 1980. This initial undertaking was a solid success as North Carolina attorneys attending from a wide geographical diversity expressed their appreciation and anticipation of more CLE projects. Professor Taylor has responded to the needs of North Carolina lawyers with a wide array of handbooks, manuals, and treatises covering essential and practice-oriented topics. (See inside cover).

Each publication is accompanied upon its release by a weekend institute, at which prominent attorneys, contributing authors, and law professors expound upon the included sub-topics in a manner designed to help the busy lawyer assimilate the material and apply it to his or her practice.

Perhaps the most important publication and institute WF-CLE offers is the **Annual Review**, at which attorneys are quickly and thoroughly brought up to date on a yearly basis in every major area of North Carolina law. The Annual Review for 1983 is scheduled for the fall, and will be held in Winston-Salem, Raleigh, Asheville, and Charlotte.

National Lawyers' Wives' Scholarship Merit Award

A National Lawyers' Wives' Scholarship Fund was established during the 1981 New Orleans Convention of the American Bar Association. Contributions to this fund in the form of memorials or honorariums enabled the first National Lawyers' Wives' Scholarship to be presented at the 1982 San Francisco meeting. The second annual National Lawyers' Wives' Merit Award will be presented in Atlanta in 1983. The merit award will be made to a child or grandchild of a National Lawyers' Wives' member in good standing who is enrolled in, or accepted for admission to, a law school in the United States.

Applications will be accepted until June 1, 1983, in the form of a letter, which should have attached a copy or photocopy of LSAT

scores and transcripts. Aptitude for study of law or professional promise should be shown in a biographical sketch for resume.

Applications may be mailed to:
MRS. DAVID J. KOLENDY,
SCHOLARSHIP CHAIRMAN
NATIONAL LAWYERS' WIVES
4845 South 92 Avenue
Omaha, Nebraska 68127

Contributions to the scholarship award and merit award are tax deductible and are acknowledged as to the contributor and the family of the person being remembered. They are acceptable by the NLW Treasurer, Mrs. James E. Poe, 5808 E. 63rd St., Tulsa, Ok. 74136.



Administrator **Inga Kear** and Acting Director **Ken Zick** head up the Legal Clinic program.

The Legal Clinic

New program offers on the job experience for third-year students.

By Drew Williamson

Imagine a young doctor preparing to operate on a patient without having had the benefit of the requisite internship period. Or consider a pilot for a leading commercial airline testing his wings on a few hundred unsuspecting passengers. The consequences are obviously unacceptable, yet every year thousands of young lawyers come bouncing out of law school fresh with ideas of justice and equality and, instead, find themselves suddenly thrust into the "real world" of senior partners, cases, and clients.

And though most would sympathize with the unfortunate medical patient and the ill-fated airline passengers, there is little

concern for the welfare of first clients of the inexperienced lawyer. It is simply assumed that the lawyer will gain the necessary experience as time goes by — even if it means at the expense of an unlucky client or two.

The Wake Forest University School of Law is meeting these sorts of problems and others with the advent of the Legal Clinic program. Originally added to the curriculum in 1981, the program provides practical experience for third-year students by allowing them to work on actual cases under the supervision of practicing attorneys. The student work is done within the provisions of the North Carolina Student Practice Rule which permits limited trial practice by

third-year students.

Inga Kear, administrator of the program, says students are benefiting from the opportunity to apply what they've learned in class to an actual courtroom setting. "Wake Forest has become more than a law school," she says. "It has become a lawyer school. It offers a more complete teaching environment in that the student will incorporate learned classroom skills already performed in a controlled setting with practical skills. In addition, the students gain an understanding of the legal profession and what will be expected of them as attorneys."

Kear reports that, as a group, the 13 students who enrolled in the clinic during



Members of the Forsyth County Bar Committee on Clinical Legal Education include (standing) Robert J. Lawing, W. Joseph Burns, Fred G. Crumpler, Jr. (seated), Inga F. Kear, Joslin Davis and Dean John D. Scarlett. Not pictured are Chairman H. Grady Barnhill and Kenneth A. Zick.

the fall semester of this year participated in a total of 424 cases and made 234 court appearances. Each student, then, averaged participating in 33 cases and averaged 18 court appearances.

Kenneth Zick, acting director of the program, says there are some aspects of law that students are simply unable to learn in the classroom. "There is a real need for students to experience case management," he says. "They also need to learn how to draft pleadings, draft interrogatories, as well as manage the entire discovery process. Plus, it's good for them to be exposed to district court." Zick points out that most trial skills courses contemplate a superior court setting.

Dean John D. Scarlett is a vigorous supporter of clinical education, having compiled many years of experience with Title II, which provides federal money for clinical programs. He says Wake Forest is capable of achieving prominence in the field of clinical education. "One of the things that showed up very clearly when I returned to Wake Forest," he says, "is that we needed to address clinical education. Wake Forest has always been known for turning out lawyers that were prepared. I was very much interested in starting something."

Scarlett says, however, that a good clinical program doesn't come easy. "The major problem with clinical education is that it costs so much," he says. "You need people

"Wake Forest has become more than a law school, it has become a lawyer school."

with good practice experience to teach it. When you do a good clinical program it means you may have to do without other things."

And while satisfied with the current state of the program, Scarlett says that, in time, it can become even more successful. "Ken Zick and Inga Kear have done an excellent job in putting it together," he says. "Now we just need to take it from here."

The clinical program is basically made up of two components — civil practice and criminal practice. The civil practice portion is further divided into four sub-groups — general practice, commercial practice, legal aid, and federal practice, with the general practice element utilizing the most supervising attorneys.

The list of those attorneys involved with the general practice segment of the clinical program is composed of the following: H. Grady Barnhill of Womble, Carlyle, Sandridge & Rice; Jim D. Cooley of Pfefferkorn & Cooley; Joslin Davis of Davis, Davis & Harwell; William K. Davis of Bell,

Davis & Pitt; T. Paul Hendrick of Horton, Hendrick & Kummer; David Hough, who is engaged in solo practice; Robert J. Lawing of Petree, Stockton, Robinson, Vaughn & Glaze & Maready; Michael J. Lewis of Lewis & Bowden; Leonard G. Logan, a solo practitioner in Manteo, N.C.; Paul A. Sinal, also a solo practitioner; Richard Tyndall of Hutchins, Tyndall, Doughton & Moore; and Melvin F. Wright, Jr. of Wright & Parrish. Without exception, they give the program the proverbial stamp of approval.

"Due to the fine work of Professor Zick, the enthusiastic effort of the students and the cooperation of the Forsyth County Bar, the program has been, at least in my view, a real success," says Grady Barnhill, who serves as chairman of the Forsyth County Bar Committee on Clinical Legal Education. "We think that it provides an excellent opportunity for the students to get practical experience in court and in litigation matters so as to better prepare them for the day when they enter the practice of law, while providing the members of the Forsyth County Bar who participate in the program an opportunity to gain a perspective of the students as to future employment, to keep close touch with the law school, and to provide a service to the school."

Joslin Davis, another member of the Forsyth Bar Committee agrees. "From what I've seen, it's an invaluable tool for the students," she says. "Plus, the lawyers seem to enjoy the program very much. There's been some discussion for many years about requiring an apprenticeship after law school, but I believe this sort of program effectively covers that area. When I was in law school this type of thing wasn't offered. We were more or less just thrown to the wolves."

Another attorney who values the early exposure to the practical side of law is Jim Cooley. "Many of us believed that practical education was lacking during our first few years of practice," he says, "so it's good to be able to assist someone else."

The students aren't the only ones who gain from the program, however. "It's beneficial to the law firm, also," Cooley says. "While the student observes and learns, the lawyer gets the chance to talk to the student about what he's observed. It's very helpful, because the student provides a sort of sounding board for the lawyer's ideas. It works to the benefit of both."

Cooley adds that the success of the program depends greatly on the willingness of the supervising attorneys to use their students properly. "There's always a danger



Left: Assistant District Attorneys working with the Prosecutorial clinic are Howard D. Cole, Joseph Gatto, Robert Brown and Lynn P. Burleson.
Right: Commercial clinic supervising attorneys are James C. Frenzel, W. Joseph Burns and R. Bradford Leggett.

of a lawyer using his or her student merely as a clerk," he says. "We've tried to stay away from that. We set up a schedule that does include one research and writing project because we feel that is important, but the student is not there at your beck and call."

Richard Tyndall, another supervising attorney involved with the general practice section of the program, is also a firm supporter of the clinic. "The program is vitally needed, because the role of the law school is so far removed from what the actual practice is," he says. "I think it's excellent that the students can be exposed to this sort of thing."

Tyndall adds that the students are by no means burdensome to the lawyers. "I've been impressed with the students I've seen," he says. "They definitely improve as time goes by. They're somewhat lost at first because they're used to the academic side of law and it's difficult for them to fully appreciate the practical side, but the students I've observed seem to be gaining a great deal from the program."

The commercial practice section of the civil program focuses on bankruptcy law. Supervising attorneys affiliated with that aspect of the program are: R. Bradford Leggett of Allman, Spry, Humphreys & Armentrout; W. Joseph Burns of Billings, Burns & Wells; James C. Frenzel of Womble, Carlyle, Sandridge & Rice; and C. Edwin Allman, III of Allman, Spry, Humphreys & Armentrout. Although the students placed in the commercial practice section of the program are exposed to a more tightly defined practice than are those who are involved in the general practice portion, their experience is no less valuable. Joe Burns, another member of the Forsyth County Bar Committee on Clinical Legal Education, is one supervising attorney who

says he sees to it that his students gain a thorough familiarity with commercial law.

"I've tried to get the students involved with two or three different projects," he says. "I let them research the problem, then draft the pleading — that sort of thing. I also let them negotiate and try to settle the case. I really let them do as much as they can."

"When I was in law school, this type of thing wasn't offered. We were more or less just thrown to the wolves."

Burns adds that he feels the program has been successful. "It definitely has a lot of potential," he says, "particularly when you consider that it's such a young program. It gives the students a real opportunity to get into the cases, work on them, and just see what happens."

The third facet of the civil practice portion of the clinical program places students with the Legal Aid Society of Northeast North Carolina, Inc. Supervising attorneys are Gwyneth B. Davis, Katherine H. Mewhinney, Denise M. Welch, and Ellen W. Gerber, who is managing attorney. Gerber says she is pleased with the arrangement. "I'm proud of both the way the students have responded and the way our office has been able to assimilate them," she says. "We've had some nice wins in magistrate court where the students really did most of the work. In fact, I know of two cases where students went up against experienced attorneys and won."

"Wake Forest was very wise to get this

program established," Gerber continues. "I wish I'd had this experience when I was in law school."

Vic Morgan is one student currently involved in the legal aid component of the clinic, and he agrees that the experience has been valuable. "I would recommend legal aid to any student," he says, "even though it probably wasn't my first choice. The advantage of legal aid is the up-front experience you gain. I've been able to try cases in small claims court, and I've had the good fortune of being able to follow an entire case."

The federal practice section of the program, which makes up the final facet of the civil practice element, enables students to engage in limited practice in fourth circuit matters. Students deal primarily with habeas corpus and prisoners' rights cases which have been remanded by the fourth circuit. In the process, they go through the entire discovery process and argue motions in court. In fact, two students are currently scheduled to try a jury case involving prisoners' rights. Renn Drum, Jr., a partner with the firm of Drum and Lefkowitz who, along with Mary Ward Root of House, Blanco and Osborn serves as a supervising attorney for the federal program, is a strong proponent of exposing the student to federal practice. "I think it's important for the students to get a taste of the federal court," he says. "Most people aren't really exposed to it. I'm just sorry we didn't have this sort of thing when I was in law school."

Like the civil practice component of the clinical program, the criminal practice component is divided into sub-groups, as students are placed with either the criminal defense segment or with the prosecutorial group. Supervising attorneys involved with the defense element are Fred G. Crumpler,

Law School News and Features



Student Steve Ward watches supervising attorney **Fred G. Crumpler, Jr.** advise a client as part of the Criminal clinic.

Jr. of White & Crumpler; Lawrence G. (Nick) Gordon, Jr., a sole practitioner; Michael A. Grace of Walker & Grace; Victor M. Lefkowitz of Drum & Lefkowitz; and Nancy S. Mundorf, a solo practitioner.

Nick Gordon calls the program "an excellent opportunity for students to be introduced into the practical aspects of law. It gives them the chance to take what they've learned in the classroom and apply it to real life situations.

"It's the only way that students can do this sort of thing," he adds. "It's really an outstanding program. The advisors, Inga Kear and Ken Zick, should be commended. They've done an excellent job."

Fred Crumpler, who also serves on the Forsyth County Bar Committee on Clinical Legal Education, is another avid supporter. "I think it's been extremely successful," he says. "There's very much a need for this sort of thing in the training of young lawyers. Generally, I think the bar, as it receives lawyers being trained this way, will benefit in the long run."

Comparing legal clinical education to the medical internship programs so firmly entrenched in our society, Crumpler points out obvious shortcomings. "Unfortunately, legally we've had none of this at all," he says. "Lawyers have been trained in the substantive law, but there has been little beyond that."

Students choosing the prosecutorial aspect of the program work closely with local assistant district attorneys in both district court and superior court. Along with District Attorney Donald A. Tisdale, assistant district attorneys involved with the program are Robert M. Brown, Lynn P. Burleson, Howard D. Cole, Joseph J. Gatto, and Paul A. Weinman.

Lynn Burleson says it didn't take long for him to realize the value of the program. "I became most convinced," he says, "when a young attorney came into traffic court in a DUI case and just did everything wrong. He had no sense of the value of the case. It was a dead-winner for the state, but he tried it anyway. I can't imagine any student who's

prosecuted a case here making the sort of mistakes he made."

Even those students who begin the semester with a case of nerves eventually become comfortable in court, Burleson says. "It's exciting to see a student struggling a bit at first," he says, "and then in a week see that same student breezing right through it."

Joe Gatto is another supervising attorney who confesses to being a bit envious of the benefits offered third-year students by the program. "It provides an opportunity that I really wish I'd had in law school," he says. "It puts things in better perspective for the students. It also gives the third-year students some stimulus to get them over the hump."

Gatto says he enjoys watching the students overcoming their inhibitions as their courtroom appearances increase. "When they start out they're more concerned with just getting through the case," he says. "As they become more comfortable they really want to win. They get a good bit more aggressive."

Students enrolled in the clinical program spend the entire semester — 15 weeks — in the civil practice section and six weeks in the criminal segment. Each student is expected to spend 10 hours per week with each component, which means that for the six-week period that the student spends with the criminal program, he or she is, in effect, putting in 20 hours per week in the Legal Clinic.

Although the practical experience gained through the student-attorney contact is the real drawing card of the program, students also benefit from two-hour seminars which are conducted each week and which serve as the classroom element of the clinic. Lectures by guest speakers, videotapes, and

in-class simulations are a regular feature of the seminars. The seminar portion of the program, in fact, kicks off the program with a "dress rehearsal" experience at the beginning of the semester, as students go through a series of mock trial experiences before a district court judge. Students value the simulated trials for the "unofficial" experience they provide.

"It's a good opportunity to get over your stage fright before having to go into a real trial," says Ed Gehrke, one of 17 third-year students currently involved in the clinic.

Helpful though the simulated trial experience may be, repeated court appearances are the key to increased student confidence. "It's interesting to see the

students on their first day with a lump in their throats," says District Court Judge David Tanis. "It's a great experience. It gets them over the jitters."

Tanis is another proponent of the clinical program, particularly with regard to the practical experience the program offers. "You must learn the law before you practice it," he says, "but this enables you to begin your practice on a more mature basis. Because of that, the experience helps the students become more valuable to employers."

District Court Judge Gary Tash also supports the program. "It's an invaluable experience for the student to supplement what he or she gets in the classroom," Tash

The Fourth Circuit Clinic Experience:

The Lions of Winter

By Michelle Bartoli

Last spring I was scanning the bulletin board in search of important announcements when a brief tidbit caught my eye: "Students interested in the Fourth Circuit Clinical Advocacy Program please see Ken Zick or George Walker." Shortly after finals were over I peeked my head into Mr. Zick's office and gave his secretary my name as an interested student. "Interested" was an understatement. To argue a case in the Fourth Circuit was one of my lawyerly dreams. The secretary duly recorded my name and I went on to conquer the deed vault as a summer legal clerk.

A few weeks into the fall semester, I was stopped in the stacks by Mr. Zick, who informed me that he had just been appointed to a Fourth Circuit Case. Was I interested in being one of the two student counsel associated on the case?

My "yes" simultaneously fulfilled one of my greatest "lawyer dreams" and breached my promise to myself that my third year would be taken easy. Mr. Zick heralded Alexis Pearce (a third-year student from Greensboro) and myself into his office for the first of countless skull sessions. A dutiful law student with pad in hand, I was ready for the task. The first thing Alexis and I were assigned was the ritual duplication of the record — 900 pages of assorted shapes, sizes and legibility multiplied by four. After eight straight hours in the copying room, Alexis and I believed that we were both contaminated with whatever poison one gets

from eight hours of xerox exposure. Upon completing this very scholarly task, we reported in for the real meat. With much discussion, we narrowed the issues to four, and the library became home. Our classmates came to expect us to come stumbling out of Mr. Zick's office at all hours of the day, and they even got used to directing the Dominos pizza man to where we were working. My computer prowess became legendary, and I would amaze my friends by signing on the Westlaw with eyes closed.

The most embarrassing, yet telling, moment came one morning when Mr. Zick entered what used to be his office with his morning coffee in hand — only to find me asleep on his office couch. Startled by his exit, I heard him whisper to his secretary, "Let her sleep."

As the 30-day clock began ticking down to the final hours we took to the typewriter working day and night. We finally finished at 3 a.m. after a marathon of revisions. As we dropped the brief into the mail, we breathed great sighs of relief. Our rest was short lived, however, as a few weeks later we received notice of our scheduled oral argument in Richmond.

A series of grueling oral practice rounds marked Zick's basic training program. The fine legal minds of many of our professors made up the benches which baraged us with every conceivable question, and then some. And then the real journey began. Packed with our "going to the courthouse suits," Zick, Alexis and I drove to have a final

conference with our client, tour the scene where the issue arose, and then make the final swing into Richmond.

Two hours outside of Richmond, the snow began to fall, enveloping us in a surreal existence. Once settled neatly into our hotel rooms, we went through one last practice round, and then we each retired to prepare in our own way for the next morning's battle. Alexis fell into an exhausted sleep, while next door, I was lulled by Frankie Avalon and Annette Funicello in the mindless "Beach Blanket Bingo." The harsh combination of the phone and the t.v. test pattern woke me the next morning. Two hours to game time, and 20 inches of snow on the ground between us and the courthouse. Cancel court? "Never," said Zick. "Let's eat some breakfast and walk to the courthouse."

With every document in our brief cases, we trudged through the still falling snow, and appeared at the courthouse door both frozen and fierce. Ready for the lions of the Fourth Circuit. And they were ready for us. We were the last case called on a Friday docket, but the weather conditions set the stage, and as no one was rushing to go anywhere, the distinguished panel of Russell, Merige and Murnaghan took their time and riddled us and our opponents with many important questions. The hour magically passed, and we left the courthouse with a true sense of a job well-done.

Michelle Bartoli is a third-year student from Winston-Salem, N.C.

Law School News and Features

says. "It has been a very successful program under Ken Zick. He's done a marvelous job."

Once the jitters are done away with, Tash says the students more than hold their own. "I've found that the students are very well prepared," he says. "I'm surprised at the confidence they display in their own abilities, considering it's not moot court, but real life."

Despite the success of the Legal Clinic it is, like most new programs, not without its problems. Administrator Kear points out what she sees as four basic weaknesses. "First," she says, "there has been little opportunity for students to participate in the trial of Superior Court cases, both civil and criminal. In part, this may be due to the reluctance of the supervisory bar to trust students in the management of these cases and a reluctance on the part of judiciary to encourage attorneys to allow such participation.

"Second, there have been some minor problems with a few supervising attorneys straying from the clinic guidelines that have been set up with the students." Kear explains that at the beginning of the semester each student is introduced to his or her supervising attorney to discuss class schedules and the different areas of practice that will be covered and that, on occasion, the guidelines have not been followed as closely as was expected.

"Third," Kear says, "there has been some

"...the students are by no means burdensome to the lawyers."

concern from a few faculty members that clinical students have been absent from too many classes during the course of their clinical assignments."

A final problem area, Kear says, centers around "the need to assign more than the current four credit hours to clinic participation." It has been proposed by the teaching faculty, she says, that as the clinic becomes more specialized there may be a need to offer one course in civil clinic and a separate course in criminal clinic, with the two courses carrying three hours credit each.

"These areas didn't surprise us," she says. "What surprised us was how few problems we had. However, our comprehensive education processes, both verbal and written, which we conduct throughout the semester have helped to keep our problems at a minimum and to ensure even fewer problems in the future."

Kear and Zick both attribute the success of the program in large part to the support of the Forsyth County Bar, and in particular to the Forsyth County Bar Committee on Clinical Legal Education, whose members include, besides those previously mentioned, Robert J. Lawing of Petree, Stockton, Robinson, Vaughn, Glaze & Maready.

"They've just bent over backwards," Zick says.

Judging from the response of those students involved with the clinical program, it is, despite its youth, already on the road to success. "I think it ought to be a required course," says Vic Morgan. "To get the actual experience and to see what will work and what won't is important. There are some pressures to get used to, though, particularly in the criminal clinic, because you're not dealing with someone's money, but with someone's liberty."

"It's excellent training for the real world," says Mike Cox, a student who completed the program during the fall semester. "It allows you to make your mistakes under the supervision of a lawyer when there's less at stake, and your first clients won't suffer because you're not learning at their expense."

As far as missing class is concerned, the students don't seem to mind. "You don't mind putting all that time in," says Ed Gehrke, "because it's different from regular classroom time."

Adds Morgan, perhaps a bit more succinctly, "Missing class doesn't bother me. Personally, getting the taste of the outside world makes it hard for me to come back to class."

Drew Williamson is a third-year student from Laurinburg, N.C. He is editor-in-chief of the Jurist.



Part of the clinic experience requires students to spend one shift with the Winston-Salem police department. Here, student **Billy Hamby** prepares to join Sgt. **Steve Newsome** on his rounds.

LAW DAY 1983



Clockwise: John Anderson makes a point to the Law Day audience.

The evening was kicked off with a cocktail party for third-year students.

SBA President Kim Going makes opening remarks.

Law Day 1983 was celebrated by Wake Forest University on Saturday, March 26 at Bermuda Run Country Club. The evening was highlighted by the appearance of former Presidential candidate John Anderson and the presentation of the Outstanding Alumnus award to the Hon. Sidney Eagles.



Excellence in Teaching Award



Professor Charles P. Rose, Jr., selected by this year's graduating class as the recipient of the **Jurist Excellence in Teaching Award**, was presented with a plaque at the Law Day banquet March 26 at Bermuda Run.

The purpose of the award is to honor a professor who demonstrates excellence in the teaching of law and who the third-year students feel has made a significant impact on their legal education. The nominees for the award are all professors who have taught the third-year class and includes visiting and adjunct professors, as well as the regular teaching faculty.

Professor Rose taught many of the third-year class courses in Criminal Law, Criminal Procedure, Evidence, and Legal Bibliography. He joined the Wake Forest faculty in 1974 after teaching for a year at the University of Akron School of Law. Professor Rose received his B.A. degree from the College of William and Mary, his J.D. from Case Western University, and his L.L.M. from Michigan.

Professor Charles Rose accepts the Jurist Excellence in Teaching award.

Outstanding Alumnus Award

The 1983 Student Bar Association — **Jurist Outstanding Alumnus** award was presented to the Honorable Sidney S. Eagles, Jr. on March 26 at the Law Day banquet. A 1964 graduate of the Wake Forest University School of Law, Eagles was elected in the fall of 1982 to the North Carolina Court of Appeals seat vacated by Judge Robert Martin.

Since 1980, Eagles had been a partner in the Raleigh law firm of Eagles, Hofer and Hall. From 1977 to 1980 he served as counsel to the Speaker of the House in the North Carolina General Assembly and earlier had been a special deputy attorney general under former Attorney General Robert Morgan and Attorney General Rufus Edmisten. Eagles has been an adjunct lecturer at the Duke University Institute of Public Policy and an adjunct professor at Campbell University School of Law. He has also actively participated in the North Carolina Criminal Code Commission since it was

established in 1969. From 1967 to 1971, Eagles was secretary to the North Carolina General Statutes Commission, and from 1970 to 1974 he served as head of the Attorney General's Legislative Drafting Service.

Eagles, 43, was born in Asheville, N.C. He graduated from Gordon Military College in 1957 and, in 1961, received his Bachelor of Arts degree from Wake Forest University before attending the School of Law. Upon graduation from law school in 1964, Eagles served three years active duty as a Judge Advocate in the United States Air Force.

Eagles is married to Rachel Phillips Eagles and they have two daughters, Virginia, age 13, and Margaret, age 9. He is active in his church, having served as board chairman of Hillyer Memorial Christian Church in 1980 and 1981. Eagles has also been very active with the Democratic Party all of his adult life.

In being honored as the recipient of the Outstanding Alumnus award, Eagles joins

a truly distinguished list of alumni of the Wake Forest School of Law, including the following:

Basis M. Watkins
Judge J.J. Hayes
J.F. Hoge
James W. Mason
Dr. Norman A. Wiggins
Justice Joseph Branch
Senator Robert B. Morgan
Judge Woodrow Jones
Judge Hamilton Hobgood
R.P. Burns
G.C. Carswell
Judge Edwin M. Stanley
Judge John D. Larkins
Judge Walter J. Bone
Dean Carroll W. Weathers
Justice David Britt
Ralph James Scott
Judge Hiram H. Ward
Associate Dean Leon H. Corbett, Jr.
H. Edward Knox

The General Assembly Faces the Forced Annexation Issue After a Quarter Century of Legislative Peace, but Judicial Turmoil.

by John K. Motsinger

The 1983 North Carolina General Assembly again faces a politically hot potato kept on the legislative back burner for twenty-four years. This year, the legislature is considering amendments to the 1959 laws providing for unilateral (or "forced") annexations by municipal ordinance. Many people living near North Carolina's municipalities would love to see a repeal of those sections of the 1959 law which allow cities to annex them into the municipality without their consent and without further legislative approval. But the *Raleigh News and Observer* editorially points out that "the Legislature would make a grave mistake to tamper with the procedures . . . set forth in 1959 . . . The old annexation law isn't broke, and the Legislature doesn't need to fix it . . ."¹

This article briefly examines why the legislature adopted the unilateral annexation statutes in their present form. It also considers some of the bills before the assembly, focusing particularly on one bill recommended by the Legislative Research Commission to the 1983 General Assembly.

Three other methods of annexation used by North Carolina municipalities — 100 percent petition, referendum, and satellite area annexation — do not generate significant controversy and indeed are widely supported by citizens wishing to be annexed. These methods are not being amended by the current bills, thus will not be considered here.

Historical Background

The 1947 General Assembly adopted North Carolina's first general annexation law in a vain attempt to free itself from devoting "a large portion of its time in consideration of a multitude of local bills seeking the extension of the corporate limits of cities and towns."² Chapter 725 of the 1947 Session laws provides that a city by ordinance can extend its boundaries to outlying areas. That ordinance was subject to a referendum upon receipt by the city of a petition signed by 15 percent of the qualified voters in the target area or the municipality.³ If such a referendum were required, the annexation would take effect only if a majority of the voters in the target area and a majority in the city (if city residents also were voting) approved the ordinance.⁴ In this way, the assembly hoped to "provide for the orderly growth and extension"⁵ of North Carolina's city and town boundaries, without having to involve itself in each such boundary change.⁶

Merely providing for annexations by ordinance and referendum did not, however, solve the legislative dilemma. Ten years later, the legislature still was faced with that same "multitude of local bills seeking the extension of corporate limits." In 1957, for instance, the assembly passed five local acts relating to the extension of Greensboro's limits alone.⁷ One of those acts purported to be a catch-all for the city, since it validated "any and all extensions and purported extensions" and "any and all proceedings had in the extension or

"purported extension" of Greensboro's city limits.⁸

Whenever a North Carolina city was unable to take in an area through the ordinance and referendum process (usually because residents of the target area voted the ordinance down or because the municipality was growing so fast that multiple referenda would be required each year — a significant administrative nightmare), the city fathers would trounce down to Raleigh for a local act annexing the target area to the city despite local residents' opposition.⁹ In some cases, the assembly would make the annexation act look democratic by providing for a referendum in which the residents of the city and the target area would be given a vote. An overall majority then determined whether or not the city would absorb its suburban neighbors and whether or not current city residents wished to absorb the costs of extending city services.¹⁰ The overwhelmingly positive vote in the city limits would generally be sufficient to overcome the overwhelmingly negative vote in the target area.

Meanwhile, the legislature continued to be bogged down with local acts which amended municipal charters to reflect the results of these and other uncontested annexations.¹¹

Because the 1947 act did not effectively remove the lawmakers from the crossfire between their constituents in the cities who wanted expanded limits and an expanded tax base, and their constituents in the outlying areas who resisted annexation and the imposition of city taxes,¹²

1. Editorial, *Annexation Roadblocks*, The News and Observer (Raleigh), Feb. 15, 1983, at 4A, col. 1.

2. 1947 N.C. Sess. Laws, ch. 725, preamble (codified at N.C. Gen. Stat. §§ 160-445 to -453 (Cum. Supp. 1951), recodified as amended at N.C. Gen. Stat. §§ 160A-24 to -30 (1982)).

3. N.C. Gen. Stat. § 160A-25 (1982).

4. *Id.*, § 160A-28. For an outline discussion of the annexation upon referendum statute, see *Survey of Statutory Changes in 1947*, 25 N.C. L. Rev. 376, 453-54 (1947).

5. 1947 N.C. Sess. Laws, ch. 725, title.

6. *Id.*, ch. 725, preamble.

7. 1957 N.C. Sess. Laws, chs. 418, 419, 420, 692 & 953.

8. *Id.*, ch. 953.

9. E.g., *id.*, chs. 771 (extending limits of Bethel), 1023 (Tabor City), and 1289 (Princeton).

10. E.g., 1957 N.C. Sess. Laws, chs. 802 (Charlotte) and 836 (Hickory-Longview).

11. E.g., *id.*, chs. 24 (Winston-Salem) and 591 (Tarboro).

12. Between 1950 and 1958, the legislature intervened by directly annexing 29 areas to adjacent cities and by

annexing an additional nine areas subject to modified referendum procedures. Of the 61 annexation attempts under the statutory referendum procedures, only 35 were by the voters. *Report of the Joint Annexation Study Committee of the N.C. Assoc. of County Comm'r and the N.C. League of Municipalities*, 12-13 (1980).

Senate Bill 107

the legislature in 1959 adopted new procedures whereby a municipality could by ordinance annex contiguous areas meeting certain urbanization criteria.¹³ The legislature asserted as state public policy that areas used intensively for urban-type purposes should be included within municipal boundaries extended according to uniform, statewide standards.¹⁴ The legislature succeeded in shifting the battlefield between the city fathers and suburban residents from the halls of the assembly to the halls of justice,¹⁵ where the courts became bogged down in a morass of appeals from annexation ordinances. In most instances, the city would win the appeal, but only after suburban petitioners had tied up the annexation in the courts for up to two years — during which time they were not paying city taxes.¹⁶

The past quarter century has shown target area residents that court appeals can only stall, not defeat unilateral “forced” annexations by municipalities. Thus pressure is again being brought to bear on the General Assembly to revise or repeal the unilateral annexation procedures adopted, at least in part, to extricate the lawmakers from a political hot seat. By the end of February, 1983, the General Assembly had before it two local bills to prohibit or limit certain unilateral annexations into two counties by municipalities lying predominantly outside those counties.¹⁷ Another bill would repeal altogether the unilateral annexation procedures,¹⁸ putting the assembly right back in the pre-1959 morass.

The bill most likely to be adopted in some form is Senate Bill 107, drafted by the Legislative Research Commission Committee on Annexation Laws, which is discussed in the following section.

At the request of the General Assembly, the Legislative Research Commission met eight times during 1982 and 1983, hearing representatives from many diverse interest groups on how the state’s annexation laws should be modified. The commission developed twenty recommendations for changes to the unilateral annexation statutes.¹⁹ Fourteen representatives of cities, rural fire departments, and annexation opposition groups commented on the proposed amendments at a public hearing March 17, at which the bill was sent to a subcommittee for more work.

The commission found that the current law causes excessive turmoil and litigation between citizens and municipalities, that the cities have disproportionate discretionary powers under the 1959 law, that there have been substantive changes in the relative needs of cities and surrounding areas since 1959, and that changes in the law to achieve a better balance between the rights and needs of those being annexed and those of the cities would serve to alleviate the conflicts that constantly arise from application of this law.²⁰

The amendments to the 1959 law recommended by the commission would do little to cut down on the amount of litigation spawned by unilateral annexation ordinances. The main incentives for

The amendments to the 1959 law recommended by the commission would do little to cut down on the amount of litigation spawned by unilateral annexation ordinances. The main incentives for appealing an annexation are to delay its effective date, consequently to delaying imposition of city taxes, and to contest the proposed annexation plan.²¹ The commission has recommended changes in the procedures the city has to follow

to adopt an annexation ordinance by extending the time periods for publication, notice, and public hearings,²² by extending to forty days the period between adoption of an ordinance and its earliest possible effective date,²³ and by requiring that water and sewer maps bear the seal of a registered engineer.²⁴ These recommendations merely extend the period during which the residents of the target area have to prepare their lawsuit or to propose changes in the annexation plan.

Recommendations eight through ten provide a more strict timetable within which city services must be extended into an annexed area, and provide for deannexation and a return of city taxes paid if the city fails to provide specified services within the allotted time.

The eleventh recommendation provides that a city with a population of more than 5000 persons may annex an area where the population density is one person per acre, and where sixty percent of the target area is subdivided into lots five acres or less in size, and where sixty-five percent (as compared to the current sixty percent) of those lots are less than one acre in size. Notably, this inconsequential change is the only recommended amendment which affects the character of the neighborhood being annexed. In fact, the commission left untouched two other urbanization criteria which the larger city could use to annex an area — either the resident population must be two persons per acre, or the area must be sixty percent urbanized.²⁵ This minimal change in one of three available urbanization criteria will do little to cut back on appeals to the courts from annexation ordinances. The bill left untouched the urbanization criteria that must be met in areas lying outside cities with fewer than

13. 1959 N.C. Sess. Laws, chs. 1009 & 1010 (codified as amended at N.C. Gen. Stat. §§ 160A-33 to -56 (1982)).

14. N.C. Gen. Stat. §§ 160A-33 & -45 (1982). The General Assembly declared that “sound urban development is essential to the continued economic development of North Carolina” and that “municipalities are created to provide the governmental services essential for sound urban development.” *Id.*, §§ 160A-33(1) & (2) and -45(1) & (2).

15. *Id.*, §§ 160A-38 & -50.

16. The problem of delays is illustrated by the sequence of events outlined in *Cockrell v. City of Raleigh*, 306 N.C. 479, 293 S.E. 2d 770 (1982). The city adopted an

annexation ordinance to be effective on June 30, 1980. Residents of the target area appealed, thus getting an automatic stay of the effective date pending completion of judicial review. The North Carolina Supreme Court affirmed the ordinance on August 3, 1982, more than two years after its intended effective date. Part of the delay in this case was due to a city request for a continuance until after a bond issue referendum, so that there would be no question about that referendum’s validity. This delay, of course, pleased petitioners from the target area, who saved several months more in taxes. Telephone interview with Mr. Thomas A. McCormick, Jr., City Atty., Raleigh, Mar. 4, 1983. In *Cockrell*, as in most other such appeals, every assignment

of error was overruled by the Superior Court judge.

For a more detailed discussion of North Carolina’s unilateral annexation statutes as they stood at the opening of the 1983 session of the General Assembly and of the abuses of the appeals process made by petitioners from annexation target areas, see Comment, *The Coulwood Horror — North Carolina’s Unilateral Annexation Statutes*, 19 Wake Forest L. Rev., No. 2, _____ (April, 1983).

17. H. 2, 1983 N.C. Gen. Ass. (relating to Davidson County); H. 303, 1983 N.C. Gen. Ass. (Union County).

18. H. 183, 1983 N.C. Gen. Ass.

19. Legislative Research Commission, *Report to the 1983 General Assembly of North Carolina: Annexation*

CONCLUSION

5000 residents and failed to address the procedures followed by cities in determining which areas to annex and which to leave untouched, another issue arousing controversy by those who accuse cities of annexing only areas which have a high tax base and little need for new services.

The remaining recommendations extend protection to rural fire departments and firefighters who provided fire protection to the area annexed.²⁶ The municipality would be required to contract with certain existing fire departments for fire protection to the annexed area or to provide those departments other financial protection such as assuming their outstanding debts.²⁷ Firemen in displaced companies would be entitled to city jobs or to severance pay²⁸ and to preservation of certain vested pension rights.²⁹ Although adoption of these protections for the investments made by local fire companies and their firemen will probably do little to solve the problem of litigation of annexation suits, it may keep the politically powerful group away from the assembly halls — at least on this issue.

The only recommendation of the commission that appears to be without merit is the requirement that the city notify each property owner by certified mail of the city's intent to annex the area.³⁰ Because proposed annexations tend to generate intensive media coverage and extensive grass roots opposition, and because the law requires newspaper publication of the intent to annex,³¹ it would be highly unlikely that any property owner would be oblivious to the situation. If the expensive notification by mail is considered necessary, then first class mail should be sufficient.

Adoption of Senate Bill 107 would eliminate some areas of potential abuse of the unilateral annexation provisions of Chapter 160A.³² For instance, the bill provides longer public notice and study periods before adoption of annexation ordinances. It requires the city to extend water and sewer services within a limited period of time after the annexation. It also protects investments made by local fire departments and firefighters from damage due to annexations.

At the same time, the bill preserves the general thrust of the 1959 annexation law. It recognizes and implements the state public policy that, to promote sound planning and economic development, areas developed for urban purposes should be governed by the nearest existing municipality. Under the bill, the city's elected officials and their staffs remain primarily responsible for implementing that state policy within strict legislative guidelines. Finally, the General Assembly will not again become bogged down with a multitude of passionately contested local acts relating to annexations.

The bill nevertheless fails to achieve the research commission's goal of reducing "excessive turmoil and litigation between citizens and municipalities."³³ It provides no disincentives to keep citizens from filing appeals to the courts merely to stall a totally valid annexation for a year or two. Such abusive litigation tactics are unfair to city residents, but are encouraged by the appeals provisions of the statute. As Justice Meyer wrote for the unanimous North Carolina Supreme Court:

It is common knowledge and experience that residents of areas adjacent to our cities and towns

... enjoy a great many city services financed by city taxpayers without paying city property taxes themselves. Most of these outside residents work in the city, shop in the city, use all manner of office facilities in the city, use in-city health care facilities, park and recreational facilities and programs and while doing so use city streets, city law enforcement and fire protection services, city garbage and refuse collection services, city parking facilities and city water and sewer services ... Fairness dictates that there comes a time when these residents must join in bearing the costs of those services.³⁴

The legislature in 1947 and 1959 saw fit to relieve itself of the burden of deciding each local annexation issue. If the General Assembly truly desires to reduce the turmoil and litigation encouraged by the appeal provisions of the unilateral annexation statutes,³⁵ its next priority should be to adopt measures designed to facilitate judicial review of improper or abusive annexation ordinances and to discourage appeals designed merely to delay and frustrate the implementation of fair and legal ordinances clearly meeting statutory guidelines.³⁶

John Motsinger is a third-year student from Roaring Gap, N.C.

Laws, 5-11 (1983) [hereinafter cited as *Annexation Laws Report*.]

20. *Id.*, at 10-11.

21. 19 Wake Forest L. Rev., *supra* note 16. As one

editorialist commented, "few suburban areas are willing to submit to city taxes voluntarily even though benefiting from city expenditures." Editorial, *Annexation Roadblocks*, The News and Observer (Raleigh), Feb. 15, 1983, at 4A, col. 1.

22. *Annexation Laws Report*, *supra* note 19, Recommendations 1 to 5, 19 at 5-6, 10.

23. *Id.*, Recommendation 6, at 6.

24. *Id.*, Recommendation 7, at 6.

25. N.C. Gen. Stat. § 160A-48(c)(1) & (c)(3) (1982).

26. *Annexation Laws Report*, *supra* note 19, Recommendations 11 to 18, 20, at 7-10.

27. *Id.*, Recommendations 12 to 15, at 7-8.

28. *Id.*, Recommendation 17, at 9-10.

29. *Id.*, Recommendation 16, at 9.

30. *Id.*, Recommendation 3, at 5.

31. *Id.*, Recommendations 1 to 4, 19, at 5-6, 10.

32. For instance, pursuant to recommendation six a city could no longer adopt an annexation ordinance which could become effective even before the thirty day time for filing an appeal had expired. Carrboro adopted just such an ordinance in December 1979. *Moody v. Town of Carrboro*, 301 N.C. 318, 271 S.E. 2d 265 (1980), *rehearing denied* 301 N.C. 728, 274 S.E. 2d 230 (1981).

The Carrboro case could happen just once a decade — unless the ordinance was effective before the census on January 1, 1980, the added population would not be counted for federal revenue sharing fund calculations.

33. *Annexation Laws Report*, *supra* note 19, at 10.

34. *In re Annexation Ordinance* (Winston-Salem), 303 N.C. 220, 233-34, 278 S.E. 2d 224, 233 (1981).

35. N.C. Gen. Stat. §§ 160A-38 & -50 (1982).

36. For specific recommendations, see Comment, *The Coulwood Horror — North Carolina's Unilateral Annexation Statutes*, 19 Wake Forest L. Rev., No. 2, _____ (April 1983).

Alumni News and Features

Wake Forest Loses Former Dean Weathers to Heart Attack

This tribute to the late Carroll W. Weathers was written by Russell H. Brantley, director of communications for Wake Forest University.

Carroll W. Weathers, dean of the School of Law from 1950 to 1970 and a man who "lived to tend the gardens of justice," died February 26 of a heart attack.

He was 81 years old and almost totally blind, but he had retained a lively interest in community and legal affairs and had had the good fortune to see his peers and former students revere and honor him.

The Lawyer Alumni Association gave his name to the award it makes annually for distinguished service to the School of Law. The University gave him the Medallion of Merit in 1979, and the North Carolina Bar Association presented him the John J. Parker Award, its highest honor.

Shortly after Dean Weathers died, Sen. Jesse Helms of North Carolina said: "Carroll Weathers was without question the most remarkable man I have ever known, and there is no way I can describe the love and affection I had for him."

Joseph Branch, chief justice of the North Carolina Supreme Court, said Dean Weathers "was one of the greatest men I have ever known."

At a dinner in 1979 Justice Branch had given an address at a dinner honoring Dean Weathers. He said, in part: "There are, of course, many of us who view the law with



Dean Carroll Weathers

awe and love. And there are a few people whose lives are rendered great because they perceive the law as the embodiment of order and because they live to tend the gardens of justice.

"Such people make the law come alive, and they raise the aspirations of lesser souls. No matter what they accomplish professionally, it is the basic quality of their existence which is their greatest contribution to the law.

"My nomination for this elite legion is Carroll W. Weathers who helps make the law great for recognizing its greatness and by abiding by its best precepts."

Justice Branch ended that speech saying "I take it that all of you know that his eyes have gone bad. But if all of us had his

vision, we could see forever."

Dean Weathers practiced law in Raleigh from 1923 to 1950. During his years as dean, enrollment in the School of Law doubled. And when Wake Forest was moved to Winston-Salem in 1956, the School's building was the only one on campus that had been finished down to the fine points. That was because of Dean Weathers' persistent, gentle manner. Indeed, when the first plans were laid for the new campus, a law building was not included. But Dean Weathers changed that, too.

At one time or another during his busy life, Dean Weathers had been trustee of the North Carolina Baptist Foundation, a judge of the Recorder's Court in Zebulon, a member of the State Senate and chairman of that body's Committee on Constitutional Amendments in 1935, chairman of the directors of the State School for the Blind and Deaf in Raleigh, an active and able participant in the work of the American Bar Association and its state and county affiliates and a member for four years and vice president for two years of the Wake Forest Trustees.

He taught for two years after he retired as dean. Only two years ago he accepted a seat on the board of directors of Industries for the Blind in Winston-Salem.

Chaucer's description of another person in another age fits well. "He was a very perfect gentle knight."

Carroll Wayland Weathers Scholarship Fund

Friends and former students of the late Carroll Wayland Weathers have created an endowed scholarship in Dean Weathers' name at the School of Law. The income from this scholarship will be used for scholarships for students attending the Wake Forest School of Law from North Carolina who demonstrate some financial need. To date over 170 contributions and pledges have been received. The current value of the pledges and gifts amount to over \$30,000.

Others wishing to make a contribution to this permanent memorial fund may do so by sending checks made payable to Carroll Weathers Scholarship Fund to Box 7227, Reynolda Station, Winston-Salem, N.C. 27109.

Contributors to the Carroll Wayland Weathers Scholarship Fund include the following individuals and organizations:

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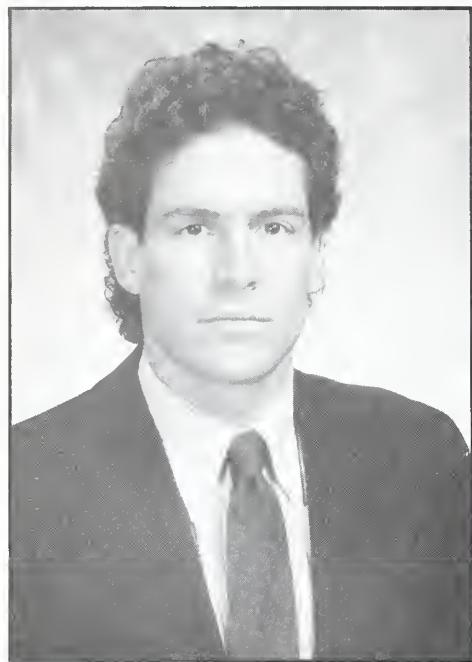
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Alumni's Article Cited By U.S. Supreme Court



David P. Shouvin

By Kathy Kelly

David Shouvin, currently practicing with Vernon Glenn in Winston-Salem, has been a very busy man since his graduation from the Wake Forest University School of Law in 1979. Shouvin, originally from Cambridge, Massachusetts and a twice-over graduate from Wake Forest (B.A. Philosophy, Politics, 1974; J.D., 1979), has already served as senior general counsel of a group of attorneys and has been cited by the United States Supreme Court.

After graduation, Shouvin volunteered to work in New York City for Covenant House, a home for runaways and a haven for children haunted by child abuse, child pornography, and child prostitution. Shouvin says he was "overwhelmed" when he first arrived in New York. He was the first attorney Covenant House hired, but "like a godsend," three other attorneys arrived shortly thereafter, and Shouvin was appointed general counsel. Looking back on this challenging position he obtained six months out of law school, Shouvin says, "I don't think I owned a suit. I looked like a country bumpkin." It was his job, Shouvin says, to represent and advocate for the children at Covenant House who had been abused in some manner.

After a period of time with Covenant House, Shouvin began speaking in the New England area and eventually came to speak at Wake Forest. During his visit, Shouvin was asked to write a law review article on the legal and public policy issues he encountered at Covenant House. Shouvin researched all of the states' child mistreatment statutes and, embellished with his own experiences, wrote a law review article — **Preventing the Sexual Exploitation of Children: A Model Act**, 17 Wake Forest L. Rev. 535 (1981) — which was later quoted by the United States Supreme Court.

About the same time that Shouvin was

preparing his article for publication, there appeared a case in the New York Court of Appeals in which the court held that selling and distributing child pornography was protected by the First Amendment, but prohibited under the general obscenity statute if the material met the obscenity test. Shouvin says he feels the court basically ruled that "depicting kids in a sexual act was not sufficiently obscene to prohibit." The Court of Appeals' decision was appealed to the U.S. Supreme Court and Covenant Hall submitted an amicus curiae brief which contained a great deal of Shouvin's law review article research and which cited the article. The Supreme Court, in its decision holding that child pornography was not protected by the First Amendment, cited Shouvin's article. Shouvin says the Court's thrust was that "child pornography is abuse and is not protected by the First Amendment."

Currently, Shouvin has a "small statute" before a committee which deals with related topics in that it proposes to consolidate penal laws on child abuse, prostitution, and pornography. "Children are a special interest group," Shouvin says, "We've got to protect them. Those who exploit children, by allowing them to appear in porno films or sell their bodies, need to be prosecuted." Although Souvlin says he feels that North Carolina may not have the same degree of child mistreatment problems found in New York City, problems, particularly sexual abuse, still exist.

Shouvin says he still enjoys working with children. "You feel like if you do something with them it may pay off," he says. Shouvin is very active in young people-oriented community affairs. He is president of the board of the Council on Drug Abuse, a member of the board of directors of Freedom Road — which involves placement of young people coming out of prison, and is a member of the board of directors of the Forsyth County Court Volunteers. One of his fondest dreams, Shouvin says, is to set up an employment agency run by young people to employ other young people. Such a program, Shouvin says, might encourage community participation, responsibility and growth, while at the same time discouraging crime.

Kathy Kelly is a second-year student from Winston-Salem, N.C. She is alumni editor of the Jurist.

Class Notes

1916

George Edgar Eddins, Sr. of Albemarle, N.C., who received his L.L.B. from Wake Forest in 1916 and J.D. from New York University in 1926, passed away on Sept. 9, 1982 at the age of 88.

1921

Isham B. Hudson, Sr. has served as Fund Raising Chairman of the Wake Forest Half Century Club since 1971. Hudson has also recently been recognized as a distinguished alumnus of Campbell University, class of 1917 (formerly Buies Creek Academy.)

William Marion Mann, Sr. of Enfield, N.C., passed away July 8, 1982. Mann is survived by his widow, Teresa Dickens Mann; two sons, Dr. William M. Mann, Jr. and Dr. Robert F. Mann (both Wake Forest University honor graduates), and eight grandchildren.

George Alexix Marsh is a member and the past president of the Charlotte Board of Realtors, Mortgage Bankers Association, and Charlotte Home Builders Association. Marsh is currently specializing in real estate and mortgage loans in Charlotte, N.C.

The Honorable Walter J. Bone is retired from the Superior Court and is currently residing in Nashville, N.C.

1922

Fred B. Helms is counsel for Helms, Mulliss and Johnston in Charlotte, N.C. Helms is listed in Who's Who in America.

1931

Wade E. Brown, former N.C. State Senator and member of the N.C. House of Representatives, is currently serving as legal counsel for the students at Appalachian State University. Brown is continuing in general practice, focusing on probate, real estate and counseling.

Kyle Hayes continues to practice in North Wilkesboro, N.C. He is a member of the N.C. Bar Association, N.C. State Bar, N.C. Trial Lawyers Association and American Trial Lawyer's Association. He has been admitted to practice before the N.C. Supreme Court, the Fourth Circuit of Appeals, and the U.S. Supreme Court.

1932

Robert C. Wells has retired as a colonel from the U.S. Air Force. Wells is currently residing in Clinton, N.C.

1933

Ralph W. Mitchell is enjoying retirement after serving as the Master-in-Equity for Spartanburg County from 1963-1979. Mitchell previously served as a Judge in the Spartanburg Civil Court from 1944-1963 in Spartanburg, S.C.

1934

E. Johnston Irvin has retired after forty-two years from general practice. Irvin is currently residing in Concord, N.C.

1935

Currently enjoying retirement, **Samuel A. Haword** served as clerk for the U.S. District Court in the Eastern District of N.C. from 1960-72 after serving as that Court's Assistant U.S. District Attorney for seven years. He also authored a book entitled **JURISIMPRUDENCE**.

1937

Judge A. Pilson Godwin, Jr. is continuing to serve for the N.C. Superior Court. Godwin, who lives in Raleigh, has held this position since 1967.

David S. Stillwell is in general practice with Stillwell and Stillwell of Sylva, N.C. Stillwell presently resides in Cullowhee, N.C.

1938

Samuel Dudley Smith is engaged in the general practice of law in Hickory, N.C. He has served as president of the Catawba County Bar Association.

1939

Robert B. Campbell retired in January of 1980 as District Counsel of the North Carolina regional office of the Veterans Administration in Winston-Salem, N.C. Campbell is currently residing in Winston-Salem.

The Honorable Charles H. Manning has partially retired from general practice. Manning served as a N.C. District court judge until 1980.

1940

Clifton W. Everett, Sr., of Bethel, N.C. was elected October 21, 1982 to serve as President of the N.C. Bar from October 1983 to October 1984.

Lynwood Smith retired in 1972 from the position of General Counsel of Adams-Millis Corp. He served as General Counsel therefrom 1945-1972. Prior to 1945 he practiced law in Asheboro, N.C. NC Highway 68 was named the T. Lynwood Smith Expressway in honor of Smith's distinguished public career.

1941

Wilbur Morton Jolly, of Yarborough, Jolly and Williamson in Louisburg, N.C. was elected to the N.C. House of Representatives in 1980 and has served as the attorney for Franklin County since 1979.

J. C. Taylor of Halifax, N.C. retired in September 1982 as Clerk of Superior Court in Halifax County. Taylor had been clerk there since 1961.

Alumni News and Features

1946

Carter Wallace Jones is in single practice in Ahoskie, N.C. He specializes in a criminal and civil trial practice. He has been Mayor of Winton, N.C. for 10 years and has been a board director of the Home Savings and Loan Association in Ahoskie for 15 years.

1947

A partner in Myers, Ray, and Myers, **Charles Truett Myers** retired from the Army Reserve in March 1982 with the rank of Colonel. He is currently participating in the development of 6 Georgian style buildings to house law offices in Charlotte.

1948

Frank C. Ausband is in the private practice of law in Kernersville, N.C.

Bernard B. Hollowell was elected President of the Third Judicial District Bar in N.C. in 1982. His son, Bernard B. Hollowell, Jr. joined the firm of Hollowell and Hollowell in 1979 located in Bayboro, N.C.

Fred D. Turnage is presently a partner with the law firm Cleary, Gottlieb, Steen and Hamilton in Washington, D.C.

1949

Jack F. Canady of Blackwell, Blackwell, Canady and Eller in Winston-Salem was elected President of the Forsyth County and 21st Judicial Bar Association for 1978-1979 and has served on the N.C. State Bar Council, 1980-1982.

Captain Nathan Cole, Jr. is enjoying retirement in Louisburg, N.C.

Louis A. Fatkin is practicing in Cumberland, Maryland with the firm of Fatkin, Brubaker, Mason, Pannone and Kelly. He served as a juvenile judge from 1957-1961.

Robert H. McNeely practices law in Greensboro, N.C. with an emphasis on titles, loans and general real estate.

Martin R. Peterson has been retired and living in Raleigh since 1973.

1950

Samuel Behrends, Jr. is working with Carolina Power and Light Co. in Raleigh specializing in public utility rate making. He is the current chairman of the Triangle Area Chapter of the American Red Cross, Director of the N.C. Natural History Society, and Director of the Executives Club of Raleigh, Inc.

Claude M. Hamrick is General Counsel for McLean Trucking Co. Hamrick was formerly a partner with Hamrick, Doughton and Newton of Winston-Salem, N.C. He served in the N.C. House of Representatives from 1961-1968.

William Gale Parker is practicing law in Raleigh, N.C. His practice consists of mostly probate and estate work. He was president of the Raleigh Civitan Club in 1979-80 and was Civitan of the Year in 1980.

Hiram H. Ward of Denton, N.C. is presently Chief Judge of the United States District Court, Middle District of North Carolina.

1951

Robert B. Broughton is serving as general counsel to the North Carolina Farm Bureau Federation, North Carolina Farm Bureau Mutual Insurance Company, and TeleCent Leasing Corporation. Broughton is currently living in Raleigh, N.C.

James E. Moore served on the Disciplinary Hearing Commission for the N.C. State Bar last year and is currently serving on the Board of Governors for the N.C. Bar Association. Moore maintains a general practice in North Wilkesboro, N.C.

Verne Edward Shive is retired in Gastonia, N.C. He was City Judge of Gastonia from 1961 to 1962 and was President of Jaycees in 1963. He currently serves on the Board of the area Salvation Army, Gastonia Community Hospital, and as an Elder in the First Presbyterian Church of Gastonia. He and his wife, Margaret Roberts Shive, have a son, Verne, Jr., 28, and a daughter, Margo, 18.

The **Hon. Henry L. Stevens, III** is the senior resident Superior Court judge for the fourth judicial district of North Carolina. Stevens lives in Warsaw, N.C.

James E. Walker is practicing with Walker, Palmer, and Miller in Charlotte, N.C. He is a fellow in the American College of Trial Lawyers.

McNeill Watkins is now engaged in the general in-house corporate practice with Texaco Inc., in Coral Gables, Florida.

Milton Clay Williamson currently living in Farmville, N.C. is practicing in Greenville, N.C.

1952

Russell E. Twiford has law offices in Elizabeth City and Manteo, N.C. Twiford has served as vice-president of the North Carolina Jaycees.

Gerald Franklin White is a partner with the firm White, Hall, Mullen, Brumsey and Small of Elizabeth City, N.C.

Norman Wiggins is President of Campbell University as well as a Professor at Campbell's Law School. Wiggins served as President of the American Association of Presidents of Independent Colleges and Universities in 1981 and is currently a member of the Executive Committee of the N.C. Association of Independent Colleges and Universities.

1953

Hugh Millard Martin, a partner in the firm of Muffin and Martin in Williamston, N.C., has served as president of the 2nd Judicial Bar and was Solicitor in Martin County for six years.

Brigadier General Emory M. Sneeden, U.S.A., currently retired, published an article on Antitrust Law with Jean M. Porpal in the **Harvard Journal on Legislation** in the summer, 1982 volume. Sneeden is a partner with McNair, Glenn, Konduras, Corley, Singletary, Porter and Dibble in Washington, D.C.

1954

Leslie E. Browder lives in Winston-Salem and specializes in real estate law with Womble, Carlyle, Sandridge and Rice.

Nancy Fields Fadum is a sole practitioner in Raleigh, N.C. She has been listed in **Who's Who in American Law** and **Who's Who in American Women**.

Rudolph G. Singleton, Jr. is currently a resident of Fayetteville, N.C. and served as President of the Cumberland County Bar Association, 1980-1981.

Kennedy W. Ward is involved in a general practice in New Bern, N.C. Ward specializes in personal injury. Ward also served on the Board of Directors for the Craven Evaluation and Training Center and has since served as attorney for this organization on a voluntary basis.

Dewey W. Wells of Camden, N.C. practices law in Elizabeth City, N.C., concentrating in civil law. Wells served as President of the N.C. Bar Association from 1980-81 and as a Superior Court Judge in 1974. He is a fellow of the American College of Trial Lawyers and Past President of the Elizabeth City Rotary Club.

1955

W. Linville Roach is with the Pilot Life Insurance Co. of Greensboro, N.C. Roach is also serving as trustee of Southern Seminar (1974-1985).

Thomas E. Strickland, past member of the N.C. House of Representatives and the N.C. Senate, is currently practicing with Thomas E. Strickland, P.A. in Goldsboro, N.C. Strickland is currently involved in developing a Christian conciliated service involving Christian lawyers, laymen, and pastors to encourage the reconciliation of parties.

1956

Eugene Boyce, senior partner in the Raleigh firm of Boyce, Mitchell, Burns and Smith, P.A., has been a lecturer at the W.F.U. Annual Review Institute for the past three years. He is Councillor of the 10th Judicial District to the N.C. State Bar. He has served on the Board of Governors of the N.C. Academy of Trial Lawyers and was the 1978 President of the Wake County Bar Association. His son Robert Daniel is currently a second-year law student at U.N.C.

The Honorable Gilbert H. Burnett received the Jay Worrell Award of the Offender Aid and Restoration of the United States of America in 1980 for his work in the criminal justice system.

John C. W. Gardner, Sr. of Mt. Airy specializes in civil litigation. He has been the city attorney for Mt. Airy since 1958, and he is currently on the Wake Forest University Law School Alumni Committee. His daughter Terri Lynn graduated from Wake Forest University in 1977 Magna Cum Laude, and his son John Jr. is a 1980 graduate of the University and is currently a second-year law student.

M. Randall Head is currently Acting Deputy Chief Counsel for the U.S. Army Corps of Engineers in Washington, D.C. Head served on the Public Contracts Law Section of the American Bar Association from 1978-1982.

William B. Mills has recently formed a partnership with John L. Allen (Mills and Allen, Thomasville, N.C.) and has been elected President of the 22nd Judicial District Bar Association for 1983.

John Riggs of High Point is currently serving as President of the High Point Civitan Club. His past activities include President of the High Point Bar Association (1968) and Secretary of 18th Judicial District (1962). He is a fellow of the American College of Probate Council and a past member of the Probate and Fiduciary Law Section of the N.C. Bar Association. His daughter Beth graduated from Wake Forest this past year, while his other daughter Rebecca is a junior at Wake.

1957

James Guy Revelle is the senior partner in the firm, Revelle, Burleson, Lee and Revelle of Murfreesboro, N.C. Revelle's practice is in the area of estates, trusts and taxation. He has been counselor of the North Carolina State Bar since 1978 and Chairman of the Board of Trustees of Chowan College since 1982. Revelle is also very active in Kappa Alpha Order where he has served as Province Commander of Smith Province since 1977.

Keith Y. Sharpe concentrates on litigation and administrative law in Winston-Salem, N.C. He served as Assistant Solicitor of Municipal Court of Winston-Salem from 1958-1960 and as Regional Vice President of the Association of ICC Practitioners from 1978-1980.

1958

George W. Hamlich has served as District Court Judge of Cleveland County. Hamlich is also serving as President of the Kiwanis Club there.

1959

H. D. "Chris" Coley, Jr. is specializing in attorney malpractice in Raleigh, N.C.

Koy E. Dawkins is currently President of the Union County Bar Association. Dawkins practices in Monroe, N.C. for the firm of Dawkins, Glass & Lee, P.A. His specialty is construction law and business practice.

Harold M. Edwards served as United States Attorney for the Western District of North Carolina until August of 1981. Edwards is currently practicing with the firm of Sanders, London, Welling, and Edwards in Charlotte, N.C.

Arnold M. Stone recently formed a partnership with Marc E. Rohatiner in Los Angeles, CA. Stone specializes in criminal and civil litigation. Although he lives in California, Stone still retains his N.C. Bar Association membership.

H. Douglas Turner is practicing in Independence, Va. He is past chairman of the Grayson Bar Association and past chairman of the Grayson Democratic Party.

1960

Ronald C. Dilthey is a senior partner in Patterson, Dilthey, Clay, Cranfill, Sumner & Hartzog of Raleigh, N.C. Dilthey is currently an adjunct professor-at-law at Campbell University School of Law. He is also currently serving on the N.C. Bar Association Board of Governors and as vice chairman of the litigation section.

Kenneth S. Etheridge is a partner in Mason, Williamson, Etheridge & Moser, P.A. in Laurinburg, N.C. He is currently chairman of the Scotland County Board of Education and President of the Scotland County Bar Association. Etheridge is past president of the 16th Judicial District Bar Association.

Alumni News and Features

Carroll F. Gardner of Mt. Airy, N.C. is a senior partner with Gardner, Gardner, Johnston, Etringer & Donnelly. He specializes in criminal law. Gardner is married to the former Barbera Chapman, and they have two sons, David and Matthew. Gardner is the current Chairman of the Surry County Democratic party and Chairman of the 5th District Democratic Executive Committee.

James E. Lassiter is practicing real estate property and family law in Rural Hall.

Joseph McDarris of Waynesville has been serving as a District Court Judge for the 30th Judicial District since 1973.

1961

Lloyd F. Baucom is involved in the general civil practice of law in Charlotte, N.C. He recently served as a member of the American Bar Association Committee on Commercial Law.

Charles A. Horn is currently practicing law with the firm of Horn, West & Horn in Shelby, N.C.

Frederick E. Turnage is currently serving his fourth term as Mayor of Rocky Mount, N.C. Mr. Turnage also practices law in Rocky Mount specializing in real estate and estate planning. Mayor Turnage has recently completed a two-year term on the Board of Directors for the National League of Cities and was named to the Budget and Finance Committee.

1962

Reginald S. Hamel practices with Hamel, Hamel and Pearce in Charlotte, N.C. Hamel has been president of the Charlotte Jaycees (1967). He is a member of the Grievance Committee of Mecklenburg County Bar 1981-1984. He is also a Lay Reader of St. John's Episcopal Church, 1980-1983.

1963

Currently a District Court Judge, **James E. Ezzell, Jr.** has served as Solicitor of Rocky Mount Recorders Court and as a member of the N.C. House of Representatives.

Fred G. Morrison, Jr., who served as Executive Director of the N.C. Inmate Grievance Commission until 1981, is currently in private practice in Raleigh and is also doing development work for Child Watch, Inc., a non-profit corporation formed to help children with special needs.

1964

A past President of the Mt. Olive Rotary and a member of the Wayne County Young Democrats, **Douglas P. Connor** is in private practice in Mt. Olive, N.C.

James H. Early is involved in civil practice with Surratt and Early in Winston-Salem, N.C. Early's specialty areas include corporate, commercial, private, family law, and bankruptcy.

Edward L. Murrelle is currently practicing with Nichols, Caffrey, Hill, Evans and Murrelle in Greensboro, N.C. His specialty area is Products Liability and Commercial Litigation.

James F. Penny, Jr. is a sole practitioner in Lillington, N.C.

Larry B. Sitton is presently practicing with the firm of Smith, Moore, Smith, Schell & Hunter in Greensboro, N.C.

1965

Ellis L. Aycock is engaged in the general practice of law in Morganton, N.C. He is chairman of the South Mountain Group of the Sierra Club. He is also a member of the legislative committee of the Academy of Trial Lawyers. Aycock married Airlie Green Aycock March 6, 1982.

Norman B. Kellum, Jr. is a lecturer/writer for the N.C. Bar Association's Practical Skills Course, "Defense of Criminal Cases, A Practical Guide." Kellum is also serving as a member of the Wake Forest University School of Law's Executive Committee. Kellum practices with the firm of Beaman, Kellum, & Stallings, P.A. in New Bern, N.C.

Robert W. Porter is currently practicing with the firm of Frye, Booth and Porter in Winston-Salem, N.C. His practice specialty is in real estate. Bob and his wife Diane have two sons, Robert W. Porter, Jr. and John Michael Porter.

Billie L. Poole is a partner with Holland & Poole, P.A. of Clinton, N.C. Poole served as President of the Fourth Judicial District Bar Association in 1982 and is past President of the Sampson County Bar Association.

1966

E. C. Thompson, III is practicing with Thompson & Ludlum in Warsaw, N.C.

1967

W. Leon Davis is a sole practitioner specializing in income taxation: planning, tax shelters, audits, and appeals hearings. He and his wife Ann have four children: Reid, 19; Scott, 17; Bryson, 16; and Rachel, 12.

Donald A. Donadio has recently moved from Winston-Salem to Raleigh to become resident partner in the Raleigh branch office of Womble, Carlyle, Sandridge & Rice.

James Graham of Yadkinville is serving as Yadkin County attorney. He has held that post since 1976.

Panos (Pete) A. Yeapanis practices in corporation and naturalization law in Newport News, Va. Yeapanis served as City Attorney for the city of Newport News, Va. from 1970-1974.

James S. Liverman, Jr. is involved in general practice with Hux, Liverman & Armstrong in Enfield, N.C.

Carlos W. Murray, Jr. is currently president of the Wake County Council on Alcoholism. Murray is involved in general practice, specializing in criminal and family law.

Edward L. Powell practices with the firm of White & Crumpler in Winston-Salem, N.C. Edward was a N.C. State Representative, 1972-1974; a member of the N.C. Board of Transportation, 1975; N.C. Commissioner of Motor Vehicles, 1975-1977; and Chairman of the Forsyth County Republican Party, 1977-1981.

Paul K. Rifkin announces the birth of a son, Biff, born on March 22, 1982. Rifkin is engaged in the general practice of law in Asheville, N.C.

James E. Snyder, Jr. of Lexington, N.C. has two children, Sandra Elizabeth (11) and Susan Courtney (13).

David M. Zacks is currently practicing law with Knox and Zacks, in Atlanta, Ga.

1968

Joe Earl Biesecker is currently involved in general practice with Wilson, Biesecker, Tripp & Sink in Lexington, N.C.

Ladson F. Hart is currently living and practicing in Brevard, N.C. in a general practice. He served as District Court Judge, 1972-1976. He was chairman of the Governor's Commission on law and order, 1974-1976.

Broxie Jay Nelson is a partner with Lake & Nelson, P.A. He has been a Lieutenant Colonel in the N.C. National Guard since 1969. He served as the City Attorney of Raleigh, N.C. from 1969-1977. He served on the Wake County Bar Association Law Day Committee, 1977-1978. He has been a member of the N.C. Bar Association Practical Skills Committee since 1977. He is a member of the N.C. Academy of Trial Lawyers and the N.C. College of Advocacy. He was remarried to Andrea Provo Hoffman July 15, 1981.

John C. B. Regan III is currently involved in general practice with Regan & Regan of Lumberton, N.C. Regan's specialty area is trial work.

Meyressa H. Schoonmaker has recently been appointed by Governor Hunt to the National Commission for Uniform State Law. Schoonmaker has also been elected vice-chairman of the Family Law Council of the N.C. Bar Association.

Specializing in real estate, and corporate law, **Robert S. Taylerson** is a sole practitioner in Metairie, Louisiana.

1969

T. Merritt Bumpass, Jr. specializes in labor relations law with the firm Thompson, Hine and Flory in Shaker Heights, Ohio.

Charles C. Lamm, Jr. is currently a Superior Court Judge in Boone, N.C.

Currently practicing in the firm of James, Wykoff, Vechio, Pitman of Denville, N.J., **Ronald D. Nicola** has served as Deputy State Attorney General, 1970-1972 and assistant Union County Prosecutor, 1972-1976.

James L. Prevette, Jr. lives in Southport, N.C. and practices law with an emphasis in the civil areas. He served as Brunswick County Attorney from 1976-1978. Prevette currently serves as Long Beach Town Attorney and Yaupon Beach Town Attorney.

Bruce Hamilton Robinson, Jr. was named ABWA Boss of the Year (1982). Robinson is currently chairman for Methodist Church Youth Drug Program in Wallace, N.C.

Russell G. Walker, Jr. was appointed in June, 1982 by Governor Hunt to serve as a Special Superior Court Judge in Asheboro, N.C.

W. Fred Williams is presently practicing with the firm of Dearborn & Erving in Nashville, Tenn.

William E. Wilson is currently Prosecutor and Borough Attorney for Highlands, N.J. Wilson's specialty area is Racing Commission work.

1970

John Russell Barlow, II of Greensboro is currently practicing business law, specializing in real estate, with the firm of Block, Meyland & Lloyd, P.A. He and his wife have two children: Joanna, age 10 and Russell, age 8.

Edward T. Floyd practices corporate law in Atlanta, Ga.

1971

District Court Judge **Gary B. Tash**, who submitted his resignation in March to Governor James Hunt, has announced plans to enter private practice with the new firm of Alexander, Wright, Parrish, Hinshaw, & Tash in Winston-Salem.

1972

Max S. Busby is engaged in the general practice of law in Edenton, N.C. He is president of the Edenton Rotary Club and is on the Board of Directors of the Edenton Chamber of Commerce. He and his wife Katherine have two sons — Wilson, age 9 and Richard, age 7.

Henry D. Froneberger is the senior partner with the law firm of Froneberger, Banner & Zeff in San Francisco, Cal.

A former president of the Young Lawyers Association, **Michael K. Hodnett** is currently practicing in Gastonia and is also on the Board of Directors of the Gastonia Little Theatre.

After practicing law 10 years in Thomasville, N.C., **Larry E. Leonard** is now associated with the Joe Floyd, P.A. law firm in High Point, N.C.

Judge Jerry Cash Martin has just been reelected as District Court Judge. Judge Martin, who lives in Mt. Airy, has recently been certified as a N.C. Juvenile Judge.

Kemp A. Michael of Mt. Holly, N.C. has formed a partnership with Robert C. Whitt. The firm is in the general practice of law in Mt. Holly, N.C.

Robert J. Narucki was recently selected for the "Distinguished Services Award" by the Verona Jaycees. Narucki is currently title officer for the East Brunswick, N.J. office of Chicago Title. Narucki recently celebrated the birth of a son, Ross (July 1982).

Douglas Punger has been appointed chairman of the North Carolina Council of School Board Attorneys and is a member of the Education Law Committee of the N.C. Bar Association.

1973

Carl Wilburn Atkinson, Jr. has been active in his local bar association and various civic associations. He is currently a resident of Troy, N.C.

Robert K. Catherwood is a partner in the firm of Edmundson & Catherwood in Oxford, N.C. His practice consists primarily of real estate, domestic relations, criminal, and personal injury matters.

Robert F. Johnson works with the 2nd judicial district in Swan Quarter, N.C. He and his wife Cathy have one son, James Robert, and are expecting a second child.

Robert J. Lawing specializes in litigation with the Petree, Stockton, Robinson, Vaughn, Glaze & Maready law firm of Winston-Salem. Lawing taught Trial Advocacy at Wake Forest University in 1981 and was a speaker for the N.C. Bar Association's seminar on Trial Advocacy.

Alumni News and Features

The Honorable H. Paul McCoy, Jr. is serving as District Court Judge of Halifax County and has been included in Outstanding Young Men in America (1980).

Roger P. Main practices law in Burlington, N.J. specializing in matrimonial law. He is a member of the Burlington County, State of New Jersey and American Bar Associations. Main is also a member of the American Trial Lawyers Association.

John L. Pinnix is with the firm Barringer, Allen and Pinnix of Raleigh, N.C. John was an "ambassador" for the November 1982 North Carolina Friendship Force exchange with the Soviet Union. His firm is opening a Washington, D.C. office in March of 1983.

D. Keith Teague who is currently practicing as a sole practitioner in Elizabeth City, N.C. celebrated the birth of a daughter, Anna Elizabeth, on Sept. 7, 1982.

C. Everett Thompson is practicing law with Trimpf, Thompson & Nash in Elizabeth City, N.C. Thompson is involved in general practice there.

1974

Roy A. Archbell, Jr. is a practicing trial attorney in Kitty Hawk, N.C. He and his wife Susan announce the birth of their first child, Susan Elizabeth on August 31, 1982.

C. Christopher Bean is serving as attorney for the town of Edenton, N.C. He was appointed by Governor Hunt to the Edenton Historical Commission in 1982 and he served as president of the Edenton Historical Foundation. He married Grace Adams of Laurinburg, N.C. on June 19, 1982.

John W. Brown served as the Deputy Commonwealth Attorney for the City of Chesapeake, Va. from 1975-1980. Brown is currently specializing in criminal law with the law firm Gordon & Brown in Chesapeake, Va.

W. Russell Duke, Jr. has a general practice in Farmville, N.C. Russell began a term as Mayor of Farmville in Dec. 1981. He and his wife Patricia have two children, Katherine and Lawrence.

Edwin H. Ferguson has his own law firm in Concord, N.C. In 1979 he received the Outstanding Services Award from the Association of Retarded Citizens. Ferguson served as chairman of Cabarrus County Group Home from 1978 to 1980.

The Hon. William H. Freeman is currently serving as resident Superior Court Judge for the 21st judicial district.

David Maner, now the Eden Branch Office Manager of Duke Power, has been elected president of both the Eden Rotary Club and the Eden Chamber of Commerce. Last year he received the ABWA Boss of the Year Award, Reidsville Chapter.

Samuel J. Villegas is a corporate lawyer with Fairchild Industries in Winston-Salem, N.C. Villegas is a member of the American Bar Association and the Department of Transportation Efficiency Council.

1975

James F. Bailey is practicing with Howard M. Berg Associates, P.A. in Wilmington, Delaware.

Stephen J. Braun has been appointed as state's attorney for Charles County, Maryland. Braun has also been selected as one of five outstanding young Marylanders by the Maryland Jaycees.

Rodney C. Mason practices law with the firm of Ivey & Mason in Asheboro, N.C.

H. Denton Bumgardner of Bumgardner and Field in Brunswick, Maine announces the birth of a daughter, Lauren May, on August 1, 1982.

Thomas W. Cole has recently joined the Washington, D.C. law firm of Robbins and Laramie. He specializes in patents, trade marks and copyrights.

Charles L. Cromer was a candidate for District Court Judge of the twenty-second judicial district in 1982. He is also director of the High Point Rescue Squad and the High Point Kindergarten for the Handicapped.

Anthony Di Santi is practicing with the Boone, N.C. firm of Finger, Watson, Di Santi and McGee. He was married in October of 1982 to Deborah Lynn Winters.

Frank R. Edrington is with the corporate law department of Champlin Petroleum Co. in Fort Worth, Texas. He served as guest panelist for the National Petroleum Refiner's Association in September of 1982.

Henry Harkey of Charlotte is currently a member of the Board of Directors of Double Oaks Day Care Center, treasurer and a member of the Board of Deacons to Myers Park Presbyterian Church and assistant scoutmaster of Troop 55, BSA. He is the father of two children, Jonathan, age two and Christopher, age 6 months.

John F. McGeorge, Jr. will graduate from the Gordon-Cornwell Theological Seminary in S. Milton, Mass. in May, 1984. He plans to work as a missionary in Yugoslavia during the summer of 1983.

James W. Narron of the Smithfield, N.C. firm of Narron, O'Hale, Whittington & Woodruff is taking a leave of absence until May, 1983 to work on his L.L. M. in taxation from N.Y.U.

W. Douglas Parsons currently does trial work in state and federal courts, practicing with Warrick, Johnson & Parsons, P.A. in Clinton, N.C. Parsons served as president of the Democrat Man's Club in 1981 and served on the Board of Directors of the Clinton Chamber of Commerce in 1982. Parsons was married on October 1, 1982 to Roxanne Norris Parsons, formerly of Hampton, Va.

David Clark Smith, Jr. is currently practicing with Brinkley, Walser, McGirt, Miller & Smith in Lexington, N.C. Smith also resides in Lexington.

Richard S. Sparkman who is in private practice in Angier, N.C., has served on the Panel of Trustees for the Bankruptcy Court in the Eastern District and has also served as a Lecturer in the Bankruptcy Session of the N.C. Bar Association CLE Program. He was voted Outstanding Kiwanian in 1981 and President of the Angiers Kiwanis Club in 1981-1982.

Walter Ray Vernon, Jr. is currently specializing in corporation, business and banking law in Allentown, Pa.

David L. Wilson, Jr. of Winston-Salem, N.C. is currently involved in the practice of real estate, estates, and corporate law. He is married to Kimberly Hedrick Wilson (WFU class of 1975).

1976

William G. Alexander currently of Kannapolis, N.C., married Shelia Ann Hunsucker of Concord, N.C. January 23, 1982.

Currently practicing in Lumberton, N.C. **Adelaide G. Behan** has served as President of the Robeson County League of Women Voters from 1979-1983 and has also served as President of the City of Lumberton Planning Board.

Franklin L. Block practices law with the firm, Block & Trask in Wilmington, N.C. He is a part-time U.S. Magistrate and Vice President of the Cape Fear United Way.

Formerly an Assistant U.S. Attorney in Civil Practice, **Linda B. Bridgman** joined the trial team of the Enforcement Division of the S.E.C. in November of 1982.

Jack Clark practices with the firm of Tobin and Dempf of Albany, New York. He served as Judge Advocate of the United States Air Force 1977-1981.

Michael Warren Drye practices law with the Brock, Begley & Drye law firm in Asheville, N.C. Drye served as assistant Buncombe County Attorney from 1977-1979. He is presently chairman of the Christian Businessmen's Committee of Asheville.

James Dewey Edwards, Jr. is practicing real estate law and domestic law with the firm of Gaylor, Edwards & McGlaughton. He married the former Mary Ellington on Jan. 30, 1982. They are expecting their first child in early 1983.

Greg C. Gaskins is the departmental attorney in the Department of the State Treasurer in Raleigh. Gaskins was elected vice president of the National Association of Unclaimed Property Administrators at the annual meeting in November of 1982.

Gordon M. Gillies served as Assistant District Attorney (1978-80) and is currently involved in general practice in Bethel, Maine. Gillies specializes in probate, real estate, and commercial law.

Stephen C. Hassenfelt is currently specializing in taxation with Livingston and Hassenfelt, P.A. of Greensboro, N.C. Hassenfelt is the father of three girls and expects another child in March 1983.

William F. Lipscomb is currently with the firm Moore and Willardson in North Wilkesboro, N.C. His specialty area is insurance defense and litigation.

John P. McAdams was promoted in January of 1982 to shareholder with the law firm of Carlton, Fields, Ward, Emmanuel, McAdams, Smith and Cutler, P.A. McAdams specializes in labor and employment law in the Tampa, Florida office of the firm.

Susan Dianne Moore married Russell Wayne Register of Dunn, N.C. on April 13, 1980 and was expecting her first child in December, 1983.

Alice Eller Patterson is in the general practice of law in Winston-Salem, N.C. She is past treasurer of the Forsyth County Young Lawyers Association and the Forsyth Criminal Defense Trial Lawyers' Association.

Robert R. Tait received his U.M. (Taxation) at Emory University (1977) and his District of Columbia CPA Certificate (1982). Tait has specialized in federal income taxation of insurance companies.

1977

Joseph T. Carruthers currently practices law in Winston-Salem, N.C., concentrating in civil litigation.

Rebecca L. Connelly is currently with Booke & Company of Winston-Salem. Her specialty area is employee benefits.

Ray G. Corne is engaged in the general practice of law in Newton, N.C. He was named N.C. Dept. of Corrections Piedmont Area Community Volunteer of the year in 1981, and has a daughter, Joanne Elizabeth.

L. Michael Dobb is currently a member of the Board of Directors of the N.C. State University Humanities Foundation. Dodd is a partner of the law firm of Dimmock, Reagan & Dodd in Raleigh, N.C.

Robert M. Elliot is currently with the firm of Pfefferkorn & Cooley, P.A. in Winston-Salem, N.C. Elliot is specializing in litigation.

David Haynes of Plano, Texas is serving as the Chief Felony Prosecutor for the 296th Judicial District Court.

W. Harold Mitchell is the senior partner of Mitchell, Teele, Blackwell & Mitchell in Valdese, N.C. In August 1982 he became a member of the American College of Trial Lawyers. He was president of the Wake Forest University Law Alumni in 1978. He is currently president of the Burke County and Twenty-fifth Judicial District Bar Association and is chairman of the Board of Trustees of Valdese General Hospital. He is married to Patricia Britt Mitchell and they have three children, Marc, Mike and Patricia.

Jack Nichols is legal counsel for the Department of Administration in Raleigh, N.C. He is involved with administrative law and legislative lobbying. Nichols was a candidate for Wake County Commissioner in 1982.

Patricia Pegram, the current treasurer for the Forsyth County Bar Association, is working with the Wachovia Corporation Legal Dept. in Winston-Salem, N.C.

Charles L. Cromer was a candidate for District Court Judge of

Patricia Gaedeke Reeves is currently an assistant U.S. Attorney in Detroit, Michigan.

Thomas D. Schwall served as Chief Deputy District Attorney for the 14th Judicial District of Colorado. He and his wife Julie and daughter Emily Claire live in Steamboat Springs, Colorado, where he is a partner with Colarie and Schwall, P.C.

Robert F. Stamps was a Captain in the U.S. Air Force until leaving the Air Force in February of 1983. He specializes in government contract law and government fiscal law.

John W. Stone, Jr. is an assistant U.S. Attorney for the middle district of N.C. He specializes in criminal law and land condemnation. He and his wife have recently announced the birth of their third child, Sarah Hughes Stone, born November 11, 1982. They also have two sons.

E. Edward Vogler, Jr. currently practices with Hill and Vogler in Mocksville, N.C.

Alumni News and Features

1978

Expecting his first child in March of 1983, **Marc E. Acree** is practicing law with the firm Duncan and Thomasson in La Grange, Ga.

David L. Craven has recently been promoted associate legal council of Northwestern Financial Corporation. Craven currently resides in Moravian Falls, N.C.

Leowen Evans is a staff attorney for the North Carolina Legal Assistance Program in Durham, N.C., specializing in poverty law.

Thomas C. Fitzgerald is practicing in Roxboro, N.C. specializing in criminal, domestic, real estate, and social security claims. Fitzgerald was elected into the outstanding young men of America organization last year.

Kay Ruthren Hagan works for the NCNB Trust Department in Greensboro, N.C. She serves on the Boards of Bell House and the Junior League. In 1977 Kay was married to Charles T. Hagan, III. They have one child and expect number two in April.

Bruce Alan Herald specializes in estate plan and taxation in West Chester, Pennsylvania. Bruce became a CPA in Pennsylvania in 1981.

H. James Hutcheson recently began work as Senior Contracts Administrator at the Research Triangle Institute of North Carolina.

Pamela A. Jamarik is a corporate lawyer specializing in real estate for Southern Railway in Washington, D.C. She resides in Arlington, Va.

Thomas K. Leeper is involved in private general practice and serving as part-time public defender in Quincy, Illinois. Leeper celebrated the adoption of a baby girl, Angela Rae, in October of 1982.

Karin B. Littlejohn is a partner in the firm of Lakes and Littlejohn of Winston-Salem, N.C. In May of 1982, Littlejohn received an LLM in Agricultural Law from the University of Arkansas. She is co-author of a book in progress, **Income Tax Planning for Agriculture** to be published by Shepards-McGraw-Hill in 1984. She has served as chairman of the subcommittee on fishing — ABA Section of Taxation Committee on Agriculture (1982-1983).

Michael C. Miller recently merged with three other attorneys to form the Moser, Ogburn, Heafner & Miller law firm in Asheboro, N.C. Miller was elected to serve on the Board of Directors of the Asheboro/Randolph County Chamber of Commerce.

J. Lloyd Nault, II is with the legal department of Southern Bell in Miami, Fl.

D. Michael Parker is currently practicing with the firm Cheshire and Parker in Hillsborough, N.C. He is president-elect of the Hillsborough Exchange Club, and Lay Leader and chairman of the Administrative Board of the Walnut Grove United Methodist Church. He is on the Board of Directors of the Orange County United Way. He is a member of the North Carolina and Orange County Bar associations and the North Carolina Academy of Trial Lawyers. He and his wife Betsy have a daughter Sarah Elizabeth who is now one year old.

Jeremy Flachs is practicing in the Washington, D.C. area. His specialty is personal injury, domestic relations, and worker's compensation.

Leon H. Porter, Jr. is with Petree, Stockton, Robinson, Vaughn, Glaze & Maready of Winston-Salem, N.C. Porter has recently been elected to serve as vice-president of sponsorship (Stratford Sertoma Club).

Dr. Jesse E. Shearin, Jr. is engaged in the general practice of law for the firm of Phillips, Bourne, Harper & Keel of Tarboro, N.C.

Practicing in the firm of Wilson and Small of Winston-Salem, N.C., **Christopher J. Small** specializes in Commercial Collections and, along with his wife Susan, is anxiously awaiting the birth of their second child expected in April, 1983.

D. Michael Strickland became a partner in the firm Gaylord, Singleton, McNally and Strickland on June 1, 1982. Michael and his wife have a two year old daughter, Tracy Elizabeth and are expecting another child in January, 1983.

Henry B. Wansker left the District Attorney's staff (120th Dist. NC) in May 1, 1981 to become associated in the practice of law with Woodrow W. Gunter, II in Rockingham, N.C. Wansker, a member of the Rockingham Rotary Club, has served as President of the Richmond County Young Democrats and as Chairman of the Richmond County Committee to keep the two-year term (for state legislators) during the 1982 primary election.

J. Randolph Ward is chairman of the Durham Fair Housing Task Force. Ward's specialty areas include civil litigation, domestic, and social securities disability.

Gregory W. Williams is presently the President of the Eastern Sussex Family YMCA in Rehoboth Beach, Delaware. Williams was selected as one of the Outstanding Young Men of America in 1982 and is a partner with the law firm of Hudson, Jones, Jaywork & Williams.

Brad Wilson is with the firm of Carpenter, Bost & Wilson, P.A. in Lenoir, N.C. Wilson was appointed by Governor Hunt to the Board of Transportation for the Department of Transportation in August. Wilson also celebrated the birth of a daughter, Anne Elizabeth, that same month.

Les H. Veazey is practicing in Hendersonville, N.C., specializing in real estate, corporate work and estate planning. His current civic contributions include Board of Directors of Hospice of Henderson County, Trustee on the Board of Opportunity Group, Inc., and the local board director of the American Cancer Society, Henderson County unit.

1979

Linda F. Agee specializes in securities law with Ashland Oil, Inc. of Russell, Ky.

R. Stewart Barroll is a partner in the firm of Hoon & Barroll in Chestertown, Md. Barroll specializes in trial work. Barroll celebrated his engagement to Kimberly Sherman Christmas Eve (1982).

Russell L. Bowling has been active in the Macon County area. He has served on the board of directors for the social arts council and as third vice-chairman for the county's Democratic party.

Julius H. Corpening, II is currently practicing law in the law firm of Prickett and Corpening in Wilmington, N.C.

Thomas W. Ferrell, Jr. served as a law clerk for the Honorable Hiram H. Ward (1980-82). Ferrell is currently a trial attorney for the U.S. Department of Justice Civil Division, Torts Branch in Washington, D.C.

H. Craig Farver became a partner with Gwyn, Gwyn and Farver in Reidsville, N.C. in 1981. On Jan. 10, 1981 he was married to Jenny Nichols.

David A. Guth authored "Suing in Small Claims Court — A Practical Guide" which was published by the Michie Company in January, 1983. Guth specializes in family law in Cary, N.C.

Elaine J. Guth, a member of the Raleigh Symphony Orchestra, is working with the Attorney General's Office in Raleigh.

Bonnie Kay Johns is associated with the firm of Nichols, Caffrey, Hill, Evans & Murrelle in Greensboro. She specializes in bankruptcy and commercial law. Johns was a council member for the bankruptcy section of the N.C. Bar Association, 1980-81.

William J. Kubida is practicing patent, trademark and copyright law in Phoenix, Arizona.

Alan Lee Levengood is engaged in a civil practice doing mostly domestic work in Pottstown, Pennsylvania. He would like to announce the birth of a daughter, Allison Leigh.

Stuart C. Markman is with the firm of Winkles & Trombley, P.A. in Tampa, Fla., specializing in civil and criminal litigation.

B. B. "Buddy" Massagee, III is Chairman of the Henderson County Democratic party. His wife, sally, is a 1977 Wake Forest University graduate.

John B. Ross is currently practicing with the firm of Hatch, Little, Bunn, Jones, Few and Berry in Raleigh, N.C. John was president of the Toastmaster Club #1293 in 1981. He was secretary of the Greater Raleigh Exchange Club in 1982. A daughter, Shannon Moore Ross, was born November 21, 1980.

Charles Rountree of Rocky Mount is currently serving as President of the Nash County Young Democrats and as legal counsel to the Rocky Mount Jaycees.

Jeffrey O. Saufley is captain in the U.S. Army JAG Corps. He is the assistant staff judge advocate and specializes in trial counsel. Jeff and his wife Pamela are stationed in Ft. Carson, Colorado.

David W. Smith recently became a member of the firm of Morrow & Smith, P.A. Smith is currently living and practicing in Gastonia, N.C.

Ray Stanford, Jr. is currently practicing with Mitchell, Clarke, Pate, Anderson & Wimberly in Atlanta, Ga.

Scott M. Stevenson of Charlotte, N.C. is practicing in the field of insurance defense. Stevenson was a member of Phi Delta Phi while at Wake.

Ralph F. Tellefsen, III is specializing in real estate. Tellefsen maintains a practice in Elmhurst, Illinois.

Donald R. Vaughan is the Vice-President of Government Affairs with the Stedman Corporation in Asheboro, N.C.

1980

Dan A. Boone, currently residing in Concord, N.C., is serving as Risk & Investments Manager for Food Town Stores, Inc. (Food Lion).

Lynn P. Burleson is presently Assistant District Attorney for the 21st Prosecutorial District in Winston-Salem, N.C. Burleson is a member of the Winston-Salem Fair Housing Committee and the Winston-Salem Human Relations Commission and, in 1980, received the Order of Barristers Award.

Janine W. Cutcher was made a partner of Eggerton, Marshall & Cutcher in 1982. She is involved in general practice.

William Hill Evans currently practices with Story, Hunter & Evans, P.A. in Marion, N.C. He is a member of the North Carolina Bar Association, the Academy of Trial Lawyers. He is also a member of the Marion Civitan Club. He was married to his wife Kathy on June 17, 1981.

J. Eric Evenson, II is working as Assistant District Attorney in Durham County. Evenson celebrated the birth of a son, John Eric III, in August of 1982.

Rod Guthrie is currently with Barfield and Canders, P.A. of Fayetteville, N.C. Guthrie is specializing in domestic and personal injury work.

Thomas B. Kakassy is a partner in the firm of Guller and Kakassy in Gastonia, N.C. Kakassy is president of the Gastonia Jaycees and the Gastonia Toastmasters.

Samuel W. Lanham, Jr. is presently practicing with the firm of Mitchell & Stearns in Bangor, Maine.

Melinda W. Melhorn of Rocky Mount, N.C. is presently with the Edgecombe County District Attorney's Office. Melhorn is 7th Judicial District Representative for the Young Lawyer's Division.

Judson W. Roberts specializes in criminal appeals in Falls Church, Va. Roberts has one son, Dennis, born Feb. 26, 1981.

Linda Stott is involved in administrative law with the N.C. Department of Human Resources in Raleigh, N.C.

Allan R. Tarleton is practicing with Van Winkle, Buch, Wall, Starnes, & Davis, P.A. Tarleton is also in the executive committee of the 28th Judicial District Bar Association and on the Historic Resources Commission of Asheville and Buncombe County.

Stephen M. Valentine recently joined the Air Force Office of Judge Advocate (JAG). He is presently stationed at McChord AFB in Tacoma, Washington.

Alumni News and Features

1981

G. Michael Barnhill has been a law clerk to Judge Woodrow W. Jones. He became an Associate with Womble, Carlyle, Sandridge and Rice in September of 1983.

Robert S. Boyan is currently engaged in general practice with Boyan and Nix in High Point, N.C.

John Clifford of Charlotte is with the legal department of Family Dollar Stores, Inc. He is married to the former Kay Godwin of Greensboro.

Jean Marie Craddoci is currently serving in the Office of Hearing and Appeals for the city of Greensboro, N.C.

Dennis John Eadus is specializing in trust law as a sole practitioner in Delafield, Wisconsin. Eadus is a member of the Board of Directors of the Hawks Inn Historical Society.

Randall L. Frank of Bay City, Michigan is practicing commercial litigation, specializing in bankruptcy. Frank was elected as Chairman of the Young Lawyers Section, Bay County Bar Association for the 1982-1983 fiscal year.

Nancy Hamilton is practicing with the Myrtle Beach, S.C. firm of Joseph, Harris and Hanna, P.A. She married David Shay Corbett of Myrtle Beach this past June.

Michael Harford is blazing new trails for PAD — establishing a PAD law chapter at Morehead State University in Morehead, Kentucky. He was married in the spring of 1982 to Deborah Susan Miles.

Kathryn G. Hemphill is a sole practitioner in Newland, N.C. Hemphill served as President of the Avery County Bar Association and as secretary-treasurer of the 24th judicial district bar association last year.

Ralph L. Hicks is currently a resident of Cashiers, N.C. where he is involved in general practice.

Marshall Hurley practices personal injury and criminal law with the Joe D. Floyd law firm in High Point, N.C.

Katherine Fortino Johnston married Donn Johnston (class of '81) last May. She is a general counsel with First American Federal Savings and Loan Association of Asheboro, N.C.

First Lieutenant Dave Jonas is with the OSJA, 1st FSSG at Camp Pendleton, California. Jonas is a Prosecutor in criminal trials there.

William S. Lewis is currently practicing with Moore, Stout, Waddell and Ledford in Kingsport, Tennessee.

Lawrence Paul Margolis is an associate with Michael S. Shulimson in a general practice of law in Charlotte, N.C.

Christopher C. Myers is currently practicing with the firm of Wilk and Kimbrough in Fort Wayne, Indiana. His specialty area is insurance defense. Chris was a member of Big Brothers of America in 1982.

David Narkiewicz is practicing with the Norristown, Pennsylvania firm of Rosenstein and Romano, P.C. This past summer he married Carol Caturia of Hershey, Pennsylvania.

Michael R. Nash is a member of the N.C. Academy of Trial Lawyers and the Greensboro Criminal Defense Lawyers Association. Nash practices criminal and civil law in Greensboro.

John A. Newman is currently with Bryan, Cave, McPheeters, & McRoberts in St. Louis, Missouri. Newman is specializing in taxation.

Kenneth W. Patterson is currently serving as the Assistant District Attorney for the First Judicial District. Patterson resides in Elizabeth City, N.C.

Scott W. Singer is serving in the U.S. Air Force Judge Advocate General's department. He is a member of Phi Alpha Delta and a member of the Florida Bar.

Susan L. Sowell specializes in civil litigation, practicing in Charlotte, N.C. with the firm of Craighill, Randleman, Clarkson, Ingle & Blythe, P.A.

Elizabeth Neisler Sumner is currently involved in general practice with Mullen, Holland, & Cooper, P.A. of Gastonia, N.C. She married H. Randolph Sumner (Wake Forest University School of Law '82) on May 22, 1982.

Susan Nye Surles is currently on the Board of Directors for Christian Conciliation Service of Forsyth County and a Forsyth County Court Volunteer. Surles is involved in general practice.

J. Michael Swope is currently a resident of Matthews, N.C. He is involved in general practice there.

Patricia Ann Tracey is with Touche Ross & Co. of Charlotte specializing in taxation.

Elizabeth Ross Warren is currently involved in general practice in Greenville, N.C. Warren is with McLawhorn & Mitchell, P.A.

1982

Barry Scott Burke is currently working with Elam, Seaford, McGinnis & Stroud of Charlotte, N.C. Burke is involved in general practice.

Rachel Rice Cummings of Charlotte, N.C. is associated with North Carolina National Bank where she practices corporate and banking law.

C. Scott Hester was married to Rhonda Lynn Mabry on November 17, 1982 in Tampa, Florida. Hester is a law clerk to United States Magistrate Charles K. McCotter, Jr. of the Eastern District of North Carolina.

William T. Hughes became a sole practitioner in October of 1982. Hughes is practicing law in Graham, N.C.

Margaret A. Hurst is currently practicing with Jacksonville Area Legal Aid in Jacksonville, Florida. Margaret was a recipient of Reginald Huber Smith Community Lawyer Fellowship, 1982-1983.

Gary K. Joyner is currently an Associate with the firm of Bailey, Dixon, Wooten, McDonald & Fountain in Raleigh, N.C.

David D. Lennon is currently practicing with the firm of Huggard, Hensley and Lennon, P.A. in Raleigh, N.C. Lennon is involved in civil litigation with special emphasis on personal injury and professional malpractice actions.

Melissa McMorries is practicing corporate law in the legal department of R.J. Reynolds Industries in Winston-Salem, N.C.

Colin "Bruce" Maxa is in the general practice of law with John Knight in Charlottesville, Va.

Julie Montgomery is working on her LLM in taxation at Georgetown University Law Center.

Rudy L. Ogborn is currently working in the personal trust administration department at First Citizens Bank and Trust Co. in Raleigh, N.C.

Noland Wills Smith specializes in real property and domestic relation law with McKeever, Edwards, Davis & Hays in Murphy, N.C.

David C. Spivey, an associate in the law firm Siler & Philo, P.A. in Franklin, N.C., is specializing in criminal defense work.

1982 Graduates

The following is an updated list of those recent graduates who have notified the law school of their employment or continued graduate study.

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