



Volume 1, No. 1

Durham, N. C.

May 1, 1968

LAW DAY - U.S.A. OBSERVED AT N.C.C.

by

James E. McNeil

Law Day - U.S.A. is an annual observance by the American Bar Association. May 1, is the day designated for this occasion. The 1968 Law Day theme is "ONLY A LAWFUL SOCIETY CAN BUILD A BETTER SOCIETY." The Board of Governors of the American Bar Association has authorized an annual \$500 Law Day U.S.A. Speech Award in memory of the late Judge Edward Finch of the New York Court of Appeals.

The objectives of the Judge Finch Law Day Speech Award are to foster a deeper appreciation and understanding of the place of law in American life and to accord national recognition each year to the address chosen among those entered in the competition as the most outstanding in content and effectiveness in furthering the purposes of Law Day.

See LAW DAY, page 3

LAW STUDENTS TAKE BAR EXAM

by

Vincent P. Maltese

On March 5, 1968, the Academic Committee of the Student Bar Association sponsored its First Annual Junion Bar Examination.

Some 53 students registered to take the examination given in the Moot Court Room of the Law School. The purpose of this novel project was to acquaint the student with the real thing yet to come; and to point out to the student areas in which more concentration is necessary.

Stemming from these two basic premises, other data was able to be evaluated also. Identification of the question's subject matter led the list with answering a legal question taking second honors.

See BAR EXAM, page 3

SEVEN PERSONS TO RECEIVE LL.B.

by

J. Frank Hanley, II

The North Carolina College School of Law will have seven graduates this year. The following is a brief resume of each graduate's qualifications and future plans.

James Tyrone Duncan. North Carolina College (B.S., 1965); Political Science, History. His law school affiliations are Student Bar Association, American Law Student Association, and Law Review. His areas of interest in law are family law and insurance law. He plans to live and work in Washington, D. C., or Atlanta, Georgia. He hails from Greenville, North Carolina.

Jay Frank Hanley, II. Hampton Institute. History, Political Science. His law school affiliations are American Law Student Association; treasurer, Student Bar Association. His areas of interest in law are criminal law, legal problems of the poor and corporate law. He is undecided about where he plans to live and work. He hails from Indianapolis, Indiana.

Charles E. Houston, Jr. North Carolina College (B.A., 1965); Philosophy. He also attended the Columbia University Graduate School of Business. Mr. Houston is the National Vice-President of the American Bar Association, Law Student Division Fourth Circuit; Graduate Assistant; SBA; and ALSA. He is interested in corporate law and lives in Tuckahoe, N.Y.

Elvis Lewis, Jr. North Carolina College (B.S.C., 1966); Business Administration. His law school affiliations are SBA, ALSA, Law Review, and Moot Court Aide. He intends to live and work in Washington, Atlanta, or Gary, Indiana. His hometown is Henderson, N.C.

Lee Marshall McLean. North Carolina College (B.S., 1965); Economics, Political Science. His law school affiliations are SBA, ALSA, Moot Court Researcher, and Graduate Assistant. His primary interests

See GRADUATES, page 5

Editorials

THE MEANING OF LAW DAY - U.S.A.

by James E. McNeil

President Johnson's 1968 Law Day U. S. A. proclamation, signed in the presence of ABA President Morris at the White House, is quoted in part . . . NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby request the observance of Law Day. I urge each citizen to join in that observance by making a personal commitment

- to obey the law
- to respect the rights of others
- to aid law enforcement officers
- to uphold the judgment of the court

The theme, "Only a Lawful Society Can Build a Better Society," presents problems which are plaguing this country. They are race relations, riots, and demonstrations. These problems have fostered this year's theme. What does this theme mean to the man of the street? It really means nothing.

In order to build a better society, the average citizen is well aware that physically building our society takes money--money we don't have. Moreover, a lawful society means to the average Negro that "the law is a figment of the imagination." To him it means that this society of ours "can kill the Apostle of Non-Violence." It is also saying to all Negroes, "Don't riot and burn the cities down, because the law will change all the urban problems facing you today."

It also says that although desegregation of the public schools is the law of the land, there has only been a token of desegregation so minute that there is hardly any noticeable change in fourteen years. It is also saying that the Public Accommodations Sections of the 1964 Civil Rights Act is the law of the land today. Yet, in South Carolina a bowling alley proprietor can still close his doors to Negroes and indirectly cause the death of three Negro youths. This term, "Only a Lawful Society", still means to the man on the street that although the law should prevail, there are officials of the courts that are corrupt, thus, enhancing his belief that we are a nation of men rather than laws.

Although the President's Commission on Civil Disorders has recommended certain fundamental changes that are necessary to make this country a better society, there has been no action taken.

I am not condoning rioting, burning, and violence that is on the incline in this country. I am not saying that everyone should not abide by the laws which will enhance our society. I am saying that, although, the law is by far the most important structure necessary in an orderly society, it should be administered equally to everyone regardless of color or national origin. The law should never be placed in a vacuum, remotely apart from all the others problems in this country. It should be intertwined with all the social, religious, and military problems facing our society.

THE NEED FOR A CHANGE FROM LL.B. TO J.D.
AT N.C.C.

by Marvin M. Rux

The recent trend in law schools throughout the nation has been to award their graduates the J.D. instead of the LL.B. The questions that have been arising are what is the J.D. and why is it being awarded?

In the early 1900's, a college education was not required for admission to any school of law, today, however, many legal institutions require, and most law students have an undergraduate or bachelor's degree. Thus, when the "Bachelor of Laws" degree is conferred upon a graduate he now has a bachelors to go with his undergraduate bachelors. Quoting from Professor John H. Crabb of the University of North Dakota in an article entitled "Integrating Law with the Academic World," "the LL.B. is presumably a lower designation than even the "Masters" despite the fact that the law student's time and effort would involve a year or two more than that for the usual M.A. degree, and would more nearly have approximated that of the Ph.D rather than the M.A. degree."

The J.D. degree is to the law graduate what the M.D. is to the medical school graduate, or the D.D.S. is to the dental school graduate. The J.D. is the professional doctorate in law. The holder of a J.D. over and LL.B. holder, usually gets the better paying job, although both individuals studied under similar curriculums.

In receiving a second bachelors degree the image of the law graduate and the legal profession is impaired. The image of the law school, in the eye of other students and of those who instruct in other areas at N.C.C., is also distorted, since they have the idea that a legal education is a baccalaureate education when in reality with the level of intellectual activity and the scholastic standards exacted for survival and graduation, a legal education is comparable to programs which lead to research doctorates in other fields. Thus awarding the J.D. insures fairness to law school graduates and prevents misunderstanding in the minds of those who are not familiar with the status of present day legal education.

To aid the reader in understanding the breadth of the "J.D. Movement" as it is called, one might relate to a few figures. In 1961 only 16 of the 136 law schools approved by the American Bar Association awarded the J.D. Today only seven years later 80 schools are now awarding the degree.

In North Carolina only N.C.C. does not award the J.D., however, this column is happy to announce that a genuine effort has been made by the administration to award the degree beginning in 1969.

LEGAL EAGLE STAFF

Editor-in-Chief	Louise C. West
Assistant Editor	James E. McNeil
Managing Editors	Samuel Lefkowitz
	R. Lewis Ray
Feature Editor	Marvin M. Rux
Art Editor	David Williams
Photographer	George Manning
Staff	Philip Auerbach, Joseph S. Britt,
	William McCollum, Jay Frank Hanley,
	Charles Houston, Vincent Maltese,
	and Milton Moore.

-LAW DAY- (Continued from Page 1)

Here at North Carolina College School of Law, Mr. Charles Houston, Chairman of the Law Day Committee, announced the schedule of events:

May 1, 1968

- 10:00 Law Day Speaker - B. N. Duke,
Auditorium, Mr. Donald M. Stocks,
Deputy Director, Office of Economic
Opportunity, Legal Services
Program, Washington, D. C.
- 12:00 Law Day Luncheon - Chicken Box,
Fayetteville St.
- 3:00 Moot Court Trials - Education
Auditorium, N.C.C., Campus

May 2, 1968 - 1

- 8:00 Law School Ball, Craftman's
Lounge, Subscription \$2.50, music
by Lee Barvis

-BAR EXAM- (Continued from Page 1)

Among the courses represented on the examination were: Contracts, Torts, Trusts, Legal Writing, Legal Bibliography, Agency, Personal Property, Real Property, Criminal Law, Wills, Corporations, Negotiable Instruments, Evidence, Administrative Law, Titles, Equity, Civil Procedure, Credit Transactions, and Constitutional Law.

Professors submitted questions to the Committee which were then compiled into an examination booklet. The professors in evaluating each test paper were asked to grade them on a strict numerical basis. Prizes valued at \$30.00 each, were given to the students receiving the highest numerical score in each class bracket. Winners were: Freshman Class - Roger Thurston, Junior Class - Ronald Pitts, Senior Class - Elvis Lewis, Jr.

The Examination was lauded by professors and students alike as a valuable preparation tool for the real bar exam. The Committee hopes that this will become a permanent yearly project for the Student Bar Association.

May 1, 1968

Professor Profile:
Mr. Raymond Watkins

by

R. Lewis Ray

Mr. Raymond Watkins, our new professor, graduated from John Marshall Law School. His experiences include private practice, military service and other teaching posts. His most recent teaching position prior to coming to North Carolina College Law School was in the warm sun of Florida at Florida A. & M. University. Here Mr. Watkins teaches Criminal Law, Civil Procedure, Constitutional Law, and Future Interest. Mr. Watkins replaces Mr. Henry Frye who left at the end of last year to enter private practice in Greensboro.

Mr. Watkins has had little time from his classroom preparations to express his philosophy of the legal education and the potential of the Negro lawyer today. However, if I am allowed to make a wild guess, I would say that there is no such thing as a Negro lawyer to Mr. Watkins. He judges a lawyer by his ability and the content of his character rather than by the color of his skin.

His methods of instruction reveals that he has been exposed to a wide range of teaching techniques. He is able to cross section these techniques into what experience has shown him are effective tools of instruction.

In conclusion, we hope Mr. Watkins enjoys North Carolina College Law School and will stay with us as long as he wishes.

Supreme Court Corner:
Thurgood Marshall takes seat on Court

by

Joseph S. Britt
 &
 Milton Moore

On October 2, 1967, Thurgood Marshall took office as a Justice of the United States Supreme Court.

Justice Marshall was born in Baltimore, Maryland, July 2, 1908, the son of William and Norma Anne Marshall. He was educated in the Baltimore public schools. He was graduated from Lincoln University in 1930 and from Howard University School of Law in 1933.

In 1934 Marshall was appointed law counsel for the Baltimore Branch of the N.A.A.C.P. His idea of equality was expressed before a senate committee in 1934: "The only way to get equality is for two people to get the same thing, at the

same time, at the same place." Marshall became the chief legal advisor of the N.A.A.C.P. National Office in 1938 and reorganized the N.A.A.C.P. Legal Defense and Education Fund in 1939.

He focused his attention on civil rights cases and participated in more than fifty such cases. He successfully argued 29 of 32 cases before the U.S. Supreme Court, the most famous being, Brown v. Board of Education in 1954.

President Kennedy nominated him on September 23, 1961 for Judge of the Second Circuit Court of Appeals. His appointment was not confirmed by the Senate until September 11, 1962. He was nominated by President Johnson on August 11, 1965 and on August 24, 1965 he became the 33rd Solicitor General of the United States.

One day after the announcement of the resignation of Justice Thomas C. Clark from the Supreme Court, President Johnson announced the appointment of Mr. Marshall to his present position.

Mr. Marshall is one of our most qualified justices through both training and experience. He has earned his position through long and dedicated service to his country. President Johnson paid a fitting tribute to Mr. Marshall in his statement at the announcement of the appointment when he said, "Marshall has already earned his place in history but I think it will be greatly enhanced by his service on the court."

Supreme Court Justice Marshall is credited with setting the pace in the fight for liberal construction and interpretation of the Constitution.

The cause for which he fought could only point towards the direction of liberalism, which has created a new kind of American society which projects the Negro from the past to the present and into the future, as followers and leaders in our society.

The legal fight he instituted within the past years have pushed forward the ideals of liberal interpretation and reduced discrimination among citizens of the United States. His position as chief legal counsel for the N.A.A.C.P. has helped to eliminate the machine of conservative interpretation of the law. The tools of his profession were the greatest asset for his liberal mind which developed the opposition towards conservatism.

Though many citizens object, we are in agreement that Justice Marshall's future actions, whether his judicial opinions or any committed legal acts, will be the result of his past legal experiences as a liberal.

Justice Marshall has not participated in the consideration or decisions of many

See MARSHALL, page 5

CHARLES HOUSTON SERVES AS NATIONAL VICE-PRESIDENT OF THE ABA

Charles E. Houston, Jr., a senior law student at N.C.C. was the first member of the law school to be elected to the Law Student Division of the American Bar Association.

Charles was elected last April at the American Bar Association Fourth Circuit Conference. The Fourth Circuit is composed of all the law schools within the states of North Carolina, South Carolina, Virginia and West Virginia.

The duties of his office have been to administer, advise and co-ordinate all of the programs sponsored by the American Bar Association among the law schools in the Fourth Circuit. Furthermore, he represented the Fourth Circuit law schools at the national level as a member of the ABA Board of Governors.

Fulfilling the obligations of his office has required his attendance beyond the geographical units of the Fourth Circuit. He has attended ABA meetings in Chicago, Birmingham, Honolulu, New York, Philadelphia and Washington, D. C.

We salute Charles for a job well done and going forward always taking the name of N.C.C. with him.

-GRADUATES-

(Continued from page 1)

in law are the areas of property law and criminal law. Mr. McLean plans to live in North Carolina. He hails from Laurinburg, N. C.

Marvin M. Rux. North Carolina College, Accounting and Business. His law affiliations are Vice-President of the Student Bar Association, Editor of Law Review, Moot Court Researcher, Feature Editor of Newspaper, Justice of Student Court, and Teacher Assistant. Mr. Rux plans to live in New York or Chicago. He is now making his home in New York City. His primary interests in law are in the area of tax law and banking.

Albert Leon Stanback, Jr. North Carolina College (B.S., 1965); Chemistry. His law school affiliations are SBA, ALSA, and Student Welfare Committee. Mr. Stanback plans to live in Durham, North Carolina or Atlanta, Georgia. His primary interest in law is that of personal injury and tort law. Mr. Stanback's home is Durham, N. C.

It is our hope that the graduates of the North Carolina College School of Law will venture forward and accomplish much, realizing the full meaning of our graduation and commencement, which means beginning.

-MARSHALL- (Continued from page 4)

of the cases decided by the court. This has been primarily because of his prior involvement in these cases as Solicitor General of the United States.

In summation, we can hope that Justice Marshall will continue his liberal ideals because he has been a product of his experiences.

