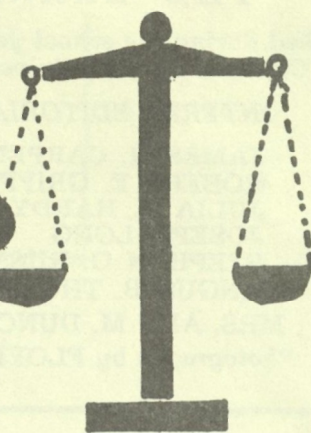




the barrister



Volume 6, Number 1

North Carolina Central University Law School, Durham, N. C.

April, 1975

THE BARRISTER REORGANIZED SPECIAL LAW DAY EDITION

Wilhelmina J. Rolark Is Featured Law Day Speaker At NCCU

North Carolina Central University Law School will observe Law Day '75 on April 18, 1975 at 11:00 a.m. in B. N. Duke Auditorium.

Wilhelmina Jackson Rolark, President of the National Association of Black Women Attorneys, will be the principal speaker for the occasion.

In addition to Ms. Rolark's address, the Law Day activities on April 18, 1975, will include final rounds of the Upperclass and Freshman Moot Court Competitions which will begin at 2:00 p.m. in the Moot Court Room. An Alumni Cocktail Sip will be held at Ramada Inn at 9:00 p.m.

On April 19, 1975 at 1:00 p.m., a seminar entitled "Women In The Law" will be held at the Ramada Inn. Panelists, in addition to Wilhelmina Rolark, will include North Carolina Central University Law School alumnae Claudette Hardaway, Durham, North Carolina, Deborah Mailman, Raleigh, North Carolina, and Regina Moore, Williamston, North Carolina. There will be an Alumni Meeting at the Ramada Inn at 5:00 p.m. The Awards Banquet will be held at 7:30 p.m. in W. G. Pearson Cafeteria at NCCU followed by the Awards Ball which will start at 9:00 p.m. at the Ramada Inn.

The Law Day activities are a culmination of year long programs and seminars sponsored by the Law Day Committee designed to enrich the Law School curriculum.

BALSA National Convention Held In Atlanta, Georgia

By Steve Russell

The 1975 BALSA National Convention was held March 29-30 at the Atlanta University Center, Atlanta, Georgia. The Emory chapter of BALSA served as the host institution. This year's program was designed to provide learning experiences and employment opportunities for each delegate in attendance.

North Carolina Central University was represented by Janet Breece, Cheri Bryant, Perry Crutchfield, Grady Deese, Deborah Mayo, Kirk



WILHELMINA J. ROLARK

lum. Seminars presented this year included a workshop which centered on the character interview which is a prerequisite to taking the North Carolina Bar, Land Loss Seminar coordinated with Professor Mildred Payton, Criminal Justice Seminar coordinated with Delta Theta Phi Law Fraternity, Civil and Criminal Trial Practice Seminar, and Land Development and Land Financing Seminar, coordinated with the land use class.

Chairperson for the Law Day Committee is senior law student Denise Wilson. Co-chairpersons are Rosa Shearin, Alumni Committee; Ellen Best, Alumni Banquet; Sharon Baker, Awards Committee; Brenda Wagner, Program Committee, and Gurnia Michaux, Social Committee. Professors Roberta Botchwey and Ernest Fullwood are advisors to the Committee.

Myers, Steve Russell, and Vicki Washington.

Registration was held on Wednesday at P a s c h a l ' s Motor Hotel, which was the headquarters for the convention. The conference got into full swing on Thursday with the opening plenary session, and the first of seven seminars, which were conducted by Black attorneys.

The seminar program was designed to provide information for BALSA members, covering areas of interest and

Professor Named Consultant

Professor Frank Strong, former dean and dean emeritus of the Ohio State University Law School, has been named consultant to the North Carolina Central University Law School.

Strong is the Cary C. Boshamer distinguished professor at the University of North Carolina Law School. His mission is to assist NCCU Law School in preparation of a comprehensive improvement plan. This plan must be submitted to the American Bar Association's accreditation committee by June 1, 1975 or the school's accreditation will be jeopardized.

Strong has interviewed members of NCCU's faculty, staff and student body. He has not stated a completion date for his study.

Strong is a graduate of Yale where he was editor-in-chief of the law journal and has served as President, Secretary and Treasurer of the Association of American Law Schools. He has been teaching law since 1934 and authored "American Constitution Law." He was dean of the Ohio State University law school from 1952 to 1965. Mr. Strong joined the UNC law faculty in 1965.

SBA Officers Express Thanks

We, the newly elected officers of the Student Bar Association for the academic year of 1975-1976, wish at this time to express our sincere thanks for your votes and your cooperation that led to our election.

We are asking that all students become involved next school year in order that we may have the best Student Bar Association that's ever existed at the North Carolina Central University School of Law.

We request any suggestion that you may have that would be in the best interest of our Law School. We need your support in our struggle to make North Carolina Central University Law School the best in the Nation.

We are looking forward to your participation. Thanks again for your support.

How Does A Lawyer Learn?

By

PROFESSOR MILDRED PAYTON

"The hardest job of the first year is to lop off your common sense, to knock your ethics into temporary anesthesia. Your view of social policy, your sense of justice—to knock these out of you along with woozy thinking, along with ideas all fuzzed along their edges. You are to acquire ability to think precisely, to analyze coldly, to work within a body of materials that is given, to see, and see only, and manipulate, the machinery of the law. It is not easy thus to turn human beings into lawyers." So spoke Llewellyn a half-century ago. Cardozo, too, pitied the pilgrim embarking on legal inquiry. "Queries," he said, "that were propounded in the beginnings of recorded thought turn up in unexpected regions and press us for an answer. Philosophy has her feuds that need no truce with God . . . The tyro in legal studies may thus be pardoned some surprise and petulance when he finds the borders trenching upon the precincts of the law."

More recently, a class of some thirty students, predom-

inantly seniors, at NCCU was asked to comment on study methods which had proved most rewarding. Dedication, diligence, and concentration were unanimously agreed upon as being of prime importance to every law student, though the studying of law is highly individualized. One sophist admonished first year students: "Consider the fact that you have just been sentenced to prison for three years. Do as most prisoners—read: It is only by reading with dedication and comprehension, he declared, that the freshman can "discover the beauty of the study of law." Less dramatically, the imperativeness of reading and rereading was echoed by the group. One commented: "Read every case in the book (even some not assigned) and commit the contents and legal analysis of the case to a handwritten or typed legal brief. Read thoroughly all footnotes in the law book and go further and read footnotes cases in the law library which clarify or help you personally as a student; read all law review

(Continued on Page 2)

SBA OFFICERS 1975 - 1976



FRONT ROW, l-r.: Pete Hunter, President, Rosa Shearin, Secretary. BACK ROW, Kenneth Emanuel, Vice-President, Gary Stevenson, Treasurer.

THE BARRISTER

Published during the school year by the students of
North Carolina Central University School of Law.

INTERIM EDITORIAL BOARD

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Thank You...

The Interim Editorial Board wishes to express its gratitude to those persons who have contributed under the strain of time to this effort. It is our hope that this issue of the *Barrister* will truly be a re-birth, and that all students, faculty, staff, and alumni will continue to support the *Barrister* at a time that is obviously important to all of us.

Letters To The Editor

TO THE BARRISTER:

Although we will not know for some time yet what the ultimate fate of law school funding will be, it is safe to say that we have picked up impressive and strategic support and that the prognosis is good. According to information from knowledgeable sources, a final vote on the appropriations bill probably will not occur until late May or early June. The delay relates to the State's inability to determine what the revenue picture will be like until late April or early May. It is clear from forecasts based on carefully developed economic models that the State financial outlook is somewhat gloomy so that expenditures must be carefully planned in terms of priority needs.

It is our contention that the NCCU Law School should represent a top priority item because it is an institution which meets a critical educational need now and which has, through a rather unique historical role, made a very creditable and significant contribution to minority education and to the State of North Carolina.

I am grateful to all who have worked in the interest of the Law School, and I wish, particularly, to thank

students currently enrolled for their laudable forbearance in connection with the many inconveniences experienced this year. We hope that all factors causing these inconveniences will be eliminated by the next school year.

Albert N. Whiting
Chancellor

The Interim Editors THE BARRISTER

On rare occasions this year, I have seen fellow students combine their energy and experience to fill one of the many voids left by inaction and a pathy, with genuine concern and hard work as opposed to the "biting criticism" and no work practiced by a few. This special edition of the *BARRISTER* is just such an occasion.

Your effort here is sure to yield us the kind of publication we can all be proud of, both now, and hopefully, in the future as well.

On behalf of the Student Bar Association, I wish to extend to you a warm and heartfelt thank you for your contribution.

With best wishes and kind regards, I am

Sincerely yours,
Michael E. Lee, President
Student Bar Association

LSD Offers Computerized Student Placement Program

In an effort to help members of the class of 1975 to find that jobs there are, the Law School Division (LSD) of the ABA has formulated plans for a new computerized job-search program which will be available to its members. The program will also help prospective employers in aiding them to spot students with specialized skills or backgrounds.

The program called JURISCAN uses coded information supplied by students and employers to match abilities with needs. The pairings hope to deemphasized such traditional criteria as class ranks and law school attended, while stressing courses taken and additional skills or experi-

ences.

Students will be sent close matches among the employers as openings are listed in the system. The student's name will remain in the computer until he or she has received approximately five employer matches, or until late spring, whichever is sooner.

The employer will receive a list of about fifteen optimum employees matches, with names, addresses, and credentials. If these are not what the employer wants, he can request another list.

"Employers with specialized needs — technical skills, CPA, MEA, engineering, language proficiency, partici-

(Continued on Page 4)

Journal Elects New Officers

BY STEVE RUSSELL

The following persons have been elected to the Board of Editors of the *LAW JOURNAL*: Ben Currence, Editor; Michael Easley, Managing Editor; Leonard Jernigan, Articles Editor; Robert Robbins, Research Editor; Edward Anderson, Associate Editor; Michael McCrann, Note Editor; Julian Pierce, Comment Editor and Donna Crisp, Subscription Editor.

Ben Currence, in an interview regarding his duties as Editor and his feelings towards the operation of the *LAW JOURNAL*, stated that he would like to see the emphasis of the *LAW JOURNAL* geared toward practical problems within the community. In response to the question how such emphasis could be implemented, Currence said, "I would like to see some of the rhetoric manifested as an academic treatment of legal issues." An example of this he said, could be the offering of a critical evaluation of current laws and proposed legislation and weighing the various alternatives.

One of Currence's primary objectives will be to publicize the fact that the *LAW JOURNAL* staff seeks to have greater faculty and student participation. The new Editor also wanted to make it clear that "authority and responsibility will not be concentrated solely with me, I will freely delegate duties to the other members of the staff. Most of the duties are of an administrative nature to insure a smooth operation of the *JOURNAL*."

Ben is completely satisfied with his fellow staff members and is looking forward to "a successful and productive year for the *LAW JOURNAL*."

LSCRRRC Holds Conference

Law Students Civil Rights Research Council (LSCRRRC) held its annual southern regional conference at Emory University Law School in Atlanta, Georgia, on April 11-12, 1975. The theme of the conference was "The New South: Myth or Reality." Perry Cruchfield, Jimmy Hill and Joseph Long represented North Carolina Central University.

One of the functions of LSCRRRC is to operate an internship program for law students who work in the legal field during the summer. The following students were selected from NCCU: Joseph Smalls, Jackie Morris, Benjamin Currence, David Prince, Sylvia Johnston, Isaac Brown, Joseph Long, Kirk Myers, and Julian Pierce.

Joseph Long, a first year student, was elected to LSCRRRC National Board of Directors. Mr. Long will represent region VII which includes North Carolina, South Carolina, Kentucky, and Tennessee.

Selected applicants should pick up some very important materials from Joseph Long.

How Does A Lawyer Learn?

(Continued from Page 1)

articles if cited by your professor, and if a certain area of law frustrates your comprehension — look to the Index of Legal Periodicals for additional law review articles on the subject." Others praised the insight gained from an overview of the subject from hornbooks, legal periodicals and treatises. Warning was sounded to read only as long as the power of comprehension could be retained — then rest for a period.

One writer stated: "I have found that different areas of law require different methods of study. For a course like 'Contracts' my experience has been that I understand the material better if I use the case method of analysis. Read the case up to the end of the facts, then extract the concepts, analyze them and write your own opinion. Then, check your answer with that of the Court. Be sure to understand the Court's reasoning, i. e., learn to think like a judge. For a course like 'Commercial Law' where statutes must be learned, memorization plays an important part. First, learn (memorize at least the concept behind the statute) the statute, then apply analysis to the case."

There was unanimity as to the great significance of a time budget — a study schedule is a must. Attend all classes and keep abreast of assignments. Falling behind is a grievous error by any standard, and at worst may prove a fatal error. Review notes constantly; create your own hypotheticals. One recommendation was that of underlining the legal principle of the cases in red ink and upon studying for final examination, after briefly recalling the factual situation, going "directly to the 'red-inked' underlying principle

and committing it to memory."

The study of law was contrasted with undergraduate study by one who recognized the need to "make a transition in study toward a thinking process; not memorizing the holding of a case, but rather understanding how the holding became law." Many emphasized that knowledge of the history of a statute or the principle enunciated in a case proved invaluable in understanding and remembering the law. One writer advised the understanding of the individual professor: "The student is compelled to learn how to interpret the words being spoken and to recognize the small innuendoes of the professor when he reaches a key point." Another summarizes his instructions: "Lastly, you have to write the language of the law... Keep a notebook of legal terms you read. This way you will have the terms as a reference when you want to use it... Your worth as a lawyer will be measured by your mastery of the language of the law in both the written and spoken media." Learning aids also high on the student list were study groups, published outlines, tapes, seminars, and clinical programs.

A concluding cue from Bargun's *The House of Intellect* considering the "master virtues of Intellect" is appropriate. "They are, once again: concentration, continuity, articulate precision, and self-awareness. Intellect needs the congregation of talents spurring one another to higher achievements by the right degree of proximity and intercourse; it needs the language and the conversation that maintain its unity like a beneficent air; it needs precision to dispel the blinding fogs of folly or stupidity; it needs self-awareness to enjoy its own sport and keep itself from vainglory."

INTERIM EDITORIAL BOARD



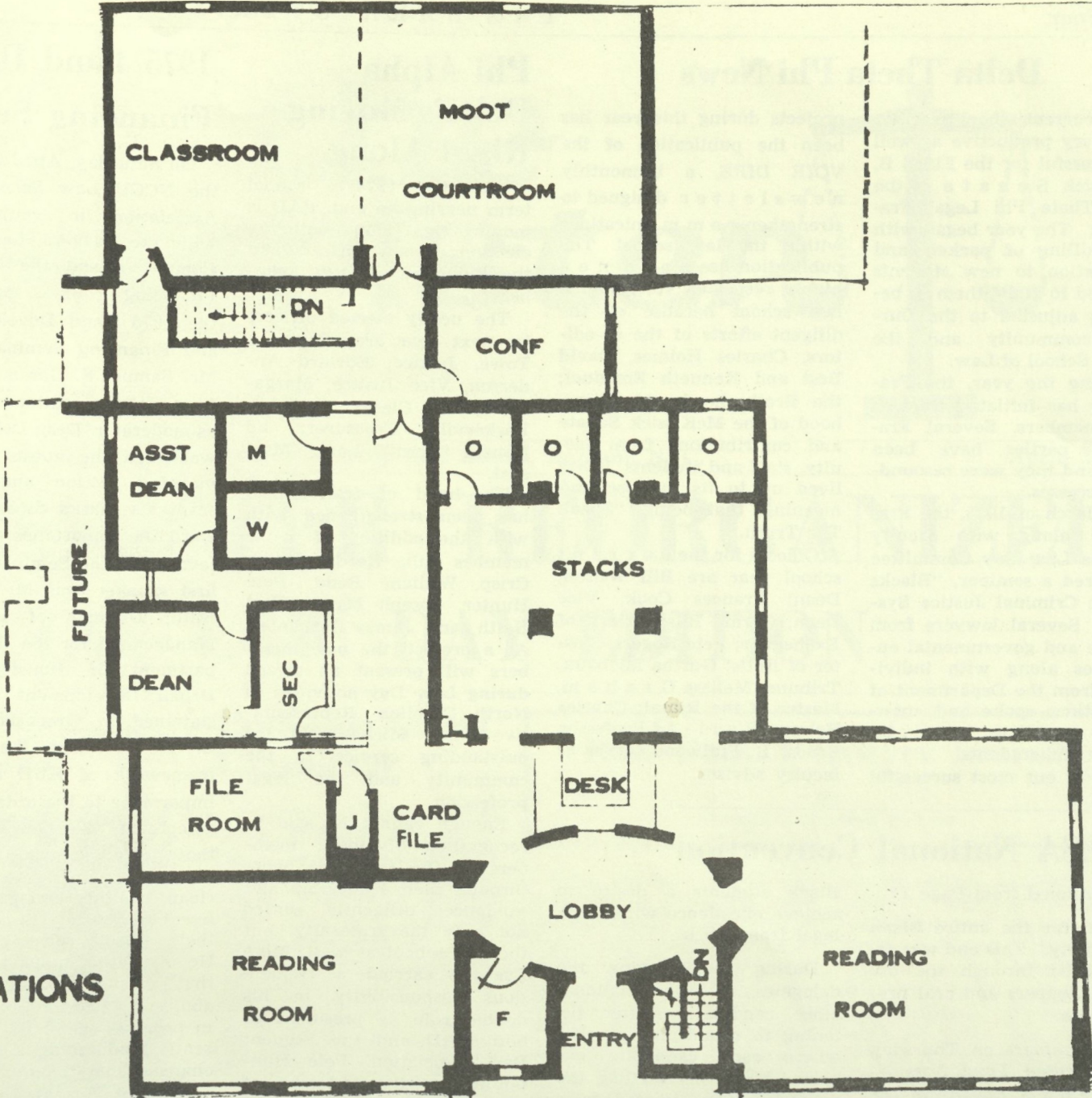
FRONT ROW, l-r: Angus Thompson, Julia Hardy, Robert E. Griffin. BACK ROW, Steve Russell, James H. Carpenter, Jr., Joseph Long.

Law School
Addition Nears
Completion

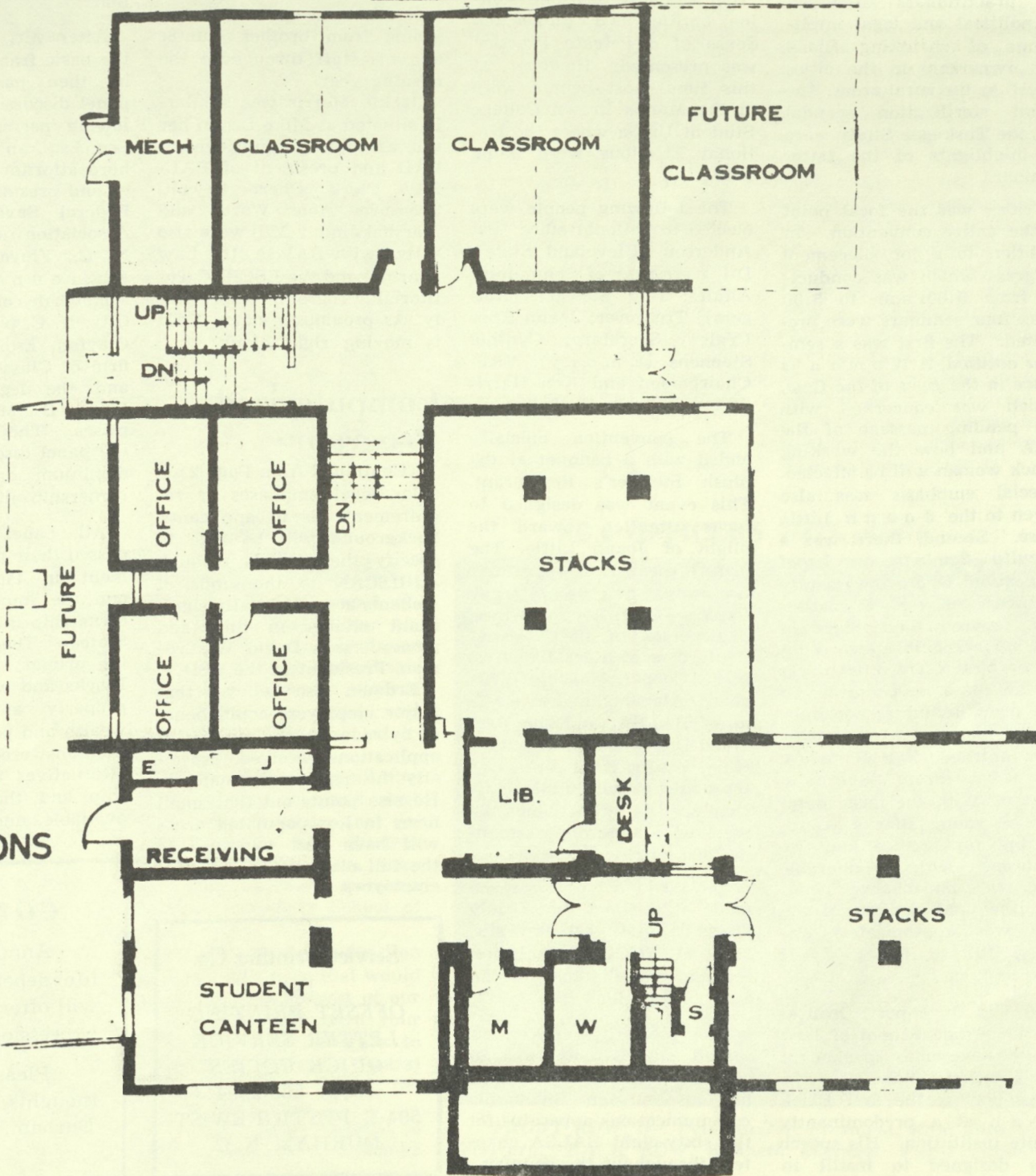
The new addition to the North Carolina Central University Law School will be completed and ready for occupancy this fall. This is the first addition to the Law School since it was built in 1938. The new wing, costing more than a quarter million dollars, will provide more classroom space, a new moot court room, additional library space, and offices for professors as well as for student organizations.

The new wing is a welcome addition to the Law School, and those who tolerated the inconveniences of construction are to be commended for their patience.

FIRST FLOOR PLAN
ADDITION & RENOVATIONS



GROUND FLOOR PLAN
ADDITION & RENOVATIONS



Delta Theta Phi News

The current school year has been very productive as well as successful for the Floyd B. McKissick Senate of the Delta Theta Phi Legal Fraternity. The year began with the mailing of packets and information to new students designed to assist them in becoming adjusted to the Durham community and the NCCU School of Law.

During the year, the Fraternity has initiated thirteen new members. Several Fraternity parties have been given and they were resounding successes.

In March of 1975, the Fraternity along with faculty and the Law Day Committee sponsored a seminar, "Blacks In The Criminal Justice System." Several lawyers from private and governmental enterprises along with individuals from the Department of Corrections spoke and entertained questions posed by faculty and students.

One of our most successful

projects during this year has been the publication of the VOIR DIRE, a bi-monthly newsletter designed to strengthen communications within the law school. The publication has become a highly respected voice in the law school because of the diligent efforts of the co-editors, Charles Holmes, David Best and Kenneth Emanuel; the Brotherhood and Sisterhood of the McKissick Senate and contributions from faculty, staff and students. It has lived up to its purpose and meaning, that being, "Speak The Truth."

Officers for the current school year are Bill Wilson, Dean; Frances Cook, Vice Dean; Gerald Rush, Clerk of Exchequer; Pete Rogers, Master of Rolls; Gurina Michaux, Tribune; Melissa Graham, Master of the Ritual; Charles Holmes, Bailiff Professor Ernest B. Fullwood serves as faculty advisor.

BALSA National Convention

(Continued from Page 1)

concern for the entire Black community. This end was accomplished through the use of films, papers and oral presentations.

The seminars on Thursday were entitled *Land Loss — An Urban and Rural Dilemma*, and *Access to Health Care — A Black Man's Problem?* In the former, activists and practitioners discussed the political and legal implications of shrinking Black land ownership in the cities as well as the rural areas. The recent sterilization scandal and the Tuskegee Study were the highlights of the latter seminar.

Friday was the focal point of the entire convention. In addition to a job placement program which was conducted from 9:00 a.m. to 5:00 p.m., four seminars were presented. The first was a seminar entitled, *A Woman's Place in the Eyes of the Law*, which was concerned with the pending passage of the ERA and how the working Black woman will be affected. Special emphasis was also given to the *Joann Little Case*. Second, there was a *Faculty Seminar on Legal Education*, where law faculty members of various institutions shared their ideas of how to make this legal education better. Third, members of the Black bench discussed the growth and responsibilities of its members in a seminar entitled, *The Black Bench From Where to Where?* With the large number of young Blacks volunteering for service and the thousands with dishonorable discharges and charges pending, the final seminar of the day was appropriately entitled *Military Justice — Is It Just or What?*

Ronald Davenport, Dean at the Duquesne School of Law was the keynote speaker at the Luncheon Banquet. Mr. Davenport is the first Black dean at a predominantly white institution. His speech was designed to instill in

Black students a desire to achieve excellence within the legal framework.

During the evening the delegates met the national office candidates. After listening to rounds of speeches where each candidate exhorted his or her virtues, the delegates were treated to a gala social affair in Paschal's Matador Room.

On the last day one seminar entitled *Dollars and Sense of a Private Practice* was presented. However, at this time most people were at the Morris Brown College Student Union where the National Elections were being held.

The following people were elected to national office: Pat Anderson (Cleveland State), Director of Community Affairs; Roy Stewart (Rutgers), Treasurer; Joann Epps (Yale), Secretary; Cynthia Stephens (Emory), Vice-Chairperson and Ken Harris (Georgetown), Chairperson.

The convention officially ended with a banquet at the plush Stouffer's Restaurant. This event was designed to focus attention toward the plight of Joann Little. The feature speakers were: Karen Galloway, defense attorney for Ms. Little; Lennox Hines, Chairperson of the National Conference of Black Lawyers; A. J. Cooper, Mayor of Pritchard, Alabama, and a founder of BALSA, and the Reverend Dr. Martin Luther King, Sr. Dr. King captivated the audience with a most stirring speech, after which he received a ten-minute standing ovation.

Special note has to be made of the fact that Grady Deese, a first year law student at NCCU was elected regional coordinator of the Southern Region.

This year's convention served not only as time to conduct the year's business, but also as an invaluable communications apparatus for the sixty-eight BALSA chapters throughout the country.

Phi Alpha Delta's Moving Right Along

With the 1974-75 school term nearing an end, PAD is moving right along with the election of new officers and the induction of new members.

The newly elected officers for next year are: Reginald Towe, Justice; Edward Anderson, Vice Justice; Margaret Quick, Clerk; Randolph Baskerville, Treasurer; and Donald "Ferm" Leak, Marshal.

The bond of fraternalism has been strengthened with the addition of new members Julia Hardy, Donna Crisp, William Redd, Pete Hunter, Joseph Myers, Earl Haith, and James Carpenter. As a project, the new members will present an award during Law Day activities to North Carolina Representative Henry Michaux Jr. for outstanding service to the community and the legal profession.

Enough cannot be said in recognition of those members of the fraternity who, through their leadership and guidance, diligently served not only the fraternity, but the law school as well. Mike Lee has carried a tremendous responsibility in his double role as president of both PAD and the Student Bar Association. Pete Hunter assumes the leadership of the SBA for the 1975-76 term, succeeding Mike. With a new slate of officers, NCCU Law students look forward to varied and successful programs from brother Hunter and his staff throughout the ensuing year.

Jackie Morris was similarly situated as Mike Lee in her role as both vice president of PAD and president of BALSA. Clerk Cheri Bryant, Treasurer Acie Ward, and Marshal Jimmy Mill were also active with BALSA, the Law Journal, and the LSCRRCTutorial Program, respectively. As previously stated PAD is moving right along.

Computerized Program

(Continued from Page 2)

cular legal emphases or requirements as to applicants' background will be able to specify these needs through JURISCAN to thousands of students at a potentially significant savings in time and money," says David W. Erdman, President of the LSD.

Erdman also believes that major employers could benefit by reducing the number of applications received, especially the hopeless mismatches. He also points out that small firms in less populated areas will have vast exposure to the full diversity of potential employees.

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1975 Land Development And Financing Seminar Held

On Saturday, April 4, 1975, the NCCU Law School Bar Association in conjunction with the 1974-75 Law Day Committee and the Land Financing course sponsored the 1975 Land Development and Financing Seminar with Mr. Samuel S. Goren, NCCU LAW JOURNAL editor serving as moderator. Dean DeJarmon welcomed the guests to the morning session and made several remarks directed toward the importance and relevancy of the Seminar. The first speaker was Mr. David Stith, Director of Housing Management for the U.S. Department of Housing and Urban Development (HUD) stationed in Greensboro, N. C. He outlined the basic framework of HUD and its importance to the orderly development of housing for those disadvantaged citizens who are unable to secure clean, healthy and generally liveable housing because of their specific societal status. He was rather quick to stress that because of the recent abolition of former programs in progress that HUD is presently undergoing significant change. The Community Development Act of 1974 was discussed and Mr. Etith entertained several questions from students attending the Seminar.

After Mr. Stith discussed the basic framework of HUD, he then participated in a panel discussion with the following persons: J. Kenneth Lee, Esq., an erudite Greensboro attorney and the founder and president of American Federal Savings and Loan Association of Greensboro, N. C.; Floyd B. McKissick, Esq., founder of the now somewhat controversial Soul City, N. C. project; and T. T. Clayton, Esq., from the law firm of Clayton and Ballance and the legal counsel for Floyd B. McKissick Enterprises. The initial topic of the panel discussion was condominium and other home ownership alternatives.

All panel members discussed their personal involvement in land development and the importance of land ownership in the United States. They also stressed the primary concern of both Blacks and whites of owning property as a source of wealth and power. The panel then answered questions as to alternatives to home ownership and the methods now available under the present

laws for such alternatives. Mr. Lee, well-versed and well prepared, explained several new developments in the area of property ownership now available under Block Grants from HUD allocated to each community in the United States.

The first speaker of the afternoon session was Mr. Alfred Campbell, a NCCU law student who is a Commissioned Officer in the U.S. Public Health Service and presently on loan to the Environmental Protection Agency, discussed environmental impact in land use and development. In a rather refreshing discussion Mr. Campbell outlined the EPA's role in conservation and protection of the environment, the role of the Council on Environmental Quality (SEQ), and the Clean Air of recent years.

The second speaker of the afternoon was Ronald Barbee, Esq., a NCCU law school graduate and member of the law firm of Frye, Johnson and Barbee of Greensboro, North Carolina, counsel for the Greensboro National Bank, who discussed the present stance of State Assistance to Housing in North Carolina. As he summed it up, there is none! He detailed the existence of prior North Carolina agencies commissioned to provide assistance to prospective applicants for housing and financial aid for home loans. At the conclusion of Mr. Barbee's discussion, he joined Mr. Lee in a final panel discussion on the recent developments in Land Financing and Development. The two primary areas touched on were condominium and alternative housing available and the advantages and disadvantages of such alternatives, and recent Federal legislation allowing for community development funds through block grants for each community in the United States. As Mr. Lee expressly stated, there are many opportunities for the practicing attorney who desires to work in property law and property management under existing conditions if the attorney seeks out and utilizes the existing law.

Ultimately, the Seminar appeared to be a complete success and one which served as a part of our continuing legal education outside the classroom environment. It is hoped that the concept of the seminar will continue each year and bring the most contemporary insights of Land Development and Financing.

CONTRIBUTORS NEEDED

Announcing the re-birth of *The Barrister* whose life depends upon your contributions. The paper will offer a forum for both intellectual and creative expression.

Please send your articles, poems, essays, thoughts, etc. to *The Barrister*, NCCU Law School, Durham, North Carolina, 27704.