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OF COUNSEL

Volume 8

A Magazine for Alumni and Friends

Spring 2005

North Carolina Central University School of Law

NCCU Law Alumni at the United States Supreme Court



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OF COUNSEL

A Magazine for Alumni and Friends

North Carolina Central University
School of Law

Volume 8 ~ Spring 2005

Editor's Note:

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On the cover: J.C. Cole '87 greets Justice Ruth Bader Ginsburg and Dean Janice Mills chats with Justice Sandra Day O'Connor in June 2004 at the Law School's swearing-in ceremony at the United States Supreme Court.



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Celebrating *Advancing*
Diversity Justice
North Carolina Central Law

A message from **Dean Mills**



As the year 2005 begins and my deanship comes to an end, I reflect on what we have accomplished with a sense of pride and satisfaction. When I accepted the deanship, my immediate vision for the Law School was quite simple: to raise our expectations of each other. As alumni and friends, faculty, staff, and students, we responded positively and actively to advance many aspects of our program.

Bar passage rates have stabilized at a respectable level. Our clinical legal experience program has expanded from three to seven different choices. We now offer as varied an array of electives since I have worked at the Law School. Student enrollment has grown and resulted in an increase in revenue and faculty positions.

In 1999, we hired our first director of development and implemented an annual alumni visitation and reception schedule. Because of your support, fund-raising is at an historic level for the Law School, and a formal annual fund drive is now in place. We hope that you will soon become a member of *The Legal Eagle Club*.

After accepting the deanship, one of my first projects was to plan the 60th Anniversary Celebration of the Law School. We chronicled our history through the colorful *So Far* publication and accompanying postcards. My tenure ends with another milestone event for the Law School: the comprehensive renovation and expansion of the Albert L. Turner Law Building. At the completion of this project in the summer of 2005, students, faculty and staff will return to a tremendously enhanced learning and teaching environment. A brand new "Great Hall," additional classrooms and computer labs, new technology, and, most importantly, a new HVAC system are only a few of the eagerly-awaited changes.

The Law School has a very promising future. As faculty, staff, students, alumni and friends, we need to continue to think about what we can do, positively and actively, to promote the Law School. Thank you for your support over the years and into the future.

A handwritten signature in dark ink, appearing to read "Tanya Mills". The signature is fluid and cursive, with the first name "Tanya" being more prominent than the last name "Mills".

Remembering the Past

Looking to the Future

Wake County District Court Judge Craig Croom '96 delivered the following remarks at the Law Week 2004 Banquet held at the Durham Hilton.

"Study the past if you would define the future."

Confucius (551 BC - 479 BC). The past shows us that North Carolina Central University School of Law in 1939 began as North Carolina College for Negroes School of Law. In order to prevent blacks from attending law school at UNC, our school was created. Sixty-five years later in the present, NCCU School of Law is one of the most diverse law schools in the country. What does the future hold for our great law school? We must be reminded that we need history not to tell us what happened or to explain the past but to make the past alive so that it can be explained by us to make the future possible.

What history do we have? What does the past tell us? It tells a story of struggle and overcoming obstacles. It tells us of attempts to close our Law School. But yet we overcame that obstacle. We should learn from this example never to give up no matter how bad things may seem. Imagine our state without our Law School. Where would we all be? Would I still be a deputy sheriff? Where would we be? Governor [Mike] Easley, Judge [Wanda] Bryant, Judge [G.K.] Butterfield, where would they be? Imagine the number of people who have been served by our great Law School.

Shakespeare once said the following:

Be not afraid of greatness.

Some are born of greatness.

Some achieve greatness.

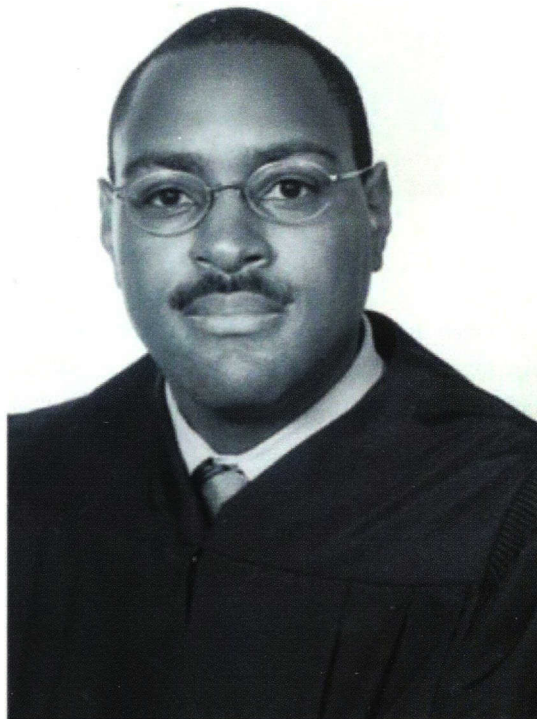
Some have greatness thrust upon them.

Shakespeare was talking about our Law School.

Martin Luther King, Jr. once said, "Injustice anywhere is a threat to justice everywhere." We have strived as students and alumni of NCCU School of Law to fight injustice and achieve justice for all

and equal justice under the law. We look at our alumni like Floyd McKissick '51, Billy Marsh '53, Julian Pierce '76 (a Native American who would have been a superior court judge) and Buddy Malone '59. I remember when I was in the District Attorney's Office and Mr. Malone (I could never call him by his first name) had a case in Wake County. We sat and talked about all the civil rights work he did. We tend to focus on the national figures, but we cannot forget those who fought for us locally. We see it with many of our elected officials-my classmate, Mayor Kevin Foy '94 in Chapel Hill, and Mayor Marshall Pitts '90 in Fayetteville, on City Councils like Lamont Wiggins '93 in Rocky Mount. We see it in the General Assembly with Scott Thomas '92 and Ellie Kinnaird '92 in the Senate, and Mickey Michaux '64 and Bonner Stiller '93 in the House. We now have an eagle in the United States House of

Representatives-United States Representative Frank Ballance '65. And of course, the former district attorney of the 13th prosecutorial district, the former Attorney General of North Carolina, and now the governor of North Carolina - Mike Easley '76. We see it every day in the courtrooms across the state when we see alumni serving as prosecutors, public defenders, and as judges to ensure justice for all. We see it in our clinics in the Law School-whether prosecuting a case in Wake County (3L Miguel Munoz and 3L Augustus Corbett), defending a case here in Durham, trying to keep a kid in school through the Juvenile Clinic, or working with the Innocence Project to free those who have been wrongfully convicted.



Croom

*Today and tomorrow,
we must live up the tradition
of our Law School.*

We are prone to judge success by the index of our salaries or the size of our automobile rather than by the quality of our service and relationship to mankind (I quote Martin Luther King again). Now, I know many of you make six figure salaries, you drove here tonight in your Mercedes, BMW, or Lexus. You have worked hard for your six figure salaries and nice cars. Personally, I keep begging my wife for a black Range Rover with gold trim. There is nothing wrong with being rewarded for hard work.

Nevertheless, our Law School has a rich tradition of producing public servants. Some of you may consider public service working for the government, which means you will not be driving the Mercedes, Lexus or BMW.

You will be driving a Honda Odyssey like me. One thing that has changed is that more of our graduates are going to the larger firms. Many of us form our own firms. Does that mean you are not a public servant? Think about the Volunteer Lawyers Project that assists people in need.

I can remember the first civil case I presided over as a district court judge. It was a car repair case gone bad. The mechanic held the plaintiff's car for eighteen months. The plaintiff could not afford to post a bond to get her car back. She could not afford an attorney. A lawyer from Moore & VanAllen volunteered his services. This \$800 car repair resulted in a \$30,000 judgment based on unfair and deceptive trade practices. That's public service! Think about the other pro bono work you may do. Think about this question-what are you doing for others? You don't have to be part of an organized group to volunteer. We have all seen people just lost in the courthouse. When was the last time you helped a lost soul in the courthouse without collecting a fee?

The theme tonight is "Remembering the Past, Looking to the Future." The best way to predict our future is to create it. Have you given back to the Law School? The Code of Judicial Conduct prevents me from doing any fundraising, so I will stop there. We must prepare for tomorrow in the present. Not sit back. We must act. We must stand for something.

Pastor Niemöller, a Holocaust survivor, once stated:

First they came for the Jews
And I did not speak out –
Because I was not a Jew.
Then they came for the communists
And I did not speak out –
Because I was not a communist.
Then they came for the trade unionists
And I did not speak out –
Because I was not a trade unionist.
Then they came for me –
And there was no one left
To speak out for me.

This is our future. Are we speaking out? Are we taking a stand? What are we doing for others? Today and tomorrow, we must live up to the tradition of our Law School. Imagine someone not speaking out in 1939. Imagine someone not taking a stand and giving in to the attempts to close our Law School: a law school that has produced partners in law firms, judges, justices on the Connecticut and North Carolina Supreme Courts, a mayor of Atlanta, Georgia, and a governor of North Carolina. Our Law School can one day produce a chief justice of the North Carolina Supreme Court, a United States Supreme Court justice - we have to dream to have a future.

Our tradition is one of helping others – reaching back by being advocates. I have a picture in my office – "He Ain't Heavy" - reaching back to help others. "The Advocate" is a painting by Ernie Barnes, owned by the Law School, on display periodically in the NCCU Art Museum. "I do solemnly swear to uphold the Constitution of the United States ..." We can do this from the district court bench, we can do it from Womble Carlyle or Parker Poe, we can do it from the district attorney's office or the public defender's office, you can do it from your solo law office in Bolivia or any other town. We must continue to fight for justice for all. I am reminded of a quote by Vertner Woodson Tandy – "We must fight till hell freezes over and then fight on the ice."

Keep up the fight! Thank you.



NCCU Law: A Commitment to Public Service

An important aspect of the NCCU School of Law mission is to attract students who are committed to public service. In keeping with that goal, we highlight three of our alumni who exemplify that commitment.

Stephon J. Bowens '94

Stephon Bowens learned the principle of giving back to the



community as a child growing up in Raleigh, North Carolina. He was the youngest of five children; his mother raised Bowens, three brothers and sister as a single parent. Bowens and his siblings were the first in their family to attend college and he was

the first to earn a professional degree. His southeast Raleigh neighborhood was not affluent, but the community did a lot for him growing up, and instilled in him many of the values that guide him today.

In ten years as a public interest lawyer, Bowens has held a number of different positions. He now heads one of North Carolina's best known public interest law organizations, the North Carolina Association of Black Lawyers' Land Loss Prevention Project, which he has led since 1998.

Had he followed his family's advice, Bowens would have become a computer scientist. He attended college at North Carolina State University, enrolling as a computer science major, though this was "more other people's idea" than his. After his freshman year Bowens, who loves interacting with people, realized computer science was not for him. He decided to follow his heart and set his sights on law school. He changed his major to political science and graduated from NCSU in May 1990 with his B.A. in political science with a minor in business management and a certification in criminal justice. In summer 1991 he married Stephanie Renee Baines and shortly thereafter enrolled at North Carolina Central University School of Law.

In Law School he received the American Jurisprudence Award for the highest academic achievement in Professional Responsibility. After passing the bar examination, Bowens applied to East Central Legal Services, hoping to be assigned to work in Raleigh and possibly in his old neighborhood. Managing attorney Victor Boone '72 instead assigned the newly minted lawyer to Legal Service's Smithfield office, where he saw a need for a lawyer who could relate well with Johnston County's predominately rural, African-American clientele.

The Smithfield office was small, with just three attorneys, and for Bowens, a self-described idealistic young lawyer who wanted to change the world by changing the law, it was a great learning experience with wonderful mentors. Bowens handled a typical caseload of Social Security Disability, Medicaid/Medicare, and other public benefits cases and assisted managing attorney Lyn Greene with a class action suit against a local rent-to-own furniture company whose financing policies took advantage of low-income people. Bowens credits Greene with valuable lessons about strategic litigation - how to assess cases from a broader perspective, choose cases for impact, and litigate in such a way as to provide relief to a broad group of people.

During his two years with Legal Services, Bowens began to handle more and more public school discipline cases, and became interested in the disproportionate rates of suspensions and expulsions of African-American male students in Johnston County. With Legal Services colleague Vilma Suarez, he co-authored several articles on school suspension policies and their disproportionate adverse impact on African-American males. The articles gained widespread attention and ultimately led to Bowens being offered a position with the Education and Law Project at the North Carolina Justice and Community Development Center (formerly the Legal Services Resource Center), a Raleigh-based non-profit focusing on strategic impact litigation on behalf of low-income people.

Soon after he joined the Justice Center staff in October 1996, Bowens was approached by a group of Johnston County parents concerned about the public schools' high-stakes end-of-grade tests and their disproportionate adverse effects on promotion and retention of African-American, Hispanic and special-needs students. The lawsuit Bowens filed on their behalf against the Johnston County Public Schools and the North Carolina school system, in which the NAACP Legal Defense Fund joined as co-counsel, ultimately resulted in a favorable settlement for the plaintiffs. Among other things, the North Carolina public schools agreed to incorporate students' performance over the course of the school year into promotion and retention decisions, rather than having decisions rest on test results alone. The school system also agreed to implement an intensive remedial education program to counteract the disparate impact that standardized tests have on minority and handicapped students.

Bowens seemed well on his way to a career as an education lawyer on behalf of minority and special needs students when co-founder and executive director of the Land Loss Prevention Project (LLPP), David Harris, decided to step down. LLPP Board president Travis Payne knew of Bowens's work and encouraged Bowens to apply for the position and in June 1998, Bowens became the LLPP's second executive director.

Under Bowens's leadership the LLPP has diversified its board and expanded its mission to represent a broader clientele.

The LLPP is a non-profit public interest law firm founded in 1982 in affiliation with the NCCU School of Law to address the widespread problem of land loss, particularly among African-American farmers, through foreclosure and other legal problems. The LLPP provides free legal representation to landowners with limited financial resources who are threatened with loss of their land due to legal, economic or environmental factors. The LLPP's mission has special resonance for Bowens: his father's family lost hundreds of acres of heir property in Bladen County, North Carolina upon the death of his grandfather.

Bowens' first challenge when he assumed the position of executive director was a caseload of 300 active cases with a staff of only 4 attorneys. Shortly thereafter, the LLPP was retained by the 5,400-member Black Farmers and Agriculturalists Association (BFAA), the country's largest association of African-American farmers, to represent 1,200 farmers in the federal class action lawsuits against the USDA, *Pigman v. Veneman* and *Brewington v. Veneman*. *Pigford and Brewington* involved claims of widespread discrimination by the USDA against African-American farmers in USDA's farm loan programs. LLPP filed objections to the proposed settlement on behalf of the BFAA member and since 1999 has been actively involved in helping African-American farmers establish their claim to a share of the settlement.

Under Bowens's leadership the LLPP has diversified its board and expanded its mission to represent a broader clientele. The LLPP now seeks to represent all small, limited resource landowners threatened with land loss due to legal, economic or environmental factors. In 2000, Bowens and LLPP filed a class action suit on behalf of female farmers alleging discrimination in USDA farm loan programs. Bowens recently argued an appeal before the U.S. Court of Appeals for the Fourth Circuit that addressed the improper granting of a permit for a landfill to be sited adjacent to an African-American community.

Though it is no longer located in the Law School building – in 1999 it moved to offices on Dillard Street and since 2003 it is located in the North Carolina Mutual Life Building in Durham – the LLPP maintains close ties with the Law School. Bowens and the other lawyers frequently consult with law professors Irving Joyner, Thomas Ringer, and Adrienne Fox about strategy, NCCU law students regularly come to work as interns, and Dean Janice Mills' support has been "invaluable."

Bowens says law school was a "tremendous" experience and preparation for the work he does, though he admits that at the time it didn't necessarily feel that way. From Professors Fred Williams and Joyner he learned how to think critically about civil rights cases – how to look not just at the law and the facts of cases, but at the implications of the actions involved. He appreciates Professor Charles Smith and Professor Warren Bracey, who taught in a way that made you love the Constitution. Bowens especially credits Professor Walter Nunnallee's tax course with teaching him how to "parse" statutory administrative code: without it, Bowens says, he would have been at a serious disadvantage trying to work with various statutes.

All in all, Bowens says, although the situations of LLPP's clients are often sad, it is tremendously satisfying work.

Iris Peoples Green '01

Iris Green always wanted

to advocate "for the poor and those who can't take care of themselves." As an attorney with Advocates for Children's Services (ACS), a special statewide project of Legal Aid of North Carolina, she represents a sector of the state's most vulnerable clients: children in foster care who are not receiving needed mental health, educational or social services. Green is the staff attorney for ACS "Project R.U.R.A.L." ("Rural, Underserved, Resource and Attorney Link"), a collaboration with a multicultural neighborhood organization, Multicultural Development Services, in rural Spring Lake, NC.



Iris Peoples was born and grew up in the small town of Timmonsville, South Carolina, outside Florence, the oldest of six children. Her father, a minister, still lives in Timmonsville, where he is also mayor. Green attended South Carolina State University in Orangeburg, majoring in political science. She always aspired to go to law school, she says, but while in undergraduate school she met her future husband, Joseph

Green's love of children has clearly influenced the direction of her legal career.

Green Jr., a civil engineering student. They married and moved to Temple, Texas, where Joseph, who was then in the military, was stationed at Ft. Hood. Soon there were two children, and Green devoted herself to being a stay-at-home mom for five years.

Green's law school plans and her commitment to helping disadvantaged people were never far from her mind, however, and she soon began volunteering with the local Legal Aid office, assisting victims of domestic violence. When Joseph Green's military service was completed, the Greens decided to move back east to be closer to family. Green took a position with Sony/Ericsson in RTP, the family moved to Cary, and Iris Green applied to law school, entering the North Carolina Central University School of Law in fall of 1998.

If she had it to do again, Green says, she would go to law school first, before having her family. Her children Joseph and Alana were eight and three years of age when she entered Law School. It was a challenge for all of them but the family was supportive and her husband took over many household responsibilities (in Green's third year of law school, the children gave their dad a Mother's Day present as well as a Father's Day gift!)

Green's love of children has clearly influenced the direction of her legal career. NCCU Law influences were also important. Green was especially inspired by Professor Mary Wright's dedication and involvement with children's issues. Green also took the Street Law course, then taught by Attorney Natalie McKinney, in which NCCU law students teach legal topics in the Durham public high schools and middle schools as part of a regular social studies class.

Green originally came to Advocates for Children's Services in 2001 under a one-year Clifton Everett Fellowship funded by IOLTA, and has been there ever since. About 50% of her caseload is Medicaid or special education services appeals. She also spends much of her time in meetings with school and DSS officials, mediating between the different agencies involved. It's "a lot like social work," she says.

The rewards of her work, says Green, are "knowing that I've helped someone, and the smiles on the kids' faces when something good does happen. The sad part is that so many more children need help. The cases are sometimes very emotional so that it is hard to keep from getting emotionally involved. The children are mostly very sad and depressed and feel that no one cares about them."

A committed volunteer since her days with Bell County, Texas Legal Aid's domestic violence victim services, Green currently volunteers one night a week with Caring Place, a Raleigh organization that helps homeless families become self-sufficient by teaching skills such as budgeting and assistance with locating housing and employment.



**Lynne A. Rupp
'97**

The biggest drawback to her work, says Lynne Rupp, who works for North Carolina Prisoner's Legal Services, is trying to explain why she enjoys working for indigent

people charged with crimes. Few people seem to care much about what happens to her clients and fail to note that the "technicalities that get people off" are grounded in the constitutional provisions that protect us all. Consequently, when asked what kind of law she practices, she often responds with a vague statement such as "I do court-appointed work."

At one time headed for a career in college English teaching, Rupp now leads the eight-lawyer post-conviction team for NCPLS, a non-profit organization that represents inmates in North Carolina's prisons and jails. Since graduating from NCCU Law, Rupp has worked almost exclusively in the area of indigent criminal defense, first with the Durham Public Defender's office, then in private criminal defense practice in Durham, and since 2003 with NCPLS.

Growing up in Ohio and in Charlotte, North Carolina, Rupp seemed destined for law school. Argumentative and precocious in reading and speaking, she was told from an early age she should become a lawyer. She enrolled at East Carolina University as a political science major with the notion that this was the pre-law track but found the classes boring. She followed

her love for reading, writing and literature into the English department and happily switched her career goal to college English teaching.

Rupp completed her B.A. (1986) and then an M.A. (1990) in English literature and decided to take a break before plunging back into her Ph.D. studies. While teaching at community colleges in Durham and Vance counties she came to realize that the landscape of academia had changed. Tenure track positions were vanishing and she faced the likelihood of years of short-term contracts or adjunct positions. Re-evaluating her career options, Rupp came back to the idea of law school, enrolling at North Carolina Central University School of Law in 1994.

Rupp admits she didn't exactly enjoy law school and during her first year wondered more than once what she'd gotten herself into. But the second and third year courses – appellate advocacy, trial practice, and especially evidence and the civil litigation clinic – quieted her misgivings. She “loved” evidence and found that she loved trial work, even though her knees shook the first few times she stood up to speak in court. Trying a case, she says, is “exhilarating” - it is like playing chess. It involves strategizing, thinking ahead, using the rules of evidence to prove your case.

In law school, Rupp also became interested in the constitutional protections provided by the 4th, 5th, 6th and 8th Amendments. After being admitted to the bar, Rupp started at the Durham Public Defender's office because she wanted to get a lot of trial experience and the position provided her the best opportunity to defend the constitutional rights she had come to value so highly. After three years with the Public Defender she went out on her own as a criminal defense lawyer in Durham handling mostly indigent criminal trials and appeals. After two and a half years of private practice she joined NCPLS.

At NCPLS, Rupp is the lead attorney on the Post-Conviction team. NCPLS, founded in 1978, is the only entity routinely providing legal services and advice to persons incarcerated in the state of North Carolina. NCPLS advocates with government officials on behalf of inmates who have been unlawfully convicted or sentenced or subjected to inhumane conditions of confinement, or whose limited legal rights have been infringed. With 15 attorneys, ten paralegals and seven staff, NCPLS serves a population of more than 32,500 prisoners and 10,000 pre-trial detainees. Rupp carries a case load of approximately 100 cases.

Post-conviction work for Rupp is different from direct appellate review. When an inmate writes to NCPLS and makes the request, his or her case is reviewed for errors. Often there are mistakes in sentencing, most of which can be corrected by letter to the appropriate judge and district attorney. Many times Rupp's team is able to have an inmate's appeal rights reinstated. A recent afternoon found Rupp deep in psychiatric records, concerned about a client she had met with earlier in the day at

Central Prison. It was clear to her that the 33-year old, mentally ill man was not receiving effective treatment and that his mental illness had been misdiagnosed; he had repeatedly cut himself and was threatening to kill himself by refusing to eat. This inmate, she noted, had been in the custody of the State since the age of 14 and was due to be released back into society in five years. He had not had a visitor since 1992. Rupp planned to hire a psychiatrist to make an independent review of the inmate's medical records and make a recommendation to a judge regarding diagnosis and treatment.

“What I find rewarding about this work is the opportunity to defend the constitutional rights that I value highly.”

Rupp has been guided and inspired in her career path by figures as diverse as Charles Hamilton Houston and the Dalai Lama. She is driven by a passion for fundamental constitutional principles, and by compassion for the people no one else seems to care about. Constitutional safeguards – the right to be free from governmental intrusion, the right to counsel – are what our country was founded on, she says. Moreover, it is her deeply held conviction that we all “have a responsibility to take care of all our people,” those born with mental or other disabilities and those who as children were so damaged by abuse or neglect or the effects of poverty that they became mentally or emotionally ill. “What I find rewarding about this work is the opportunity to defend the constitutional rights that I value highly. Every little thing I am able to do for clients feels like a very big thing for them. Most of all, they appreciate someone listening and treating them respectfully. Sometimes that is all I can do for them, but sometimes that's enough.”



A Sample Of Our Alums In Public Service...

Legal Aid

Victor J. Boone '75, Legal Aid of NC, Raleigh
 Clarence Anthony Corbett '88, Legal Aid of NC, Hillsborough
 Emma Clark '03, Legal Aid of NC, Boone
 Dale G. Deese '89, Legal Aid of NC, Pembroke
 Barbara Bolton Durant, '00, Legal Aid of NC
 Domestic Violence Project, Henderson, NC
 Gayle Elledge '99, Potomac Legal Aid Society, Arlington, VA
 Holly J. Fairbairn, '97, Pisgah Legal Services, Asheville, NC
 Colleen A. Foley '93, Legal Aid Society of Milwaukee, WI
 Lila T. Forro '94, Legal Aid of NC, Raleigh
 Iris Peoples Green '01, Advocates for Children's Services
 Elsa Hampton '98, Legal Aid Society of the Bronx, NY
 Gregory Lynn Hughes '86, Southeast Louisiana Legal
 Services, New Orleans, LA
 Shannon Hurley-Deal '04, Legal Aid of NC,
 Northwest Office
 Blan V. Minton '86, Legal Aid of NC, Asheville
 Larry Nestler '75, Legal Aid of NC, Sylva
 Takesha Redd '03, Legal Aid of NC, Boone
 C. J. Reilly '90, Legal Aid of NC, Durham
 Olivia Parker Scott '75, Legal Aid of NC, Fayetteville

NCABL Land Loss Prevention Project

Stephon J. Bowens '94
 Tenika R. Hall '04

NC Prisoner Legal Services, Inc.

Lynne A. Rupp '97
 Ta-Letta Bryant Saunders '04

If we have not included you, and you
 would like to be included in the next
Of Counsel, please e-mail Lydia Lavelle at
 llavelle@nccu.edu.

Other Non-Profit/Public Interest/Policy Organizations

Gretchen D. Aycock '95, NC Governor's Advocacy Council
 for Persons with Disabilities
 Deborah Greenblatt '72, Carolina Legal Assistance Mental
 Disability Law Project, Raleigh, NC
 Jennifer Hodgson '99, Carolina Legal Assistance Mental
 Disability Law Project, Raleigh, NC
 Jimmonique R. Rodgers '96, NAACP, Baltimore, MD
 Bridgette D. Roseman '92, Transitions Family Violence
 Services, Hampton, VA
 Nancy P. Thomas '00, Goodwill Industries of Central NC,
 Greensboro, NC
 Ricardo Velasquez '02, Hispanic Democrats of
 North Carolina
 Yvette Walker '99, Omuteko Gwamaziima Charter School,
 Durham, NC

North Carolina Attorney General's Office

Sonya M. Allen '99, Health and Public Assistance
 Karen Blum '01, Services to State Agencies
 Kelly Chambers '93, Development and Diversity
 Jay Chaudhuri '99, Attorney General's Office
 Jill Cramer '88, Insurance
 Brenda Eaddy '93, Health and Human Services
 Stormie Forte '02, Environment
 Richard Harrison '99, Tort Claims
 Barry S. McNeill '79, Capital Litigation
 Stacy Tolliver Meyers '90, Health and Human Services
 Lillie Z. Peebles '98, Crime Control and Public Safety
 William M. Polk '99, Office of Citizen's Rights
 Anita Leaveaux Quigless '86, Environmental Section
 Belinda A. Smith '95, Health and Human Services
 LaShawn Strange '98, Insurance
 Dahr Joseph Tanoury '00, Tort Claims

NC and Local Government

Wanda Allen-Abraha '95, Winston-Salem Human Relations Commission
Lorrie H. Dollar '84, NC Industrial Commission
Brad J. Donovan '89, NC Industrial Commission
William A. Dudley Sr. '76, Dept of Crime Control & Public Safety, State of NC
Root Edmondson '76, NC State Bar
George Franklin Givens '83, NC General Assembly
Marcus Jimison '93, NC Medical Licensing Board
Adrian A. Phillips '93, NC Industrial Commission
Stacy A. Phipps '99, State Treasurer's Office
Ruffin Poole '98, Office of the Governor, NC
Bobby D. White '97, NC Dental Examiners Board
Pamela Young '85, Dept of Cultural Resources, Raleigh NC
Reuben F. Young '85, Office of the Governor, Raleigh NC

State Government Outside NC

Connie L. Catinchi '00, Dept of Children's Services, Tullahoma, TN
Vincent B. Dudley '86, Domestic Relations Court, Cleveland, OH
Mary D. Stevenson '75, Industrial Commission, Columbus, OH
Valeria Bland Thomas '79, Miami-Dade Housing Agency, Miami, FL
Vincent Renalda White '90, Attorney General's Office, State of Colorado
Debby Lynn Willis '86, Dept of Human Services, Augusta, ME

US Government

Alicia Daniels-Lewis '98, Federal Bureau of Prisons, Washington, DC
Josie Carmen Dristy '91, Dept of the Navy, Washington, DC
Curt LeGrande Davis '82, US Dept of HUD, New Orleans, LA
Constance Louise Foster '92, US Dept of HHS, Washington, DC
Sandra Hairston '87, US Attorney's Office, Greensboro NC
James Roland Rich '77, IRS, Greensboro, NC office
William G. Spencer '79, Federal Public Defender's Office, Washington, DC
Robin Marie Tuczak '99, Office of Chief Counsel, US Treasury, Washington, DC

Public Defenders Offices

Claudette Bazile '96, Office of Public Defender, Atlanta, GA
Betty Jean Brown '80, Office of Public Defender, Guilford County, NC
Roderick Davis '02, Office of Public Defender, Durham, NC
Pili Layla Fleming '00, Office of Public Defender, Gaston County, NC
Tina Nicole Herbert '00, Richland County Public Defender, Columbia, SC
Calvin Hill '94, Buncombe County Public Defender, Asheville, NC
Michael Anthony Holloman '92, Public Defenders Office, Greenville, NC
Clayton Jones '03, Office of Public Defender, Durham, NC
Kevin Jones '03, Office of Public Defender, Durham, NC
Randle Leon Jones '89, Assistant Public Defender, High Point, NC
Thad Christopher Lutz '92, Assistant Public Defender, Gastonia, NC
John F. Nieman '92, Office of Public Defender, Guilford County, NC

North Carolina District Attorney's Offices

Alandrea Anderson '04, Gaston County, NC
Karen Simpson Biernacki '96, Salisbury, NC
Richard Russell Davis '98, New Hanover-Pender County, NC
Jacqueline P. DeSantis '01, Union County, NC
Irene Finney '84, Beaufort, NC
Tab C. Hunter '93, Durham, NC
Nancy Raquel Lee '94, Newton, NC
Beverly Scarlett '93, Orange County, NC
Gerald W. Spruill '96, Halifax County, NC
Kelly R. Thompson '99, Guilford County, NC
Robert Tollefsen Thompson '95, Alamance County, NC
Tim R. Watson '90, Dobson, NC

District Attorney's Offices Outside NC

James Rowland Hill '75, District Attorney's Office, San Bernardino County, CA
Lovell Johnson '83, County District Attorney's Office, Milwaukee, WI
Harold Jones II '94, Solicitor General's Office, Augusta/Richmond County, GA

Alums Take Oath at the High Court

by Brenda F. Martin '00

In a group swearing-in ceremony held on June 7, 2004, 22 North Carolina Central University School of Law alums trekked to our Nation's capital and joined more than two hundred lawyers and judges from all over the country in a swearing in ceremony before the United States Supreme Court. NCCU School of Law Dean Janice Mills personally invited the group of alums to join her, as the NCCU School of Law sponsored this event for a group of esteemed alums who have provided ongoing support of the NCCU Law School mission.

Dean of Students and Alumni Relations Director Lydia Lavelle handled the myriad of details that made this event both memorable and befitting of the traditions of the

High Court and of our profession. Alums arrived at the Hotel George on the weekend before the swearing-in ceremony and enjoyed the fellowship and welcome of Dean Mills, Dean Lavelle and other NCCU School of Law staff. The group dispersed and many enjoyed the restaurants, historical sights, night life and shopping that our nation's capital offers. Security in the district was noticeably tightened as dignitaries arrived to pay their respects to the late President Ronald Reagan.

Alums gathered at 8:00 a.m. the morning of June 7, 2004 in the Hotel George lobby and either strolled or road together

the few blocks to the U.S. Supreme Court building. Upon arrival at the U.S. Supreme Court, we were carefully screened through security and awaited entry into the inner sanctum of this historic Hall of Justice. The excitement was all abuzz as we waited and was quelled only by a stern warning from a humorless court sentry who was not amused by the excitement those from across the nation felt at being

amid the rich history and traditions of the past while eagerly anticipating the moment we would enter the courtroom and take the oath.

Our group was led to a Supreme Court "conference room" which reminded one of a great meeting hall with its rich wood panels and scalloped ceiling that seemed more than fifty feet

tall. Life size portraits of past justices adorned the walls and alums took advantage of the many photo opportunities in the room and soon enjoyed a lovely brunch catered by the Supreme Court staff.

Eventually, we were called to line up in reverse alphabetical order and filed through another security check point and then into the courtroom. Fortunately, NCCU enjoyed the best seating assignment in the courtroom, positioned immediately in front of the bench. Solicitor General Theodore B. Olson filed in and the clerk of the U.S. Supreme Court called for all to rise as the nine justices ascended the



left to right: Sharon P. Turner '95, Dean Mills, Deborah Quigley '89, Justice Ruth Bader Ginsburg, Yvonne Pugh '73 and Justice Sandra Day O'Connor



left to right: Ronald S. Douglas '82, Sharon P. Turner '95, Sonya M. Allen '95, Norman Butler '78, William H. Christy '89, Randy Cloninger '88, J. C. Cole '87, Patricia Y. Ford '89, Karen F. Alston '94, John M. Logsdon '95, Brenda F. Martin '00, Ruffin Poole '98, Yvonne Pugh '73, Robert G. Raynor, Jr. '81, James E. Rogers '87, Kia H. Vernon '00, James M. Webb '77, Mark H. Webbink '94, Deborah Quigley '89 and Seth Whipper '84

bench. The Court issued several opinions while Justices Breyer, Thomas, Souter and Stevens read their majority opinions issued by the Court. The opinions issued dealt with a wide spectrum of subjects running the gamut from local ordinances regulating Colorado porn shops to international issues involving a California suit to recover property seized by the Nazis during WWII.

Prior to adjournment, each law school or group present individually introduced each of its candidates for admission to the U.S. Supreme Court Bar. NCCU Law School Dean Janice Mills announced each name and we stood as our names were called. Dean Mills attested to the court that all had met the criteria for admission to the Supreme Court Bar and Justice Rehnquist accepted the admittees. After each group had been accepted in this manner, we all rose to take the oath of office and were thus admitted to practice law before the U.S. Supreme Court. Privileges of U.S. Supreme Court Bar membership include use of the U.S. Supreme Court Library, preferred seating and admittance to hear oral arguments before the Court, the ability to appeal to and argue matters before the Court, and more. Justice Rehnquist gave a collegial welcome to all of the new members of the U.S. Supreme Court Bar and the Court adjourned.

Following the swearing-in ceremony, the group continued its brunch reception at the U.S. Supreme Court and was delighted by visits from both Justice Sandra Day O'Connor and Justice Ruth Bader Ginsburg who patiently waited as each alum took maximum advantage of the photo opportunity to shake hands with the justices. Justice O'Connor delighted the group with a light-hearted and historical commentary about the operations of the High Court.

Later, the group scattered as alums departed to begin their sojourn back to Raleigh, Durham and parts east, west, north and south while others stayed on for a day or so to continue sightseeing and dining in a place so steeped with opportunity for discovery. Some weeks later a very distinguished certificate arrived in the mail and is no doubt by now suitably framed and hanging on the office walls of the alums present.

All said, this event was marked with moments that will long be cherished by those attending. Many thanks to Dean Mills, Dean Lydia Lavelle, Melissa Davis, Sharon Alston and others on the NCCU School of Law staff who worked so hard to make this event such an overwhelming success.



Brenda F. Martin '00 is in private practice in Raleigh, North Carolina, and is a new admittee to the United States Supreme Court Bar.

N.C. Mutual Life: Home Away from Home



From The Weekly (electronic school newsletter) January 12, 2004

The first week of the Law School's move to N.C. Mutual is history, and by all accounts, went off rather smoothly. Chancellor James Ammons was even at the facility twice during the week to check out the new digs—once with a few members of the NCCU Board of Visitors and Board of Governors!

Students, in general, are pleased with the move. Many were surprised with the relative ease of the transition.

Concerns that are being addressed are the temperatures in the classrooms, and bulletin boards for communication with students. Parking is fairly convenient for students, down the street at the Luxury Inn Hotel. Parking passes are on sale for the rest of the week. Finally, students, faculty and staff alike are taking advantage of the cafeteria on the concourse level to meet and have breakfast or lunch.

In short, the facility is working out well!

From The Weekly (electronic school newsletter) January 6, 2004

On Monday, January 5, 2004, signs greeted students who arrived at the North Carolina Mutual Building in downtown Durham directing them to the student parking lot at a nearby hotel. The facility was ready for business!

An important concern is communication with students. The plasma board from the Law School lobby has been installed on the 7th floor of the Mutual Building, and it will continue to feature various announcements for students.

Student mailboxes and an area for student handouts will soon be identified.

Classes are being held in Rooms 700 and 701, and 800 and 801. Parking permits will be available for sale Mon., Jan. 5 and Tues., Jan. 6.

It is anticipated that the Law School will continue to follow NCCU's weather plan in the case of any adverse weather.

These early reviews of the relocation of the Law School to the North Carolina Mutual Life Building in downtown Durham, while the Turner Law Building started to undergo renovations due to the passage of state bond monies, have proven to remain true. After a year and counting in the temporary location, the general feeling of the administration and students is that the transition has gone better than was ever thought possible.

Downsizing from 75,000 plus square feet in the Turner Law Building to approximately 25,000 square feet at N.C. Mutual was quite a task. Over the December 2003 holiday, after the last final was held in the Turner building, the library, offices, computers and classrooms were moved to N.C. Mutual. Within three short weeks, the Law School was up and running in its new location. It was a December to remember for all involved!

With only four classrooms, scheduling of classes and events has remained a challenge for the administration. Classes are scheduled so that 1Ls come early in the day, have class and then can leave around noon. In early afternoon, the 2Ls arrive for their required classes, and leave mid-afternoon when the 3Ls arrive for most of their courses. Electives are scattered throughout the afternoons. The evening students arrive (as they did at the Turner building) at 6:30pm for their evening classes.

The effect of the scheduling shows when bringing in speakers or holding forums of interest to the entire student body. While many students have lunch in the convenient cafeteria located downstairs and stay in that area throughout the afternoon to study, the staggering of classes means that all three years are rarely in the building at the same time. However, many programs have been held in the roomy N.C. Mutual auditorium and the smaller Executive Dining Room.

The library, while much smaller than at the Turner building, carries most of the reporters, statutes and reference books that the students need. The computer lab on the 8th floor is a nice size and students use it frequently. Wireless capability for laptop users is also available in various areas in the building.

Faculty may be among the most affected by the move. When they are present for office hours, some have had to double up in offices at N.C. Mutual. They eagerly await the day that they return to refurbished offices in the Turner Law Building.



Professor Ringer teaching in room 700



The 7th floor reception area

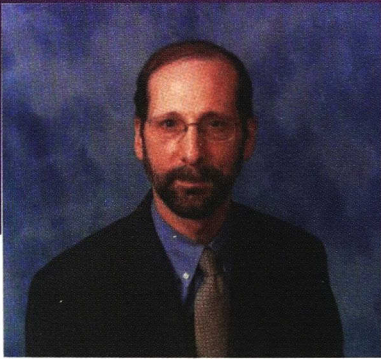


The customer service at N.C. Mutual has been exceptional. From the friendly security guards, to the helpful maintenance staff, to "Miss Julia" and "Miss Jenny" in the cafeteria, the Law School experience at N.C. Mutual has been professional and welcoming. Sometime in 2005, the Law School will be moving back to the Turner Law Building. Those who reported to N.C. Mutual will look back fondly, and in amazement, at how we accomplished such a task!



Bush, Gore and Seabiscuit: Samuel S. Goren '75

by Natalie C. Watson '01



Samuel S. Goren '75 had direct involvement in the 2000 United States presidential election, the most controversial in history, as general counsel for the

Broward County Florida Supervisor of Elections. Little did he know while walking the halls of North Carolina Central University School of Law in the mid-1970's that he would someday be involved in this remarkable history.

His path to such fame indicates a penchant for election law. In September of 1976, after graduating from NCCU School of Law and passing the Florida bar, Goren was a young county attorney summoned by the deputy county attorney to assist the Broward County Supervisor of Elections in the upcoming primary elections. From there, he worked his way into history. "I was handed the State of Florida Election Code, told where the Canvassing Board met, and proceeded from there on a long journey as legal counsel . . . from that day through the presidential election in 2000."

In October 2003, Goren returned to the Law School as a speaker for its annual alumni CLE program. Goren's presentation, entitled "Seabiscuit Stuns Bush and Gore! Wins by a Nose in Race of the Century! Supreme Court to Review Photo Finish!" follows in this *Of Counsel*. The manuscript explains in intense detail the events that led to the controversial decision.

In a recent interview, when asked to describe his role and experience with the 2000 election, Goren recalled his historic experience. "They called the Emergency Operation Center ("EOC") the 'Bunker.' For several weeks of November and December, 2000, I and members of my law firm spent

countless hours with the members of the Canvassing Board counting, and recounting, and counting again by hand, examination punch card ballots in a sea of 'chads' all around us."

After rounds and rounds of recounts, on December 12, 2000, the divided United States Supreme Court rendered its 5-4 decision, finding that the Florida Supreme Court's recount order would violate equal protection since there was no objective standard. The United States Supreme Court ordered the statewide recount stop, and, on that evening, Vice President Al Gore conceded the election.

Goren remembered a moment at the United States Federal Courthouse in Miami, Florida, when Judge Donald Middlebrooks read his decision from the bench. "A hush fell over the courtroom. He essentially said that '...today, the decision I make will have an impact on the presidency of the United States of America.'" Goren recalled this as a telling moment in his career, and "one with reverberations all the way from downtown Miami to downtown Durham, North Carolina, directly on Fayetteville Street."

Goren recalls with fondness his experience at the NCCU School of Law and the impact it had on his life and career. "The rigors of NCCU and its commitment to excellence and success are further evidenced by the success of our graduates, not just in the state of North Carolina, but across the country. My colleagues were exemplary, and many are well-known in the legal profession. Their continued respect and confidence in our Law School transcends the years and is further evidence of our experience at NCCU."

In addition to his position as general counsel for the Broward County Supervisor of Elections, Goren has also acted as special master in election matters and municipal matters on a periodic basis. He is city attorney for the cities of Pembroke Pines, North Lauderdale, Lighthouse Point and Coral Springs. He also serves as general counsel for various municipal commissions, councils and districts.

During the interview, Goren described NCCU as "a law school whose heart and soul still flows within my system on a daily basis." Countless alumni and the Law School community can thank Goren and others like him for continuing to beat as the heart and soul of the NCCU Law School family.



Natalie C. Watson '01 is in private practice with Lawrence, Best & Associates, P.A. in Rocky Mount, NC.

Seabiscuit Stuns Bush and Gore!

WINS BY A NOSE IN RACE OF THE CENTURY

Supreme Court to Review Photo Finish

by Samuel S. Goren '75

The year 1976 was a big one for our country. It was also a very important year for me. This was the year that I became general counsel for the Broward County Supervisor of Elections, Jane Carroll. For the first 23 years, the work effort consisted mainly of transactional and employment issues that affect all entities, public or private. We also were involved in several elections disputes in both federal and state courts, but mainly because the County Supervisor of Elections conducts elections and controls the ballot. If someone or some entity did not like an issue, or thought a candidate should be stricken from the ballot, the Supervisor of Elections was a necessary party to such litigation.

In mid-2000, Ms. Carroll announced that she would not seek a ninth term as Broward County Supervisor of Elections. The 2000 General Election, scheduled for November 7, 2000, would be her final election. It would be my last election as her counsel after 24 years. We sure went out with a bang!



Famed racehorse Seabiscuit

Horses, Take Your Position In The Starting Grid: Review Of The Florida Election System

As background for what occurred in Florida in November 2000, in particular the South Florida counties of Palm Beach, Broward and Miami-Dade, it is necessary to describe Florida's election system. Florida had, and continues to have, a de-centralized election system. The Secretary of State is the Chief Elections Official in the state, and the Division of Elections is a part of the Department of State. The Secretary of State was an elected official. The state maintained a state-wide voter registration data base, and the Secretary of State and Division of Elections established state-wide procedures in election matters that were required by state law, and provided local Supervisors of Elections with certain types of data and a resource for legal opinions on elections-related issues.

There are 67 counties in Florida, and each has a County Supervisor of Elections. All but one is elected (Miami-Dade's Supervisor of Elections is appointed by the Miami-Dade Board of County Commissioners). The local Supervisors are independent from the Secretary of State, and conduct elections within the counties in which they were elected. These local Supervisors are responsible for establishing precincts, locating polling locations, hiring and training poll workers, and – most importantly when discussing the November 2000 election – selecting and implementing the method of voting in the county. Each county establishes a three-person Canvassing Board, which is responsible for overseeing the tabulation of votes and certifying the election results. The Canvassing Boards are established at each election, and include the County Supervisor of Elections, a County Commissioner (appointed by the County Commission) and a County Court Judge (appointed by the Chief Judge). Local Supervisors of Elections are funded through the local Boards of County Commissioners pursuant to Chapter 129, Florida Statutes.

Florida law provides for permissible voting methods. In 2000, those methods included voting machines (booths with curtains where voting is accomplished by pulling a lever), paper ballot ("x" marks the spot), optical scanners (same concept as scan-tron exams), and electro-mechanical, a/k/a "punchcards."

The Punchcard method had been used in Florida's largest counties for as long as I can remember – dating back to the 1970s. It was a relatively inexpensive voting method and provided a means for large numbers of voters to cast ballots, and for those large numbers of ballots to be counted the same evening as the election. There were two major drawbacks of the punchcard method. One was ballot access. Due to the physical limitations on the cards, the number of races and issues that could be placed on the ballot at any given time was limited. The second drawback became painfully obvious during the 2000 General Election – error rate.

Although you may believe otherwise, punch cards were not used throughout the entire state of Florida. Some large counties, such as Orange (Orlando) and Volusia (Daytona Beach), used optical scans. However, the largest counties in Florida used punch cards, including some that were not the focus of international scrutiny in November 2000, such as Hillsborough County (Tampa).

And They-re Off! Election Night, November 7, 2000

We all had heard Tim Russert's famous three-word response to the inquiry of where the 2000 presidential election would be decided: "Florida, Florida, Florida." However, I do not think even Mr. Russert knew just how right he would turn out to be.

November 7, 2000 turned out to be a very busy elections day. But, for the most part, in Broward County it was uneventful until after the polling places closed. There were long lines of voters still waiting to cast ballots at closing time, 7:00 p.m. eastern time, in several precincts in Broward County. Some of these lines were more than two hours long, and most were at precincts in western portions of the county, more than a half-hour's drive from the Broward County Elections Offices in downtown Fort Lauderdale. As counsel for the Supervisor of Elections, I attended the Logic and Accuracy (L&A) Testing of the punchcard machines and tabulating machines prior to the election to assist the Supervisor of Elections with any issues. These L&A tests are open to the public under the Florida Sunshine Law and are required to ensure the vote tabulation machines will work on election night. As the Supervisor of Elections is a member of the Canvassing Board, I attended the voting tabulation to ensure that any legal issues relating to the voting systems or the operations of the Supervisor of Elections Office were addressed. The Broward County

Canvassing Board, as an entity, is provided separate legal counsel by the Broward County Attorney's Office.

While the Canvassing Board proceeded to count the ballots that had arrived at the elections offices, rumors began to circulate that ballot boxes were missing. Some of these rumors were reported by the press. The Canvassing Board quickly sought to quell the rumors, and it was explained that ballot boxes had simply not arrived due to the long lines in Broward County's western



Collecting the ballots

suburbs. At approximately 10:00 p.m. eastern time, while the Canvassing Board counted ballots in Broward County, national news organizations projected Al Gore as the winner in Florida. Shortly thereafter, those organizations withdrew that projection. Then, early on the morning of November 8, 2000, those same news organizations projected George Bush as the winner in Florida. However, by sunrise on November 8, 2000 – and in many respects based upon the late results from Broward County, a highly Democratic county – that projection was also withdrawn and no winner could be determined.

Here They Come Around First Turn, It's Bush By A Nose

Due to the extremely close results, Florida law required a statewide recount for the Presidential Election. On November 8, 2000, all 67 Florida counties proceeded to recount their ballots by machine: in other words, re-feeding the ballots into mechanical tabulators where the punch card system existed.

The final statewide results showed George Bush prevailed by just over 1200 votes out of approximately 6 million votes cast in Florida on November 7, 2000. (Broward County had 609 precincts and 887,764 registered voters).

On Thursday, November 9, 2000, the Democratic Party requested manual recounts in Broward, Miami-Dade and Palm Beach counties. The Broward County Canvassing Board conducted a hearing on Friday, November 10, 2000 and voted 2-1 to conduct a sample recount on the afternoon of November 13, 2000. Under this procedure, 3 precincts were selected by the requesting party to determine whether the results of a manual recount of those 3 precincts differed enough from the machine counts to justify a manual recount of all precincts in the county.

On Saturday, November 11, 2000, before the Broward County Canvassing Board could conduct its sample recount, the Broward County Canvassing Board and Broward County Supervisor of Elections were served with a complaint in the Federal District Court for the Southern District of Florida to enjoin the recounts. The lawsuit was filed against four counties and the Supervisor of Elections who were engaged in recount activities: Broward, Miami-Dade, Palm Beach and Volusia counties. A hearing was scheduled before District Judge Middlebrooks in Miami for Monday, November 13, 2000, at 10:00 am. I attended that hearing, in an un-air-conditioned courtroom in Miami, Florida. There were no less than 50 lawyers in the courtroom representing the counties, the political parties, the candidates, and the individual voters who filed the case. The court concluded the hearing and within four hours rendered its opinion in *Siegel v. LePore*, 120 F. Supp. 2d. 1041 (S.D. Fla. 2000). Judge Middlebrooks denied the injunction – the recounts could proceed. This order became known as the “Middlebrooks Decision.” What happened next ignited an election frenzy never before seen in our country.

That afternoon, at about the same time the “Middlebrooks Decision” was released, the Broward County Canvassing Board began its manual recount of the three sample precincts as requested by Democrats, per Florida law. The sample manual recount, which took an entire afternoon, revealed a slight discrepancy in the vote totals at those precincts. The Democrats then requested a manual recount of the entire county, which was approximately 800 precincts.

While the Canvassing Board debated the request, a copy of an opinion from the Florida Division of Elections arrived by facsimile, which stated that a county-wide recount could be conducted only in limited circumstances, such as computer software issues. Based in large part on this opinion, the Broward County Canvassing Board denied the request for a county-wide manual recount by a vote of 2-1. My client supported the denial.

The next day, on November 14, 2000, Florida’s Attorney General issued an opinion that contradicted the opinion of the State Division of Elections. The Attorney General opined that county-wide recounts could proceed if there was any error in tabulation. It is worth noting at this point that Florida’s then Secretary of State, Kathleen Harris, who oversaw the Division of Elections, was a Republican, and Florida’s then Attorney General, was a Democrat.

With conflicting opinions from two authoritative sources, confusion escalated as to the authority for the County Canvassing Boards to conduct county-wide manual recounts. On November 14, 2003, the Democrats requested the Broward County Canvassing Board to reconsider its denial of a county-wide recount.

Around Turn Two, Gore Makes Up Ground

On November 15, 2003, the Broward County Canvassing Board conducted a meeting and by a vote of 2-1 decided to conduct a county-wide recount. My client voted against the county-wide manual recount. Later, on November 15, 2003, the Palm Beach County Canvassing Board filed a lawsuit seeking to have a judicial determination as to which of the contradictory opinions concerning the ability to conduct a county-wide recount was correct. The case also challenged the determination of the Division of Elections that the deadline for receiving final vote totals, which was November 14, 2000, was mandatory, or, whether under the circumstances, the results could be filed at a later date. The Broward County Canvassing Board and the Broward County Supervisor of Elections intervened in this lawsuit.

The county-wide manual recount of 587,000+ votes in Broward County commenced that day, in accordance with a plan developed rather quickly by the Broward County Administration. The ballots and equipment were transported under tight security to the Broward County Emergency Operations Center (EOC). The EOC is used to conduct emergency and relief operations in the event of an emergency or natural disaster, such as a hurricane. It is a windowless, reinforced building with communications facilities, and is a self-sufficient building (power, water) that can be easily secured. Due to the amount of resources committed by the three South Florida counties engaged in county-wide recounts, and the use of two of those counties of emergency operations resources and facilities, the recount became known in South Florida as “Hurricane Chad” – named after the tiny pieces of paper at the center of the recount controversy.

The Broward County Canvassing Board set up in a small room, surrounded on three sides with clear plexiglas that allowed the Canvassing Board to remain visible and accessible, but insulated from the noise associated with the hundreds of people on the same floor doing the manual recounting of the ballots. Located in a room adjacent to the Canvassing Board Room was the media center. Through a plexiglas window, the media was able to film the Canvassing Board with no disruption of activities and several media outlets broadcast live from that small room every hour of every day. The ballots were kept in a secure room, adjacent to the Canvassing Board Room, guarded by armed sheriff deputies, and every person who entered that room was logged in and out. Only certain people were allowed access, usually to retrieve a precinct box for recounting, or to return a precinct box that had been counted. The counting procedure was straight forward. A box of ballots would be brought to a county team comprised of one Democrat and one Republican. The ballots would be held up by a county or Supervisor of Elections employee. The Democrat and Republican had to each count the votes. When the Canvassing Board would receive the results of a recounted precinct, it would compare the results from each member of the county team, and then compare their counts with the original results. If all of the results were the same, the precinct was certified. If any of the results differed, the precinct would be manually recounted a third time, in the small room under the direct supervision of the Canvassing Board, usually by teams of attorneys who were present and assisting the Canvassing Board and Supervisor of Elections, including myself, and from time to time, all of the my partners and associates. This recount procedure proceeded at least 12 hours a day, every day, until complete.

Seabiscuit, aka, The Court System

By November 16, 2000, it became abundantly clear that all involved in the recount would be involved in massive litigation concerning every aspect of the applicable laws and procedures. Initially the Florida Supreme Court conducted oral argument in the case filed by *Palm Beach County*, the day after it was initially filed. All briefs had to be filed with the court by noon that day, even though the case was less than 24 hours old. Later that very same day, in a one-paragraph order, the Florida Supreme Court ruled that the manual recounts may continue.

Several lawsuits were then filed throughout the state on this date, in both state and federal courts, concerning the recounts. Lawsuits were filed seeking to have the court determine whether the standards used by the Broward County Canvassing Board to determine “voter intent” were correct. These lawsuits started the debate in Broward County about dimpled, hanging, dangling chads. A hearing was set for Broward County Circuit Court for that afternoon. At the same exact time, a hearing

was conducted in federal court in Orlando seeking to end the recounts on equal protection grounds. The Broward County Canvassing Board and Broward Supervisor of Elections were named in that lawsuit, but found out about the hearing during a conference call with attorneys for the Palm Beach Canvassing Board just a few hours before the hearing. Attorneys for the Supervisor of Elections and Broward County Canvassing Board attended the hearing by phone, without seeing the complaint. In fact, the complaint was not served on Broward County until a week later.

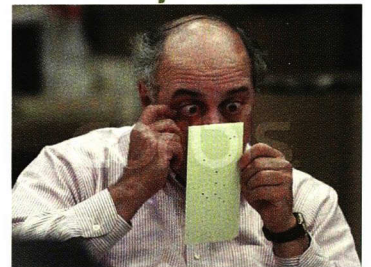
By November 17, 2000, our office, as counsel for the Broward County Supervisor of Elections, was involved in approximately 8 lawsuits, pending in 2 federal district courts and at least 3 separate circuit courts in Florida. In some cases, opponents of the recount sought to challenge the legality of the recount. In many instances, due to the looming December 12, 2000 deadline for naming the Electoral College, the Republican Strategy was to delay. At one point, those opponents were able to subpoena all three members of the Broward County Canvassing Board to appear in Broward County Circuit Court at the same time. We found out about this through a television news report. Had all three members been forced to leave the building, the recount would have had to have been suspended. As a branch courthouse was adjacent to the EOC, a call was made and one of the county court judges in that courthouse was summoned to the Canvassing Board Room, and designated temporarily as the judicial member of the Broward County Canvassing Board. She remained in the EOC while two of the individual members of the Canvassing Board went to court by police escort. I drove the Broward Supervisor to the courthouse myself.

While opponents sought to delay, proponents of the recount, concerned with the same deadline, sued to accelerate the counting. In some cases, these lawsuits had the effect of slowing the counting by causing a diversion of resources, attention, and time. This is because it was necessary to prepare briefs and written responses in the

various lawsuits and appeals, while also attending the recount at EOC. Through facsimile machines and computers at the EOC, and through coordination of other attorneys in the office, we were able to provide on-

site legal assistance to the Canvassing Board and the Supervisor of Elections, and at the same time prepare and file written responses in the multiple lawsuits and appeals, sometimes in response to telephonic orders from state and federal courts requiring a response in less than a day. The United States Supreme Court required responses within 12 hours of the orders.

a sea of “chads”



Around Turn Three, Gore Continues To Gain

As the manual recount concluded its first full week, the attention of the participants deviated slightly to what some would believe to be a more important contest: the annual Florida-Florida State Football Game. On November 19, 2000, Florida State beat Florida in a nationally televised college football game played in the center of election controversy – Tallahassee, Florida. The manual recount in Broward concluded that day prior to kick-off. Florida State beat Florida, and no recount was necessary!

On November 21, 2000, the Florida Supreme Court issued its opinion in *Palm Beach County Canvassing Board v. Harris*, 772 So.2d. 1220 (Fla. 2000). The court held that the recounts could proceed (in essence disagreeing with the opinion of the Division of Elections and agreeing with the opinion of Florida's Attorney General), and holding that the filing deadline for election results was not mandatory. The Florida Supreme Court, interpreting Florida law, ordered that all amended results be filed with the Secretary of State no later than 5:00 p.m. on Sunday, November 26, 2000.

Thursday, November 23, 2000 was Thanksgiving. By this day, Miami-Dade County had ceased its manual recount. Palm Beach County, despite the Sunday deadline for completing the recount, took the day off. Broward County, however, counted ballots until approximately 4:30 p.m. The litigation did not cease, even on Turkey Day, as new challenges to the recount were filed in the United States Supreme Court. The Supreme Court agreed the next day to consider the case, and ordered all parties to file their briefs by noon, Saturday, November 25, 2000.

At approximately 2:30 a.m. on Sunday, November 26, 2000, the Broward County Canvassing Board counted its final vote and certified the amended results. Candidate Gore gained approximately 550 votes (in all, approximately 70% of the votes cast in Broward County were for Gore). Concerned about faxing the results to the Division of Elections Headquarters, located 300 miles away in Tallahassee, the Canvassing Board voted to have the certified results flown to Tallahassee by one of the attorneys involved in the recount, Michael Cirullo, Jr., a partner in my law firm. This double-Gator, under cover of darkness, ventured into enemy territory: Tallahassee, Florida, the home of the Florida State Seminoles, only a week after his team's loss to their rival. The flight left for Tallahassee at 7:30 in the morning, and Broward County's amended certified results were filed at 10:36 a.m. At 7:30 p.m., the Secretary of State certified the amended results, which included those from Broward County, but Palm Beach County did not finish on time and as a result was not included in the final certified results.

Down The Stretch They Come!

Even after the manual recounting ceased in Broward County, the fight raged on in the courts, and into the ultimate judicial arena: the United States Supreme Court. On November 27, 2000, Vice President Al Gore filed an election contest to the results certified by the Secretary of State on November 26, 2000. Pursuant to Florida law, an expedited hearing was conducted on December 2 and 3, 2000. Prior to that date, the trial court had ordered thousands of ballots to be transported to Tallahassee. Instead of a slow moving White Bronco, America was treated to live television shots of a Yellow Ryder Truck making its way to Tallahassee from South Florida. The trial court denied the contest on December 4, 2000, and Vice President Gore appealed the decision, which went directly to the Florida Supreme Court.

Meanwhile, on December 1, 2000, the United States Supreme Court conducted argument on the election recount issues decided by the Florida Supreme Court in the *Palm Beach County* case. In its opinion in *Bush v. Palm Beach County Canvassing Board*, 521 U.S. 70 (2000), issued December 4, 2000, the United States Supreme Court vacated the decision of the Florida Supreme Court, and remanded for the Florida Supreme Court to consider Article II, § 1 of the United States Constitution as well as federal elections laws. So, the stage was set for the final judicial fight, a mere eight days prior to the federal deadline for appointing electors to the Electoral College. Florida faces the real possibility of not having any of its votes counted in that if it missed the deadline, its electors would be selected by Congress.

On December 8, 2000, the Florida Supreme Court rendered its decision in *Gore v. Harris*, 772 So.2d. 1243 (Fla. 2000). In (fittingly) a 4-3 decision, the Florida Supreme Court ruled that the trial court erred in not counting votes for Gore in the partial results



Announcement of the ruling

from Miami-Dade and Palm Beach County recounts, and in not examining the 9000 ballots from Miami-Dade that had not been manually recounted when that county ceased its recount. In so holding, the court found that it was necessary, notwithstanding the impending December 12, 2000 deadline, to require a recount in all counties – not just those that had previously conducted one – where there were under-votes (the number of votes in the presidential election were less than the number of voters that voted on election day). The court went on to describe that in reviewing the ballots, the intent of the voter must be deciphered, but was unable to provide any objective guidelines for such a determination.



The Broward County Canvassing Board

Post-Race Commentary

The 2000 Election and Recount provided quite a spectacle to the public, and highlighted the extremely important, and often overlooked role of the judicial branch of government. As a lawyer, I and the other lawyers representing the Broward County Canvassing Board addressed legal arguments that had not been imagined before November 2000. We did not have an agenda, and did not support a candidate. In fact, we found ourselves allied with both proponents and opponents of the recount on almost an equal basis throughout the litigation. Our main concern was defending the actions and decisions of our clients, the Canvassing Board and the Supervisor of Elections.

An important aspect of our law school education is to enhance our ability to comprehend facts and circumstances, analyze options, and make decisions. Many times during that 35-day period we were compelled to think on our feet and make legal determinations based on instinct and experience. The very limited resource of time had to be used properly in order to ensure that appropriate legal action was taken and all necessary arguments raised. The velocity with which we were required to act was beyond incredible. Most of our law firm's clients understood our involvement in a matter of public interest: The election of the United States President. Although the voters elected the President of the United States, it took the judicial wrangling of November 2000 to conclude the election. Fittingly, a United States Supreme Court divided as evenly as the country made a decision that ended the counting and the recounting of ballots. I am honored that I was a part of that historic process, and proud that part of what brought me there – and here today – is being an alumnus of the North Carolina Central University School of Law.

Samuel S. Goren '75 wishes to acknowledge the assistance and contribution to this presentation of his partners, James A. Cherof and Michael D. Cirullo Jr. He also would like to recognize all of the attorneys in his law firm, each of whom worked diligently during the presidential election recount of November, 2000.

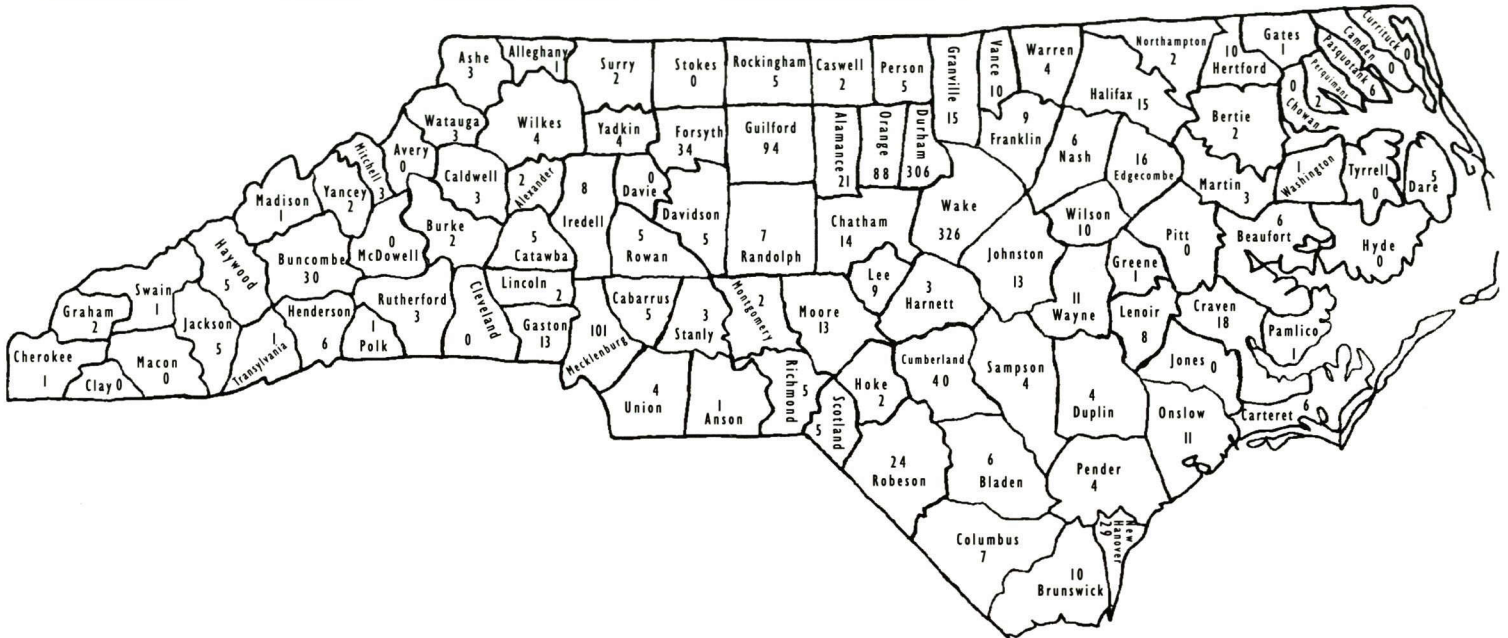
The 2000 election and recount provided quite a spectacle to the public, and highlighted the extremely important, and often overlooked role of the judicial branch of government.

Seabiscuit? No, Bush Wins By A Hair!

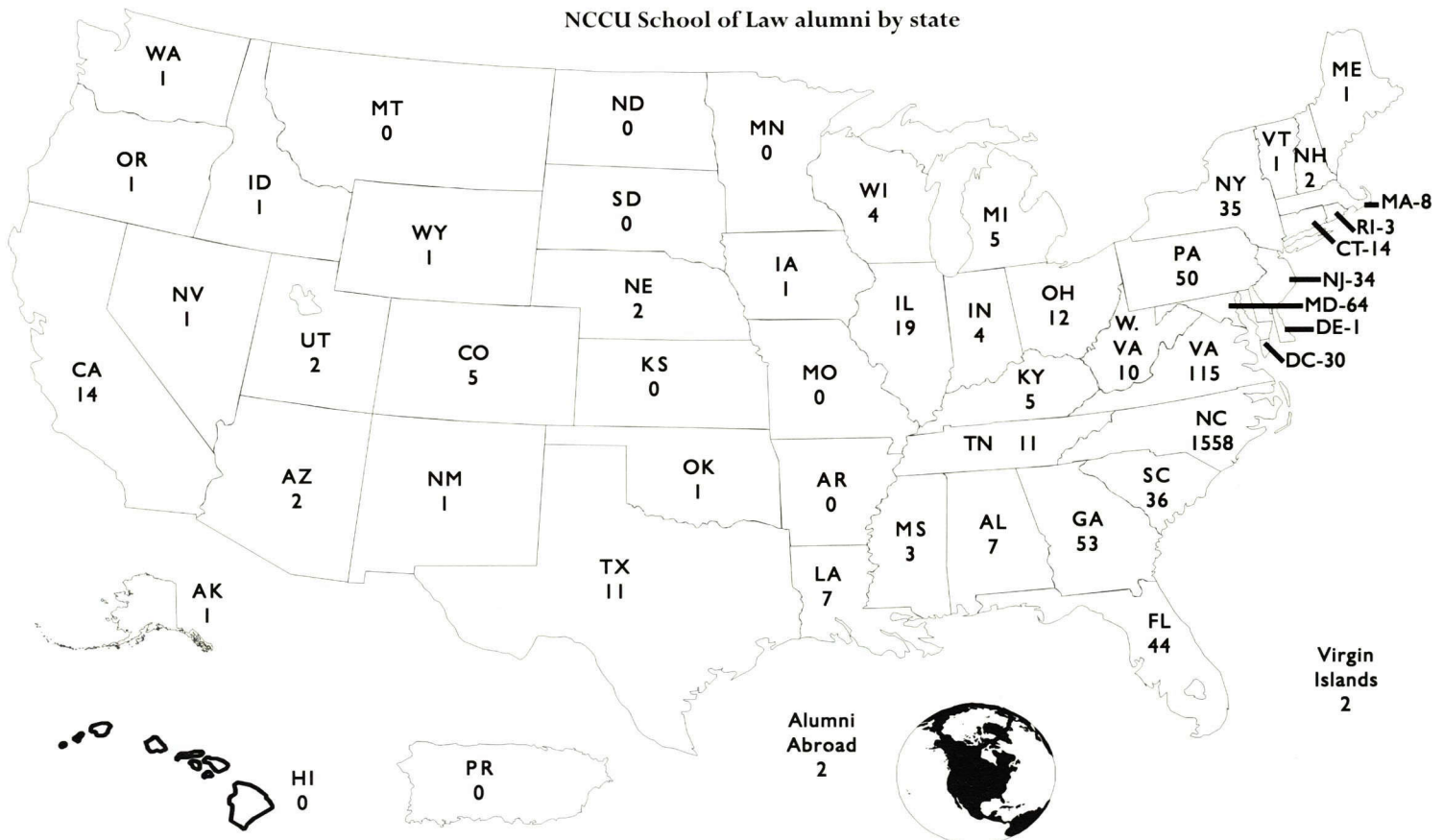
As expected, Governor Bush appealed this decision to the United States Supreme Court. On December 9, 2000, the United States Supreme Court issued a Stay on the Order of the Florida Supreme Court, which stopped the statewide recount. On December 12, 2000 – the deadline for appointing the Electoral College, the divided United States Supreme Court rendered its 5-4 decision that appropriately is captioned *Bush v. Gore*, 531 U.S. 98 (2000). The Court found that the Florida Supreme Court's recount order would violate equal protection principles since there was no objective standard. The Court found that the evaluation of ballots could differ among County Canvassing Boards, and also among counting teams used by a Canvassing Board. Because the Florida Supreme Court's ordered recount could not be completed by December 12, 2000 – the very day of the United States Supreme Court decision, the United States Supreme Court ordered that the statewide recount stop. That evening, December 12, 2000, Vice President Gore conceded the election.

NCCU School of Law

our alumni whereabouts



NCCU School of Law alumni by state



Data compiled by Sharon D. Alston, NCCU School of Law Office of Alumni Relations, February 2005

Office of Recruitment

Fall 2004 Entering Class Profile



Kären Alston and Sandra Brown

however, the same number of seats – 150 in the Day Program and 35 in the Evening Program. This makes the admissions process very competitive. We made 262 offers to Day Program applicants and 41 offers to Evening Program applicants. School has started and 136 students are in the first-year Day Program and 34 students are in the first-year Evening Program. Here are some more interesting facts about the Fall 2004 entering class.

Day Program

Total Matriculants: 136

Age Range: 21 to 52
Average: 26

Gender
Female 65%
Male 35%

Ethnicity
Indian/Native American
Male 1%
Asian/Pacific Islander
Male 1%
Black/African American
Male 20%
Female 48%
Caucasian/White
Male 9%
Female 13%
Hispanic/Latino
Female 1%

Other
Male 4%
Female 3%

LSAT

25th Percentile: 143
75th Percentile: 150
Median: 146

UGPA

25th Percentile: 2.93
75th Percentile: 3.46
Median: 3.24

State/Country of Permanent Residency

North Carolina 100
South Carolina 7
Virginia 6
New York 4
Georgia 4
Ohio 2
Pennsylvania 2
Alabama
Washington, DC
Florida
Hawaii

British Columbia, Canada
Trinidad & Tobago

Graduate Degrees Attained 15%

Undergraduate Institutions Attended

UNC-Chapel Hill 27
North Carolina State University 8
UNC-Greensboro 8
North Carolina Central University 6
NCA & T State University 5
Spelman College 5
UNC-Charlotte 4
Western Carolina University 4
Winston-Salem State University 4
University of South Carolina 3
Appalachian State University 2
Campbell University 2
East Carolina State University 2
Fayetteville State University 2
Hampton University 2
Howard University 2
Morehouse College 2
UNC-Wilmington 2
Wake Forest University 2
Belmont Abbey College
Benedict College
Bennett College
Clemson University
Coker College
Duke University
Elizabeth City State University

Elon University
 Florida A&M College of Law
 Florida A&M University
 Fort Valley State University
 Frostburg State University
 Guilford College
 Kansas State University
 Limestone College
 Lincoln University
 Manhattanville College NY
 Marshall University
 Norfolk State University
 Northern State University
 Pepperdine University-Malibu
 RutgersThe State Univ.-Newark
 Rutgers U-Grad-New Brunswick
 Salem College
 San Diego State University
 Savannah State College
 Southern Illinois Univ.-Carbondale
 SUNY at Albany
 SUNY at Buffalo Center
 Tennessee State College
 Tuskegee University
 Univ of Richmond-Richmond Col.
 University of Alabama
 Univ. of Alabama-Birmingham
 University of Colorado-Denver
 UNC Pembroke
 University of Pennsylvania
 University of Virginia
 VA Polytech Inst & State University
 Warren Wilson College
 Winthrop University
 York University

Undergraduate Majors

Political Science 29
 English 16
 Criminal Justice 10
 Communications 9
 Sociology 8
 Economics 6
 History 5
 Psychology 5
 Accounting 4
 Business Administration 4
 Marketing 4
 Business Management 3
 Computer Science 3
 Elementary Education 3
 Biochemistry 2
 Business Mgmt./Administration 2
 Chemistry 2

Of Counsel 2005

Mathematics 2
 Policy Studies 2
 Philosophy 2
 Sports Management 2
 African American Studies
 Asian Studies
 Biology
 Broadcast Journalism
 Finance
 Graphic Communications
 Humanities
 Interdisciplinary Studies
 Industrial Management
 Liberal Arts
 Social Work

Evening Program

Total Matriculants: 34

Age

Range: 22 to 50
 Average: 33

Gender

Male 62%
 Female 38%

Ethnicity

Indian/Native American
 Male 3%
 Female 3%
 Asian/Pacific Islander
 Male 6%
 Black/African American
 Female 15%
 Caucasian/White
 Male 29%
 Female 38%
 Puerto Rican
 Female 6%

LSAT 25th Percentile: 150
 75th Percentile: 157
 Median: 152

UGPA 25th Percentile: 3.17
 75th Percentile: 3.63
 Median: 3.40

State of Permanent Residency

North Carolina 33
 Georgia

Graduate Degrees Attained 38%

Undergraduate Institutions Attended

UNC—Chapel Hill 4
 East Carolina University 3
 North Carolina State University 3
 UNC—Greensboro 2
 Barton College
 Bennett College
 Boston University
 Central Michigan University
 Gardner-Webb University
 George Mason University
 Georgia Institute of Technology
 Guilford College
 Hofstra University
 Inter-American University Hato Rey
 Medical College of Georgia—GA
 NCA & T State University
 North Carolina Central University
 Pratt Institute NY
 Spelman College
 SUNY College at Oneonta
 University of Hartford
 UNC—Wilmington
 University of Redlands
 Univ. of Science & Tech. of China
 VA Polytech Inst & State University
 Wake Forest University

Undergraduate Majors

Criminal Justice 3
 Political Science 3
 Biology 2
 Communications 2
 English 2
 Government/Service 2
 Business Management
 Business Management/ Administration
 Chemical Engineering
 Chemistry
 Computer Engineering
 Computer Science
 Economics
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 Kristopher B. Gardner '02

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 Thomas Neagle '02
 Kate O'Brien '02
 James L. Palmer '02
 Tabatha Phillips Holliday '02
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Each fiscal year, alumni luncheons and receptions are held across North Carolina and various east coast cities. At these events, alumni can network with fellow alumni and learn more from the Dean about the progress of the Law School. We thank our sponsors and hosts of these gatherings for their generous contributions to making these events enjoyable for all.

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Wilmington, NC – May 13, 2004

Law Office of William T. Peregoy

Asheville, NC – June 18, 2004

Stewart Title of North Carolina, Inc.

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Leroy R. Johnson '57
Joe Morris III '96
Gwendolyn C. Walker '96

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Frances Dyer '76
Richard Gusler '84
Laura Lamkin '93
Alexander Perry '93
Kia Vernon '00
Lawrence Wittenberg '84
Reuben Young '85

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JoAnn C. Biggs '93
Patricia Y. Ford '89
Jeffrey L. Little '99
Tabatha P. Holliday '02
Joseph A. Williams '75

Ahoskie, NC & Wilson, NC – April 20, 2004

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Kimberly J. Jones '92
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Angus B. Thompson II '77

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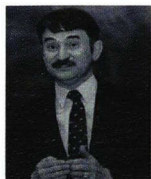
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Julia C. Boseman '92
Russell Davis '98
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William T. Peregoy '90

Asheville, NC – June 18, 2004

Reid G. Brown '75
Eugene W. Ellison '83
Carol L. Goins '89
Howard C. McGlohon '76

**Hosts lend their names to the invitation, encourage attendance of fellow alumni at the event, and encourage their colleagues to support the Law School's Annual Fund.*

Special Thanks to the Julian Pierce Scholarship Gala Steering Committee



In November 2003, the Julian Pierce Scholarship Gala Steering Committee raised nearly \$30,000 in cash and pledges in support of the NCCU Law School Julian Pierce Law Scholarship Endowment. For years to come, law students will benefit from this scholarship which honors the memory of the late Julian Pierce '76. Many thanks to the Steering Committee for their leadership on this event!

Edward Bullard '90
E. Knox Chavis '73
Dale Deese '89
Anthony Griffin
Arnold Locklear '73
Henry Oxendine '73
Rodney Oxendine '98
Julia Pierce
Freda Porter
Earl H. Strickland

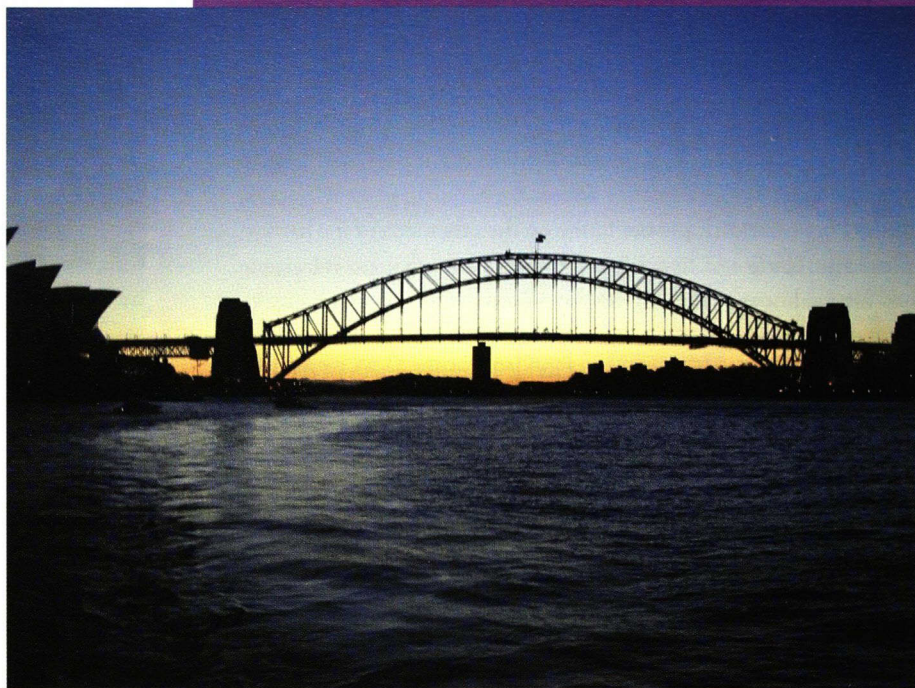
During the second semester of my second year of law school, most of my classmates were busy interviewing and securing jobs for the summer. I, however, entertained an alternative notion. I worked at a law firm the summer after my first year and quickly decided that life as a student was easier ... and much more fun! So, I decided to take advantage of my last free summer and do something I did not get to do in undergrad – study abroad. I chose a program offered by the University of North Carolina School of Law in Sydney, Australia. I had never been that far away from home and it was the perfect opportunity to gain six credits (making my 3rd year a little less busy) and experience life on the other side of the world.

I left on June 16, 2004 for a trip across the country to California, followed by a 14-hour flight across the Equator and International Date Line to Australia. After a few days of jetlag and wondering what on Earth happened to the 17th of June (it disappeared somehow during the trip across the dateline), I realized that I was in quite possibly the most beautiful place in the world! There were 27 of us in the program and we were all housed in a hostel on Bondi Beach just outside Sydney. The second day I was there, whales appeared off the coastline and I could literally sit and watch them from my window. The Australian people were, as a whole, very friendly and very laid back. After I'd been there for a week or so, their national "no worries" attitude started rubbing off on me – which was not necessarily a good thing for my studies!

We were in class every Monday through Friday from 8:30 in the morning until 12:45 in the afternoon. A large portion of each day was spent sitting in a classroom - in the basement of the Sydney Law Faculty, three stories underground. Fortunately, the classes were interesting enough to hold our attention for most of the time. I took International Law and Comparative Legal Profession. Much to my surprise, I really enjoyed the International Law class. The Comparative class was interesting in a different way as we got to spend a lot of time in the New South Wales

Summer in Sydney

by Julie Somers, 3L



Supreme Court. Both of my classes were taught by American professors, but several Aussie barristers and solicitors spoke in the Comparative class. Their legal system is quite different and very similar to the English system.

I did as much traveling as I could without skipping too many classes. I took a long weekend to fly to Melbourne and tour the Great Ocean Road. I petted many kangaroos (even got boxed by one!), petted a koala, watched a parade of fairy penguins and held a wombat. Back in Sydney, I saw an opera at the famous Sydney Opera House and spent a lot of time in the cafes on the Sydney Harbour and Darling Harbour. Not to mention the shopping that resulted in the necessity of mailing home two boxes and having two overweight suitcases on the trip home! My sole regret was that I could not stay long enough to travel to New Zealand. Guess I'll have to go back!

This summer was truly the experience of a lifetime and the best thing I have ever done for myself. I highly recommend a summer abroad, especially to those students who take law school entirely too seriously! I have no doubt that my next summer of studying for the bar will pale in comparison to this summer.



Jodi Squires '99 Gets an Unwelcome Visitor at Home and Office – Hurricane Charley

by Adrienne L. Meddock '91

Jodi Squires '99, like many Florida alumni, faced hurricanes in 2004. Both her home and office were hit by the most powerful hurricane this season: Charley.

Jodi's office was in downtown Punta Gorda, Florida, where she used her nursing background in combination with her J.D. to practice elder law. Her office had beautiful plate glass windows, facing Port Charlotte and her home on the other side of the harbor, Charlotte Harbor, a beautiful, peaceful place that no hurricane had hit in almost a century.

But then came Charley. Expected to hit 70 miles north of them as a weaker storm, Jodi, her husband Gordon, and their pets huddled in their home's interior as they heard the wind whip around them. They could hear the house groan under the pressure of the storm. When the wind grew quiet, they knew the eye of the storm must be over them. Jodi and Gordon quickly ran outside to assess the damage and determine if they could secure anything for the second onslaught. They got back in just as the violent eye wall and the last half of the storm passed over them.

The second half of the storm came and went. The house made it. The Squires family made it. As neighbors began to gather and check on each other, Jodi and Gordon learned that much of the neighborhood had been destroyed. The Squires had been very lucky. Shingles were torn off their roof and their pool cage was no where to be seen, but they were fine.

On the other side of the harbor, at the law office most of the office building's windows had been shattered in the storm, including at Jodi's second floor office. Client files that had been stacked neatly on the credenza were soaked and blown around mercilessly. Everything in her office was covered in water, papers, and glass.

Now, Jodi and Gordon are returning to North Carolina for family reasons. While ordinarily selling a home and winding down your practice in a storm impact zone is almost impossible, a lawyer friend of Jodi's offered to cover her clients and buy her home! So while they were there for the storm, the aftermath, and the clean-up, the Squires are heading back north. See ya later, Charley!

Adrienne L. Meddock '91 is the assistant dean for the evening program at the School of Law.

Class Notes

Ralph K. Frasier Sr. '65 has been honored by Porter Wright Morris & Arthur LLP of Columbus, OH. The financial institution has dedicated a diversity scholarship in his honor. Frasier, who has practiced law since 1965, primarily at financial institutions including Wachovia Bank & Trust Co. and Huntington Bancshares Inc., is of counsel to the firm.

Clifton E. Johnson '67 was presented the Trailblazer Award of the NC Committee of the NAACP Legal Defense Fund at a Charlotte banquet in summer 2004. He was the state's first African-American lawyer to become an assistant district attorney, and, in 1969, the first black person to be appointed to district court judgeship in Mecklenburg County. He was the first African-American to serve as a chief district court judge and as a resident superior court judge in the state. He was also the first black chairman of the Judicial Standards Commission, a post he held during his tenure on the Court of Appeals.

Bert Collins '70 received a Citation for Distinguished Citizenship from the NC Citizens for Business and Industry, the state's chamber of commerce's highest honor. Collins served as North Carolina Mutual Life Insurance Company's chief operating officer for 14 years in Durham, NC.

Frank S. Turner '73, a delegate in the Maryland House of Delegates, was named as the chairman of the Personnel Subcommittee of Appropriations in summer 2004.

Victor J. Boone '75 was the 2004 recipient of the Julian T. Pierce Award, given at the biennial Legal Services Statewide Conference. He is an attorney with Legal Aid of North Carolina in Raleigh, NC. This award honors an outstanding advocate of equal justice in North Carolina. Pierce '76 was the first executive director of the Lumbee River Legal Services, and was murdered in 1988 while running for a newly formed judgeship in the district.

Calvin Murphy '77 was named vice-president of the North Carolina State Bar at the agency's annual dinner in October 2003. Murphy has been a state bar councilor representing the 26th judicial district, chairperson of the client assistance committee and a member of the executive and ethics committees. He practices with Murphy, & Champion, PA in Charlotte, NC.

James M. Webb '77 is the senior resident superior court judge in judicial district 19-D, now comprised entirely of Moore County.

Michael R. Morgan '79 was elected as a superior court judge in Wake County, NC, in November 2004. He had been a Wake County district court judge for ten years at the time of his election to the higher trial bench.

Wanda Bryant '82 was re-elected to a six-year term on the North Carolina Court of Appeals in November 2004. In July 2004, she was selected as the 17th recipient of the William C. Lassiter First Amendment Award, at the NC Press Association's 131st Annual Convention. In 2004, she was elected to a three-year term on the board of the North Carolina Center for Public Policy Research. She is also president-elect of the Braxton Craven Inn of Court for 2004-05.



Morgan & Bryant

Joseph P. Fields '82 is a licensed enrolled agent representing clients before the Internal Revenue Service.

Onzlee Ware '84 is a delegate representing the 11th district in the Virginia House of Delegates. He was elected in November 2003.

Walter Boyd '84 joined the business practice in Smith Moore's Greensboro, NC office in the spring of 2004, where he concentrates in intellectual property law with a special emphasis on patents in chemical and pharmaceutical technologies. He previously practiced patent law in Washington, DC for ten years.

Larry Wittenburg '84 was elected to a third term on the board of directors of the National Organization of Social Security Claimants Representatives. This is the largest organization in the field of social security law with over 3,000 members. There are only two representatives from the 4th circuit on the board.

Turner Stephenson III '85, the Halifax County attorney since 1988, was named as a district court judge by Governor Mike Easley in September 2004.

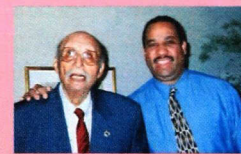
Fred Alphin '86 was re-appointed in 2004 to a third term on the Advanced Energy Board of Directors. Alphin is an associate general counsel for the North Carolina Farm Bureau Federation.

Jeffery Ellinger '86 joined Jordan, Price, Wall, Gray, Jones & Carlton as a partner in the firm. He concentrates his practice in the areas of business litigation, construction law, and insurance defense litigation.

Grady Jessup '86 was presented a certificate by Ghana's Supreme Court Justice Dr. George Kingsley Acquach after being enrolled as a member of the Ghana Bar. Jessup was one of ten lawyers (and the only US citizen) admitted to the Ghana Bar Association at a ceremony held at the Supreme Court building April 7, 2004. Jessup was on a Fulbright grant and taught at the Ghana School of Law.

Class Notes

Tonnie R. Villines '89 practiced law with Oliver W. Hill, Sr. from 1989-1996 as a member of the Hill, Tucker & Marsh law firm in Richmond, VA. Villines is pictured here with Oliver W. Hill, Sr., now 97 years old. Hill was the lead lawyer in *Davis v. County School Board of Prince Edward County*. *Davis* was one of the five school desegregation cases decided in 1954 by the U.S. Supreme Court in *Brown v. Board of Education*.



Craig Hemmens '88 was recently appointed chair of the department of criminal justice administration at Boise State University in Boise, Idaho. He also serves as the director of the legal assistant program. Hemmens obtained a Ph.D. in criminal justice after attending NCCU and began teaching at Boise State University in 1995. He has published seven books and over 100 articles dealing with a variety of legal issues in criminal justice in social science journals, law reviews, and bar journals.

Robert C. Vowels Jr. '88 is now the commissioner of the Southwestern Athletic Conference (SWAC). He previously was the commissioner of the Southern Intercollegiate Athletic Conference (SIAC).

J. Brad Donovan '89 is a deputy commissioner at the North Carolina Industrial Commission. He came to the Industrial Commission in 1997 as a special deputy commissioner. Prior to that time, he spent two years as a clerk in the Raleigh law firm of Edmisten and Weaver and eight years as a member of the staff counsel to the North Carolina Court of Appeals.

Ola Lewis '90, resident superior court judge in the 13th (NC) district, was elected to a one-year term as a vice-president on the NCBA Board of Governors during the 2004 annual meeting.

Phyllis Tranchese '89 now works for the Durham, NC district attorney's office. Previously, Tranchese worked at the Durham public defender's office.

Julia Boseman '92 was elected as a state senator to the North Carolina Legislature in November 2004.

Colleen A. Foley '93 works as a staff attorney with the Legal Aid Society of Milwaukee, WI.

Michael Jordan '93 announced the opening of the new headquarters of the Law Office of James Scott Farrin in Research Triangle Park on July 1, 2004. The office combines attorneys and staff from the firm's former corporate headquarters in downtown Durham with those formerly working in downtown Raleigh. The headquarters is located in Bristol Place at the intersection of Page Road and I-40.

Perry L. Paylor '93 is general counsel for the Redevelopment Authority of Prince George's County in Maryland.

Steven B. Phillips '93 was elected a member of the firm of Moore & Van Allen.

Class Notes

Michael Crim '94, since graduation, has passed the bar in North Carolina and West Virginia. Currently Crim practices law in Clarksburg, WV with the law firm of McNeer, Highland, McMunn and Varner, LC. In 2004, Crim became a director in the firm. His practice generally involves trial work with an emphasis on insurance defense.

Harold Jones II '94 was elected Augusta Richmond County (GA) Solicitor General in November 2004. The Solicitor General's office prosecutes misdemeanor criminal offenses. The Solicitor's office handles over 45,000 cases a year. Jones will supervise nine staff attorneys and 35 support staff. He is the first African-American elected prosecutor in the history of Richmond County. He is the first African-American male to win a contested Solicitor's race in the history of the State of Georgia, having received 60% of the vote.

Sherry Miller '95, **Toni King** '00 and Jo Leigh Clouse have joined to form Miller King & Clouse, P.L.L.C. This firm is a general practice firm with a concentration in criminal defense, family law & medical malpractice.

Heidi Stewart '95 is now an associate attorney at Worley & Associates in Asheville, NC. This firm's focus is in the practice area of real estate, estate planning and administration and business law.

Reggie E. McKnight '96, a former senior associate with Browne, Felbotte, Wilson & Horn, opened McKnight Law Firm in his historic Price Carr house at 200 N. McDowell Street in uptown Charlotte, NC in November 2003. The firm's primary areas of practice include state and federal criminal defense, traffic, personal injury, workers' compensation, social security disability claims and entertainment/music legal ventures.

Gerald W. Spruill '96 is an assistant district attorney in the 6A judicial district (Halifax County, NC).

Everett Keith Chandler '97, **Darryl Caldwell** '99, and **Tina Herbert** '00 represented North Carolina Central University School of Law at the Minority Pre-Law Conference at Benedict College in Columbia, SC in fall 2003. They answered questions about the Law School and the admissions process. Caldwell and Herbert co-chaired this event for the Young Lawyer's Division of the South Carolina Bar.

Bobby D. White '97 is the chief operations officer of the North Carolina State Board of Dental Examiners.

Carey Fleming '98 has accepted a position with Constellation Energy as its in-house nuclear counsel. He will be located in the corporate offices near the Inner Harbor area of Baltimore, MD.

Elsa Marte-Hampton '98 has been elected as vice-president of the Dominican Bar Association. The Dominican Bar Association is committed to assisting lawyers of the Dominican. Marte-Hampton works with the Legal Aid Society of the Bronx in New York City.

Ruffin Poole '98 is one of four fellows from North Carolina to participate in the 2005 American Marshall Memorial Fellowship program. As a 2005 American Marshall Memorial Fellow, Poole will spend a little more than three weeks learning about European institutions and exploring economic, political and social issues. The Fellowship is designed to introduce the next generation of American leaders to Europe and the importance of the transatlantic relationship, and equips them to work with European counterparts on a range of international and domestic issues. Poole works in the office of North Carolina Governor Mike Easley '76.

Niquelle M. Allen '99 was appointed to the position of assistant corporation counsel in the District of Columbia Office of the Corporation Counsel. She is working as a trial attorney in the civil litigation division, which represents the District of Columbia, its officials, agencies and employees in civil claims and lawsuits in DC and federal courts. She is also working as an adjunct professor at George Mason University School of Law in Alexandria, Virginia. She teaches both appellate advocacy and legal drafting.

Tonya L. Ford '99 opened her own law firm in Raleigh, NC in March 2004.

Levette H. Hopkins '99 opened her own law firm in Garner, NC. She is also a certified public accountant.

Randolph Lee '99 was named a partner in the Raleigh office of Cranfill, Sumner & Hartzog.

Barry Shuster '99 took second place in the North Carolina State Bar annual fiction writing contest in fall 2004.

Robin Tuczak '99, who works for the Internal Revenue Service in Washington, DC, has been selected as the director of the legal processing division in the office of the associate chief counsel (procedure and administration).

Valderia Brunson '00 took third place in the North Carolina State Bar annual fiction writing contest in fall 2003.

Thomas Clifton '00, a former assistant district attorney, has set up a private practice with Michael Williams, with offices in Henderson and Louisville.

Nicole Anderson Leonard '00 works at John Hopkins University and attends its MBA program. She works in the technology transfer office where she has been promoted to associate director. Her responsibilities include maintaining the template license agreements, and managing a portfolio of intellectual property. She is also the head of the small agreement group, which negotiates all of the University's non-disclosure agreements and material transfer agreements.

Lureece D. Lewis '00 and Kenta B. Green are operating as Green & Lewis, LLC, Attorneys at Law in Atlanta, GA. Their practice areas include consumer law, bankruptcy, wills, probate and real estate law.

Nicole Slade '00 has opened her own law office in January 2004 in Durham, NC.

Chadwick D. Smith '00 is the managing senior associate at the Charlotte office of Browne, Flebotte, Wilson and Horne, where he continues to focus his practice in criminal and traffic law.

Christopher M. Craig '01 is a partner in the Greensboro law firm of Hunter, Higgins, Miles, Elam & Benjamin. He practices in the areas of real estate, civil litigation and family law. He is a founding member of the Triad Area Collaborative Family Law Practice Group.

Nakia Davis '01 and **Steven Storch** '03 are on the board of directors of the Durham County Bar Association.

Susan L. Dunathan '01 joined the firm of Parker, Poe, Adams & Bernstein L.L.P. as an associate in December 2003. Dunathan concentrates her practice in the area of health care law.

David E. Sherrill '01 joined Crumley & Associates, PC in 2004 as a litigation lawyer. Prior to joining Crumley & Associates, Sherrill was a medical malpractice litigation lawyer with the Law Offices of Wade Byrd. Sherrill also has years experience as a registered nurse in the intensive care unit.

Kerstin Walker Sutton '01 has recently been appointed to the North Carolina Academy of Trial Lawyers Board of Governors. She also served as the secretary of the NCATL criminal defense section, the CLE co-chair of the NCATL auto torts section, a member of the NCATL education committee, and as a member of the NCBA Administration of Justice Task Force.

Gerald Walden '01 is assistant general counsel for The Fresh Market, Inc., a high-end grocery store with over 40 stores on the east coast, expanding nationwide by 8 to 12 stores each year. He handles commercial leases, employee issues and limited copyright/trademark infringement matters. He is in Greensboro, NC.

Natalie C. Watson '01 is in private practice with Lawrence, Best & Associates, P.A. in Rocky Mount, NC.

Elisabeth Murray '02 is an Associate with Elmore, Elmore and Williams P.A. Attorneys at Law in Asheville, NC, specializing in medical malpractice and personal injuries.

Stormie D. Forte '02 works as an associate attorney general with the North Carolina Attorney General's Office in the environmental division.

Devon White '02 successfully managed the 2004 re-election campaign of North Carolina Court of Appeals Judge Wanda G. Bryant '82. After the election, White joined the firm of Olive & Olive, P.A., an intellectual property law firm located in Durham, NC. White will work primarily in trademark and litigation.

Jennifer R. Wilson '02 works as an associate with Bob Riddle in Asheville, NC practicing family law.

Emma G. Clark '03 is working with Legal Aid of North Carolina in the Boone office.

Isaac Clark '03 is working in Washington, DC as an examiner at the US Patent Office.

Class Notes

Greg DeWitt '03 has opened DeWitt Law, PLLC in Carrboro, NC. His practice areas include community law, family law, simple estate plans, traffic, small business, musician/artist counsel and trademark and copyright registration.

Kathleen A. Gleason '03 joined Brooks, Pierce, McLendon, Humphrey & Leonard, LLP as an associate. Prior to this, Gleason served as a judicial clerk to the Honorable Allyson K. Duncan, Fourth Circuit Court of Appeals, from 2003-04.



Gleason

Matthew E. Hill '03 has accepted a commission with the Air Force JAG. He trained in Montgomery, AL, and now is at his base in Anchorage, AL where he will be until 2007.

Katherine T. Miller '03 works with Moore & Van Allen in Charlotte, NC as the Government Affairs Director.

Eric Pridgen '03 completed his LL.M. in taxation from the University of Florida and is working at Underwood & Roberts in Raleigh, NC.

Tom Snell '03 is the managing director of JSL Administrators, a third party administrator. The company handles the employee benefits for large companies. It is also doing contract work, mostly involving HIPAA, COBRA and ERISA laws, as well as service agreement contracts. It was recently awarded the contract for Cape Fear Valley Hospital which has approximately 3,000 employees.

Scoti L. Ussery '03 joined the firm of Hester, Grady & Hester, P.L.L.C in Elizabethtown, NC in April 2003. He was elected to the city council in Elizabethtown on October 7, 2003.

Alandrea Anderson '04 is an assistant district attorney for the 27th prosecutorial district (Gaston County, NC).

Bartina L. Edwards '04 has joined the firm of Tin Fulton Greene & Owen, PLLC in Charlotte, NC. She will practice in the areas of business law, real property and employment law.

Shannon Hurley-Deal '04 is working with the Legal Aid Society of northwest NC where she will concentrate in family law cases.

In Memoriam

James L. Lassiter '54
Nathaniel L. Belcher '58
Altheria N. Freeland '82
Martin R. Houglan '96
Charles J. Hutson '99

Legal Eagle

Gatherings



Class of 1984 at the annual NBA Convention, held in Charlotte, NC in August 2004



Washington, DC, September 2003



Professors Thomas Ringer and Charles Smith were honored at the NBA Convention



Charlotte, NC, November 2003



Julian T. Pierce Law Scholarship Gala Steering Committee, November 2003



Atlanta, GA, November 2003



Philip McRae '81, Luther Douglas '81 and John Carter '79 at the Pierce Gala

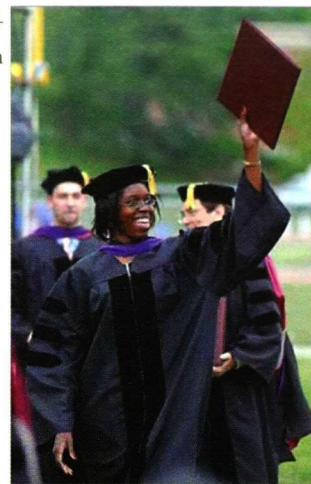


Raleigh, NC, December 2003

Legal Eagle

Gatherings

Charlene Brown '04
celebrates graduation



Durham, NC, December 2003



Wilmington, NC, May 2004



Greensboro, NC, March 2004



Lumberton, NC, May 2004



Ahoskie, NC, April 2004



Asheville, NC, June 2004



Wilson, NC, April 2004



NCATL Breakfast, June 2004

ON THE DOCKET ...

April 3-9, 2005: NCCU Law Week

**April 8, 2005: "Immigration Law and Policy
Post 9/11 Symposium/CLE" sponsored
by the Law School and the NCCU Law Journal**

April 9, 2005: NCCU Law Week Banquet

May 7, 2005: Graduation

**June 3, 2005: "Domestic Violence: The Legal
Landscape" sponsored by the Law School
and the North Carolina Association of
Women Attorneys**

June 4, 2005: Reception for Dean Janice L. Mills

**September 2005: NCCU Law Alumni
Reception in Washington, DC**

**October 2005: NCCU Law Alumni
Receptions in Greensboro and
Asheville, NC**

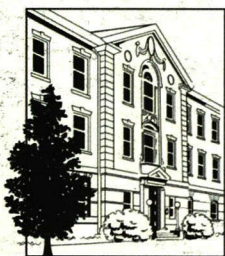
**October 21, 2005: "Alumni Return to
Teach Emerging Topics" CLE sponsored
by the Law School**

**November 2005: NCCU Law Alumni
Receptions in Atlanta, GA and
Charlotte, NC**

**December 2005: Alumni Reception in
Raleigh/Durham/Chapel Hill, NC**

Dates are subject to change. Please call Lydia Lavelle at 919-530-7464 for more information.

Stay in touch! Please send your alumni news to NCCU School of Law Alumni Relations, Post Office Box 1431,
Durham, NC 27702 or e-mail llavelle@nccu.edu or sdalston@nccu.edu.



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