

BARRISTER

North Carolina Central University School of Law, Newsletter

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IS COMPETENCE PRACTICAL?

The North Carolina State Bar (NCSB) created the Committee to Study the Competence of New Admittees (CSCNA), consisting of several staff members of NCSB and the five North Carolina law school deans. NCSB has stated that CSCNA's purpose is to assist new admittees in improving their practical skills, thus enhancing their ability to serve the public competently.

One noted observer said, "The question is not one of competence—for it is generally conceded that today's law graduates can meet or exceed the standards of intelligence and education set by earlier generations of attorneys—but rather it is a question of the practical skills needed to adequately represent the public."

It appears that CSCNA comes as a response from every facet of the legal profession, from students to the judiciary, and the NCSB itself, that the new inexperienced attorney needs help with the "real world" technical aspects of law practice.

CSCNA, chaired by Wright Dixon of Raleigh, will recommend in October 1984 the following: 1) **MANDATORY PRACTICAL SKILLS COURSE**—Targeted for implementation in August 1986, each law graduate will be required to complete this course before admission to practice. The cost would basically be financed by an in-

See CSCNA, p. 7

CONFERENCE HELD HERE By T. Monroe

The Black Law Students Association's (BLSA) Leadership Conference was a total success. The conference was kicked off with a reception held in the Law School lobby on Friday, Sept. 28. There was a large turnout of students, guests and faculty. Also attending was Commissioner William Bell. On Saturday, Sept. 29 the conference began with a continental style breakfast and a welcome by Dean Daye.

The Southern Regional BLSA members attended meetings in the morning and broke for lunch at Neptune's Sea Food Restaurant. Meetings commenced in the afternoon and strategies were planned for future Southern Regional issues. The meetings were led by Regional Chairman Anthony Jenkins of Mercer School of Law, Mercer, Ga.

A statement was also released to the Durham media expressing BLSA's position on the application of the Death Penalty. From the Region the following areas were represented: Alabama, Tennessee, Florida, Louisiana, Georgia, Kentucky and UNC and Duke of North Carolina. The conference was closed with a party held at the Chameleon Club in downtown Durham where everyone had a good time.

Once again the conference was a total success and the LeMarquis DeJarmon Daniel Sampson Chapter of BLSA here at NCCU would like to sincerely thank everyone who helped in the preparation

See BLSA, p. 7

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EDITORIAL

This year the Barrister staff has implemented a few standard reforms in the interest of preserving and enhancing the Barrister's ability to serve the law school more efficiently. We see the Barrister's purpose as being an effective medium by which the law school community may voice its concerns, render praise when due, ascertain the general community consensus on diverse issues, obtain relevant event data, and have access to a general printing source in order to enhance the individual's writing abilities. The Barrister is scheduled to circulate bi-monthly.

Though man's diverse personalities disallow the making of insurmountable rules, the Barrister will attempt through all of its faculties to hold to and stringently enforce the following guidelines: 1) Beginning Oct. 5, all articles and submissions for publication must be in an editor's hand by 3:00 p.m., Monday, a week before the next issue is due to circulate. (For example, to receive primary consideration for publication in the Oct. 16 issue, all articles or submissions must be in by 3:00 p.m. Monday, Oct. 8.); 2) all articles

must be typed or printed and double spaced with a caption; 3) Guest articles must not be over 200-250 words. However, if the article is worthy to be printed as a feature article, the word limit is 500-750 words. A feature article is an article of broad, general interest or concern to the law school community; 4) News events need not be "written-up," but we will not be responsible for the alleged misfocus of a particular issue or fact; (5) No person or organization will be allowed preeminent print space; (6) ALL articles and submissions are subject to editorial approval; (7) Any unreadable or objectionable submission may be "trashitized"; (8) ALL copies submitted become Barrister property whether printed or not; (9) There is no right to an explanation as to why your submission was not printed; (10) Guest and feature articles are strongly encouraged.

We look forward to an informative year.

Thanks,
Michael L. King
Editor-in-Chief

HELP NEEDED

The Barrister would like to announce vacancies in the following positions: Copy Editor; Page Editor. Working with the Barrister requires no more than 3 hours of your time per week and it will also be a learning experience for anyone as well as an asset to your resume'. Only serious, dependable, hard workers need apply. If interested please see Michael L. King, Editor-in-Chief or Toni Monroe, Publications Editor.

2Ls SPANK 3Ls!

The men of the second-year class (2L) routinely spanked the fellows of the third-year class (3L) recently in the Annual Law School Fall Football Classic championship game.

The mighty 2L men dominated the game defensively. This fact rendered the touchdown "bomb," launched by Mario Shannon and casually caught by M.L. King, the only score of the game. Thus, the 2Ls won the championship game and the 1984-85 bragging rights by a score of 6-0.

The 3Ls acquired the privilege of playing the 2L men by narrowly defeating the 1L team 14-4 a week earlier. The 1Ls controlled the 1L-3L game for a considerable amount of time.

The 2L men were expected to win the championship this year as evidenced by their having received the "bye" for the first game. This bye came as a result of the 1L men, now 2L men, having sportingly stomped the 2Ls, now 3Ls, last year in a preliminary game.

The 2Ls defense, headed by the likes of "Mean" Jimmy Green, Jeff "Tough" Ellinger, "Rough" Mike Hockaday, Nate "St. Bernard" Curry, and Joel "Smoke" Oakley, showed their awesome preeminence when the 3Ls were down on the two (2) yard line. The 3Ls had first down but were abruptly stopped in their tracks by the 2L defensive super-structure.

A high point in the game came when 3L quarterback Kevin Duckworth and side-kick Bruce Lee fatally attempted to plagiarize a very difficult play performed, with ease, many times by the

2L quarterbacks, Mario Shannon and Joel Oakley. This fatal attempt resulted in Bruce Lee handing Earl Raynor, a 2L, the football.

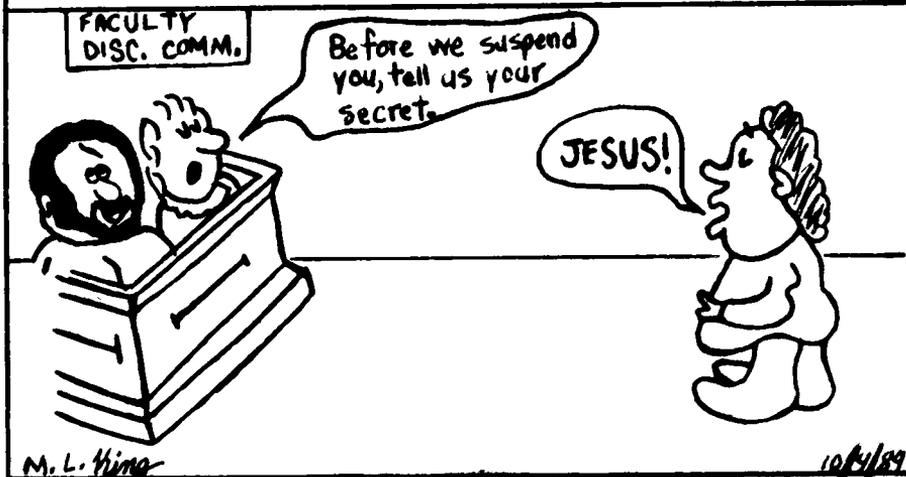
The 3L team will leave law school having miserably lost every football game played, but one.

P.A.D TO ATTEND CONFERENCE

Members of the Raymond Watkins Chapter of Phi Alpha Delta Law Fraternity will be attending a Leadership District Conference in Raleigh on Oct. 5,6. Among those attending will be Chapter Chief Justice Sandy Stroud and Vice-Chief Justice Michelle Thomas and other members. The conference will be geared towards the enhancement of leadership qualities, and cultivating the growth of student chapters. In addition, Chief Justice Sandy Stroud and LRE Chairperson Nate Curry will represent the Raymond Watkins Chapter at the Eastern Seaboard P.A.D. Symposium in Washington, D.C. for a three-day conference next weekend.

P.A.D. also happily invites all members of Phi Delta Phi and Delta Theta Phi, to a 'Greek Fling'. (check your invitations) P.A.D. would also like to thank those P.A.D. members who helped make Rush and Induction the success that it was. P.A.D. inducted 23 new members on Sept. 21 at the Durham County Courthouse. Congratulations new members!

FINKLE



WHAT IS THE RULE?

By M. Lane and D. Tate

All law students want to know what is the rule of law. We are taught to frame the issues, state the rule of law, make an analysis by applying the rule to the facts and then draw a conclusion. These four steps can also be applied to our lives on a day to day basis! Each individual is different but we all have one thing in common. "For all have sinned and come short of the glory of God." (Rom. 3:23) We have sinned against God by thought, word and deed. Sin is the transgression of the law. (I John 3:4) Sin is unbelief. It calls God a liar. (I John 5:10) Sin is active and passive rebellion against God. (Isa. 1:2 OT) All unrighteousness is sin. (I John 5:17) Sin is going your own way, planning your life according to your own will, without seeking the will of God. (Isa. 53:6 OT) Sin is a tool of satan used to deceive you, a force to destroy you and to condemn you. Sin is a volitional act of disobedience against the revealed will of God. You are dead in sin until you accept Christ as your personal Saviour. The Apostle Paul said, "You hath he quickened, who were dead in trespasses and sins." (Eph. 2:1) Christ died for each one of us. "For he (God the Father) hath made him (God the Son) to be made the righteousness of God in him." (II Cor. 5:21) Most of us try to bring about our own salvation by human means.

You do not have to live a defeated life! Peace, joy, happiness and so much more can be experienced on a daily basis! Put your trust in God instead of man or yourself!

These truths and more can be revealed to you through the WORD OF GOD during weekly bible study. Contact Michael Lane and Donna Tate.

Editor's Note: This column is reserved for guest articles and in no way is intended to represent the views of anyone other than the author(s). Contents of this column will be subject to editorial approval. There is a 200-250 word limit on such articles.

SBA PICNIC A SUCCESS

The Student Bar Association (SBA) recently sponsored a picnic for the law school community. The picnic proved to be a great success. James Keller, a second year SBA official, estimated that more than 100 people attended the picnic. A great deal of money and SBA time went into making this fun-affair a success, and these efforts are commended. A familiar array of food and games were available during this affair which was held at Garrett Park.

COALITION WINS VICTORY!

By V. Shamsid-Deen

The Coalition For Progressive Legislation (CFPL), a political organization comprised of predominately black organizations, launched its impressive lobbying force in the 1984 short session of the North Carolina General Assembly. CFPL, chaired by attorney Irving Joyner, was successful in preventing the "flooring" of legislation that would have destroyed the debtors' exemptions included in the debtor-creditor act. This legislation, if passed, would have allowed creditors to virtually "take the shirts off of debtors" backs in order to satisfy their claims.

This lobbying effort by CFPL is a temporary victory because the creditors will be back in the 1985 sessions to lobby for their concerns.

CFPL's key legislation was a proposal that would have authorized state agencies and municipalities to create "goal" programs for the awarding of governmental contracts to minorities and women. This bill was not introduced because CFPL and its supporters felt that it would not have received due consideration in such a short legislative session. The short session began on June 7, 1984 and ended around July 4, 1984. However, the bill will be introduced in the 1985 session.

CFPL's fundamental purpose is to protect and promote the interests of its membership along with the concerns of the greater black community at large. CFPL's main vehicle used to accomplish its goals is CFPL's legislative lobbying efforts. CFPL's member organizations are: the North Carolina

Association of Black Lawyers; Old North State Medical Society; North Carolina Association of Minority Busbusinessmen; North Carolina Association of Minority Elected Officials; North Carolina Association of Black Social Workers, and; Black Legislative Caucus.

For additional information concerning CFPL contact Veda Shamsid-Deen.

Journal Invites Candidates

The North Carolina Central Law Journal recently disclosed its 1984-85 candidate membership list. In its disclosure no distinction was made between academic candidates and successful Writing Competition participants. Usually a certain percentage of the candidate list is composed of academic candidates and the remainder filled by the successful writing competition participants. This year's Editor-in-Chief is Libby Mitchell; the Note editor is Kim Crump; and the Research editor is Steve Gambill.

The 1984-85 candidates are: Barbara Baker, Edger Barnes, Henry Campen, Jane Carter, Jeffrey Ellinger, Michael Lee King, James Lamb, Kevin Mayo, Brian McCrodden, Blan Minton, Ada Most, Joel Oakley, Rose Pahl-Smith, Tina Rhodes, Gregory Seibert, William Stephens, James Tart, Beverly Wilkins, and David Williams.

The Barrister sends congratulatory greetings to the 1984-85 candidates, and hopes that their accomplishments will inspire the first year class to strive for a candidate spot on the 1985-86 list.

FROM the PRESIDENT M. Jones (SBA)

The year has commenced and things are taking shape. There have been major obstacles that we, the Student Bar Association(SBA), have been forced to deal with. However, we intend to move ahead with the projects planned for the year. Please do not hesitate to let your suggestions be known by placing them in an SBA box located within the law school.

There are several projects that deserve immediate attention, such as the Budget Allocation session of the SBA and others which will be mentioned in due time.

This year the SBA intends to provide reasonable services and be an effective medium for the expression of student views. However, every concern cannot be resolved by the SBA. Therefore, we ask that the concerned use sound discretion in directing matters to an elected official of the SBA. Certainly, it's evident that we all share a common goal, that is, successfully completing law school. Thus, the time devoted to extracurricular matters is limited.

To all we say, "Have a successful year."

BLSA

Continued from page 1

for the conference and who went on to help make the conference the success that it was. A special thanks goes out to the American Bar Association (ABA) who co-sponsored the Leadership Conference and provided matching funds used to finance the conference.

BLSA also extends an invitation to all law students to join BLSA and to attend the meetings which are held every Friday at 1:00 in room 206. The 1984 BLSA officers are: Ray Mercer, Chair-

man; Kirby Wood, Vice-Chairman; Angela Evans, Treasurer; Mildred Avery, Secretary; and Toni Monroe, Corresponding Secretary.

CSCNA

Continued from page 1

crease in the applicant's admission fee. It has been recommended that this cost be diminished somewhat by using "other" funds; 2) ENCOURAGEMENT of CLERKSHIPS—CSCNA will help in establishing a clearing house for available jobs and available students at the state bar offices in Raleigh. With the help of the clinical directors of the five North Carolina law schools, a recommended plan for utilization of summer clerks by law firms would be developed. CSCNA will actively encourage clerkships through articles in the STATE BAR QUARTERLY; 3) JUDICIARY—The judiciary would be encouraged to participate in local orientation programs, to provide new admittees with critiques of their performance at the conclusion of matters before the courts, and to provide by publication a list of the recurrent deficiencies encountered in the presentation of such matters.

CSCNA's recommendations appear to be headed in the right direction as far as helping the new admittees are concerned. However, this is mere print on paper as of now. The workability of these ideas, their help, and their disadvantages, if any, will be proven in time. Dean Charles Daye said, "This could really be beneficial to our students. At least it is a far cry from the mandatory 18-month internship provision that was suggested initially."

These recommendations by CSCNA are definitely of beneficial pretense. The "test" is yet to be given. The impact is yet to be seen. Therefore, the praise and thanks and/or the moans and groans are yet to be uttered.

QUIZ YOURSELF

1. Pretty as a Turtle

By C. Smith

Rich makes a contract with Art, an artist, for Art to paint a portrait of Rich's wife's turtle. The turtle had died recently, so Rich gave Art portraits of the turtle. Rich told Art that he was to consult Wife for particulars as to 1) pose, 2) canvass, and 3) colors to be used. The contract was for \$5,000 to be delivered to Rich's office on July 1, 1984. The portrait was for Wife's wedding anniversary gift.

Art contacted Wife about the portrait of the turtle. Wife tells Art not to paint the turtle, but to paint her mother. (Rich despises Wife's mother.) Art paints the mother and delivers the portrait to Rich. Rich refuses to pay. Art sues Rich. Rich counterclaims. Discuss the rights of each claimant.

2. TRUE or FALSE

a) A civil assault may be defined as an attempted battery.

b) King slapped Daye, because Daye's dog bit King's coat-tail after Daye ordered the dog to attack King for laughing at Daye's fascade. King's slapping Daye was done in self defense.

c) A witnesses B in the act of hitting at C, A's child. B is liable to A for battery.

d) A, knowing a pistol to be unloaded, points it at B and threatens to shoot him. B believes the pistol to be unloaded. A is subject to liability to B.

e) A pushes B against C, knocking C down and injuring him. B is subject to liability to C.

3. P, an alien, files suit in federal district court alleging that wife, a U.S. citizen, committed adultery with H, a citizen of Idaho, in state Love. Can the court hear the case?

BALDWIN Does It Again!

Brenda Baldwin, a second year student, was elected vice-president of the Student Bar Association on Sept. 13, 1984.

A special election was held to fill the vacant position created by Donna Tate's resignation. Miss Tate, a third year student, submitted her resignation to the SBA on August 30, 1984.

The candidates seeking the vacated office were Miss Baldwin and Bill Davis.

Miss Baldwin's win created another vacancy, that of SBA Representative, which was filled by Grady Jessup after he electorally defeated Mike Hockaday.

BARRISTER SCOOP

Since the air conditioner alternately goes on the blink or freezes the library reading room, it is suggested that you bring a sweater (or even long johns) and a rubber sauna suit to school. Keep them in your locker in order to be prepared to weather the environmental changes presented by the physical plant people. On those days of "freezes" bring your hamburger and other perishables to school (neatly hidden in your briefcase), and save on your electric bill by turning off your refrigerator at home.