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The Law School

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I. Enrollments

Opening enrollment in the fall of 1966 was 509, the largest in the history of the school. This figure slightly exceeds the quota of 500 that for reasons of space we set two years ago to be reached in stages by this fall. Entering class enrollment was 235. These came from 748 applicants, 408 of whom were given offers of admission from time to time as the quota was approached. Unfortunately, we were forced in the process of administering this quota to reject more applicants than ever before. A good number of these had records which until the last two years would have insured admission. This condition will persist until we occupy our new building.

The composition of our student body in respect of residence and educational backgrounds remains substantially that of recent years. Thus, 80 per cent of the members of this year's entering class are residents of North Carolina, as against 81 per cent of last year's, and 75 per cent of that of the preceding year. Of this entering class 62 per cent had some or all of their undergraduate work at a total of 74 other colleges and universities than the University of Chapel Hill, as against 59 per cent and 55 other schools for last year’s entering class. The proportion of undergraduate degree holders in this year's entering class was 94 per cent, as against 90 per cent in 1965, and 89 per cent in 1964, thus continuing a marked upward trend of recent years.

II. New Law School Building

Planning on the new building continued throughout the year since the last report. During the late spring we became greatly concerned about rising building costs and a conviction mounted that we needed more space than had been planned in order to meet the demands for enrollment which seem certain to lie before us. Accordingly, we applied to the Department of Health, Education and Welfare for a supplementary grant out of funds appropriated in
1965 for construction of graduate facilities. After an on site inspection and consideration of our application with its statement of need and description of program, we were most fortunate to receive a grant in the amount of approximately $740,000 in August. In the hope that this would be forthcoming, our architects had continued their planning during consideration of the application. As a result, the plans are now in the final stages of completion and approval by the various agencies which have responsibility in the matter, and we hope to let a contract in late 1966 or early 1967. On this basis, occupancy by no later than fall of 1968 now seems reasonably certain.

III. FACULTY

At the end of the 1965-1966 academic year Professor Frederick Bays McCall completed his last year of teaching prior to mandatory retirement under University policy. Mr. McCall's long service to the school and the esteem and devotion felt for him by generations of students and by his colleagues have been warmly, though inadequately, recognized in these pages and in several ceremonies as his retirement date approached. Suffice it here to recognize once more his great service to the profession during 40 years of devoted teaching in this law school and to record the sense of loss which all of us in the law school now feel. We are delighted however to report that he continues his relationship with us in various helpful ways which we deeply appreciate and cherish.

Professor John Percy Dalzell begins with the 1966-1967 academic year his next to last year of teaching prior to mandatory retirement.

During the 1966-1967 academic year we are pleased to have three visitors on our faculty. They are: Professor Melvin C. Poland from the law faculty of Washburn University, Professor Glen W. Shellhaas who comes to us from the University of Wyoming, and, as Lecturer in Law, Mr. Richard H. Robinson, Jr., who comes to us after practice with the law firm of Gibson, Dunn & Crutcher of Los Angeles. Professor Shellhaas is teaching this fall a section of Torts and a section of Equity; Professor Poland, a section of Real Property and the course in Future Interests, and Mr. Robinson a section of Equity in addition to working with the Appellate Moot Court program.
During the summer of 1966, Professor Ernest L. Folk III taught as a visitor at the University of Michigan Law School, and the writer of this report, as a visitor at the University of Texas School of Law. Associate Professor Dan B. Dobbs is visiting during the full 1966-1967 academic year on the faculty of the University of Minnesota Law School.

We are pleased to announce two promotions and a most distinctive honor for three of our faculty members during the period covered by this report. Mr. Kenneth L. Penegar was promoted to Associate Professor and Mr. Ernest L. Folk III to Professor effective September 1, 1966. In early September, former Chancellor William B. Aycock was appointed Kenan Professor by the Board of Trustees—an honor most surely deserved.

In addition to their normal teaching and law school and University committee responsibilities, the faculty engaged in a variety of professional and public service activities, which are here summarized.

Kenan Professor William B. Aycock appeared on the program of the annual Southeastern Conference of the Association of American Law Schools in Lexington, Kentucky in August, 1966, as a panelist on the topic, Law School and University Relations; prepared a portion of the 1966 case law survey dealing with Real Property law in this Review; and was appointed to the Committee on Law School Administration of the Association of American Law Schools.

Alumni Distinguished Professor Herbert R. Baer presented a paper at the North Carolina Bar Association's Institute on Appellate Practice in October, 1965; published a supplement to his book, Admiralty Law of the Supreme Court; and prepared the 1966 case law survey of Trial and Appellate Practice in this Review.

Graham Kenan Professor Henry P. Brandis served as a commentator at the Third and Fourth annual Federal Trial Examiners' Training Seminars in Washington, D. C.; and prepared the 1966 case law survey on Pleading and Parties in this Review.

Assistant Professor Donald F. Clifford presented papers on Article II of the Uniform Commercial Code at two institutes held by the North Carolina Bar Association; published an article on the same subject in this Review; published an article in the University of Colorado Law Review; and is presently collaborating with Pro-
Professor Richard Smith of this faculty in preparation of a two volume work on forms for use under the Uniform Commercial Code in North Carolina.


Assistant Professor and Assistant Dean Charles E. Dameron prepared the 1966 annual case law survey on Insurance in this Review, and represented the School at the annual meeting of the Law School Admission Test Council in Warrenton, Virginia. In addition to his administrative duties in the law school, including administration of its scholarship and placement programs, Dean Dameron acted during the summer months as assistant to the Business Manager of the University.

Associate Professor Dan B. Dobbs published book reviews in and prepared portions of the 1966 case law survey of Torts for this Review.

Professor Ernest L. Folk III continued during the first part of the period covered by this report his work as consultant to the Delaware Corporation Law Revision Commission; published an article and two notes and prepared the Corporations section of the 1966 case law survey in this Review; prepared for publication in the Duke Law Journal an article on developments in corporation statutes during the period 1959-1966; and appeared as panelist on a discussion of corporation law developments at the 1966 annual meeting of the Association of American Law Schools in Washington, D. C.

Graham Kenan Professor Frank W. Hanft continued to serve as Chairman of the North Carolina General Statutes Commission; and published in this Review an article on Article Nine of the Uniform Commercial Code, and the 1966 case law survey of Administrative Law.

Assistant Professor Michael P. Katz published an article in the Colorado Law Review, book reviews in this Review, the Journal of Legal Education and the Duquesne Law Review, and the 1966 case law survey in Family Law in this Review; presented a paper at the North Carolina Bar Association's Institute on Criminal Law and Procedure in February 1966; and during the summer of 1966 conducted a program in legal assistance to the poor with local attorneys
throughout the State under a grant from the North Carolina Fund.

Assistant Professor Martin B. Louis served during the summer of 1966 as consultant to the United States Department of Justice, Anti-trust Division; continued as a member of the committee preparing a new code of civil procedure under the General Statutes Commission; and published a book review in this Review.

Associate Professor Walter D. Navin continued work on Kansas annotations to the Uniform Commercial Code for West Publishing Company; prepared a portion of a study published by the George Washington University Institute of Law, Psychiatry and Criminology; prepared the 1966 case law survey on Damages in this Review; and attended the Southeastern Seminar on Government Contracts and Procurement Law in Athens, Georgia in February, 1966.

Associate Professor and Law Librarian Mary W. Oliver continued to serve as chairman of the North Carolina Bar Association's Committee on Bar Notes; served as member and chairman of the Certification Committee of the American Association of Law Libraries; was a member of the Steering Committee of the Southeastern Conference of the Association of American Law Schools; and represented the American Association of Law Libraries at the meeting in Los Angeles of the Joint Committee on Library Education of the Council of National Library Associates.

Associate Professor Kenneth L. Penegar presented papers at the February 1966 Institute on Criminal Law and Procedure sponsored by the North Carolina Bar Association, and at the August 1966 meeting of the South Carolina Bar Association; prepared the 1966 case law survey on Criminal Law and Procedure in this Review; participated in a two weeks seminar on Law Science and Policy at Yale University in July, 1966; served as program chairman for the 1966 annual meeting of the Southeastern Conference of the Association of American Law Schools in Lexington, Kentucky; served as consultant to the Office of Economic Opportunity's Legal Services Division; served by judicial appointment as counsel in two habeas corpus cases; conducted an experimental course for U.N.C., Duke and North Carolina College law students in legal problems of the poor under a grant awarded by the North Carolina Fund; and served as co-director of the Duke-U.N.C. summer intern program in Criminal Law during the summer of 1966.
Professor Daniel H. Pollitt served as a member of the Board of Governors of the North Carolina Civil Liberties Union, and on the Advisory Committee of the American Friends Service Committee; acted as special counsel to the Special Subcommittee on Labor of the United States House of Representatives; participated as lecturer and panelist at a week-long seminar on labor law for selected trade union officials at the University of Georgia, and at a conference of the American Association of University Professors at the University of Kentucky; and during the summer of 1966, continuing a routine of long standing, engaged in private law practice in Washington, D. C.

Professor John W. Scott served on the Tax Committee of the North Carolina Bar Association, and as chairman of a special committee of the Association which reviewed needed changes in state statutes affecting the burden of federal taxation and prepared drafts of legislation to effect the changes. He served as trustee and counsel to the North Carolina School of the Arts, as trustee and secretary to the North Carolina Symphony, and as trustee of the Sarah Graham Kenan Foundation.

Assistant Professor Richard Smith prepared the 1966 case law survey on Security Transactions in this Review; presented papers at two North Carolina Bar Association Institutes on the Uniform Commercial Code; published an article on Article Nine of the Uniform Commercial Code in this Review; and is collaborating with Professor Clifford in preparation of a two volume work on forms for use under the Uniform Commercial Code in North Carolina.

Professor Frank R. Strong published an article in the South Dakota Law Review and a book review in the Journal of Legal Education; prepared the 1966 annual case law survey on Constitutional Law in this Review; served on the faculty of the Orientation Program in American Law for foreign students under the aegis of the Association of American Law Schools at Princeton University during the summer of 1966; and delivered the Donley Lectures at West Virginia University in October, 1966.

Assistant Professor Philip C. Thorpe prepared a portion of the 1966 case law survey on Torts and the survey on Workman's Compensation in this Review.

Professor Seymour W. Wurfel attended the one week conference on "World Rule of Law" sponsored by the American Bar Association in Washington, D.C. in September, 1965; appeared as
an invited witness before the U.S. Senate Judiciary Committee, subcommittee on Constitutional Rights, in its hearings on proposed amendments to the Uniform Code of Military Justice in January, 1966; participated in the three week session of The Hague Academy of International Law at The Hague, Netherlands in the summer of 1966; published three book reviews in this Review, and one in the University of Washington Law Review; and prepared the 1966 case law survey on Conflict of Laws in this Review.

The writer of this report continued to serve as a member of the North Carolina Courts Commission; has in preparation a second supplement to the second edition of McIntosh, North Carolina Practice and Procedure; addressed the annual meeting of the North Carolina State Bar in October, 1966, on the proposed new rules of civil procedure for North Carolina; and had published in the North Carolina Bar Association journal, Bar Notes, a two part paper on the proposed new intermediate appellate court for North Carolina.

In addition to those professional meetings mentioned in reports of individual activities, the faculty was represented at the annual meeting of the Association of American Law Schools in Chicago, the annual meeting of the North Carolina Bar Association in Myrtle Beach, S. C., the annual meeting of the Judicial Conference of the Court of Appeals for the Fourth Circuit in White Sulphur Springs, Virginia, and the annual meeting of the American Law Institute in Washington, D. C.

IV. THE LAW LIBRARY

In the year ending June 30, 1966, the Law Library added a total of 5620 volumes to its collection of which 734 were gifts. We are grateful to the donors of these materials including Senator B. Everett Jordan, Mr. Jack Lasley of Chapel Hill, Mr. Wallace Murchison of Wilmington, Mr. Robert Schnell of New York, Mr. Keith Snyder of Lenoir, and Mr. Thomas L. Young of Rocky Mount. Our collection of microcards has continued to grow with the addition of over 3800 cards during the year bringing our total holdings of microcards to approximately 45,000 cards.

As of June 30, 1966, the Library had a total of 107,408 cataloged volumes. This does not represent the total holdings as there are some uncataloged materials in the collection not included in this figure.
We continued during this period a fundamental appraisal of our curriculum in the light of our increased enrollment, our larger faculty and some very critical developments in the legal profession which must influence meaningful law school curriculum planning. A few rather profound changes in the basic curriculum for the 1966-1967 academic year were made. Out of a reluctant conviction that increased class size had made it no longer feasible to continue the coverage in depth of Legal Research which had been a feature of our curriculum for many years, we abandoned this as a required first year course, but offer it now as an elective second year course of limited class size. Still seeking an effective first semester introductory course for our first year students, we abandoned a one year experiment with the course in Personal Property, and shifted Equity from an advanced elective to a required first year course. A seminar in Real Estate Transactions was added, as were elective courses in Government Contracts and Legal Process.

A most significant innovation, which seems likely to remain a permanent feature, was introduced this year in the form of a three-day orientation program for first year students. This program, given immediately before the opening of regular classes, was based on written materials prepared by a faculty committee and mailed to these students some weeks in advance. Results are, on our observations to date, extremely gratifying.

VI. SUMMER SCHOOL

During the summer session of 1966, our visiting professors were Dean Ralph Barnhart of the University of Arkansas (Corporations), Dean Ivan Rutledge of Ohio State University (Constitutional Law) and Assistant Professor Richard Barndt of the University of Texas (Legislation).

VII. ACADEMIC ACHIEVEMENT

The masthead of this issue lists those students who are members of the editorial board and staff of the Law Review.

Other student scholastic honors were as follows:

Eleven students, on the basis of standing in the top 10 per cent of the class of 1966, were elected by the faculty to the Order of the Coif. These were, in the order of their final standing: Doris Roach
Bray, William Lloyd Stocks, Charles Baskerville Robson, Jr., Thomas Charles Wettach, Henry Newton Patterson, Jr., William Sinclair Lowndes, Dennis Jay Winner, Ronald Wood Howell, Robert Onan Klepfer, Comann Penry Craver, Jr., and Ralph Malloy McKeithen. Of this group, Doris R. Bray, William L. Stocks, Charles B. Robson, Jr., Thomas C. Wettach and Henry N. Patterson, Jr. were also winners of the Chief Justice Walter Clark Awards made annually to the five students who on the basis of their cumulative records after five semesters have the highest scholastic averages in their class.

The degree of LL.B. with High Honors was awarded to Doris R. Bray and William L. Stocks; and the LL.B. with Honors to Comann P. Craver, Jr., Ronald W. Howell, Robert O. Klepfer, William S. Lowndes, Ralph M. McKeithen, Charles B. Robson, Jr., Thomas C. Wettach and Dennis J. Winner.

The Block Improvement Award was won by Thomas J. Bolch. This Award, consisting of a $300 cash prize, is made to the senior who has shown the most consistent improvement over his first five semesters of work, having devoted himself sincerely to his studies over the period. The award, established by Mr. Norman Block of the Greensboro Bar, honors the memory of his father.

The Lawyer’s Title Award, a cash prize of $100 given to the senior demonstrating excellence in the study of real property law, and selected at this school on the basis of the highest average on the three courses Real Property I and II, and Future Interests, was won by William L. Stocks.

VIII. THE STUDENT BAR ASSOCIATION AND STUDENT ACTIVITIES

The officers of the Student Bar Association for the current academic year are: Dwight H. Wheless, President; R. Woody Harrison, Jr., Vice President; Martin Lancaster, Secretary; Charles R. Buckley, III, Treasurer; and Tommy Jarrett, Chief Justice of the Law School Honor Court.

The Association continued its orientation program for entering law students this year under the chairmanship of R. Woody Harrison, Jr.; is publishing the Tar Heel Barrister under editor Hugh Stevens; is cooperating with the administration in placement activities, through publication of the Placement Brochure under editor
Frank Martin; planned and supervised annual Law Day activities under the chairmanship of David Sentelle; organizes law student participation in campus intramural athletics under the leadership of Reginald W. Harrison; seeks to encourage organized student cooperation in library administration and use under chairman Charles Waters; organizes, allocates and supervises student use of study and typing desk space under chairman Clark Parker; carries on throughout the year a program of bringing in outside speakers and making film presentations, under the chairmanship of R. Frost Branon; and organizes and supervises periodic student social events including the reception during orientation for entering students and that for alumni on Law Day.

The writer takes this opportunity to express sincere appreciation for the quite substantial student contribution to the total program of the school which is summarized above. Much of this contribution is directly related to the effective administration of essential school programs; all of it is valuable in its impact on the over-all range of student life and growth during the law school experience. The current leadership is dedicated, and is imaginatively seeking ways to contribute even more substantially to the effectiveness of the total educational experience of the students.

IX. ALUMNI ACTIVITIES

The current school year is the third year of the Law Alumni Association's major scholarship program, so that it is now providing four major scholarships—one for $1,000 and three for $800—in each class. This was done without reducing alumni funds for smaller scholarships, and the total alumni scholarship budget this year is $14,000, of which $12,000 comes from annual Association dues and the balance from Law Foundation income. Including the new Morehead Scholarships and the Dameron Scholarship (both elsewhere described) and funds from general University sources, there are now seven major scholarships in the first year class (eventually in each class), and the total available this year in scholarship funds is approximately $27,000.

As of this writing (October), some 875 alumni have paid approximately $12,000 in dues, by comparison to 1036 and $12,391 during all of 1965. Some 280 alumni have contributed approximately $6,800 to the Foundation, by comparison to 381 and $8,028
during all of 1965. The capital fund of the Foundation now exceeds $55,000 (exclusive of more than $230,000 in the Graham Kenan, Holderness, and other special funds).

In addition to its support of the scholarship program, the Law Alumni Association also contributed substantially to financing the publication of the *Tar Heel Barrister* and the senior placement brochure, and (supplementing the modest state appropriation) to the financing of travel to professional meetings.

Between the annual meetings in 1965 and 1966 the officers of the Association and of the Foundation Council were as follows—the Association: Ralph M. Stockton, Jr., President; Donald W. McCoy, First Vice President; Richmond G. Bernhardt, Jr., Second Vice President; Mary W. Oliver, Secretary-Treasurer; Henry Brandis, Jr., Assistant Secretary-Treasurer; *Foundation Council*: Thomas A. Uzzell, Jr., Chairman; Albert J. Ellis, Vice Chairman; James B. Garland, Secretary; Mary W. Oliver, Treasurer and Assistant Secretary.

X. Institutes For Practicing Attorneys

The school continued its cooperative involvement in the continuing legal education program sponsored by the North Carolina Bar Association with this school and the law schools at Duke and Wake Forest. Participation by individual members of the faculty on the various institute programs has been reported in the section on Faculty Activities. The writer continues to serve as a member of the Association's Continuing Legal Education Committee which plans the over-all program. In addition, Professor Robert G. Byrd is serving on a planning sub-committee for a future institute.

XI. Bar Examination Results

In August of 1966, out of 79 of our 1966 graduating class taking the North Carolina Bar Examination, 77, or 97 per cent, passed. We are of course most gratified with this result.

This law school, together with the others of the state, continued to participate, by invitation of the Board of Law Examiners, in the annual post-examination critique and discussion of the current examination with the members of the Board.
XII. Placement

In January, June, and August of 1966 we graduated a total of 92 students. Three have opened their own law offices, 44 are associated with other lawyers or law firms, 10 are clerks to judges, 8 are in government service, 5 are in legal positions with corporations, 3 are taking graduate work, and 19 are in military service or their status is unknown at this writing.

Two distinctive trends in placement which are discernible from our standpoint may be of interest to the profession. The first is that the prime time for contacting potential associates has now been pushed up to early and mid-fall of the year preceding graduation. The other is that an increasing amount of placement is being handled through contacts made in the employment of second year law students during the summer preceding their final semester or year of school. We continue to solicit all possible assistance in placing our graduates in a market which seems to be more and more active and open.

XIII. The Law Review

The burgeoning size of the Law Review, reflecting in part a larger contributing staff in our larger school, and in part an imaginative expansion of the journal by recent editorial boards, coupled with continued increases in production costs has created severe financial support problems. After careful appraisal of our resources—subscriptions, advertisements, and a modest University appropriation—we are forced to announce reluctantly that another price increase, hard on the heels of that one of last year, seems unavoidable if we are not to be forced into a substantial retrenchment. While this will not take place for another year, we feel impelled now to report its sure advent. On a careful relative evaluation of the prices of similarly structured and accepted journals, ours is still modestly priced after the recent price increase to six dollars for the four issue volume. We hope most sincerely that our subscribers will understand our necessity and bear with it.

We plan to continue again this year the faculty contributed case law survey. Such comments as we have had from subscribers have been favorable, but we would like to have a better sampling of appraisal in order to evaluate the worth of this feature to our subscribers.
XIV. Speakers and Visitors

During the period covered by this report, the following guests, to all of whom we are deeply grateful, have made appearances at the school or before formal student groups to address particular classes, the student body, legal fraternities or other special groups of law students, or to participate in other ways in the programs of the school: Professor John Sanders, Director of the Institute of Government; Dr. Tad Blalock, U.N.C. Department of Sociology; Dr. John Reckless, Duke Medical School; Mr. Lee Bounds, Director of the North Carolina Prisons Department; Messrs. Kenneth Harris and John Van Alst of North Carolina National Bank; Professor Frank Schwentker, U.N.C. School of Business Administration; Mr. George Calvert, Assistant Regional Counsel, Internal Revenue Service; Honorable Stanley Reed, former Associate Justice of the Supreme Court of the United States; Messrs. George Cochran, Eugene Gressman, Joseph L. Rauh, Jr. and John Silard of the Washington, D.C. bar; Mr. Anthony Brannon of the Durham, N.C. bar; Honorable Dan K. Edwards, Solicitor of the Superior Court of North Carolina; Dr. John Ewing, Dean of the U.N.C. Department of Psychiatry; Mr. Martin Peterson, Director of Rehabilitation, N.C. Department of Prisons; the President of the Consolidated University, Dr. William C. Friday; Dr. Corydon Spruill, Chairman of the Faculty Committee of U.N.C.; Honorable Thomas J. White, Senator of Lenoir County; Honorable Allen H. Gwyn, Judge of the Superior Court of North Carolina; Dr. Myron Liptzin, U.N.C. School of Medicine; Mr. Norman Pomrenke, Assistant Director, the Institute of Government; Reverend Harry Smith, Minister to Students, Chapel Hill Presbyterian Church; Dean Shalev Ginossar, Dean Hebrew University Law School; Mr. H. F. Seawell of the Carthage, N.C. bar; Mr. William C. Lassiter, of the Raleigh, N.C. bar; Judge William E. Comer of Greensboro, N.C.; and Mr. Evans W. North, Office of the General Counsel, Federal Aviation Agency.

XV. Special Gifts

In September 1965 the Law School became beneficiary of three newly established Morehead Fellowships in Law, funded by the John Motley Morehead Foundation. These Fellowships which were awarded for the first time in September 1966 to three incoming law students, carry annual stipends of $2,500 in addition to the pay-
ment of tuition and fees, throughout the three year law school tenure.

In the spring of 1966 the Law School received a very substantial gift from the Acre Foundation in honor of the memory of the late W. H. Holderness of the Greensboro Bar, a long-time member of the law firm of McLendon, Brim, Holderness and Brooks. This gift is being used by the school to provide continuing financial support for a comprehensive three-year appellate moot court program known as the Holderness Competition. The purpose of this program is to make a concerted attempt at substantial development among our students of the critical lawyer skills of oral advocacy and argumentative legal writing.

Also, in the spring of 1966 the school became the recipient of a very fine gift from the family of the late E. S. W. Dameron, Sr. of the Burlington Bar. This gift is for the purpose of establishing a law school scholarship to be known as the E. S. W. Dameron Scholarship.

Finally, during the summer of 1966 the school received a fine gift from the family of the late William M. Hendren of the Winston-Salem Bar. This gift will be used by the Law School to furnish a seminar room in the new law school as a memorial to Mr. Hendren.

**XVI. DEDICATION**

It is our sincere hope that this school may continue steadily to improve its capabilities for training law students to first rate competence in the practice of the legal profession, and for inculcating in them deepened awareness of their professional responsibility as they serve on the bar and the bench, in the business communities, and in the governments of state and nation; and that the role of the school in legal education may reflect increasing credit upon the great university and state of which it is proudly a part.

**Dickson Phillips, Dean**