

RESUME Related to Free Speech, Press, and Related Topics
Michael Kent Curtis

Professor of Law Wake Forest University School of Law

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Employment: Judge Donald Smith Professor of Constitutional Law, Wake Forest University School of Law. Professor of Law 1994-to the present; Associate Professor at Wake Forest 1991 to 1994; Visiting Professor of Law, Wake Forest University School of Law, Fall 1990; Practicing attorney, 1970-90. Admitted to bar 1969, North Carolina; admitted to the bar of the United States Supreme Court in 1974.

Personal: Married to Deborah F. Maury. One son, Matthew.

Teaching: Constitutional Law I and II, American Legal History (with an emphasis on civil liberties), Freedom of Speech and Press, Election Law, and Agency. Before coming to Wake Forest I taught criminal law, evidence, and selected constitutional topics at Guilford College, concurrent with law practice.

Selected Publications: For publications in chronological order, see the list in appendix 1 at the end of this resume.

Books:

No State Shall Abridge: The Fourteenth Amendment and the Bill of Rights, Duke University Press (1986); for selected reviews of *No State Shall Abridge*, see 101 *Harvard Law Review* 869-873 (1988), 85 *Michigan Law Review* 1118-92 (1987), 81 *American Political Science Review* 278-279 (1987). The book was described by Professor Akhil Amar of Yale Law School as “one of the most important and most impressive works of constitutional scholarship of the late twentieth century.” In the *Bimonthly Review of Law Books* (March-April 2001), Professor Michael Gerhardt (then at William and Mary School of Law, now at UNC Law School) named it as one of the five law books every law student should read.

Editor, The Constitution and the Flag: Vol. 1, The Flag Salute and vol. 2, Flag Burning (Garland Press 1993). (Articles, Cases, and Materials on the flag salute and flag burning controversies with an introduction by Michael Kent Curtis.)

Free Speech: The People's Darling Privilege: Struggles for Freedom of Expression in American History (Duke Univ. Press, Nov. 2000) Winner of the N. C. Literary and Historical Society's 2001 Mayflower Cup Award for the best non-fiction book by a North Carolina author. Selected by an Independent panel of judges as the Winner of the 2001, Playboy Foundation, Heffner First Amendment Award for the best book of the year on the subject of the 1st Amendment. (Judges included 1st Amendment Attorney and author Floyd Abrams and Professor Robert O'Neil of the Univ. of Virginia Law School, Founding Director of the Thomas Jefferson Center for the Protection of Free Expression.) Selected comments on the book are included below.

Michael Kent Curtis, J. Wilson Parker, Davison Douglas, and Paul Finkelman, *Constitutional Law in Context* (Carolina Academic Press, 1st ed. 2003), a constitutional law casebook with additional historical context.

Michael Kent Curtis, J. Wilson Parker, Davison Douglas, and Paul Finkelman, *Constitutional Law in Context* (Carolina Academic Press, 2nd ed. 2006), a constitutional law casebook with additional historical context.

Supplements to *Constitutional Law in Context*: 2007 and 2008.

Contributions to books:

Book chapter, "Democratic Ideas and Media Realities: A Puzzling Free Press Paradox," in *Free Speech* (Cambridge Univ. Press 2004. Paul, Miller, and Paul, eds.).

Book chapter in *The Law of Slavery*, Madison House Publisher (1997): "The 1859 Crisis over Hinton Helper's Book *The Impending Crisis: Slavery, Free Speech, and the Meaning of the First Section of the Fourteenth Amendment*," a condensed version of the article that appears below.

"Reading the First Amendment by the Light of the Burning Flag," introduction to 1 *The Constitution and the Flag*.

Selected Articles (invited contributions are set out below):

“Transforming Teenagers Into Oral Sex Felons: The Persistence of the ‘Crime Against Nature’ After *Lawrence v. Texas*” (Wake Forest Law Review March (2008).

“Lincoln, The Constitution of Necessity, and the Necessity of Constitutions: A Reply to Professor Paulsen,” 59 *Maine L. Rev.* 1 (2007).

“Historical Linguistics, Inkblots, and Life After Death: The Privileges or Immunities Clause of the Fourteenth Amendment” (78 *North Carolina Law Review* 1071 (2000).

“Lincoln, Vallandigham, and Anti-War Speech in the Civil War,” 7 *William. and Mary Bill of Rights Journal* 105 (1998).

“The 1837 Killing of Elijah Lovejoy by an Anti-Abolition Mob: Free Speech, Mobs, Republican Government, and the Privileges of American Citizens,” 44 *University of California at Los Angeles Law Review* 1109 (1997).

“Resurrecting the Privileges or Immunities Clause and Revising the Slaughter-House Cases Without Exhuming *Lochner*: Individual Rights and the Fourteenth Amendment,” 38 *Boston College Law Review* (1996).

"Remembering Albion Tourgee on the 100th Anniversary of *Plessy v. Ferguson*," 13 *Constitutional Commentary* 187 (1996).

"The Curious History of Attempts to Suppress Anti-slavery Speech, Press, and Petition in 1835-1837," 89 *Northwestern University Law Review* 785 (1995).

"Monkey Trials: Science Defamation, and the Suppression of Dissent," 4 *William and Mary Bill of Rights Journal* 507 (1995). An article about a libel suit based on a *Rolling Stone* article reporting a hypothesis on the possible origin of AIDS.

"The Critics of Free Speech and the Uses of the Past," 12 *Constitutional Commentary* 29 (1995).

"The 1859 Crisis over Hinton Helper's Book *The Impending Crisis*: Slavery, Free Speech, and the Meaning of the First Section of the Fourteenth Amendment," 68 *Chicago Kent Law Review* 1113 [Symposium on Law and Slavery] (1993).

"In Pursuit of Liberty: The Levellers and The American Bill of Rights," 8 *Constitutional Commentary* 359 (1991).

"Obscenity: The Justices' (Not So) New Robes," 8 *Campbell L. Rev.* 387 (1986).

"Still Further Adventures of the Nine Lived Cat: A Rebuttal to Raoul Berger's Reply on Application of the Bill of Rights to the States" 62 *North Carolina Law Review* 517 (1984).

"Judge Hand's History: An Analysis of History and Method in *Jaffree v. Board of School Commissioners*," 86 *West Virginia Law Review* 109 (1983).

"The Fourteenth Amendment and The Bill of Rights," 14 *Connecticut Law Review* 237 (1982).

"Further Adventures of the Nine Lived Cat: A Response to Mr Berger on Incorporation of the Bill of Rights," 43 *Ohio State Law Journal* 89 (1982).

"The Bill of Rights as a Limitation on State Authority: A Reply to Professor Berger" 16 *Wake Forest Law Review* 45, (1980).

Student law review case notes including "Ads on Buses," 46 *North Carolina Law Review* 900, 1968.

Articles for symposiums, invited participation:

"The Klan, the Congress and the Court: Congressional Enforcement of the Fourteenth and Fifteenth Amendments & the State Action Syllogism, a Brief Historical Overview, *Journal of PAJ of Constitutional Law*, 11.5 1381 (forthcoming 2009).

"Be Careful What You Wish For: Gays, Dueling High School T-Shirts, and the Perils of Suppression," 44 *Wake Forest L. Rev.* (forthcoming June, 2009).

"The Fourteenth Amendment: Recalling What the Court Forgot," 56 *Drake L. Rev.* 911 (2008) (Drake Constitutional Law Symposium on Forgotten Constitutional Provisions).

"St. George Tucker and the Legacy of Slavery," 47 *Wm. & Mary L. Rev.* 1157 (2006) (William and Mary Symposium on St. George Tucker).

"Democratic Ideals and Media Realities: A Puzzling Free Press Paradox," 21 *Social Philosophy and Policy* 385 (2004).

"Judicial Review and Populism," 38 *Wake Forest L. Rev.* 313 (2003) (Wake Law Review symposium on the 200th Anniversary of Marbury v. Madison).

"John A. Bingham and the Story of American Liberty," 36 *U. Akron L. Rev.* 617 (2003) (contribution to Akron Law School symposium on John A. Bingham, the main drafter of section 1 of the 14th Amendment. Bingham should be added to the pantheon of framers of the Constitution.)

"Teaching Free Speech from an Incomplete Fossil Record," 34 *University of Akron Law Review* 231 (2000) (a contribution to Akron Law School symposium on education and the Constitution.)

"Free Speech and Its Discontents: The Rebellion against General Propositions and the Danger of Discretion," 31 *Wake Forest Law Review* 419 (1996)--comment on Oliver Wendell Holmes devise lecture by Professor Sunstein.

"Privileges or Immunities, Individual Rights and Federalism," 12 *Harvard Journal of Law and Public Policy* 53 (1989), (symposium article, originally presented at a Federalist Society conference)

"Conceived in Liberty: The Fourteenth Amendment and The Bill of Rights," 65 *North Carolina Law Review* 889 (1987), originally presented at a symposium on the bicentennial of the Constitution sponsored by the University of North Carolina at Chapel Hill.

Encyclopedia articles:

Articles on *Barron v. Baltimore* and *Saenz v. Roe* in *Encyclopedia of the Supreme Court of the United States*. (2008).

Article on the Alien and Sedition Acts in *Milestone Documents in American History* (2008).

Articles on "Incorporation Doctrine" and the "Fourteenth Amendment," in the *Oxford Companion to the Supreme Court* (2005).

"Slavery and Civil Liberties," *Encyclopedia of the American Constitution*, 2424 (2d ed. 2000).

Articles on “*Barron v. Baltimore*” pp. 25-27 and “Incorporation of the Bill of Rights and the Religion Clauses,” 236-39. *Encyclopedia of Law and Religion*, Paul Finkelman, ed., (2000).

Essays on "Incorporation Doctrine and Original Intent" at 1356 and "Fourteenth Amendment, Section 5" at 1087 in *Encyclopedia of American Constitution* (2d. ed. 2000).

“Albion Tourgee,” 21 *American National Biography* 769 (1999).

“The Fourteenth Amendment (Enactment),” in *The Constitution and Its Amendments* (1999).

Essays on the "Fourteenth Amendment" and "The Incorporation Doctrine" in *The Oxford Companion to The Supreme Court of the United States* (1993).

Book Reviews on the following books:

Geoffrey Stone, *Perilous Times: Free Speech in Wartime*, 21 *Const. Commentary* (2004, 2006).

Victory of Law: The Fourteenth Amendment, the Civil War, and American Literature, 1852-1867, by Deak Nabers, *Civil War Book Review* (Fall 2007), www.cwbr.com.

Slaughterhouse Cases: Regulation, Reconstruction, and the Fourteenth Amendment, by Ronald M. Labbe and Jonathan Lurie (2003), 37 *Journal of Interdisciplinary History* 143.

Robert Martin, *The Free and Open Press: The Founding of American Democratic Press Liberty (1640-1800)*, 46 *Am. J. Legal Hist.* 108 (2004).

"The Court and the Empire," A review of *The Imperial Republic* by James G. Wilson, 20 *Constitutional Commentary* 163 (2003).

William Nelson, *Marbury v. Madison: The Origins of Judicial Review*, in 5 *The Green Bag* 329 (2002).

Bruce Ackerman, *We the People: Transformations*. *American Journal of Legal History*, Vol. XLII, 417 (1998).

The Constitution, Law, and American Life: Critical Aspects of the Nineteenth Century Experience, 11 Constitutional Commentary 425 (1994).

William Nelson, *The Fourteenth Amendment: From Political Principle to Judicial Doctrine*, 26 Willamette Law Review 3 (1990).

Russell Mokhiber, "Corporate Crime and Violence," 25 Willamette L. Rev. 733-38 (1989) and 21 Trial Briefs #2 at 17 (1989).

The End of Obscenity, 1 New Law Books Review 84 (1986-87).

The Politics of Judicial Interpretation: Courts, the Department of Justice, and Civil Rights, 1866-76, 56 U. Cincinnati Law Review 551 (1987).

Selected recent presentations:

Keynote Address: "Revisiting Application of the Bill of Rights to the States in Light of *Heller*" for the Symposium: *The Second Amendment After Heller*, Hastings College of Law & Hastings Law Review, February 2009.

Keynote Address: "The Bill of Rights and the States: An Overview from One Perspective," Conference on Incorporation of the Bill of Rights sponsored by the University of San Diego School of Law and its Institute on Originalism, January 2009.

"The Klan, the Congress and the Court: Congressional Enforcement of the 14th Amendment Against Private Violence" (American Constitution Society Conference on the Second Founding, University of Pennsylvania School of Law, Oct. 2008).

Be Careful What You Wish For: Dueling High School T-Shirts About Homosexuality & The Perils of Suppression (Wake Forest Law Review Symposium, 2008).

Andrew Johnson and the Fourteenth Amendment (National Parks Service Symposium on Andrew Johnson) near the Andrew Johnson Historic Site, Tusculum College, Tennessee 2008.

The Fourteenth Amendment: Recalling What the Court Forgot (Drake Constitutional Law Symposium 2007)

The Future of the Supreme Court, Winston-Salem Bar Association. 2005.

“The Ecology of Freedom of Expression,” at a symposium on free speech at the University of Maryland.

“Democratic Ideals and Media Realities,” Conference on Freedom of Speech, Social Philosophy and Policy Center, Bowling Free State University, April 2003.

John Bingham and the Story of American Liberty, Legal History section, Association of American Law Schools, Washington, D.C., Jan. 2003.

Keynote address: “42 U.S.C. section 1983 and the Secret Story of American Liberty,” at a North Carolina Bar Association program on litigation under 42 U.S.C. section 1983, March, 2003.

Lincoln and Civil Liberties During the Civil War, a presentation to the American Society of Legal History, Nov. 2003.

Lincoln and Vallandigham: Civil Liberties During the Civil War, a presentation to the Library of Congress program on the Civil War, Nov. 2003.

“John A. Bingham and the Story of American Liberty: The Lost Cause Meets the ‘Lost Clause.’” Symposium, John Bingham and the Meaning of the Fourteenth Amendment, University of Akron School of law, Oct. 2002.

Presentation at program on The Constitution in Times of Crisis, North Carolina Bar Association, Feb. 2002.

“The Constitution and the Other Constitution,” a contribution to a symposium on the Constitution and the Presidential Election, Wake Forest University, Oct. 2000. (Broadcast on C-Span).

“John Bingham and Civil Liberties,” Symposium on the 100th Anniversary of the Death of John Bingham, Library of Congress, Washington, D.C., March 2000. (Broadcast on C-Span).

Back to the Future: What 19th Century Free Speech Law Can Teach lawyers today, Federalist Society National Lawyers Conference, Washington, D.C., Nov. 1999.

“Two Textual Adventures,” symposium on textualism and the Constitution, George Washington University, Feb. 1998.

Presentations based on *Free Speech, "The People's Darling Privilege"*:

"Civil Liberties During the Civil War: The Case of Clement Vallandigham," a presentation at the Library of Congress program on the Civil War in American Memory, Oct. 2002.

Putting the Constitution in Context: Adding History to the Teaching of Constitutional Law—presentation focusing on use in teaching of stories from free speech history from the Sedition Act through the Civil War. AALS Annual Meeting, Jan. 2002.

The Trial of Clement Vallandigham before a Military Commission for Making an Anti-War Speech During the Civil War. Presentation at a Program on the War and the Constitution, AALS Annual Meeting, Jan. 2002.

Nov. 2001, The Development of Our Free Speech Tradition. Presentation to the faculty at DePaul Law School.

A New Birth of Freedom: The Crusade Against Slavery and the Nationalization of Freedom of Speech, Fourth Annual Bell Distinguished Lecture in Law, College of Wooster, Wooster Ohio. (Previous lecturers were Judge Samuel H. Bell, James Boyd White (University of Michigan School of Law) and Robin West, Georgetown Univ. Law Center.)

A New Birth of Freedom: The Crusade Against Slavery and Freedom of Speech, presentations to the law faculty and another sponsored by the Center for the Study of the American South, UNC at Chapel Hill, Friday, Feb. 23, 2001.

Free Speech History, at a symposium on *Free Speech, The People's Darling Privilege*, held at William and Mary Law School, Jan. 19, 2001.

Teaching Free Speech from an Incomplete Fossil Record, Symposium on Education and the Constitution, University of Akron School of Law, March 2000.

Praise for *Free Speech, The People's Darling Privilege*:

"For a recent history of antebellum developments in the area of free speech, see the acclaimed Michael Kent Curtis, *Free Speech, "The People's Darling Privilege": Struggles for Freedom of Expression in American History* (2000).

Presser and Zainaldin, *Law and Jurisprudence in American History: Cases and Materials* (5th Ed. 2003).

“This is the type of text that should be required reading for judges and lawyers. ...The importance of training today's and tomorrow's leaders in the judiciary, the bar, the Congress, and the executive branch on the struggles endured during the first 100 years of our nation cannot be overemphasized. Without an understanding of the foundation of our freedoms, we can lose the tether of history that ties a concept such as ‘free speech’ with the reality of how it affects our lives. Curtis is nowhere more on target than when he observes: ‘Politicians, lawyers and judges have a special duty to protect free speech. But free speech is too important to leave exclusively to judges, lawyers, and politicians. It belongs to the American people.’”

Judge Robert S. Lasnik, United States District Court for the Western District of Washington in *Books on Law*, Book Reviews.

“This volume is emblematic of the growing awareness among constitutional law scholars that it is not sufficient to study simply what the Supreme Court has said about the meaning of the Constitution. ... Constitutional law professors are adept at teaching students how to analyze the constitutional text and how to follow or distinguish Supreme court precedent. However, many of us are not cognizant of the history and traditions that give meaning to our fundamental freedoms. Michael Curtis’s book fills a portion of that gap.

“If one has a Court-centered understanding of Constitutional Law—that the Constitution is what the Supreme Court says it is-- ... then [the traditional casebook approach] that essentially begins in 1919 with the Supreme Court’s decision in *Schenck*] makes perfect sense. But ... prior to *Schenck* this Nation had examined the role of freedom of expression ... in a number of contexts and had committed itself to a broad definition of that freedom. In this book, Michael Kent Curtis fills the gap between Jefferson and Lincoln with stories of courage, drama, and sacrifice....

“The stories that Curtis tells resonate with events of the 20th and 21st Centuries. The killers of Lovejoy are cut from the same cloth as the killers of civil rights leaders....”

Professor Wilson R. Huhn, in *Constitutional Commentary*.

“Michael Kent Curtis has written the seminal study of free speech law and practice before and immediately after the Civil War. ... Curtis is a brilliant storyteller. His free speech narratives will

benefit scholars who read for business and history buffs who read for fun. The prose is clear, the tales fascinating.’

Professor Mark Graber in the *William and Mary Bill of Rights Journal*.

“Curtis offers a deep and careful exploration of a series of historical struggles for freedom of expression. ... Curtis's most important contribution to our scholarly literature is his detailed discussions of the connection between slavery, the abolitionist movement, and freedom of expression. [N]o other scholar has investigated this issue in such depth, and none has put it in the context of legal analysis and First Amendment theory. In a series of powerful chapters, Curtis explores how abolitionists used First Amendment concepts to challenge slavery, and in turn how conservatives in the North and almost all whites in the South developed an ideology of suppression in an ultimately futile effort to quell debate on this subject. ... The history of speech and anti-slavery is critical for our understanding of how opposition to free speech works, and also how best to fight ideas with which we disagree.”

Professor Paul Finkelman in the *William and Mary Bill of Rights Journal*.

“Michael Kent Curtis...has made an extremely valuable contribution to the literature addressing the history of free speech in America. Although there are countless books on the theories behind the speech guarantee...Curtis brings a fresh perspective. The first hundred years of American history are rich with stories such as this. Curtis does an outstanding job of bringing them to life. He is to be commended for keeping editorial comments to a minimum and allowing the participants to make his points for him. The book is painstakingly documented to provide first-person accounts from sources such as newspapers and town meetings.”

Professor Paul Weizer in *Perspectives in Political Science*.

“[A] major contribution to the scholarship of [the era from 1798 to ...the 1860s]. For ... the historical detail, the review of relevant legal and political theory, and the lessons from history ..., this book is a must read for anyone interested in the period from 1798 to 1870 or in the development of free speech theory and practice in the United States.”

Professor Timothy C. Schiell, in *The Historian*.

“This very fine book is a successor to the author’s *No State Shall Abridge....* Michael Kent Curtis shows here that free speech issues

loomed very large in the antebellum period, and that the Republicans who controlled Congress when the Fourteenth Amendment was written had many speech-related grievances on their mind. Both in the North and in the South there had been serious efforts to suppress antislavery speech, including suppression of Republican party speech in the South. Those efforts at suppression had sparked counter movements to defend speech, promoting the growth of a “free speech tradition.” Most of this tradition grew up outside the courts....

“Curtis revises our concept not only of the aim of the amendment but also of the development of free speech thinking in the United States. The received wisdom accepts several notions that Curtis reveals to be false....

“In addition to forwarding such important arguments, Curtis’s book is in form a series of “free speech stories” gracefully written and engaging to read.... Sprinkled into the stories are fine analytic discussions.”

Professor Michael P. Zuckert in the *Journal of American History*.

A “rich and original study.”

James Boylan, in the *Columbia Journalism Review*.

“Curtis’s stories are as riveting as a superior novel.”

Nat Hentoff, in *The Village Voice*.

“Many legal scholars hope to publish one book ...that helps reshape the way we think about an important issue of law.” [Michael Kent Curtis] has “do [ne] it twice.” “This book...will change the way the think about one of our most fundamental constitutional rights.”

Professor Davison Douglas in *Trial Briefs*.

“Curtis..., a leading scholar of the history of the First Amendment, resurrects the long-neglected and surprising story of free speech in 18th and 19th century America.”

James L. Swanson in the *Chicago Tribune*.

"Michael Kent Curtis's first book, *No State Shall Abridge*, was one of the most important and most impressive works of constitutional scholarship of the late twentieth century. This second book is a worthy successor, building on a decade of painstaking scholarship and filled with fascinating tales and keen insights. Until Curtis came along, many of the most important chapters in the story of American free Expression had been all but lost. Now, thanks to Curtis, they are found—and what a find it is! No law professor I

know handles constitutional history better than Curtis He is a national treasure."

Professor Akhil Reed Amar, Yale Law School and author of *The Bill of Rights: Creation and Reconstruction*.

"A major contribution to scholarship on the history of free speech in the United States from 1800 through the Civil War."

David Rabban, University of Texas School of Law.

Praise for *No State Shall Abridge*

"Taking on a formidable array of constitutional scholars...[Curtis] refutes their argument with vigor and effectiveness, conclusively demonstrating the legitimacy of the incorporation thesis.... A bold, forcefully argued, important study.

Library Journal

"Michael Kent Curtis has made an important contribution to a historical debate of great significance. ... [He performs] his task in a careful, measured, and judicious way. ... *No State Shall Abridge* helps clear the path toward a better understanding of what the Constitution stands for."

Stephen Macedo, *Reason*

"Curtis's impressive book should find a receptive audience on both sides of the debate over the appropriate exercise of judicial review."

Gary J. Jacobsohn, *American Political Science Review*

One of the five books all law students should read.

Professor Michael Gerhardt in the *Bimonthly Review of Law Books* (March-April 2001).

Education: University of the South (A.B., summa cum laude, 1964); University of North Carolina (J.D., with honors, 1969); Chief Justice Walter Clark Award ; Order of the Coif; M.A. in Political Science (University of Chicago).

Selected Professional Activities:

Chair, Constitutional Law Section, Association of American Law Schools, Jan. 2001-to Jan. 2002.

Member of Wake Forest University Senate; Executive Committee Member, 2002.

Member, American Society for Legal History; Constitutional Law Section, AALS; North Carolina and American Bar Associations.

Practice: My law practice included civil liberties, free speech, litigation under 42 USC sec. 1983, torts and products liability, criminal law, employment discrimination cases, selective service law, and some environmental law in addition to a general trial practice.

Awards, Honors:

- 1985: Frank Porter Graham Award from the North Carolina Civil Liberties Union for achievement in defending and advancing civil liberties in North Carolina. (Based on both my pro-bono work and my scholarly work.)
- 1997: Student bar Excellence in Teaching Award.
- 1999: Joseph Branch Excellence in Teaching Award.
- 2000: Awards for *Free Speech*.
- 2002: Named Donald L. Smith Professor of Constitutional and Public Law, Wake Forest University

Employment and activities:

Summer associate, Lewis Roca, Phoenix Arizona, summer 1968.

Law Clerk to Chief Justice William H. Bobbitt, North Carolina Supreme Court, 1969-1970.

Partner, Smith, Patterson, Follin, Curtis, James, Harkavy & Lawrence 1971 to 1991 -- general trial practice including tort, libel, products liability, environmental, civil liberties and constitutional law. Co-operating attorney, NC Civil Liberties Union. (Representative pro-bono cases: representation of a man threatened with jail if he criticized a judge's decision in the media; of a preacher arrested for preaching on a downtown side walk to protest a semi-nude stroll; of high school students who wanted to print an article on birth control in the school newspaper; of a member of the Black Panther party arrested for selling a newspaper in downtown Burlington, NC; amicus brief against an effort to declare *The Curious Eye*, which was a high school literary reader obscene; and of motorists who taped over the slogan "First in Freedom" on North Carolina license plates.)

Associate Professor, Wake Forest Law School 1991 to July 1, 1994. Professor of Law July 1, 1994 to present.

Visiting Professor, Wake Forest Law School, 1990.

Instructor at Guilford College teaching Criminal Law, Constitutional Law, and Evidence, 1974-1977, concurrent with law practice.

Member 1977-1985 and Chair, 1978-85, North Carolina Occupational Safety and Health (OSHA) Review Board, concurrent with law practice.

Lawyer in Residence, Francis Lewis Law Center, Washington and Lee University, May, 1985.

Mediator, Dispute Settlement Center.