The Supremes: Seven-Part Harmony

by Katherine White

This column normally examines an important court case or interesting aspect of judicial policy-making, but this time, Insight *takes a look at the people who sit on North Carolina's top court —including two new Court members and a new Chief Justice—and tells you things you never knew before about the Supreme Court of North Carolina.*

CHIEF JUSTICE JAMES EXUM gained the top post in November 1986 after one of the most fiercely contested elections in the N.C. Supreme Court's history. It was an election in which Gov. James G. Martin, a Republican, drafted candidates to run against the Democratic incumbents on the Court. State Democrats countered by asking two judges—then-Associate Justice Exum, and Court of Appeals Judge Willis Whichard—to vacate their secure positions to run for the higher offices. November 4, 1986 was a Democratic sweep, boosting Exum to the chief's seat and cutting appointed-Chief Justice Rhoda Billings' tenure to one of the shortest on record. In all, five of the seven Supreme Court positions were open to challenge, but the Exum-Billings scrape attracted the most publicity, partly because of the hardball politicking—Exum was forced to defend his record on death penalty cases—but also because the Chief Justice oversees the state's entire judicial system. Ironically, although he has been out of office for nearly two years, Gov. James B. Hunt Jr. figured strongly in the makeup of the new Court. Because he originally had appointed six of the seven justices—all but Exum—to the Supreme Court or the Court of Appeals, the new Supreme Court is very much a Hunt Court—and not a Court of Jim Martin, who campaigned hard but unsuccessfully to give it a more Republican nature. It remains entirely Democratic.

Exum,[1] 51, retired in August 1986 from the associate justice seat he had held since 1975. Prior to the November election, he was the only member of the Court to have reached that post by election instead of appointment. Before he retired in order to run for Chief Justice, Exum was the most senior justice, a position that traditionally would have gotten him the appointment from the governor when Chief Justice Joseph Branch retired. But Exum's a Democrat and Martin's a Republican, and Martin named Republican Associate Justice Billings to the post instead.

Exum often is viewed as the court's most intellectual justice as well as its most liberal member. Exum much prefers the term "progressive" to liberal, and he points out that in politics, the term liberal is "the kiss of death." He was a Morehead Scholar at Chapel Hill, a Root-Tilden Scholar at NYU School of Law, and he clerked for a predecessor, the late Chief Justice Emery B. Denny. In the N.C. Center's 1980 evaluation of the North Carolina judiciary, Exum was ranked good or outstanding by nearly 94 percent of the lawyers who appeared before him in court.[2] "He studies independently," says a lawyer who's known Exum since his early days of practice in Greensboro. "He looks around the country" to identify trends in court practice.

A Snow Hill native and avid quail hunter and tennis player (who met Billings on the courts while they were together on the Court), Exum de-

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scribes his judicial approach as that of a "traditionalist, a moderate." But more often than other justices, Exum has written opinions that move the state into line with more progressive legal positions accepted in other states.[3]

Exum also has a reputation for having had the largest backlog of cases to write—a situation he's tried to correct in recent years. "The last time we checked it out I probably was doing more work (than other justices) in terms of my writing," Exum says. Exum does take on a heavy case-writing load. "I was writing more dissents. The truth of it is I'm not slow. I work very hard." When he took the new post in November, Exum had only one case pending. He says, with some heat, "I'm not behind anymore." And he adds, "I'm looking forward to keeping it that way." So are his colleagues, some of whom told *Insight* they plan to take it up with the Chief Justice if Exum begins to lag on opinion-writing chores. Exum also has dropped his plans to teach at the UNC-Chapel Hill School of Law this spring because, he notes,"I decided I had to clear the decks."

Despite the political furor that surrounded his fall campaign, Exum has the least political ties of any justice. He was elected to the Supreme Court after eight years as a Superior Court judge in Guilford County, and he had worked for one of the state's largest law firms before that. In his new role as Chief Justice, he would welcome an invitation to address the General Assembly in a State of the Judiciary address, presenting the state court's budgetary needs and also commenting on the impact that various pieces of legislation would have on the courts—a "judicial impact statement" of sorts. "Many times I think it would be helpful for legislators to know the impact of legislation on the judicial system" in terms of increased workload, says Exum. An example of a law which had great impact is the equitable distribution law of 1981, which changed the way divorcing spouses divide their marital property. That law put more of a burden on District Court judges, who must resolve these cases. Exum's predecessor, Chief Justice Branch, also wanted to give a similar address but never pushed for it. "The initiative for that would have to come from the General Assembly," Exum says.

The new Chief Justice has one other goal—to hang onto the trophy symbolizing the Supreme Court's mastery over the Court of Appeals in their annual tennis match. Named appropriately enough for a former member of the Court of Appeals who had a reputation for usually upholding trial courts in criminal cases, the award is called the Francis M. Parker No Error Tennis Trophy.

JUSTICE LOUIS MEYER,[4] 53, is the senior associate judge on the Court, and is universally acknowledged by his colleagues as the court nitpicker who raises questions about loose language and grammar found in others' opinions. He also is considered one of the hardest workers on the court —and the most consistent conservative, holding fast to past court decisions when the majority wants to move forward to further develop the law.

It's hard to predict how the court will line up on the more controversial issues, but Justice Meyer has at least a small sense that he may be firing off more dissents than he has in the past. For that reason, Meyer says he tries to be a consensus builder, much like former Chief Justice Branch, whom Meyer regarded as a father figure when he was a child growing up in Enfield. Another reason he works toward a unified court position on some opinions, he says, is because "I am sometimes by myself on issues. I don't like labels but it's probably correct to say I am more conservatively oriented than the other members of the Court."

Justice Harry Martin, however, doubts that Meyer is "going to be alone or cut adrift or that the rest of the Court is going to march off and leave him." Exum, with whom Meyer has had the broadest differences of opinion in cases, adds, "With Louis in the capacity as senior associate justice, I certainly intend to rely on his experience and his wisdom." As for dissents from Justice Meyer—or anyone else for that matter—Exum says, "A certain amount of disagreement is not an unhealthy thing because it demonstrates, I think, to people who read these decisions that both sides have been aired."

Justice Meyer faced a tough re-election campaign last fall against Arthur Donaldson, a Salisbury lawyer who subscribes to more liberal legal positions than Justice Meyer, but like other Democratic candidates for Supreme Court, Meyer won easily. A number of prominent civil and criminal lawyers actively campaigned against Justice Meyer in favor of Donaldson, who also got the editorial endorsements of some North Carolina newspapers. "Much of the problem that I encountered in my election arose from the judgment of some lawyers that I was unwilling to reach out or expand the law, and that criticism is certainly justified," Meyer says. "Having practiced law for almost 20 years, I came to appreciate the necessity for the

law being certain and for lawyers being able to depend on what the law is."

An Army veteran and former FBI agent, Meyer has often joined the majority in changing the law—for example, disallowing lie detector tests and hypnotically induced testimony as evidence in criminal trials.[5] But, he cautions, "That was law that applied only to future cases." Generally, he says, "It's not that I'm against the law expanding. That's for the legislature. I strongly believe the legislature should tackle the social problems and I'm strongly of that view when it occurs in the workplace." In some recent decisions the Court, with Meyer dissenting, has made it easier for workers to pursue claims for injuries in employment.[6]

Beneath his serious exterior—and his judicial robes—lies a soul who does have fun. One accomplishment he cites with pride is the outcome of a suspender war he waged with Justice Martin. Meyer says it began when he wore a pair of maroon braces to the office, and Martin took up the challenge, countering with a set of rainbow-hued galluses. But Meyer held up his end with a pair of red silk suspenders with a small figured pattern. "I won it," beams Meyer.

JUSTICE BURLEY MITCHELL,[7] 46, the youngest justice on the court and now five years into his second stint as an appellate judge (he served on the Court of Appeals from 1977 to 1979), has decided he likes his job. He says now he wants to stay on the court until retirement. Fleeting thoughts of statewide political campaigns and the accompanying interminable chicken dinners have given way to satisfaction with the more contemplative lifestyle a Supreme Court justice assumes.

For Mitchell, retirement could come seven years from now at age 54 instead of the mandatory retirement age of 72. In that year, 1994, Mitchell will have the necessary 24 years in government service to qualify for judicial retirement at 75 percent of his salary. Mitchell acknowledges, "I will be in the enviable position of being able to decide if I want to have an entire second career." Whether he'll leave, or what that career might be, Mitchell isn't saying.

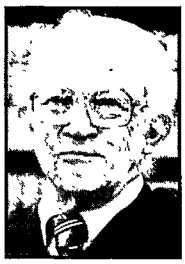
At present, Mitchell says, "I'm enjoying what I'm doing. This is a good job for a lawyer. It has more regular working hours than I've ever had in my life, and I'm coming to find that I enjoy a little privacy."

Justice Mitchell calls himself a hardliner on criminal cases, an outgrowth of his experience as Wake County District Attorney from 1972 to 1977. But because of the repetitive legal issues that the court considers in criminal appeals, Mitchell prefers to write opinions in civil matters, such as his opinion in which the court declined to allow citizens to claim damages for "wrongful life" and "wrongful birth."[8] He avoids most utility rate cases because they involve "a tremendous volume of material you have to familiarize yourself with, and they are terribly tedious—which means boring."

Justice Mitchell's interest in the academic aspect of life came long after he dropped out of Raleigh's Broughton High School at age 15 and joined the Marines in 1956. He had almost finished boot camp when the the Corps discovered he was underage and sent him home. He went back to school, but only until age 17, when he was old enough to join the Navy. Later, after getting a high school equivalency certificate, Justice Mitchell graduated from N.C. State University and then from UNC Law School. In the Center's 1980 rankings of the judiciary, based on his service from 1977-79 on the Court of Appeals, Mitchell was rated good to outstanding by nearly 58 percent of the lawyers who appeared before him.

The seeds for a legal career were planted during his rough-and-tumble adolescence. "Some people are able to influence events more than others, and lawyers seemed to be one of those," he says. "I was not a crusader. I was a person who questioned authority and mindless adherence to rules without remembering the reason for the rules," he says.

Despite the sedentary life of the Supreme Court justice—or perhaps because of it—Mitchell still responds to the call of the wild. On his office wall hangs the head of a 250-pound wild boar who charged the justice last winter while Mitchell was searching for a good swan hunting site. It took Mitchell three shots—the last at 12 feet—from his 12-gauge shotgun to down the beast. Mitchell donated the carcass to Agriculture Commissioner Jim Graham for his annual Wild Game Dinner, but Mitchell had the head mounted as a trophy. Offsetting that trophy in Mitchell's office is another, courtesy of Justice Meyer: a trophy for the "Biggest Bore," which was awaiting Mitchell in his office when he returned from the wild boar hunt.



For JUSTICE HARRY MARTIN,[9] 67 in January and the oldest member of the Court, age has always been a curious state of affairs. In the early 1950s, as he argued two cases back-to-back before the Supreme Court, then-Justice (and later U.S. Senator) Samuel J. Ervin Jr. leaned over the bench and drawled at Martin, "I've been sitting here wondering if you're a young-looking old man, or an old-looking young man." Martin cannot recall responding, but he remembers well the feeling that Ervin's remark "just about finished my argument."

Even today, his sparse silver hair and diminutive stature belie the vigor and spark that Martin brings to his duties. He's pursuing a way to remain on the Court past the state's mandatory retirement age of 72—even to the point of writing Rep. Claude Pepper (D-Florida) for a copy of a recently enacted law sponsored by Pepper that restricts the government's use of mandatory retirement laws. "If that mandatory age is set aside, as long as I'm happy in this work, enjoying myself, having a good time, and health goes along with that, I would hope to stay," he says. And just in case others feel he's stayed beyond his years, Martin hopes they'll drop him a note saying it's time to leave and make room for another justice.

Martin, a Lenoir native, has the longest tenure among Supreme Court justices in the state court system. He began as a Superior Court judge in 1962, moved to the Court of Appeals in 1978, and was appointed to the N.C. Supreme Court in 1982. Martin was rated good to outstanding by nearly 78 percent of the lawyers in the Center's 1980 survey of the state judiciary. As a Buncombe County trial judge, Martin streamlined jury service, limiting most jurors' time away from their normal pursuits to one day or one case—a system now used statewide. Martin has kept up with national judicial trends, earning his master of laws in judicial process from the University of Virginia in 1982—at age 62. He liked the program so well that he drafted Justice Willis Whichard into it as well. Whichard is now pursuing his doctorate in the same discipline.

Martin is known on the Supreme Court as the expert on procedure, helping frame issues so that the court doesn't stray beyond the immediate questions posed. "Maybe that springs from being on the Superior Court for a long time where you learn to stay inside the pasture and not go grazing in territories you don't have to," he says. "Sometimes there's an inclination among some people, including myself, to say, 'Let's just go ahead and decide this issue.'" Deciding such issues when the court doesn't have to means that later, "You may find yourself wishing you hadn't said what you said," adds Martin.

When he writes opinions in his booklined, paneled office, he pulls a green eyeshade down over his forehead to filter the fluorescent light above. The shades are not a badge of eccentricity, Martin says. They help keep his eyes from tiring and drying. If anything about him is eccentric, Martin believes it's his weekend walks through the courtroom. "Sometimes I'll come here on a Saturday or Sunday to look at the mail and then I'll just walk around the Court and just kind of think about all the old people who've served on the Court, and I really have a feeling for the institution of the Court itself. I think it's so great to be a part of it and how so few people in our state have had the opportunity to serve."[10]

JUSTICE HENRY FRYE,[11] 54, has served on the Court for nearly four years. He still doesn't know if he wants to be a Supreme Court justice for the long haul, and delays making that career decision one year at a time—usually each January. "At one point I was trying to master the job (before deciding whether to stay). I've given up on that. And, I guess some of the factors are, if I left, what would happen here? How would decisions come out? And, frankly, whether another black would be appointed to the Court, and not just another black, but a person who's well qualified," he says. "The other factor is what do I want to do for the rest of my life?"

Justice Frye's frustration with mastering the job is not reflected in his opinions. He has received solid reviews from lawyers for the opinions that he's written in complicated cases—including one that details how some small corporations resolve disputes between majority and minority stockholders.[12] Rather, Justice Frye's frustration lies within himself. "I had thought by about three years I would be able to sort of work normal hours and make decisions a lot easier," says Frye. "I suppose the deeper you dig into cases the more you

realize you'll never be comfortable about it."

Frye carries a reputation as a liberal on this traditionally conservative Court, meaning that he is more willing to impose judicial interpretation on legislative acts than the more conservative justices, such as Justice Louis Meyer, who tend to stick to historic interpretations. This trait surfaces particularly in cases involving potential restrictions on an individual's liberty. Frye says his philosophy in such cases developed "from my own personal experiences and from seeing the operation of government and power at many different levels, and I believe that three or four guilty people should go free rather than one innocent one be convicted."

At the same time, Frye says, he's learned to appreciate more conservative views than his. "There are sides to the cases I haven't thought about," he explains. "Part of it may be my growing process, but part of it may be that I'm getting a little older, a little more conservative." A Court colleague observes, "Everyone tends to evolve toward the center as we stay up here, and that's true for Henry."

As for being the first black justice on the Court, the Ellerbe native says, "I've been through this so much. I've been the first [black] in a lot of things, so I've gotten over that." Still, Frye takes enormous pride that he was the first black assistant U.S. attorney in North Carolina (appointed in 1961 by President John F. Kennedy), along with being the first black legislator (in 1969) since the turn of the century. An honors graduate of UNC Law School, Frye was a member of the state House from 1969 to 1980 and the state Senate from 1981 to 1982. During his terms in the legislature, Frye was well-regarded. In the Center's annual survey of legislative effectiveness, (in which legislators, lobbyists, and the Capital Press Corps are asked to rank each member), Frye ranked 11th in the 120-member House in 1977, 13th in effectiveness in the House in 1979, and 13th in the 50-member Senate in the 1981 survey.

JUSTICE JOHN WEBB,[13] 60, never set out to be a lawyer. "I just drifted into it," he says. But with that decision made, Webb had a role model: his great uncle Willie, also known as N.C. Chief Justice William A. Devin (1951-1954). "I admired him a great deal," he says. A Rocky Mount native, Webb came to the Court after six years as a trial judge and nearly a decade on the N.C. Court of Appeals. Before becoming a judge he was in private practice, starting at a prestigious New York City law firm which once had employed a young patrician barrister named Franklin D. Roosevelt. "We both left after two years," says Webb. "I'm that much like President Roosevelt."

On the Court of Appeals Justice Webb generally was identified with one of two factions on the court, the practical crowd that included the late Justice Earl Vaughn when he was a member of the Appeals Court, and who was a close personal friend of Webb. (The Supreme Court's most junior justice, Willis Whichard, was a part of the other group, whose work was perceived by lawyers and other judges as more academic.) While he was a member of the Court of Appeals, Webb was rated good to outstanding by nearly 66 percent of the lawyers, according to the Center's 1980 judicial evaluation.

Webb foresees some change in his new role from his past judicial experience. "Each Court of Appeals judge handles many more cases than a Supreme Court justice. I anticipate I'll have more time to spend on each opinion, and hopefully I'll do a better job." Each Court of Appeals judge averages about 100 opinions per year, while a Supreme Court justice handles about 25-30 annually.

Webb began his appellate career courtesy of former Governor Hunt, who had been a law partner of Webb in Wilson. Webb, who was elected to the court in November 1986, believes that in deciding cases, an appellate court should follow a neutralist principle. "I'm not going to the Supreme Court with any program to push," Webb says. "The Court is not a democratic institution in the sense that you go by majority rule (of the electorate) in the decision of cases . . . . It's not like the legislature. A court's duty at times is to go against the popular will if that is necessary to protect a litigant's rights. For this reason, an appellate judge should be very careful in following established principles . . . [and] the mandate of the legislature."

Like his colleagues, Webb tends to enjoy writing decisions on civil matters because they are "more interesting intellectually." And although he doesn't intend to shirk his duties, he does intend to follow the Court's tradition of picking the easiest case to write first. The Supreme Court follows a rotation system in which each justice gets stuck with the most difficult decision to write once every seven months. "I'm not looking for extra work," says Webb. At the same time, he notes, "I get

more satisfaction from handling a hard case."

With the new position and lighter case load, Webb has a chance to develop another talent that has its genesis in yet another relative. Webb's uncle was Gerald W. Johnson, one of the top reporters and writers in the United States after beginning his newspaper career at the *Lexington Dispatch.* He later became editor of the *Greensboro Daily News* and hit his journalistic peak at *The Baltimore Sun.* Webb keeps his uncle's photograph in his office, with excerpts of Johnson's work that includes this observation: "If [a man] comes out of college without the capacity to form an opinion of the way the world is going, and the nerve to stand on that opinion in the face of stout opposition, he remains an ignoramus, though his degree may take up half the letters of the alphabet."

JUSTICE WILLIS WHICHARD,[14] 46, came to the N.C. Supreme Court in November after unseating Republican Justice Robert R. Browning, who was appointed by Governor Martin in September 1986. Although he is seven months older than Justice Mitchell, Whichard is the most junior justice for seniority purposes, and thus serves as the Court's secretary—keeping track of the votes on cases and signing orders of the Court. He also gets to vote first on which way the court should rule in a particular case. Court tradition requires this, just as tradition requires his secretarial services. As Chief Justice Walter Stacy once explained to then-young Justice Sam Ervin, "All votes were taken in inverse order of seniority to remove the possibility that junior justices might be unduly influenced by their seniors."

Whichard, born and reared in Durham, served in the state House from 1970 to 1974 and in the state Senate from 1974-1980. He ranked high in the Center's evaluation of legislators' effectiveness, placing 5th in the 50-member Senate in the 1977 session and 6th in the 1979 session.

For Whichard, who came to the Court with six years on the Court of Appeals, the shift to the state's highest Court means his work product will be more carefully reviewed by his colleagues. "My sense is that much more time is spent preparing cases for argument and conference (as opposed to writing opinions in the Court of Appeals), determining what will be heard, [and] on the Supreme Court the opinion is much more the product of the Court rather than the individual writer, as tends to be the case on the Court of Appeals." Whichard earned a reputation for solid scholarship during his Court of Appeals tenure. He was academically oriented early on, often taking history exams administered by his father—who taught high school history in Durham—just for the fun of it.

Whichard also was viewed as something of a liberal judge, though, like Exum, he dislikes the term because it has nearly lost its original meaning of being broad-minded. One case that Court observers believe is indicative of his philosophy addressed the constitutionality of a statute that set out time limits for filing claims for injuries in the workplace.[15] Usually, judges look for other reasons to decide a case before reaching questions of constitutionality. Court of Appeals Judge Whichard had held the law to be unconstitutional, but on review, then-Associate Justice Exum wrote a decision[16] modifying and affirming Whichard's opinion. Exum, reversing one of Whichard's findings, concluded that Whichard did not need to reach the constitutional question to decide in favor of an injured worker. Whichard describes his legal philosophy as follows: "I think it is the Court's function to ascertain as best it can the legislative intent and to implement it. When it comes to the common [unwritten] law, I think the doctrine of *stare decisis* [following precedent] has served our system well."

Still, there are times when Whichard does believe court-made law is appropriate and sometimes necessary. In workers' compensation cases, for example, his judicial record shows he subscribes to the long-held view—established by court-made law in the 1930s—that the Court should construe state laws "with the view towards providing compensation for injured employees."

The first time Whichard showed an interest in the law was for an eighth grade English assignment from his teacher, Miss Elizabeth Valentine, on what he wanted to be when he grew up. In his essay, the student writer outlined a new ambition: to become a lawyer. Before then, "I wanted to be a fireman or policeman—all the things little boys want to be." His father influenced his choice because he had wanted to be a lawyer but chose teaching in exchange for free tuition at UNC-Chapel Hill during the Depression. Long talks with his grandmother and other relatives about public events intrigued him further. "I got the sense very early in life that lawyers were people who got involved in politics and helped make

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talking about reforms to correct the problems described in this column. In January, the two told reporters they had agreed to major revisions in the appropriations process in an effort to let in the sunshine.

Jordan and Ramsey said they would recommend that all meetings of the Super Sub be held in public, and that the membership be expanded to as many as 23 members, including subcommittee chairmen. The two also promised to make some changes in the pork barrel process. Jordan said that he would push to limit special provisions in appropriations bills, but that he had not yet reached agreement with Ramsey on this. The Lieutenant Governor also said he had hoped to persuade Ramsey and then both the House and Senate to prevent consideration of bills after a certain date—perhaps June 1—unless they had already been approved by one of the chambers. All these reforms would shed more light on the legislative process and enhance public confidence in the legislature.

Individual budget chairmen, like Senator Walker, are optimistic that things will get better. But then, they were optimistic in March 1986, too, when the reforms were announced—and they were severely disappointed just a few months later. So the question facing the 1987 General Assembly is not just what reforms the lawmakers will adopt, but whether those reforms will stick.

FOOTNOTES

[1]For more, see "Budget Committee Chairmen Sharing New Wealth—Of Knowledge," by Paul T. O'Connor, *North Carolina Insight*, Vol. 9, No. 1, June 1986, p. 44.

[2]Section 141, Chapter 1014, 1985 Session Laws (2nd Session, 1986).

[3]Section 125, Chapter 1014.

[4]For more, see *Special Provisions in Budget Bills: A Pandora's Box for North Carolina Citizens*, by Ran Coble, N.C. Center for Public Policy Research, June 1986.

[5]Section 52, Chapter 923, 1983 Session Laws.

[6]Section 52, Chapter 757, 1985 Session Laws.

[7]"A Senate Resolution to Amend the Permanent Rules of the Senate," Senate Resolution 861, adopted by the North Carolina Senate on June 11, 1986, limiting special provisions in appropriation bills.

[8]Section 197, Chapter 1014.

[9]Section 201, Chapter 1014.

[10]Section 63, Chapter 1014.

[11]Section 149, Chapter 1014.

[12]Section 171, Chapter 1014.

[13]"Budget Authors Look After Their Districts," by Tim Funk, *The Charlotte Observer*, July 13, 1986, p. 1A. See also "N.C.'s Supersub: Hated, Envied Subcommittee Wields Mighty Budgetary Power," by Tim Funk, *The Charlotte Observer*, June 22, 1986, p. 1A.

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policy decisions." Later, after achieving his goal of becoming a lawyer, Whichard clerked for Chief Justice William Bobbitt—and the seed for subsequent service on the Supreme Court was planted that year.

FOOTNOTES

[1]UNC-Chapel Hill, A.B., 1957, Morehead Scholar, Phi Beta Kappa; New York University School of Law, LL.B., 1960.

[2]This material, as well as evaluations of other judges, appears in *Article IV: A Guide to the N.C. Judiciary*, which rated judges in the trial and appellate divisions of the state court system, published by the N.C. Center in April 1980. Copies of the guide are available for $6 each.

[3]Arthur Larson, *Workmen's Compensation Law*, Section 41. 64(d), citing *Rutledge v. Tultex Corp.*, 308 N.C. 85, 301 SE2d 359 (1983).

[4]Wake Forest University, B.A., 1955; Wake Forest University School of Law, J.D., 1960.

[5]*State v. Grier*, 307 N.C. 628, 300 SE 2d 351 (1983).

[6]*Wilder v. Amatex Corporation, et al.*, 314 N.C. 563, 336 SE 2d 74 (1985). See also "In The Courts: Opening Courtroom Doors to Lawsuits Involving Latent Diseases," *North Carolina Insight*, Vol. 9, No. 1, June 1986, pp. 42-47.

[7]N.C. State University, B.A., 1967; UNC-Chapel Hill School of Law, J.D., 1969.

[8]*Azzolino v. Dingfelder*, 315 N.C. 103, 337 SE2d 528 (1985). See also "In The Courts: Giving Birth to a New Political Issue," *North Carolina Insight*, Vol. 8, No. 3-4, April 1986, pp. 98-102.

[9]UNC-Chapel Hill, A.B., 1942; Harvard Law School, LL.B., 1948; University of Virginia School of Law, LL.M., 1982.

[10]Since the Court was created in 1819, there have been 82 justices of the Supreme Court.

[11]N.C. A&T State University, B.S., 1953 with Highest Honors; UNC-Chapel Hill School of Law, J.D. with Honors, 1959.

[12]*Meiselman v. Meiselman*, 309 N.C. 279, 307 SE2d 551 (1983).

[13]UNC-Chapel Hill, 1946-1949, Phi Beta Kappa; Columbia University School of Law, LL.B., 1952.

[14]UNC-Chapel Hill, A.B., 1962, Phi Beta Kappa; UNC-Chapel Hill School of Law, J.D., 1965; University of Virginia School of Law, LL.M, 1984.

[15]*Bolick v. American Barmag Corp.*, 54 N.C. App. 589, 284 SE2d 188 (1981), interpreting G.S. 1-50(6).

[16]*Bolick v. American Barmag Corp.*, 306 N.C. 364, 293 SE2d 415 (1982); *Lamb v. Wedgewood South Corp.*, 308 N.C. 419, 302 SE2d 868 (1983).