

Justice Patricia Timmons-Goodson
Greensboro Bar Association
Starmount Forest Country Club
1 Sam Snead Drive, Greensboro, NC
Thursday, 17 February 2011; 5:30 p.m.

It has been almost ten years since I last addressed this Bar. You were a good looking group then, and you continue to look good. As I look at you, I am reminded of something a member of this Bar, my mentor, the late Judge Elreta Alexander shared. Affectionately called "Judge A," she recounted that while conducting a jury trial one day, she had to deal with a witness who simply would not follow instructions. She said that he insisted on talking to her as he testified from the witness stand. She repeatedly told him to address the jury, but each time he responded to counsel's question, he turned and spoke to her. Finally, she instructed, "Mr. Jones, if you do not address the jury, I will hold you in contempt!" Mr. Jones looked at her and answered the question as he had previously. Judge Alexander declared, "Sir, Speak to the jury! Speak to the jury!" Mr. Jones turned, faced the jury and said, "Howdy." Well, I say "howdy" to you all. And you sure look great this evening.

Before going any further, let me say what an honor and privilege it is for me to serve you on the Supreme Court of North Carolina. My service represents the high-water mark of my legal career. Each day that I serve, I am mindful that fewer than 100 North Carolinians have been privileged to

serve in this capacity. My colleagues and I work hard every day to get it right, and I thank you for the privilege of serving you.

Shortly after accepting the invitation to address you, extended by Reid Phillips on behalf of the Greensboro Bar, I began asking myself, "What can I say to a bar association that includes so many of the state's most respected lawyers and judges? What type of message does one fashion for legal luminaries like former Chief Justices Jim Exum and Henry Frye; my current colleague Justice Bob Edmunds; Judges Ralph Walker, Bob Hunter, and Doug Albright; attorneys Dick Douglas, Bob Baynes, and Ed Winslow; and so many other fine lawyers that reflect the best of our profession?"

Well, Judge Elreta Alexander provided my inspiration for these brief remarks. I had the privilege of sharing just a few moments in the life of this incredible woman. I also understand that had some events gone differently, she would have preceded me at the Supreme Court of North Carolina by some thirty years. We owe her a debt of gratitude for opening doors that had been closed to a significant segment of our community. I know that some of you knew Judge A; some of you worked with her and learned from her. Borrowing from a popular contemporary quotation, I asked myself, "What would Judge A do with this opportunity to address so many prominent members of the Greensboro community?" As I continued to think, Justice Bob Edmunds provided encouragement with his insight that many present would remember Judge A and likely would enjoy hearing about her. And

when Chief Justice Henry Frye shared, "I hope that you are going to talk about Elreta," that sealed it! But "What would Judge A say?"

In order to put my answer to this question in context, let me first say a few words about the late Judge Elreta Melton Alexander-Ralston. Known for her intellect, compassion, and humor, Judge A was a force to be reckoned with inside and outside the courtroom. Born in Smithfield, North Carolina, she came with her family to Greensboro at the age of twelve. Here, she graduated from Dudley High School and earned an undergraduate degree from North Carolina A&T State University at the age of eighteen. She was the first African-American woman to be admitted to the Columbia School of Law and preceded the late Judge Constance Baker Motley there. Judge A first obtained a law license in New York, but in 1947 she became the first African-American woman licensed by examination to practice law in North Carolina. In fact, an ancestor of Justice Robert Edmunds assisted her with admission to the North Carolina Bar. With a North Carolina license in hand, she returned to Greensboro to practice law.

According to Anna B. Hayes, the author of Chief Justice Susie Sharp's biography, Elreta Alexander had a thriving law practice in Greensboro. "She liked the opportunity to "flex her mental muscles"; show the world that "brains are not sex or color coded." ' "

After North Carolina set up the district courts under a unified court system in 1966, Elreta Alexander became the first African-American elected

as a district court judge. Some credit her with the change from at-large to numbered seat elections. For you see, she was elected by Republicans and black Democrats coming together to support her. In 1974 she sought the Republican nomination for chief justice of the Supreme Court of North Carolina. At a time when North Carolina did not require judges to be licensed lawyers, she was defeated in the Republican primary by a fire extinguisher salesman. Again, some credit Judge A with the change in North Carolina's Constitution that required judges to be licensed attorneys. Had she won that election, she would have served as the first African-American on the Supreme Court.

Now, what would Judge A say? Well, those of you who knew her will likely comment, "She would say plenty!" Others might say that the only time you can remember that she was speechless was in 1995 at the unveiling of her portrait in the courtroom of the Guilford County Court House. When she collected herself she said, "I am overwhelmed and nervous because of all of the accolades, but I think I deserve most of them."

Mindful that you all have worked a full day and, while happy to welcome me and have a good meal, you don't desire to spend the night here, I settled on four points that Judge A might have shared given the opportunity to address you this evening. First, people rate you and our profession by what they see. Second, mentor young lawyers. Third, don't be afraid to be unpopular. Fourth, the truth will set you free.

I. People Rate You and Our Profession by What They See.

Judge A repeatedly admonished, "People rate you by what they see." I am sure this contributed to the care and attention that she devoted to her appearance. From her earliest days as a lawyer she was immaculately dressed. Her attire almost always included a hat, matching gloves, and jewelry. Attorney Joe Williams, her godson, tells of the day when he was on a ninth-grade field trip to see a court in action when he first encountered Judge A. "She walked into the court with a full-length mink coat on and a hat, and everyone shut up," he said. "The whole class went back to school that day wanting to be lawyers."

Judge A understood that as lawyers we are leaders. And as leaders the eyes of others are always upon us. When we are less than competent because we are less than prepared, the judge knows, opposing counsel knows, and those observing know. People rate you and our profession by what they see. Consider your words carefully. Craft your conduct accordingly.

To the lawyers Judge A would say, "Master the facts of your case. Never go to trial without full preparation. Your client, the court, and our profession deserve nothing less." To the judges, Judge A would remind you that it is not what you say, but how you say it. Attorney Hurley shared with me the story of the firm partner who appeared before Judge A in court on a speeding ticket. Judge A told him that she understood he was a very

educated man—degrees from Princeton and Harvard. “Yes.” The partner volunteered that he had in fact finished eighth in his class at Harvard Law. Judge A told him that he was soon to get another degree—from driving school. Attorney Hurley explained that her tough words were delivered from the bench not in a mocking way, but gently.

II. Mentor Our Young Lawyers.

Not only is mentoring young lawyers the right thing to do for the future of our profession, but didn't someone mentor you? Yes, someone mentored you! Margaret Dudley tells me that when she arrived here in Greensboro as a new lawyer, she was a bit timid and spoke softly. Judge A often would not permit her to approach the bench, requiring Margaret to speak from a distance in the courtroom. Margaret was forced to elevate her voice, as it is difficult to project your voice and be timid. Margaret learned.

As the number of law graduates increase, there is a greater need than ever for our experienced members of the Bar to reach out and mentor young lawyers. I have learned this evening that the late Charles Hagan and the late Trudy Ennis were especially good at this. Share with the young lawyers tales of old when you began in the practice. Tell them how scared you were when addressing the court or trying that first case. Share with them the frustration you experienced when you failed to get it right or could not get the judge or lawyer to really listen to you because he did not think you knew anything. Share with a new lawyer some of your struggles.

And young lawyers, Judge A would say that you, too, have a responsibility to reach out. When you have questions or are unsure of how to proceed, you should seek out someone more experienced for assistance. In fact, I believe that you are ethically required to seek guidance.

Mentoring young lawyers is not a new or novel notion. In the resolutions read and approved this evening, Charles Hagan and Trudy Ennis were praised for their efforts to help young lawyers. Mentoring is just the smart thing to do. There is no reason to re-invent the wheel.

III. Don't Be Afraid to Be Unpopular.

Jokes about lawyers and disdain for our profession are as old as the profession itself. Even in the earliest years, the public perceived us as greedy and unethical. Consider the following census report dispatched to George III by the citizens of Grafton, New Hampshire in 1770.

Your Royal Majesty, Grafton County . . . contains 6,489 souls, most of whom are engaged in agriculture, but included in that number are 69 wheelwrights, 8 doctors, 29 blacksmiths, 87 preachers, 20 slaves and 90 students at the new college. There is not one lawyer, for which fact we take no personal credit, but thank an Almighty and Merciful God.

More recently, litigation about spilled McDonald's coffee and reports of lawyers stealing money from their clients have prompted wide-spread dissatisfaction and calls for greater regulation of our profession.

At the same time, Americans take pride in being citizens of a nation that respects and lives by the rule of law. We have high expectations for

what the law can and should do for us, but the legal profession sometimes falls short of those expectations. Even when the legal profession does not fall short, the public often perceives that it has. But none of us entered the practice of law to be popular. So do not shy away from controversial cases, unpopular defendants, or difficult issues. Judge A did not. And if she were here this evening, she would remind you she did not. She, in fact defended members of the KKK. One story told that when she reported to the police station, the police shook their head and said, "Oh, Mrs. Alexander, you don't know who you're representing." She replied, "Money's green, ain't it." Reportedly, "some clients quit the Klan because of her. She won them over" There are some "hot-button" social issues that are coming to the courts, and our state and nation are dealing with difficult civil and criminal issues. Do not be afraid to get involved or to speak up or speak out. That is what real lawyers do.

IV. The Truth Will Set You Free.

Judge A often told persons appearing in her court, "The truth will set you free." Now, frequently those standing before her took the words literally and divulged details of events and acts that constituted violations of criminal laws. Well, what Judge A was saying was approach all things with honesty and integrity. And as lawyers, our reputation for truth and honesty is all that we really possess.

I hope that these brief remarks will prove to be of some value to you. I have sought to address you as Judge A would have addressed you. From all that I have heard, researched, and learned of this great jurist, I have no doubt that Judge A would say: (1) People rate you and the profession by what they see; (2) Mentor our young lawyers; (3) Don't be afraid to be unpopular; and (4) The truth will set you free.

The Guilford County Bar and the State of North Carolina are better because Judge Elreta Alexander served as a lawyer and judge. Against all odds she gained a first-rate legal education, became a first-rate lawyer, and provided first-rate leadership in the judiciary.

In closing, Judge A would want me to say that our courts are essential to the rule of law in our nation and are in large measure responsible for the stability and security we enjoy in our nation. Members of the court cannot do their job of doing right to all manner of people, unless lawyers put the right cases and issues before them. Our state, nation, and profession need dedicated lawyers who recognize an injustice when they see one and make the arguments that enable judges and courts to recognize it, too. We need lawyers who understand as Dr. Martin Luther King, Jr., said in his *Letter from the Birmingham Jail*, "Injustice anywhere is a threat to justice everywhere."

Friends, I have shared this evening some of the life of the late Judge Elreta Alexander. I hope that my remarks will inspire you to learn more

about her and to perhaps remember those persons in the law who have impacted your life. Talk about them. Share their wisdom. We honor and thank those who helped us when we remember them in our words and deeds.