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# A TRIBUTE TO PROFESSOR MICHELLE ROBERTSON

RICHARD A. ROSEN\* & DEBORAH M. WEISSMAN\*\*

In the spring of 2005, health problems required Clinical Professor Michelle Robertson to retire from the law faculty at the University of North Carolina School of Law. In the fall of 2005, one hundred lawyers, faculty members, and former students gathered at the law school to honor Professor Robertson, to give testament to her contributions to the school and the legal profession, and to thank her for her twenty years of teaching and inspiring students in UNC law school's criminal law clinic. The opportunity to celebrate Michelle's achievements also served as an opportunity to reflect on the very best of legal education and the inspiring and noble aspects of our profession. Michelle Robertson embodies those features and qualities. To rephrase her own words at a speech she gave before the North Carolina Association of Women Attorneys in September 2005,<sup>1</sup> Michelle possesses the beliefs that all lawyers use the law to help our fellow human beings in whatever way we can, and that all people are vested with inalienable rights to equality, liberty, and justice, no matter our differences. She has consistently lived and taught her beliefs.

In their first two years at UNC law school, students learn the law. They learn about statutes, rules, and appellate opinions. They come to appreciate how judges weigh policy, doctrine, and precedent. But third-year students who were lucky enough to train under Michelle in the law school's criminal law clinic learned a great deal more than legal principles and theories. They learned, of course, the substance of the law and the theories of practice, along with the practical skills involved in developing a case theory, examining witnesses, introducing evidence, and presenting arguments before the court. Students benefited from her instructions and advice for working with prosecutors, victims, judges, and court clerks. They learned to

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\* Professor of Law, Former Director of Clinical Programs (1982–2000).

\*\* Professor of Law, Director of Clinical Programs.

1. Michelle F. Robertson, Remarks upon Receiving the Gwyneth B. Davis Award at the North Carolina Association of Women Attorneys Annual Conference (Sept. 30, 2005).

problem-solve and to deal with the uncertainties inherent in most legal matters. They learned to take responsibility for their cases, to exercise independence in decisionmaking, to manage cases, and to meet deadlines. But the most significant gains to be had under Michelle's tutelage went far beyond legal substance or practical skills.

The lesson imparted by Michelle, above all, was the importance of advocacy for the least among us. For decades, Michelle and her students went to the criminal courts of Orange and Durham Counties to represent poor people charged with criminal activity. Far too often, these defendants are treated shoddily by the criminal justice system, and sometimes even by the lawyers appointed to represent them. Michelle, by example and by instruction, taught her students that dedicated lawyers fought for their poor clients with the same degree of zeal as lawyers charging hundreds of dollars an hour. She taught her students that it was their responsibility to care and to act.

Michelle, who already had an undergraduate degree from Duke and a Master's in Journalism from the University of Georgia, graduated from UNC School of Law in 1982. After several years in private practice, she joined the clinic as a lecturer in August of 1985. She was promoted to Clinical Associate Professor in 1990 and to Clinical Professor in 1995. She served as Acting Director of Clinical Programs during the 1994–95 school year, and in addition to supervising students and co-teaching the Criminal Lawyering Process class, she taught Ethics in Criminal Practice and Trial Advocacy.

Michelle has been a leader in the wider legal community, especially among criminal defense lawyers. She served as President of the Criminal Law Section of the North Carolina Academy of Trial Lawyers ("NCATL"). Her service on the Governor's Task Force on Domestic Violence and other boards and commissions, her work with the NCATL Mock Trial Competition, and her other service work has immeasurably helped the law school's reputation among the practicing bar and the public.

We will miss Michelle's presence at the law school. She demanded much of her students, and more of herself. She pushed and pulled within the legal academy, the profession, and the courts to achieve basic fairness and decency for her clients. She inspired us and she comforted us. Her colleagues in the clinic miss her sharp wit and sense of humor. Her favorite quote from her favorite book, *To Kill a Mockingbird*, provides a suitable way to frame her legacy at the law school:

I wanted you to see what real courage is . . . . It's when you know you're licked before you begin but you begin anyway and you see it through no matter what. You rarely win, but sometimes you do.<sup>2</sup>

Michelle has demonstrated real courage throughout her life. She can count victory upon victory, not only for her successes in the courts, but for the many students whose lives she has transformed. For those of us who have had the privilege to work with and learn from her, we too can count as our victory having witnessed Michelle's triumph of courage and the justice she has obtained for poor people in North Carolina. We have truly been fortunate to have had her with us at UNC School of Law.

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2. HARPER LEE, *TO KILL A MOCKINGBIRD* 128 (40th Anniversary ed. 1999) (1960).

