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Note from the Editors

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NOTE FROM THE EDITORS

The *North Carolina Civil Rights Law Review* is honored to present this special edition of our publication. This issue features briefs and expert reports filed in *Students for Fair Admissions v. University of North Carolina*, one of the landmark 2023 Supreme Court decisions that declared affirmative action admissions schemes unconstitutional. In publishing this edition, we hope to preserve some of the key issues and stories told during the course of this historic litigation. The note that follows explains some of the editorial choices unique to this issue of our journal.

In this edition, we have published four briefs and three expert reports. We chose reports and briefs either filed solely in the University of North Carolina case (as opposed to the companion case from Harvard) or with a direct connection to UNC Law students.

The selected briefs were filed once the case reached the Supreme Court. The expert reports were originally filed in the Middle District of North Carolina, where the case originated. Each report was reproduced, in whole or in part, in the Joint Appendix for the Supreme Court case.

We asked the authors of each piece whether they would like to be credited as individual authors or organizationally. We also asked each author whether they would like to include an author biography, an option only some authors elected to take.

The pieces have been reformatted from their original form as law review publications. Several pieces have been minimally excerpted. These omissions have been indicated with “[. . .].” Beyond these excerpts, the pieces remain in their original form. Rather than changing the citations to conform with law review citation guidelines, citations have been left as they appeared in the versions originally filed in court. Where an author references an appendix, which we uniformly omitted, the reference is followed by “[omitted].” Where a footnote was omitted because of the way the document was excerpted, we kept the original numbering. Section numbers also remained the same as published, even if a previous section was omitted.

In keeping with our efforts to preserve the original form of each piece, the Editors did not make any revisions to the language of the briefs and reports. The Editors retained any errors, including spelling and

grammar, internal cross reference, and citation style errors, unless an author proposed corrections. The Editors also left in certain stylistic choices that may not conform to stylistic choices that the *North Carolina Civil Rights Law Review* otherwise follows.

One expert report contains student testimonials about how lacking a diverse student body impacted their educational and social experiences. In the report, a student recounts being called a racial slur. The language was not redacted as filed at the District Court, nor as filed at the Supreme Court. The Editors elected to retain this language in order to respect the editorial choice of the author, to preserve the original form of the report, and so as not to revise the language of the student who bravely chose to share their experience. However, we want to acknowledge the violent, racist origins of this term and the enduring harm this language still causes today.

As troubled as we are by the outcome of this case, the *North Carolina Civil Rights Law Review* is honored to be a part of its history by reproducing the excellent work of these gifted lawyers and experts. We hope this issue can serve as a resource for academics, advocates, and educators in the future in efforts to achieve the educational equity affirmative action was designed to promote.