

1993

A Tribute to Professor Willie Moore

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Recommended Citation

Okianer C. Dark, *A Tribute to Professor Willie Moore*, 27 U. Rich. L. Rev. 419 (1993).

Available at: <http://scholarship.richmond.edu/lawreview/vol27/iss3/2>

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TRIBUTES

A TRIBUTE TO PROFESSOR WILLIE MOORE¹

Okianer Christian Dark

I first met Professor Willie Moore during the 1989-90 recruitment season for law faculty. Willie came to our law school to meet with the Dean, faculty and students. There was much excitement among the faculty concerning his visit to the law school. Many persons had already reviewed his credentials — valedictorian of his high school class; an honors graduate of the University of North Carolina at Chapel Hill; graduate of Yale University Law School; law clerk to Judge Damon J. Keith on the Federal Court of Appeals for the Sixth Circuit; former associate at Mitchell, Silberberg & Knupp in Los Angeles, California, and at that time, a Public Deputy Defense Officer in the office of the Public Defender also in Los Angeles, California. In a relatively short period of time, Willie had distinguished himself as a student, lawyer and a person deeply committed to issues of social justice especially for children. Willie

1. There have been many tributes to the memory of Professor Moore. In addition to the dedication of this law review issue to the memory of Professor Moore, two student organizations have established awards in his honor. In the spring of 1993, the Black Law Student Association established the Professor Willie L. Moore Award which is to be given annually to a person in the law school community who possesses the magnanimity of soul, spirit, intelligence and commitment to social justice exemplified by his life. The first awardee was Professor Nancy Boyland Collins. The Public Interest Law Association named its annual summer scholarships the Professor Willie Moore Summer Fellowships which are given to at least two students to support their work in public interest law during the summer. Finally, the law school community dedicated the free standing lectern in the Moot Court room to Professor Moore. The inscription on the lectern states: "In memory of Professor Willie L. Moore, Director, Youth Advocacy Clinic, 1990-1992, given by the Law School Clinics." Every student who presents a moot court argument in the future will stand at the Willie Moore lectern.

came to our law school and fulfilled the promise demonstrated by his interview and qualifications.

When I met Willie, I liked him immediately. He was not only bright, affable and sensitive, but he was also someone seeking ways to apply his legal training and experience to solve some of the real, difficult and complex problems of society. He was deeply committed to making this world a better place to live for all children, but especially African American children. He wanted to be an agent of social change and to empower his students in the same way. There was perhaps no more fitting position for Professor Moore than the Director of the Youth Advocacy Clinic at the University of Richmond Law School.

Willie was a powerful advocate and publicist for the Youth Advocacy Clinic. The clinic provides low cost or free legal services in the representation of issues involving children or young people. He and the students that he supervised represented young people accused of juvenile delinquency, acted as guardians ad litem for children where there was alleged sexual or emotional abuse, fought for mothers who had turned their lives around and were willing and able to care for their children in the foster care system, helped parents who wanted to fight termination of parental rights, represented school children and parents in various disputes/misunderstandings with schools and handled many other issues involving children. As I was preparing to write this tribute to him, I reviewed some of Willie's papers about the Clinic. I found many letters that he had written to Pastors of African American churches in the Richmond Metropolitan area describing the scope of services offered by the Clinic and encouraging the Pastors of those churches to make this information known to their congregation. Some of those letters were sent in the spring of 1992. Despite his illness during this period of time, he continued to promote the Clinic and provide other opportunities for law students in the preparation and presentation of cases in the Juvenile Courts.

Also, during the spring of 1992, Willie was approached by Dr. Richard Couto of the Jepson School of Leadership Studies on our campus to consider a proposal for a program of service-learning titled "Learning In Community Settings" or LINCS. "LINCS facilitates meaningful experiences in community settings to comple-

ment learning that takes place in the classroom.”² Willie was an enthusiastic supporter of Dr. Couto’s dream and effort to establish LINCS. Willie believed that this program could potentially enhance the Youth Advocacy Clinic by underscoring the two main goals for the Clinic: the education of law students and the provision of legal services to the community. “We would like to have a positive outcome for all our cases,” Willie reportedly stated when interviewed by law students for the *Juris Publici*, “but the emphasis in YAC is on providing an education for our student-participants and service to the Central Virginia Community. The two goals are compatible.”³ Presently, the Clinic has made available a couple of opportunities within the context of LINCS program.

In addition to his duties in the Clinic which included supervision of students engaged in interviews of clients, analysis of the relevant law, development of case theories, client counseling, representation of the client in court, and drafting court documents, Willie developed a course titled “First Amendment In the Context of the Criminal Process.” In that course, Willie explored and examined the tensions that exist between the First Amendment and the Fourth and Sixth (right to a fair trial) Amendments. He questioned whether the public access or public interest in litigation assumed greater importance than the interests of private litigants particularly within the criminal system. In his course, he discussed, among other things, the issues of voir dire reform, extrajudicial commentary by lawyers (here he considered some highly publicized trials such as the William Kennedy Smith rape trial), comments by lawyers in the courtroom and the institution of gag orders. Naturally, he also examined the hotly debated question of cameras in the courtroom. He also considered the extent of an attorney’s right of free expression within the context of representing a client. In *Frankel v. Roberts*,⁴ the appellate division of the Supreme Court in New York held that an attorney had a First Amendment right to political expression by permitting the attorney to wear a lapel button that stated “Ready to Strike” while the attorney was in the

2. University of Richmond Brochure describing the Learning In Community Settings Program (1993). The LINCS program is a part of the Volunteer Action Council at the University of Richmond.

3. Statements taken from a draft of an article prepared for the *Juris Publici*. An article describing the work of the Clinic titled “The Children’s Rights Clinic” was published in 18 *Juris Publici* 1 (March 1992).

4. 567 N.Y.S.2d 1018 (N.Y. App. Div. 1991).

courtroom.⁵ This case and others provided Willie with a fascinating opportunity to consider the limitations of the court's authority to regulate the conduct and appearance of attorneys appearing before it. He assessed whether and how the attorney's right to free expression should "be balanced against the State's paramount duty to insure a fair trial in a criminal action for both defendant and the People."⁶ Willie would have considered the recent conflict between a Superior Court judge in the District of Columbia and a court-appointed attorney who was attempting to represent a client in a criminal matter. The attorney, John Harvey III, wore a kente cloth and an NAACP lapel pin in the trial.⁷ The judge ordered him to take it off. The attorney told the judge that the wearing of the kente cloth was part of his religious practice and hence, the judge's order interfered with his freedom of religion as well as free expression rights.⁸ Attorney Harvey refused to comply with the judge's demand and he was removed from the case. Willie would have discussed this case in his course.

There was no casebook for this course. Willie combed the library to identify and select the materials that he used. He used a variety of sources — cases, law review articles, annotated reports, newspaper articles (legal and general national publications) and news reports that were shown on television. I was amazed to find that his class binder for this course was 351 pages. In addition, to the reading and weekly preparations the students were expected to write and present their papers. Where did he find the energy? But, that was Willie. He enjoyed the intellectual engagement of the law and wanted to engage his students at multiple levels within this enterprise called law school.

5. *Id.* at 1019-20.

6. *La Rocca v. Lane*, 338 N.E.2d 606, 608 (N.Y. 1975).

7. Kente cloth was originally worn by the Asantehene (King) and other high ranking members of the Ghanaian society. Today, many Ghanaians wear the cloth on formal or special occasions. The kente cloth is also worn by many African Americans in this country acknowledging their cultural, historical and spiritual affinity with their African brothers and sisters. It is a symbol of beauty, connection and power. "The kente cloth has short vertical and horizontal stripes alternate with zigzags to give it the startlingly quiltlike appearance." Betty Freudenheim, *Spontaneous Quilts and Vibrating Instruments*, N.Y. TIMES, September 15, 1991, at 12NJ.

8. Attorney Harvey appealed Judge Robert Scott's decision to remove him from the case because he refused to remove the kente cloth and the NAACP lapel pin. While this decision was on appeal, Judge Scott died of cancer before the appellate court heard arguments. The appeal was dismissed as moot. Catherine Toups, *Kente Cloth Revives D.C. Lawyers' Fight*, WASH. TIMES, December 4, 1992, at B3; *D.C. Superior Court Judge Robert M. Scott Dies at 70*, WASH. POST, September 17, 1992 at D5.

Willie was working on two articles at the time of his death. The first article concerned the extent to which extrajudicial comments by lawyers ought to be permitted and/or regulated. The second article, which was in an early stage, concerned a legal opinion issued by the Virginia State Bar stating that a court appointed attorney has an ethical duty to report "the true financial status of his client regardless of the source of his information that the client can afford private counsel."⁹ Willie planned to engage in some empirical research to support this article, as well as the traditional legal analysis that one would expect in any law review article. While his records do not clearly indicate what he was planning to do with this issue, I would surmise that he wanted to consider how to reconcile the mandate of this legal opinion with the attorney-client privilege.

In this tribute to Willie, I felt a need to put in some permanent form a description of the many different kinds of activities in which this teacher-scholar and leader-servant was engaged. I also hope that perhaps someone who reads this memorial and learns about some of the work that Willie began will have sufficient interest to continue some of that work. Willie was not in the best health during 1992 which is also the year that he passed away. Yet, in spite of poor physical health, he continued to make material contributions to the lives of his students and our school. He had dedicated his life to justice and worked relentlessly to make the lives of young people and those persons who are in the unprivileged segments of society more meaningful.

Willie is no longer physically among us. "He is buried beneath the gentle white sands of a family cemetery. He lies under the protection of a freedom tree which his great, great grandmother planted when she was given her past due status as a free human being."¹⁰ He is gone but not forgotten. He planted many seeds of hope, courage, and justice in his students, colleagues and friends. Among his papers, I discovered a poem which was untitled. I am uncertain whether Willie wrote this poem (this would not surprise me because he wrote poetry) but I am certain that it was important to him.

9. Virginia State Bar, Legal Ethics Op. 390.

10. Gayle Davis Wright, Remarks at 5th Annual Black History Month Program sponsored by the Black Law Student Association at the presentation of the Willie Moore Award (Mar. 20, 1993).