

NC INSTITUTE for
CONSTITUTIONAL LAW

September 27, 2011

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Dean Raymond C. Pierce
NC Central School of Law
640 Nelson St., Office 260
Durham, NC 27707

Associate Dean Wendy B. Scott
NC Central School of Law
640 Nelson St., Office 264
Durham, NC 27707

Dear Dean Pierce and Dean Scott:

As you know last spring I submitted a proposal to you for the establishment of a new Center for the N.C. Constitution at N.C. Central School of Law. This concept, fashioned after Centers at UNC School of Law, Rutgers and other institutions, was dependent on three interrelated positive developments. First, the Law School needed to be enthusiastically supportive of the idea. While I have been appreciative of the positive comments I have received about the proposal, there have also been unfortunate misapprehensions about the governance and mission of such a Center. I trust that I have adequately answered any and all questions you might have in this regard. As I have stated repeatedly the proposal involves an entity entirely separate from the N.C. Institute for Constitutional Law and would be a Center run by the Law School administration providing academic opportunities for faculty and students to research, write and educate on the N.C. Constitution.

Secondly, necessary funding for the start-up period was required from a private source. Prior to submitting the proposal to you, I submitted the draft proposal to the Pope Foundation to gauge its interest in providing the necessary seed money. My conversations with Art Pope and David Riggs, Director of the Foundation, resulted in an expression of support by them for the project at the N.C. Central School of Law. A grant of \$200,000 a year for an initial period of three years was proposed and a tentative approval was given, subject to the standard grant application process. Considering the Dean's report at the recent Board of Visitors meeting concerning the funding challenges the Law School faced both from state reductions and limited private contribution support, I was excited about the possibility of a \$600,000 gift to the Law School for establishment of the Center.

Finally, the proposal was submitted with an expectation that I would be the initial director for the Center during the start-up period on a part-time basis. Having taught as an adjunct professor at the Law School for a number of years and at the time serving on the Board of Visitors for the Law School, I felt that I could provide the necessary continuity between the Law School and the Pope Foundation. In addition I felt that my service on the N.C. Supreme Court and my interest and work involving the N.C. Constitution would provide the necessary level of expertise to give the Center the desired level of support for its initial work.

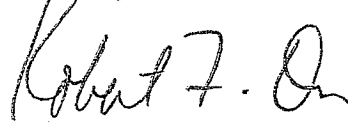
However, for the past several months it has become increasingly clear that my time and efforts can be best spent elsewhere. Starting a Center at the Law School is now clearly inconsistent with the direction I prefer to go in my career. Therefore, I am respectfully withdrawing the proposal I submitted.

I would note that the template and vision for such a Center is obviously still available to the Law School for future consideration. Likewise, I am confident that the Pope Foundation would continue to entertain new grant requests from the Law School. As you know the Pope Foundation has been a generous supporter of the N.C. Central School of Law in the past including funding for the school's Speaker Series and the Constitution Mural.

For more than twenty years I have tried to be a supportive advocate for the Law School whether in the form of hiring law clerks and interns, teaching, speaking and contributing my time and resources. Regrettably the proposal cannot go forward at this time but I remain convinced that such a Center would be a great asset to the Law School as well as an important resource for our state. I can only hope that realization of this concept will ultimately be achieved.

Thank you again for your time and interest in this proposal. If I can provide any additional information or assistance please let me know. Also feel free to share this letter with others who may be interested.

Sincerely,



Robert F. Orr

cc: Chancellor Charlie Nelms
President Thomas W. Ross