

MARTIN H. BRINKLEY

**Dean and William Rand Kenan, Jr. Distinguished Professor
University of North Carolina School of Law**

**Curriculum Vitae
(updated through July 2024)**

PERSONAL

Office: Suite 5100
Van Hecke-Wettach Hall
160 Ridge Road, CB #3380
Chapel Hill, N.C. 27599-3380
(919) 962-4417 / (919) 843-0062 (direct dial)
martin92@email.unc.edu

Home: 2900 Fairview Road
Raleigh, N.C. 27608

Family: Married on June 30, 1990 to Carol Elizabeth Scovil of Raleigh, N.C.; three children: Elizabeth Martin (born June 5, 1993); Caroline Powell (born March 2, 1995); Samuel Sherrill Harper (born August 24, 2000)

Birth: September 20, 1966 in Raleigh, N.C. to Sherrill K. Brinkley, native of Davie County, N.C. and Susan Powell Brinkley, native of Wake County, N.C.

EDUCATION

University of North Carolina School of Law, J.D. 1992

Universität zu Köln, Institut für Altertumswissenschaft, 1988-89

Harvard University, A.B. *summa cum laude*, Classics, 1987

Phillips Exeter Academy, diploma with highest honors, 1984

Public schools of Wake County, N.C., 1972-1982

ACADEMIC & ADMINISTRATIVE APPOINTMENTS AND EXPERIENCE

University of North Carolina School of Law, Chapel Hill, N.C.

Dean, 1 July 2015-present (reappointed to second term, 19 January 2021-30 June 2026)

Director, UNC Law Institute for Innovation, 1 July 2023-present

William Rand Kenan, Jr. Distinguished Professor of Law, 1 July 2021-present

Arch T. Allen Distinguished Professor of Law, 1 July 2016-30 June 2021

Decanal Achievements, academic:

- Launched and funded the UNC Law Institute for Innovation, a three-clinic center providing experiential education for 48 law students per year, through which startup/small business, intellectual property, and community development/social entrepreneurship legal services are made available to the campuses at UNC-Chapel Hill, N.C. State University, other branches of the UNC System, North Carolina community colleges and rural economic incubators in North Carolina
- Launched and funded the UNC Law Military and Veterans Law Clinic to serve low income former servicemembers who are precluded from receiving Department of Veterans Affairs (VA) health care and disability benefits because of their discharge status.
- Funded UNC Law's Critical Race Lawyering Civil Rights Clinic, in which students learn to merge the tenets of critical race theory with the practice of civil rights law. Students engage in direct representation of individual and organizational clients in areas where discrimination and inequality are pervasive. Matters undertaken include employment discrimination, fair housing, racial disparities in education, enforcement of constitutional rights for incarcerated individuals, and collateral consequences of criminal convictions
- Hired twelve tenure-track/ tenured lateral and eleven long-term contract faculty (through 30 June 2024), constituting one-third of the total full-time faculty complement
- Reconstituted leadership team, with four staff associate deans reporting to a Senior Associate Dean and three faculty associate deans reporting directly to the Dean (through 30 June 2024)
- Expanded recurring appropriations from the N.C. General Assembly by \$965,000 per year (equivalent to \$19-20 million addition to the law school's endowment)

- Led improvement in *U.S. News & World Report* 2024-25 rankings by 25 places, from #45 to #20, over a seven-year period
- Added 13 courses to the School's business law curriculum

Fundraising:

- \$75 million capital campaign for UNC Law School announced October 2017; completed and exceeded campaign goal six months ahead of campaign conclusion (31 December 2022); \$78.7 million raised

Courses taught:

- Business Associations, current
- Property, current; co-taught with John V. Orth, William Rand Kenan, Jr. Distinguished Professor of Law *emeritus*
- Legal History, current; co-taught with John V. Orth, William Rand Kenan, Jr. Distinguished Professor *emeritus*
- Life Cycle of an M&A Deal (self-designed transition-to-practice course taught in Spring semesters 2017-2020); upper level, transition-to-practice, skills-oriented course designed for graduating third year students who plan to become business lawyers
- Guest lecturer, Eberhard Karls Universität Tübingen, Juristische Fakultät, Summers 2019, 2022, 2024

LAW PRACTICE

Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, L.L.P., Raleigh, N.C.
Of Counsel, 1 July 2015-present; Partner, 18 August 2003-30 June 2015

Primary practice areas: Corporate and commercial law; mergers and acquisitions; antitrust; insurance; regulatory and administrative law; public finance; charitable and nonprofit organizations.

Firm leadership:

- Policy & Planning Committee (firm management committee) (2008-10, 2015)
- Compensation Committee (2009-15; Chair, 2014-15)
- Team Leader: Regulatory and Governmental Affairs Team (2013-15; includes Smith Anderson's governmental affairs, health care, insurance and administrative law practice groups)

- Legal Opinions Committee (Chair, 2005-15)
- Associates Development Committee (Co-Chair, 2008-10)

Moore & Van Allen PLLC, Raleigh, N.C.

Member, 1 January 1999 - 31 July 2003; Associate, September 1993 – 31 December 1998
 Practice areas: Corporate and commercial law; mergers and acquisitions

JUDICIAL CLERKSHIP

United States Court of Appeals for the Fourth Circuit

Law Clerk to Chief Judge Sam J. Ervin, III, 1992-93

HONORS

Personal: 2023 North Caroliniana Society Award (acknowledging “long and distinguished service in the encouragement, production, enhancement, promotion, and preservation of North Caroliniana”)

Academic: William Rand Kenan, Jr. Distinguished Professor of Law (appointed by Chancellor Kevin M. Guskiewicz and Provost Robert Blouin), 2021-present

Arch T. Allen Distinguished Professor of Law (appointed by Provost James W. Dean), 2017-21

Professional: Order of the Coif

Master of the Bench
 Honourable Society of the Middle Temple, London
 2017-present

President, 2011-12
 North Carolina Bar Association

H. Brent McKnight Renaissance Lawyer Award, 2017
 Citizen Lawyer Award, 2008
 North Carolina Bar Association

Member, American Law Institute, 2004-present

Chambers USA: America's Leading Business Lawyers (Corporate/M&A)
 Woodward/White's *The Best Lawyers in America*
 AV[®] rated, Martindale-Hubbell[®]

Universität zu Köln: Institut für Altertumswissenschaft (graduate study, papyrology: 1988-89)

Law School: Executive Articles Editor (1991-92); Staff Member (1990-91)
North Carolina Law Review

UNC School of Law, Pro Bono Alumnus of the Year Award, 2012

Harvard College: Phi Beta Kappa, 1987
 Latin Orator (David Taggart Clark Prize in Latin), 336th Commencement Exercises of Harvard University, 1987
 John Harvard Scholarship for Highest Academic Achievement, 1984-87
 Reuben Arthur Brower Prize for Excellence in the Humanities, Adams House, 1987
 Arthur Deloraine Corey Fellowship Prize for Graduate Study in the Classics, 1987
 George Emerson Lowell Scholarship Prize for Greek, 1985
 William King Richardson Scholarship Prize for Greek and Latin, 1986
 John Osborne Sargent Prize for Latin Translation of a Lyric Poem of Horace, 1986

Phillips Exeter Academy: Cum Laude Society
 George Sutro Lowenstein Scholarship for the Freshman Year at Harvard College, 1984
 Hatch-Phillips Prize in Greek and Latin, 1984
 Prentiss Cummings Prize in Greek, 1984
 George Shattuck Morison Prize in Latin, 1984
 Woodbridge Odlin Prize in Greek, 1983
 Richard F. French '33 Organ Scholar, 1983-84

PUBLICATIONS

“Flying: An Oboe Memoir,” published in private monograph by the North Caroliniana Society (July 2024), and by the International Double Reed Society as “Learning to Fly (Without an Umbrella),” 46 THE DOUBLE REED No. 3, p. 46 (2023).

“Teaching Leadership in American Law Schools: Why the Pushback?,” forthcoming in 73 BAYLOR L. REV. (2021).

“No One, in America, is Above the Law,” opinion editorial, WRAL/Capitol Broadcasting Company, Raleigh, N.C. (January 4, 2021, <https://www.wral.com/19455648/>).

“Great and Truly Public: Carolina Law’s 21st Century Challenge,” 94 N.C. L. Rev. 1 (2015).

“Threadbare Justice for North Carolina?”: opinion column co-authored with John R. Wester; appeared in daily newspapers in Charlotte, Raleigh, Greensboro, Winston-Salem, Wilmington, Asheville and Southern Pines, N.C. (Feb.-Mar. 2014)

Various publications and newspaper opinion columns as President-Elect and President, North Carolina Bar Association (2010-12)

“Antitrust Update: FTC General Counsel Provides Informal Gun-Jumping Advice,” in *Notes Bearing Interest* (N.C. Bar Association Business Law Section, June 2006).

“State v. Mann,” “State v. Negro Will,” “Supreme Court,” & “Judiciary, Federal,” in *HANDBOOK OF NORTH CAROLINA HISTORY*, William S. Powell ed. (Chapel Hill, N.C. 2006).

“The Regulation of Contractual Change: A Guide to No Oral Modification Clauses for North Carolina Lawyers,” 81 N.C. L. Rev. 2239 (2003).

“A Dues Paying Member of Humanity” (memorial tribute to Chief Judge Sam J. Ervin, III, U.S. Court of Appeals for the Fourth Circuit), 78 N.C. L. Rev. 1 (2000).

“The North Carolina Law Review at Threescore and Ten,” in *THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW: A SESQUICENTENNIAL HISTORY*, 73 N.C. L. Rev. 563, 773 (Judith W. Wegner, William B. Aycock & Martin H. Brinkley eds. 1995).

THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW: A SESQUICENTENNIAL HISTORY, 73 N.C. L. Rev. 563, co-editor with Judith W. Wegner & William B. Aycock (Chapel Hill, N.C. 1995).

“Prophets in Reverse,” 73 N.C. L. Rev. 573 (1995).

“Our Citadel of Truth: A Paean to William Brantley Aycock,” 73 N.C. L. Rev. 565 (1995) (with Judith W. Wegner).

Review, “Reuel E. Schiller, ‘Conflicting Obligations: Slave Law and the Late Antebellum North Carolina Supreme Court,’ 79 Va. L. Rev. 1207 (1992),” *I JURIDICUS* 18 (N.C. Supreme Court Historical Society, James L. Hunt ed. 1994).

“The Supreme Court of North Carolina: A Brief History,” in *THE NORTH CAROLINA MANUAL* 604 (Lisa Marcus ed., Office of Secretary of State, Raleigh, N.C., 1994, with subsequent reprints).

“The Standard of Review on Appeal: A User’s Guide,” 14 *THE LITIGATOR* 10 (N.C. Bar Ass’n Civil Litigation Section (Oct. 1993)).

Note, “Close Corporation Stock as a ‘Security’ Under Uniform Commercial Code Article 8: North Carolina Embraces the Statute of Frauds in *Stancil v. Stancil*,” 69 N.C. L. Rev. 1432 (1991).

Note, “Despoiling the Spoils: *Rutan v. Republican Party of Illinois*,” 69 N.C. L. Rev. 719 (1991).

PRESENTATIONS

“Flying: An Oboe Memoir,” North Caroliniana Society, May 22, 2023

“The Law and Legal Institutions of the United States,” Honourable Society of the Middle Temple, London: Qualifying Session, Nov. 10, 2020

“Remarks to New American Citizens,” Naturalization Ceremony, U.S. District Court for the Middle District of North Carolina (Judge William Osteen, presiding), Greensboro, N.C., Feb. 23, 2018.

“The History of Judicial Selection in North Carolina,” Remarks to the Special Committee of the North Carolina State Senate (with John V. Orth), Raleigh, N.C., Dec. 6, 2017.

“The Calm, the Patient, the Pragmatic and the Wise: Institutional Dedication in 21st Century America,” Remarks to Phi Beta Kappa Inductees, University of North Carolina, Chapel Hill, N.C., Nov. 6, 2017.

“Efficiency Versus Quality in the Work of Intermediate State Appellate Courts,” Annual Conference of Chief Judges of State Intermediate Courts of Appeals, Cary, N.C., Nov. 11, 2016.

“The History of Judicial Selection in North Carolina,” Remarks to the Public Trust and Confidence Committee of the Chief Justice’s Commission on the Administration of Law and Justice, Raleigh, N.C., Feb. 16, 2016 (with John V. Orth).

“Public Trust and Confidence in the Courts,” Remarks to Annual Meeting of N.C. State Bar, Raleigh, N.C., Oct. 22, 2015.

Presentation of Portrait of Associate Justice Willis P. Whichard (Ret.) to the Supreme Court of North Carolina, Raleigh, N.C., July 1, 2014 (reprinted at 367 N.C. 913, 917-35).

Presentation of the North Carolina Bar Association’s John Johnston Parker Memorial Award to The Honorable John C. Martin, Chief Judge, North Carolina Court of Appeals, Asheville, N.C., June 22, 2013.

“Remarks to Newly Admitted Lawyers,” Wake County/10th Judicial District Bar Association, Meymandi Hall, Raleigh, N.C., Sept. 18, 2012.

“The Enduring Heart,” Center on Poverty, Work and Opportunity, University of North Carolina School of Law, Chapel Hill, N.C., Nov. 11, 2011.

Various addresses to community, civic and bar association groups across North Carolina during service as President-Elect, President and Immediate Past President, North Carolina Bar Association (2010-13)

“Preparing Lawyers for Tomorrow’s Profession: The Future is At Hand,” North Carolina Bar Association (co-convener with University of North Carolina School of Law Dean John Charles Boger), Sept. 10, 2010.

“Classical Literature for 21st Century Lawyers,” Festival of Legal Learning, University of North Carolina School of Law, Chapel Hill, N.C., Feb. 6, 2009.

“ ‘No Litigation’ Opinions after *Dean Foods*,” Festival of Legal Learning, University of North Carolina School of Law, Chapel Hill, N.C., Feb. 13, 2006.

“Proposed Amendments to Articles 3 and 4 of the Uniform Commercial Code,” North Carolina Bar Foundation (North Carolina Bar Association Business Law Section Annual Meeting), Pinehurst, N.C., Feb. 18, 2005.

Public Lecture, “The North Carolina Supreme Court, 1776-1861,” Old Senate Chamber, North Carolina State Capitol, Oct. 7, 2002.

Dan K. Moore Symposium on Legal Ethics, University of North Carolina School of Law, Chapel Hill, N.C., Oct. 13, 2000.

Presentation of Portrait of United States Circuit Judge Sam J. Ervin, III to En Banc Session of the United States Court of Appeals for the Fourth Circuit, Apr. 5, 2000 (reprinted at 220 F.3d XLIII (2000)).

Professionalism VI Continuing Legal Education Seminar, North Carolina Bar Foundation, Cary, N.C., Dec. 4, 1998.

“Exploring and Understanding Character Evidence,” Trial Evidence Continuing Legal Education Seminar, North Carolina Academy of Trial Lawyers Education Foundation, Inc., Winston-Salem, N.C., Feb. 3, 1995; Raleigh, N.C., May 5, 1995.

PROFESSIONAL

Admissions

to practice: North Carolina State Bar, 1992
United States Court of Appeals for the Fourth Circuit, 1993
United States District Court for the Eastern District of North Carolina, 1993
United States District Court for the Middle District of North Carolina, 1993
United States District Court for the Western District of North Carolina, 1993

Supreme Court of the United States, 2016

Chief Justice’s Commission on Professionalism, 2019-22

North Carolina Commission on the Administration of Law and Justice

Committee on Public Trust and Confidence, 2015-16

North Carolina Bar Association and North Carolina Bar Foundation:

Leadership:

President, 2011-12; President-Elect, 2010-11 (Chair, Audit & Finance Committee; Executive Committee); Immediate Past President, 2012-13

Presidential Initiatives:

- Established “Lawyer on the Line” statewide pro bono program, in which private practitioners provide one-hour consultations to indigent clients on referral from Legal Aid of North Carolina in selected areas of law. The program has vastly reduced LANC’s burden of triaging cases, freeing up LANC staff attorneys to devote attention to more challenging matters. LOTL volunteer attorneys often agree to handle referred clients’ cases beyond the initial consultation through final resolution.
- Worked successfully to preserve and increase funding for the North Carolina state court system and statewide legal services organizations in a period of declining legislative appropriations.
- Adoption by Executive Order of Gov. Beverly E. Perdue of merit screening panel to vet candidates for state court judgeships. Extensive but ultimately unsuccessful legislative efforts to eliminate popular election of state judges in favor of merit selection.
- Sought to elevate N.C. Bar Association’s legislative presence and stature on “core justice” issues (court funding, legal aid funding and merit selection of state judges).

Board of Governors, 2000-03 (Audit & Finance Committee)

Chair, Young Lawyers Division, 1998-99 (Executive Committee, Board of Governors)

Past Presidents Council (Chair, 2012-13)

Committees and Task Forces:

Law School Liaison Committee, 2015-present

Vice Chair, Executive Director Succession Planning Committee, 2014-16

Chair, Charter and Bylaws Review Study Committee, 2014-15
Open Courts Commission, 2014-15
Legislative Advisory Committee, 2012-15
Committee for Judicial Independence, 2010-present (Co-Chair, 2012-13)
4All Task Force (Inaugural Co-Chair, 2007-08) (statewide initiative addressing systemic problems relating to the provision of legal services to the poor; project received American Bar Association's Harrison Tweed Award, 2009)
Strategic Planning & Emerging Trends Committee, 2001-06 (Chair, 2004-06)
Citizen Lawyer Task Force, 2006-07
Communications Advisory Committee, Chair, 1999-00
Administration of Justice Task Force, 1996-98
Appellate Rules Study Committee, 1995-96
Endowment Committee, 1997-98
Membership Recruitment and Retention Committee, 1999-00

Business Law Section:

Uniform Commercial Code Committee, 2004-10

United States District Court for the Western District of North Carolina:

Chair, Committee to Select Federal Defender, 2016 (appointed by Chief Judge William B. Traxler, United States Court of Appeals for the Fourth Circuit)

American Law Institute:

Member Consultative Groups for Principles of the Law of Nonprofit Organizations;
Restatement of the Law (Third), Trusts; Restatement of the Law (Third), Restitution and Unjust Enrichment

The North Carolina State Bar:

Ethics Committee (advisory member), 1999-00
Grievance Committee (advisory member), 2000-04

North Carolina Board of Law Examiners:

Select Drafting Committee for North Carolina Bar Examinations, 2004-07 (Contracts; Corporate Law; Constitutional Law; Sales and Secured Transactions)

Wake County Bar Association / North Carolina 10th Judicial District Bar:

Board of Directors, 2000-02

American Bar Association:

Section of Business Law: Committee on Legal Opinions (Editor, *Legal Opinions Newsletter*, 2007-10); Uniform Commercial Code Committee

Fourth Circuit Judicial Conference:

Permanent Member, 1999-present

Legal Aid of North Carolina:

Board of Directors, 2010-11

Co-Chair, Large Law Firm N.C. Statewide Campaign, 2014

American Judicature Society

Fellow, American Bar Foundation

CHURCH

Christ Church, Raleigh, N.C.:

Vestry, 2009-12, 2001-04 (Senior Warden, 2003-04; Junior Warden, 2011-12; Clerk, 2001-03)

Rector Search Committee, 2009-10

Co-Chair of Annual Commitment (Stewardship) Campaigns, 2007, 2008

Episcopal Diocese of North Carolina:

Chancellor, 2021-present (legal counsel to the Rt. Rev. Samuel S. Rodman, III, XII Bishop of North Carolina, and various diocesan bodies)

Trustees of the Diocese, *ex officio*

Commission on Constitution and Canons, *ex officio*

Vice Chancellor (legal counsel to the Rt. Rev. Michael B. Curry, XI Bishop of North Carolina (2006-15), the Rt. Rev. Samuel S. Rodman, III, XII Bishop of North Carolina (2017-present), and various diocesan bodies), 2006-present

Standing Committee, 2009-12

Delegate, 183rd (1999) through 191st (2007) Diocesan Conventions

Committee on Administration of the Diocese (188th and 189th Conventions)

Committee on Constitution and Canons (190th and 191st Conventions)

UNIVERSITY SERVICE

Member, Centers and Institutes Review Committee, 2022-25

Chair, Search Committee for Dean of University of North Carolina School of Government,
2022-23 (Dean Aimee Wall)

Member, Search Committee for Executive Vice Chancellor & Provost, UNC-Chapel Hill, 2021
(Provost J. Christopher Clemens)

Chair, Search Committee for Vice Chancellor for Finance & Operations, UNC-Chapel Hill,
2020-21 (Vice Chancellor Nate Knuffman)

Provost's Advisory Committee, "Carolina Next: Innovations for Public Good" (Strategic Plan,
UNC-Chapel Hill), 2020-21

National Advisory Board, UNC Bryson Center for Judicial Science Education
University of North Carolina School of Medicine, 2018-present

Chair, Search Committee for Vice Chancellor for Institutional Integrity & Risk Management,
UNC-Chapel Hill, 2019 (Vice Chancellor George Battle III)

Chair, Search Committee for Vice Chancellor and General Counsel, UNC-Chapel Hill, 2019
(Vice Chancellor & General Counsel Charles Marshall)

Chair, Search Committee for Dean of the University of North Carolina Adams School of
Dentistry, 2016 (Dean Scott De Rossi)

Member, Search Committee for Vice Chancellor and General Counsel, UNC-Chapel Hill, 2015-
16 (Vice Chancellor & General Counsel Mark W. Merritt)

CIVIC AND COMMUNITY SERVICE

Chapel Hill Chamber Music Workshop
Board of Directors, 2024-present

City of Oaks Foundation
Board of Directors, 2019-21; Secretary, 2020-21

Watauga Club
Member, 2017-present

The Lamar Stringfield Music Institute, 2018-21
Trustee and Pro Bono Counsel

The North Carolina Symphony Society

Trustee, 2013-19 (Executive Committee; Co-Chair (with Richard Daugherty), Development Committee; Major Gifts Cabinet, 2014-15; Corporate Cabinet. 2013-14; Special Budget Task Force, 2015)

The North Carolina Chamber Music Institute
Trustee, Treasurer and Pro Bono Counsel, 2014-16

The Philharmonic Association
Board of Directors, 2014-16

Saint Mary's School
Trustee, 2013-17 (Vice Chair, 2015-16; Secretary, 2014-15; Governance, Risk Management and Strategic Planning Committees)

The North Caroliniana Society
Member, 1992-present
Secretary-Treasurer, 2010-21; Treasurer, 2005-21; Trustee, 2003-21
Committee on the Future of the North Caroliniana Society (Gov. Robert W. Scott, chair), 1998-00 (Recorder and Reporter)

Center for Law and Humanities
Steering Committee, 2005; Treasurer and Board of Directors, 2006-10

The Cherry Hill Historical Foundation, Inc.
Board of Directors, 2005-07

Wake County Library Commission
Commissioner, 2005-07

The State Capitol Foundation, Inc.
Board of Directors, 2004-07

Phi Beta Kappa Association of Wake County
President, 1995-97
Board of Directors, 1994-98, 2004-06

The North Carolina Supreme Court Historical Society
Trustee, 1993-00, 2001-04

Raleigh History Club
Member, 2001-13

Phillips Exeter Academy
President, Class of 1984, 1994-99
Class Agent and Major Gifts Chair, Class of 1984, 1993-94

Friends of the North Carolina State Museum of Natural Sciences
Board of Directors, 1994-00
Chair, Nominating Committee, 1995-97

The Wake County Historical Society, Inc.
Board of Directors, 1994-96

The Leonidas L. Polk House Foundation
Board of Directors, 1993-95

MUSICIAN

Oboe, oboe d'amore, English horn, and piano.

Oboe student of Joseph Robinson, Principal Oboe, New York Philharmonic (1978-2005), and Keisuke Wakao, Associate Principal Oboe, Boston Symphony Orchestra and Principal Oboe, Boston Pops (1989-present).

Piano student of Tom Mann (1943-2023), Myriam Avalos Teie, and Mimi Solomon.