

## VITAE

### WILLIAM LEWIS BURKE, JR.

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University of South Carolina  
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## EMPLOYMENT

Distinguished Professor Emeritus  
Director of Clinics 1988-1992, 2002-2015  
Chair, USC Department of Clinical Legal Studies, 2002-  
Affiliate Faculty, USC African-American Studies 2002- 2008  
Associate Dean for Administration USC School of Law, 1992-1999.  
Director of Clinical Legal Education USC School of Law, 1988-1992  
Professor of Law 1990 to 2015. Clinical Professor 1985-1990, Associate Clinical  
Professor, 1982-1985, Clinical Teaching Associate 1978-1982.  
Staff Attorney, Palmetto Legal Services, Columbia, S. C., 1975-1978.  
VISTA Volunteer, 1970-1972.

## BOOKS

W. Lewis Burke, *All for Civil Rights: African American Lawyers in South Carolina* (U.Ga. Press 2017).

W. Lewis Burke and Joan Assey, eds. *Madam Chief Justice: South Carolina's Jean Hoefler Toal*, (U.S.C. Press, Dec. 2015).

James Lowell Underwood and W. Lewis Burke, eds., *Dawn of Religious Freedom* (U.S.C. Press. Columbia 2006).

W. Lewis Burke, and Belinda Gergel eds., *Matthew J. Perry: The Man, His Times and His Legacy*, co- (U.S.C. Press: Columbia, 2004).

James Lowell Underwood and W. Lewis Burke, eds., *At Freedom's Door: African American Founding Fathers in Reconstruction South Carolina* (Columbia: U.S.C. Press 2000) (Paperback ed. 2005).

W. Lewis Burke, *Truth in Lending and Credit Disclosures*, Vol. II. Consumer Law and Practice Series (Columbia: S.C. Bar, 1986).

## ARTICLES, ESSAYS, AND CHAPTERS

"Pink Franklin v. South Carolina: The NAACP's First Case," 54 Am. J. of Legal History 265 (July 2014).

"IT'S A GIRL: Jean Hoefler Toal and the Rise of Women in the Legal Profession," co-authored with Bakari Sellers in Marjorie Spruill, Joan Johnson, and Val Littlefield, eds., *South Carolina Women: Their Lives and Times*, Vol 3 (U.Ga. Press 2012).

"United States v. Amistad (1841)" in *Milestone Documents in African American History*, vol. 1 at 270 (Schlager Group, Inc. 2010).

"Richard Harvey Cain's, "All That We Ask Is Equal Laws, Equal Legislation and Equal Rights" in *Milestone Documents in African American History*. Vol. 2 at 715 (Schlager Group, Inc. 2010).

"The Hampton Administration and the Redeemers' Revenge," in Nicholas Meriwether, ed., *Wade Hampton III, A Symposium*, 75 ( Columbia: The University of South Caroliniana Society 2008).

"A White Boy in Mississippi and It," *Essay in Richard Bonnie and Mildred Robinson, eds., LAW TOUCHES THE HEARTS OF CHILDREN: A Generation Remembers BROWN v. BOARD OF EDUCATION and REFLECTS ON A CHANGING AMERICA*, forthcoming in Vanderbilt University Press, 2008).

W. Lewis Burke, "Killing, Cheating, Legislating and Lying: A History of Voting Rights in South Carolina since the Civil War," 57 S.C. Law Rev. 859 (2006).

W. Lewis Burke, "He's in the Jailhouse Now: Criminal Justice 50 Years after Brown v. Board" in "...Miles To Go Before I Sleep." 71 (The Institute for Public Service and Policy Research U.S.C. 2004)

W. Lewis Burke and William Hine " The South Carolina State Law School: Its Creation and Legacy," in *Matthew J. Perry: The Man, His Times and His Legacy*, 17 (U.S.C. Press: Columbia, 2004).

W. Lewis Burke, "Post Reconstruction Justice: the Prosecution and Trial of Francis Lewis Cardozo," 53 S.C. Law Rev. 361 (2002).

W. Lewis Burke, "Reconstruction Corruption and the Redeemers' Prosecution of Francis Lewis Cardozo," 2 Am. Nineteenth Century History 67 (Frank Cass Publishers, London, 2001).

W. Lewis Burke, "The Radical Law School: the University of South Carolina School of Law and Its African American Graduates, 1873-1877" in Underwood and Burke, eds., *At Freedom's Door* (U.S.C. Press, 2000).

W. Lewis Burke, "A History of the Opening Statement from Barristers to Corporate Lawyers: A Case Study of South Carolina", 27 *American Journal of Legal History* 25 (1993).

"Fact or Fiction: The Effect of the Opening Statement", Co-authored with Dr. Ronald Poulson, and Michael J. Brondino. 18 *Journal of Contemporary Law* 195 (1992).

### **BOOK REVIEWS AND ENCYCLOPEDIA ENTRIES:**

Book review of J. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890-1908*. *The Alabama Review* 2010.

Book review of Brian K. Landsberg, *Free at Last to Vote: The Alabama Origins of the 1965 Voting Rights Act*, 74 *Journal of Southern History* 1019 (2008).

Biographical Entry on Willis E. Mollison forthcoming in *The Mississippi Encyclopedia* (University of Mississippi Press 2008.)

Book Review of *South Carolina Scalawags* by Hyman Rubin III , vol. 92 *Journal of African American History*, 110. (2007).

Book Review of *Uncivil War* by James K. Hogue, *Civil War Book Review*, October, 2006.

Book Review of *Forever Free* by Eric Foner with Illustrations and commentary by Joshua Brown, *Civil War Book Review*, May, 2006.

Book Review of *The First One Hundred Eight Justices* by William D. Bader and Roy Mersky (Buffalo: William S. Hein, 2004) in the *H-Law Electronic Journal*, August, 2005.

"No Place of Redress," Book review of David E. Bernstein, *Only Place of Redress*, (Durham: Duke University Press, 2001) in the *H-Law Electronic Journal*, March 2002.

"Francis Lewis Cardozo," *The South Carolina Encyclopedia* (Walter Edgar, ed., Columbia: U.S.C. Press 2006).

"Samuel J. Lee," *The South Carolina Encyclopedia* (Walter Edgar, ed., Columbia: U.S.C. Press 2006).

“Ernest J. Finney,” *The South Carolina Encyclopedia* (Walter Edgar, ed., Columbia: U.S.C. Press 2006).

“Nathaniel J. Frederick,” *The South Carolina Encyclopedia* (Walter Edgar, ed., Columbia: U.S.C. Press 2006).

“Legal Education in South Carolina,” *The South Carolina Encyclopedia* (Walter Edgar, ed., Columbia: U.S.C. Press 2006).

#### **OTHER PUBLICATIONS:**

Introduction to “In Memoriam: Matthew J. Perry, Jr.,” 63 S.C. Law Rev. 769 (2012).

Co-author of Amicus Brief on Behalf of the S.C. Appleseed Legal Justice Center, In re David Paul Evans, C/A 06-02413 (U.S. Bankruptcy Court for District of S.C.) (October, 2006). (the Court issued an order on December 5, 2006 adopting the position taken by Appleseed.)

Written comments with Douglas Rosinski to the U.S. Senate Committee on Veterans Affairs on Senate Bill S. 2694 entitled the "Veterans' Choice of Representation Act of 2006."

“Dr. Herbert Alan Johnson: Scholar, Colleague, Teacher, Mentor and Friend,” 56 S.C. L. Rev. 457 (2005).

W. Lewis Burke, “One of South Carolina’s First Black Lawyers,” S.C. Trial Lawyers Magazine (March, 2001).

W. Lewis Burke, "The Notice of Right to Cure: A Jury Question," 7 Consumer Law Letter 3 (1990).

Op-ed piece on Predatory Lending, The (Columbia) State, March, 2002.

#### **PRESENTATIONS AND SEMINARS**

“Pink Franklin case” S.C. Bar C.L.E. “A History of Civil Rights in S.C.” Feb. 23, 2017.

“S.C. State Law School,” S.C. Bar C.L.E. “A History of Civil Rights in S.C.” Feb. 23, 2017.

“The Role of Black Lawyers in Reconstruction S.C.” at New Directions in Reconstruction History at The Reconstruction Era: History and Public Memory

Symposium, April 22, 2016 sponsored by the History Center of U.S.C., Historic Columbia, and the Center for Civil Rights History and Research.

“Matthew J. Perry: South Carolina Greatest Civil Rights Lawyer” U.S.C. School of Law Chapters of the American Constitutional Society and BALSAs, November 2, 2011.

“Ethics for the Criminal Defense Lawyer,” Office of the Federal Public Defender for the District of South Carolina, Columbia, S.C. ,May 13, 2011.  
Moderator, “The Law, the Media and Civil Rights,” at the Media and Civil Rights History Symposium, School of Journalism and Mass Communications, U.S.C. March 18, 2011.

Moderator, “Hate Speech and Racially Offensive Symbols,” at the Southeast/Southwest People of Color Legal Scholarship Conference at the University of South Carolina, School of Law March 27, 2010.

“South Carolina versus Pink Franklin: The NAACP’s First Legal Case,” Race, Labor and Citizenship Conference of the After Slavery Project, held at the College of Charleston, March 12, 2010.

“Ethics for the Criminal Trial Lawyer,” Federal Criminal Practice Seminar of the Office of the Federal Public Defender for the District of South Carolina, Oct. 29, 2009.

“It’s A Girl: Jean Hoefler Toal and the Rise of Women in the Legal Profession,” June 4, 2009, [Symposium on South Carolina Women U.S.C.](#)

“Dawn of Religious Freedom in South Carolina,” to American United for Separation of Church and State of Columbia, S.C., December 6, 2008, and C.A.D.R.E. May 17, 2009, Columbia, S.C.

“Ethics in the Criminal Trial,” Federal Criminal Practice Seminar of the Office of the Federal Public Defender for the District of South Carolina, May 1, 2009.

“Reconstruction and the First Civil Rights Lawyers: South Carolina a Case Study” read at the Annual meeting of the American Society for Legal History, Ottawa, Canada, November 15, 2008.

Panelist for Spoleto at the Avery, “Expert Opinions Roundtable Discussion on the Amistad Case” May 31, 2008. This was part of the Spoleto Festival U.S.A.’s Public Programs related to the production of the opera “Amistad.”

Panel Commenter, African American Historical Alliance Charleston Premier of Arena Iffill’s “Congressman Robert Smalls: A Patriot’s Journey from Slavery to Capitol Hill,” May 17, 2008.

Presenter: "William Whipper and Robert Brown Elliott: Legislators, Lawyers, and Orators," on November 9, 2007, The 19<sup>th</sup> Century African American Congressmen, Legislators and Judges in South Carolina, Sponsored by the African American Historical Alliance, USC School of Law and the USC The African American Studies Program.

Organizer of The 19<sup>th</sup> Century African American Congressmen, Legislators and Judges in South Carolina, Sponsored by the African American Historical Alliance, USC School of Law and the USC The African American Studies Program, November 9, 2007.

Commenter, "Justice was far from the Courthouse:" African American Legal Activism in South Carolina, 1907-1929, at the Southern Historical Association Annual Meeting, November 2, 2007 in Richmond, Virginia.

Presenter: "Strategies for Effective Scholarship and Publication" at the Clinical Legal Education New Clinicians Workshop, New Orleans, May 3, 2007 with Kate Kruse of UNLV.

Presenter: "The Hampton Administration and the Redeemers' Revenge," Wade Hampton Symposium at Caroliniana Library, March 24, 2007.

Faculty Colloquium, "The African-American Lawyer in Reconstruction South Carolina," March 20, 2007.

Panel Moderator: Opening Panel Session for the 34<sup>th</sup> Annual Meeting of the Society for the Advancement of American Philosophy, March 8, 2007.

Oral Argument on behalf of all Amici, In re David Paul Evans, C/A 06-02413 (U.S. Bankruptcy Court for District of S.C.) (October 26, 2006).

"Pre-Houstonian Jurisprudence: Black Civil Rights Lawyers in the Jim Crow South," presented at Southeastern Association of Law Schools Annual Meeting, July 2, 2005.

"Need a place to lay my pallet down: The NAACP's First Legal Case," presented at Southern Historical Association Annual Meeting, November 4, 2005.

"Armed with Rice Hook and Hoes: The Meaning of the John Brownfield Case," presented at the American Society for Legal History Association Annual Meeting, November 12, 2005.

"A History of Voting Rights in South Carolina," presented at the USC Law School's Symposium on the Fortieth Anniversary of the Voting Rights Act, October 20, 2005.

“Edward A. Harter,” Richland County Bar Association Memorial Proceedings, June 10, 2005.

“Brown v. Board of Education: 50th Anniversary panel,” moderator at Southeastern Association of Law Schools Annual Meeting, July 31, 2004.

“Matthew J. Perry and School Desegregation in South Carolina,” moderated a panel of Judge Perry, Millicent Brown, Harvey Gantt, and Henri Monteith Treadwell, at U.S.C.’s Commemoration of the 50<sup>th</sup> Anniversary of Brown v. Board of Education, April 24, 2004.

“A White Boy From Mississippi and ‘It,’” at Historic Columbia Foundation Forum on the 50<sup>th</sup> Anniversary of Briggs v. Elliott, March 21, 2004.

“The Early 20<sup>th</sup> Black Lawyer in S.C.,” at S.C. State University Symposium on Brown v. Board of Education, February 19, 2004.

“Alternative Publishing for Law Professors,” presented at Southeastern Association of Law Schools Annual Meeting,” July 24, 2003.

“The South Carolina State Law School: Its Creation and Legacy,” presented at the Citadel Conference on Civil Rights in S.C. (March 7, 2003).

U.S.C. School of Law Faculty Colloquium, “The South Carolina State Law School: Its Creation and Legacy,” with Dr. William Hine, February 20, 2003.

“The Rumpole Man and Rules that Must be Obeyed,” presented at the Southeastern Association of American Law Schools Annual Meeting, July 31, 2002.

Avery Research Center, “Avery Institute and the University of South Carolina Law School,” April 5, 2001.

American Society for Legal History Annual Meeting at Princeton, “Post Reconstruction Justice in South Carolina: The Prosecution and Trial of Francis Lewis Cardozo,” October 21, 2000.

U.S.C. School of Law Faculty Colloquium, “The Trial of Francis Lewis Cardozo,” September 7, 2000.

South Carolina Supreme Court Historical Society Conference, “U.S.C. School of Law’s Early African American Graduates,” February 27, 1998.

Faculty, Trial Advocacy Training for Legal Services of South Carolina, 1995.  
U.S.C. School of Law Faculty Colloquium, “A History of the Opening Statement”, (December, 1991).

## UNIVERSITY SERVICE

Dissertation Committee, Ph.D. candidate Randall Owens, U.S.C. Department of History, 2015- present  
Dissertation Committee, Ph.D. candidate Alfred Moore III, U.S.C. School of Education 2013- present  
Chair, Rochelle Outlaw's Oral Comprehensive Examination Committee for History Ph.D. candidate, Feb. 26, 2014.

Chair, Michelle Coffey's Oral Comprehensive Examination Committee for History Ph.D. candidate, July 8, 2010.  
Chair, Rebecca Miller's Oral Comprehensive Examination Committee for History Ph.D. candidate, May 20, 2008.  
Dissertation Reader, for Rebecca Miller, History Ph.D. candidate, 2008.  
Dissertation Reader, for Michelle Coffey, History Ph.D. candidate, 2008.  
Co-Chair, U.S.C. Brown v. Board of Education 50<sup>th</sup> Anniversary Commemoration Committee, 2003-2004.  
Darla Moore Business School Dean Evaluation Committee, chair, Fall 2003.  
Law School Faculty Selection Committee, 1999-2001, 2007- present.  
Law School Executive Committee, ex officio member, 1994-1999, 2002 to present.  
Law School Self Study Committee, 1994, 2001, 2008.  
Law School Curriculum Committee 1988 to 1992, 2000- present, Chairman, 1991-1992.  
Law School Building and Grounds Committee, 2004-2006.  
Law School Administrative Committee, 2004-present.  
Law School Law Library Department of Retention/Tenure Review Committee, 2002-present  
Law School Department of Clinical Legal Studies Post Tenure Review Development Committee, 2002 to present.  
University Fulbright Campus Evaluation Committee, 2002.  
Faculty Senate 2001-2004.  
Law School Dean Search Committee 2001-2003.  
University Parking Advisory Committee 1997-2000, 2002-  
Law School Building Committee, 2000 to present.  
Member, Michael Mounter's Defense Committee for History Ph.D. candidate 2001.  
Chair, Michael' Mounter's Comprehensive Examination Committee for U.S.C. Department of History Ph.D. candidate 2000.  
Athletic Advisory Committee, (Faculty Representative) 1997-1999.  
Law School Tenure Standards Study Committee 1988-1990.  
Faculty Adviser- Student Bar Association (1992-99), Public Interest Law Society (2001), and Christian Legal Society(1987-90), National Trial Competition Team (1987-1992, 2000), Canterbury Club of the University 2000 to present, Trial Lawyers Trial Competition Team 2001-2002, Public Interest Law Society, 2007-2008, and Service Members and Veterans In Law, 2007-present.

Faculty Adviser-The American Constitutional Society 2009-2010

### **PROFESSIONAL ACTIVITIES**

Board Member, Appleseed Center for Legal Justice, 1995 to 2012.

Independent Assessor, University of Southampton, on election of Dr. John Richard Oldfield to a Personal Chair, 2008.

A.B.A. Law School Site Evaluator, University of the District of Columbia School of Law, 2000; Marquette University School of Law, 1995, University of Utah School of Law, October, 1993, University of Iowa School of Law, March, 1993, Mississippi College School of Law, April, 1992.

A.A.L.S. Clinical Education Section Tenure Standards Subcommittee.

American Bar Association, Litigation Section 1986-

Clinical Legal Education Association, 1992 to present, organizing committee, 1992.

S.C. Bar Consumer Law Section, President, 1989-1990, Editor Consumer Law Letter- 1990-91.

Delegate S. C. Bar House of Delegates 1983-1987.

S.C. Bar Alternative Dispute Resolution Section 2001-

### **AWARDS AND COMMUNITY SERVICE**

U.S.C. School of Law G.G. Dowling Faculty Award, for faculty member who exemplifies integrity, concern for others, and scholarship. 2014.

Executive Committee of the Carolina Bird Club, 2014.

Board of Directors of the African American Historical Alliance. 2007-

Presenter of Award of Freedom to the Honorable Matthew J., Perry, Jr. at the Award of Freedom dinner of the African American Historical Alliance, Nov. 9, 2007.

U.S.C. School of Law Outstanding Faculty Scholarship Book Award, 2007. (Co-winner with James L. Underwood).

U. S. C. School of Law Outstanding Faculty Service Award, 2003.

U.S.C. School of Law Outstanding Faculty Scholarship Book Award, 2002. (Co-winner with James L. Underwood)

Richland County Court Appointed Special Advocates' "2000 Beyond Pro Bono Award" (co-award winner with Steve Fitzer for outstanding service by attorney as a guardian ad litem for children.)

University of South Carolina School of Law Outstanding Faculty Service Award, 1999. (For 18 years of pro bono work on behalf of a death row inmate.)

Board Member, Sharing God's Love (Irmo area food pantry) 1997-1999, chair, 1998.

Board of Directors, Central South Carolina Habitat for Humanity, Inc. 1986 to 1991, 1993 to 1995, President 1986-1990. 1987 Award of the Nail recipient as volunteer of the year.

Member, South Carolina Consumer Affairs Commission, 1982-1988.

Member of the Committee on Architecture and Construction, of the Episcopal Diocese of Upper South Carolina, 2007- , Chair 2000-2002, Member 1995-2002. Member of the Committee on Race Relations of the Episcopal Diocese of Upper South Carolina, 2002 -2004 , Chair 2003-2004.

### **PROFESSIONAL LICENSES**

Supreme Court of the United States; South Carolina Supreme Court; U. S. Court of Appeals for the Fourth Circuit; U. S. Court of Appeals for the Seventh Circuit; U. S. District Court for S.C., Certified Mediator in the U.S. District Court for S.C., and S.C. Certified Arbitrator.

### **Author Bio**

W. Lewis Burke is a distinguished professor emeritus. He taught the Sustainable Development Clinic, Consumer Bankruptcy Clinic, Alternative Dispute Resolution, Interviewing, Counseling and Negotiation, and Trial Advocacy. Professor Burke's major research interest is in legal history with a focus on civil rights. He is the author or co-editor of six books, including *All for Civil Rights: African American Lawyers in S.C. 1868-1968*, *At Freedom's Door: African American Founding Fathers and Lawyers in Reconstruction South Carolina* and *Matthew J. Perry: The Man, His Legacy and His Times* as well as numerous articles and chapters on trial practice and legal history. He is a graduate of Mississippi State University and the University of South Carolina School of Law.