

# **THE HONORABLE ROBINSON O. EVERETT, DECEASED**

## **OBITUARY, FUNERAL NOTICES, and HIGHLIGHTS OF HIS CAREER**

(1) The obituary in the Raleigh News and Observer, which contains information about the funeral arrangements and memorial tributes; (2) A statement released by Duke University School of Law that contains highlights of his career; (3) the obituary from the Durham Herald-Sun

### **1. Raleigh News & Observer**

<http://www.legacy.com/obituaries/newsobserver/obituary.aspx?n=robinson-o-everett&pid=128381430>

Beloved Law professor leaves unique and indelible legacy on the legal profession and the community.

Robinson O. Everett, Duke University professor of law and senior judge of the United States Court of Appeals for the Armed Forces, passed away during his sleep on June 12, 2009. He was 81.

Mr. Everett was born in Durham the son of the late Kathrine Robinson and Reuben Oscar Everett. Robinson was one of the country's most prominent and respected authorities on military justice. He served on the U.S. Court of Appeals for the Armed Forces for 12 years, 10 as chief judge. His work as counsel to the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary in the 1960s helped lead to legislation that modernized the U.S. military court system.

A beloved member of the Duke Law School community, Robinson served on its faculty for 53 years. Among other courses, he taught military justice, national security, criminal law, sentencing, and criminal procedure. Throughout his tenure at Duke, he was a cheerful presence and caring mentor to students, many of whom sought his advice on work and life.

Everett was also an active member in the life of his hometown, participating in numerous civic, fraternal and professional organizations. He also served for decades as an elder at First Presbyterian Church, where he was baptized.

Robinson is survived by his wife, Lynn; and three sons, Robinson Everett, Jr. and wife, Elizabeth of Durham; Greg Everett of Myrtle Beach, SC; and Luke Everett and wife, Sherry Honeycutt of Durham; and three grandchildren Emma Claire, Henry and Catherine.

The Funeral Service is scheduled for Tuesday 11:00 a.m. at First Presbyterian Church with Rev. Joseph Harvard and Rev. Ed Henegar officiating. A Reception will immediately follow the service in the Watts Hill Fellowship Hall. Family will attend an

Interment at Cross Creek Cemetery in Fayetteville, NC at 3:30 p.m. They will receive friends Monday evening from 7:00 to 10:00 p.m. at Clements Funeral Home in Durham.

As an alternative to flowers, donations can be made to First Presbyterian Church, 305 E. Main St., Durham NC, 27701 for the Robert Daye Habitat for Humanity House.

## **2. Duke Law School**

The Honorable Robinson O. Everett, 81  
<http://www.law.duke.edu/news/story?id=3508&u=11>

Robinson O. Everett, Duke University professor of law and senior judge of the United States Court of Appeals for the Armed Forces, passed away during his sleep on June 12, 2009. He was 81.

Everett was one of the country's most prominent and respected authorities on military justice. He served on the U.S. Court of Appeals for the Armed Forces for 10 years as chief judge. His work as counsel to the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary in the 1960s helped lead to legislation that modernized the U.S. military court system.

A beloved member of the Duke Law community, Everett served on the school's faculty for 51 years. He taught courses in military justice, criminal law, sentencing, and criminal procedure. He taught his last class during spring 2009. Throughout his tenure at Duke Law, he was a kind and cheerful presence and a warm, caring mentor to students, many of whom got their first jobs with his help or sought his advice on life and work in the law.

"For so many Duke Law alumni, Judge Everett is Duke Law School," said David F. Levi, dean of Duke Law School. "He embodied the qualities of leadership and service in and through the law. He was a model of the citizen-lawyer. He made a difference to his community, his profession, and his country. His distinguished career as a law professor and judge has been an inspiration to faculty, students and alumni at Duke Law School for over 50 years. We will all miss his ready smile, his generosity of spirit, and his inexhaustible supply of ideas for new projects and new opportunities for students and for this Law School.

"Robbie had friends and admirers all over the country," Levi added. "Even before I came to Duke, I had heard that Judge Everett was a hero to many in the field of military justice. Once I became dean, I was struck by how many of our alumni also looked to Professor Everett for guidance and for example. The legal profession has lost one of its most distinguished members, and we have lost our great and good friend."

A Durham native, Everett was born on March 18, 1928, to two prominent local attorneys, Kathrine R. Everett, one of the earliest women graduates of UNC Law School (Class of 1920), and Reuben O. Everett, one of Duke University's first law students (Trinity Class of 1906). He graduated from high school in 1943, attended Phillips Exeter Academy for

one year, and in June 1944 enrolled at the University of North Carolina. Later, he transferred to Harvard University, where he was a Wendell Scholar and received his AB magna cum laude in 1947, at the age of 19.

In 1950, Everett graduated magna cum laude from Harvard Law School, where he had served two years on the Harvard Law Review. Everett began teaching at Duke Law School shortly after graduating from law school; at 22 years old, he was the youngest person ever to teach at Duke Law. He became a full-time member of the faculty in 1957 and gained tenure in 1967. In 1959, he completed a master's of law degree at Duke.

In 1951, Everett joined the U.S. Air Force. He served on active duty for two years during the Korean War in the Judge Advocate General's Department. Upon his release from active duty, he became a commissioner of the U.S. Court of Military Appeals. He was a member of the Air Force Reserve from the day he enlisted as a private in 1951 until April 1978, when he retired as a colonel.

In the fall of 1955, Everett returned to Durham to practice law and subsequently joined a firm with his parents. He often recalled as one of his proudest moments the day in 1954 when he was sworn into the U.S. Supreme Court Bar along with his parents. From 1955 to 1980 he was engaged in private law practice in North Carolina and at various times in the District of Columbia. He also was an officer of and counsel for various business organizations and nonprofit corporations.

His legal practice included administrative law; civil and criminal appeals; commercial real property; commercial litigation; construction litigation; zoning and land-use regulation. Everett also was actively involved in redistricting litigation. From 1992 to 2000 he was a plaintiff and attorney for the plaintiffs in North Carolina's congressional redistricting litigation; he argued four times before the U.S. Supreme Court in connection with the issue.

In 1956 Judge Everett published a textbook, *Military Justice in the Armed Forces of the United States*, and throughout his career he wrote numerous articles on military law, criminal procedure, evidence, and other legal topics. As associate editor of *Duke's Law and Contemporary Problems*, one of the nation's most respected law journals, he edited and prepared forewords for various symposia on many topics.

From 1961 to 1964 Judge Everett served part-time as counsel to the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, and from 1964 to 1966 he was a consultant for that subcommittee. During this period he participated actively in extensive studies and hearings that led to the enactment of the Military Justice Act of 1968, which created the position of military judge and formalized the military court system.

In February 1980, President Jimmy Carter nominated Everett to the U.S. Court of Military Appeals. He served as chief judge from 1980 to 1990, when he assumed senior status.

He returned to teaching at Duke Law School full time in 1990. In the classroom, he was known as much for his trademark black suit and yellow tie as he was for his courtly manner and consideration toward students. "I remind students and myself that law is a great profession that provides some wonderful opportunities for service to others and is also a means to a productive life," he recently said in an interview.

In 1993, Everett founded the Law School's Center on Law, Ethics, and National Security to support and encourage teaching and scholarly research on national security law topics and to host conferences and seminars in the national security field. His legal scholarship addresses issues relating to military justice, criminal procedure and redistricting, among other topics.

Everett was active in a leadership capacity in the North Carolina Bar, the American Bar Association and other local, state, and national bar organizations, and in the Durham community. He was a commissioner on Uniform State Laws and in various law reform efforts. A life member of the American Law Institute and of the National Conference of Commissioners on Uniform State Laws, Everett was a director of the American Judicature Society. He served on the advisory committee on the Federal Rules of Criminal Procedure and Evidence from 1988 to 1991, and from 1991 to 1993 he was a member of the Committee to Review the Criminal Justice Act of 1964 (the Prado Committee).

He received the American Bar Association's Morris I. Liebman Award in 2000, the John J. Parker Memorial Award from the North Carolina Bar Association in 2004, and the Professionalism Award from the North Carolina Chief Justice's Committee on Professionalism, among many other honors. He was the first recipient of the Judge Advocates Association's Life Service Award, which is now named for him.

An equally active civic servant at Duke Law School, Everett served on the now-defunct Private Adjudication Center board of directors and the Law Campaign Committee, and he chaired his Law Reunion Committee. In 1993, Judge Everett received the Charles S. Murphy Award for public service from the Duke Law Alumni Association. In 2008, he was honored with Duke's A. Kenneth Pye Award, in honor of his 50 years on the Duke Law School faculty. Everett provided substantial financial support to the Law School, taking a special interest in financial aid and student needs. His philanthropy included establishing the Reuben Oscar and Robinson O. Everett Scholarship Endowment at Duke Law School in 2002.

With myriad accomplishments to choose from, Everett consistently stated that his proudest moment was persuading his wife, Lynn McGregor Everett, to marry him in 1966. Everett is survived by Lynn and their three sons, Rob Jr., Greg, and Luke.

Funeral services will be held on Tuesday, June 16, at 11 a.m. at Durham First Presbyterian Church. Inquiries may be directed to the Clements Funeral Home, (919) 286-1224.

### 3. Durham Herald- Sun

<http://heraldsun.southernheadlines.com/durham/4-1169954.cfm>  
Law scholar Robinson Everett dies at 81

BY KEITH UPCHURCH: The Herald-Sun; 06/14/09

DURHAM -- Robinson O. Everett, whose brilliant legal mind led him to become the youngest person ever to teach law at Duke University and eventually elevated him to lead the nation's highest military appeals court, died during his sleep Friday. He was 81.

Mr. Everett, a Durham native who also had a private law practice, came from a family of lawyers. His grandfather and both of his parents were attorneys. His father, R.O. Everett, was one of the first five law students at Duke and practiced law for 66 years until his death at age 92. His mother, Kathrine Everett, who served on the Durham City Council, was one of the first women to graduate from the UNC School of Law. She practiced for 70 years, retiring at age 97.

Mr. Everett was one of the country's most prominent and respected authorities on military justice. He served on the U.S. Court of Military Appeals for 12 years, 10 as chief judge. His work as counsel to the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary in the 1960s helped lead to legislation that modernized the U.S. military court system.

Mr. Everett was on the university's Law School faculty for 51 years. He taught courses in military justice, criminal law, sentencing and criminal procedure. He taught his final class this spring.

"For so many Duke Law alumni, Judge Everett is Duke Law," said David F. Levi, dean and professor of law at Duke Law School. "He brought a smile to everyone's face. He remembered everyone's names. He was generous with his time and his counsel and provided me with invaluable guidance and friendship when I arrived at Duke two years ago. I am always surprised when I travel at how very many people knew and loved him and ask to be remembered to him. He leaves a unique and indelible legacy at Duke Law School, in Durham, and in the legal profession. He will be greatly missed."

Mr. Everett graduated from high school in 1943, attended Phillips Exeter Academy for one year, and in June 1944 enrolled at UNC Chapel Hill. Later, he transferred to Harvard University, where he graduated magna cum laude in 1947, at age 19.

In 1950, Mr. Everett graduated magna cum laude from Harvard Law School, where he had served two years on the Harvard Law Review. Mr. Everett began teaching at Duke Law School shortly after receiving his law degree. At 22, he was the youngest person ever to teach at Duke Law, and still holds that record. He became a full-time member of

the faculty in 1957 and gained tenure in 1967. In 1959, he completed a master's of law degree at Duke.

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Mr. Everett often said that his proudest moment was persuading his wife, Lynn McGregor Everett, to marry him in 1966. Mr. Everett is survived by his widow and their three sons, Rob Jr., Greg, and Luke.

Funeral services will be at 11 a.m. Tuesday at First Presbyterian Church in Durham. Clements Funeral Home is handling arrangements.