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January 19, 1978

Dear Juanita:

The President has asked me to respond to your letter of January 13th concerning the appointment of a circuit judge for the 4th Circuit Court of Appeals in North Carolina, and particularly your support for Kenneth Pye.

As you might be aware, we have established a procedure concerning appointments for the Court of Appeals in which a Nominating Panel is formed and the Panel then recommends 5 candidates to the Attorney General, who in turn forwards recommendations to the President. I note you have made your support for Mr. Pye known to Senator Morgan, and to Judge Bell, and we will keep your letter at hand for the time when the recommendations of the Nominating Panel and the Attorney General are made to the President.

With best wishes,

Sincerely,

[Signature]

[Name]
Assistant to the President

The Honorable Juanita M. Kreps
The Secretary of Commerce
Washington, D. C. 20230
DATE: JAN 17 78

FOR ACTION: HAMILTON JORDAN — ( ) CONCUR. ( ) NO COMMENT. ( ) HOLD; DO NOT FORWARD.

FRANK MOORE (LES FRANCIS)— sounds good, but should get pol. input in addition to Jim morgan, 'Ce Charlie Rose

INFO ONLY: JIM GAMMILL

FROM: RICK HUTCHESON WHITE HOUSE STAFF SECRETARY PHONE 456-7052

SUBJECT KREPS LETTER DATED 1/13/78 RE KEN PYE FOR CIRCUIT JUDGE FOR 4TH CIRCUIT COURT OF APPEALS IN NORTH CAROLINA

RESPONSE MUST BE DELIVERED TO THE STAFF SECRETARY

BY 1200 PM THURSDAY JAN 19 78

ACTION REQUESTED: YOUR COMMENTS

STAFF RESPONSE: ( ) I CONCUR. ( ) NO COMMENT. ( ) HOLD; DO NOT FORWARD.

PLEASE NOTE OTHER COMMENTS BELOW:
Dear Mr. President:

Recently I talked with Griffin Bell regarding the appointment of a circuit judge for the 4th Circuit Court of Appeals in North Carolina. Griffin suggested that because of my strong support of Kenneth Pye, I might talk with Senator Morgan and also write a letter of endorsement to you.

Ken Pye is an outstanding legal scholar who served for years as Dean of the Law School at Duke; he is now Chancellor of the University.

As Griffin will verify, he has true stature in the legal profession and is a widely recognized liberal with extraordinarily good judgment. He has had vast administrative experience and has learned to deal with a wide range of different legal issues, as well as broader educational and economic questions.

I strongly support Ken's candidacy because of his breadth of knowledge and experience and because of his sheer brilliance in legal affairs. Senator Morgan has assured me that he would vote for Ken's confirmation.

With my warm wishes,

Respectfully,

Juanita M. Kreps

Enclosure

The President
The White House
Washington, D.C.
20500
A. KENNETH PYE

Born: 1931, New York, New York

Marital Status: Married 1965, to the former Judith Hope King; one child, Henry Williams Pye, born 1969.

Education: Primary and secondary schools: Richmond, Virginia; Charleston, South Carolina; Buffalo, New York.

B.A. (summa cum laude) 1951, University of Buffalo; J.D. 1953, LL.M. 1955, Georgetown University.

Present Position: Chancellor, Duke University
Professor of Law, Duke University Law School

Previous Professional Experience:

Member, Government Appellate Division, Office of the Judge Advocate-General of the Army, prosecuting appeals from general courts-martial (1953-55)

Professor of Law, Georgetown University (1955-66); Director, Legal Internship Program (1960-61); Associate Dean (1961-66)

Of counsel, Chase and McChesney, Washington, D. C. (1956-59);
General litigation work.

Visiting Professor, Johann Wolfgang Goethe University, Frankfurt, am Main, Germany - summer of 1959; Duke University - spring, 1966; Banaras Hindu University - 1966-67; University of North Carolina - spring 1967; Loyola University (Los Angeles) - summer 1972; Monash University, Melbourne, Australia - 1974.

Associate Director, American Association of Law Schools Orientation Program in American Law (1965); Director (1968)


Dean, Duke University School of Law, 1968-70; 1973-76.


University Counsel, Duke University, 1971-74.

Civic and Professional Activities

Chairman, Committee to Supervise Rules Governing Appointment of Counsel in Criminal Cases, District of Columbia Court of General Sessions, 1961-64.

President, Board of Trustees, District of Columbia Bar Foundation, 1962-63, 1963-64.

Member, Board of Trustees, The Legal Aid Agency for the District of Columbia, 1963-66.

Chairman, Policy Committee of District of Columbia Bail Project, 1965-66.

Chairman, Board of Directors, District of Columbia Neighborhood Legal Services Project, 1964-66.


Chairman, Policy Board, Georgetown University Institute of Criminal Law and Procedure, 1965-66.

Member, Advisory Committee, American Law Institute, Model Code of Prearrangement Procedure, 1965-75.

Member, Board of Trustees, Law School Admission Test Council, 1968-70.

Member, Board of Directors, National Legal Aid and Defender Association, 1968-72.

Chairman, Task Force on Apprehension and Suppression, Governor's Committee on Law and Order, North Carolina, 1969-71.

Co-Director, American Bar Association Commission on Campus Government and Student Dissent, 1969-70.


Chairman, A.B.A. Section on Criminal Law, Committee on Criminal Law Problems in Civil Disorders, 1971-72, 1974-75.


Chairman, AALS Committee on Participation in Judicial Selection 1972; Member, Board of Directors, Council on Law Related Studies, 1970-75.

Advisory Committee, National College of the State Judiciary, 1972-73.

Member, Executive Committee, Association of American Law Schools, 1971-73.

Member, Advisory Committee on Legal Services, California State Office of Economic Opportunity, 1972.

Member, Board of Editors, *Law and Contemporary Problems*, 1969--.


Member, Advisory Committee for Contemporary Legal Education Series, The Bobbs-Merrill Company, 1970--.

Member, Council on Criminal Justice, American Bar Association, 1975-76.

Chairman, ABA Section on Criminal Justice, Committee on Exclusionary Rule, 1974-75.

Member, ABA Section on Legal Education and Admission to the Bar, Accreditation Committee, 1974-75.

Chairman, Association of American Law Schools, Committee on Resources of Legal Education, 1973-75.

Member, Task Force on Terrorism and Civil Disorders, LEAA, 1975.

President, Association of American Law Schools, 1977-78.

Member, Commission to Study the West Point Honor System, 1976.

**Memberships:**

- American Law Institute
- Phi Beta Kappa
- Phi Delta Phi
- American Bar Association
- North Carolina Bar Association

**Past Consultantships:**

- Office of Economic Opportunity; Department of Health, Education and Welfare; National Science Foundation; National Advisory Commission on Civil Disorders; National Council of Juvenile Court Judges; Law Enforcement Assistance Administration.
PUBLICATIONS
A. KENNETH PYE

Book:
STATUS OF FORCES AGREEMENTS AND CRIMINAL JURISDICTION (1957)
(with J. M. Snee).

Monographs:
REPORT OF THE ACTUAL OPERATION OF ARTICLE VII OF THE NATO STATUS
OF FORCES AGREEMENT (1956) (with J. M. Snee).

A PRELIMINARY SURVEY OF THE FEDERAL PROBATION SYSTEM (1962) (with
J. M. Snee and G. W. Shadoan).

REPORT OF THE AMERICAN BAR ASSOCIATION COMMISSION ON CAMPUS
GOVERNMENT AND STUDENT DISSENT (1970) (Co-Director with W. W.
ALSTYNE).

MEETING THE NEEDS FOR LEGAL EDUCATION IN THE SOUTH (Southern Regional
Education Board, 1973, 1975)

Articles (1956-1975)
The Legal Status of the Korean Hostilities, 45 Geo. L. J. 45 (1956).

Due Process in Criminal Procedure: A Comparison of Two Systems, 21

Lawyer Intern Program Planned at Georgetown, 18 Brief Case 131 (1960)

Legal Internships: Georgetown's Experiment in Legal Education, 49


Effects of Foreign Criminal Judgments In The United States, 32 U.M.K.C. L.
Rev. 114 (1964), published simultaneously in 1964 Revue International de
Droit Penal.

Television, Press and the Courts, A Symposium (with N. L. Wulf, W. E.


The Involvement of the Bar in the War Against Poverty, 41 N. D. Law 860 (1966) (with R. F. Garraty, Jr.)


The Role of the Judiciary and The Bar in the Modern Democratic State, 3 Banaras L. J. 81 (1967).

American Criminal Procedure From A Comparative Viewpoint, 1966-67 Indian Yearbook of International Affairs 300.


Law and the Liberal Arts, Learning and the Law 100 (Fall, 1974).


Book Reviews

Everett, MILITARY JUSTICE IN THE ARMED FORCES OF THE UNITED STATES, 9 J. Legal Ed. 135 (1956).


Rosenberg and Weinstein, ELEMENTS OF CIVIL PROCEDURE, 16 J. Legal Ed. 358 (1964).


NEW DIRECTIONS IN LEGAL EDUCATION, Duke L. J. 899 (1973).

Class Materials

Softback materials in lithograph form in Common-law Pleading, Civil Procedure, Criminal Procedure, Criminal Law, Domestic Relations, Evidence