

to make an end-of-year rally for team

Surprisingly, however, the effort hasn't received many donations less than \$100. Missing are the \$15, \$20 and \$25 donations from people in Edenton.

One of the driving factors behind the Community Foundation's effort to purchase the Steamer is to instill a sense of "public ownership" in the community, the feeling that the team belongs to Edenton and the Steamer fans. To emphasize that, the Foundation plans to use any profits from operating the Steamer (possibly \$10,000 to \$15,000 a year) to bolster youth athletics in Chowan County.

Now it's time for the community to rally around the Steamer to ensure that the Community Foundation's effort to buy the team succeeds. The group needs to raise \$100,000 by early next year to seal the deal for the team.

Last season the Steamer averaged about 1,000 fans for their 25 home games, for a season attendance around 25,000. Allowing for the fact that many fans probably went to several ball games throughout the season, the number of different individuals who came to the stadium at least once last summer might be closer to 10,000 to 15,000,

though there's really no way to estimate for sure.

Still if you look at those numbers and figure if every fan sent in just a donation of between \$5 and \$10, the Steamer would be Edenton's by Christmas.

A donation to the effort to buy the Steamer is like reserving a right to watch baseball every summer; and for the price of about \$10, that's a pretty good bargain. This time, the Steamer need the fans to pull off a late-inning rally for them.

And any ball player can tell you a rally takes everyone in the lineup

- homerun hitters (i.e. big donors) and singles hitters (i.e. small donors). The names of all donors, whether they give \$1 or \$1,000, will be listed in the Steamer program next year.

To make a donation to the Edenton-Chowan Community Foundation, see the advertisement on page 2B of today's Chowan Herald. It includes helpful information about the Edenton-Chowan Community Foundation's effort to buy the Steamer. It also has a return slip to mail in with any donation. For more details, contact (252) 482-4080.

food for thought



RALEIGH - Last year, one of the state's lowest performing schools, as determined by the state's ABCs of Public Education program, improved immensely. Almost half of its students performed at grade level or above on end-of-grade tests. The previous year, only one-third had fared that well.

For such a considerable gain in academic performance, the school was designated as an "exemplary" school for academic growth and gain, and it was tabbed as one of the state's "top 25" schools. And, of course, people got to saying that the school was an "exemplary school," in the "top 25," and wasn't that wonderful. Until they looked again and noticed that more than half of the student body STILL wasn't performing at grade level.

That's when public education critics and parents began calling the ABCS program a sham. The State Board of Education, recognizing that it has a public relations problem with such inflated awards, is re-thinking its nomenclature, and the point at which a school is considered to be low performing.

"Some people think we shouldn't be calling a school 'exemplary' until at least half of the students perform at grade level," Phil Kirk, chairman of the State Board, said sarcastically at a recent legislative hearing.

In fairness to the State Board, it hasn't called any school "exemplary." Rather, it rewards schools for "exemplary growth" in academics. That means that the school is making big improvements, but it can also mean that the school still has a large percentage of underperforming students. Others, mostly local officials and the media, confuse the matter by calling them "exemplary schools." That's likely to create confusion with the very best schools, those that see 90 percent of their students performing at grade level. The Board calls them "schools of excellence."

In an attempt to end the confusion, the State Board has already discontinued use of the terms "top 25" and "top 10" to describe the elementary and high schools that, respectively, experience the greatest improvement every year. Now they are simply recognized as the Most Improved Schools. Adjustment of the "exemplary" tab may be next.

Kirk told legislators that it might be best to deny the exemplary growth award to any school that still has not passed the 50 percent grade level performance mark. Taken together, the terms create the impression that the State Board is trying to pull the wool over our eyes, to make it look like our schools

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State tackles thorny issue of lawyer monopoly

BY GEORGE C. LEFF

RALEIGH - Every state except Arizona has a law prohibiting "unauthorized practice of law," which keeps the market for legal services entirely within the control of the legal profession. Only licensed attorneys are allowed to do anything that falls under the vague concept of "the practice of law." Bar organizations don't like competition on their turf, and they often use those

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laws aggressively to stamp out competition. But in Texas such efforts backfired this summer.

The State Bar of Texas had been especially vigorous in seeking to prevent competition from driving down the billable hours of its members. Last year it instituted two lawsuits against firms that sell legal self-help books and software. One was against Nolo Press, a California publisher of a wide array of books and computer software designed to assist the layman in handling his own legal affairs. The other was against Parsons Technology, an Iowa company that produces "Quicken Family Lawyer," software that helps non-lawyers navigate the shoals of the law. Nolo and Parsons products cost around \$30, an amount that buys very little of a lawyer's time.

Arguing that the books and software transgress the boundary between simply giving information about the law (OK) and giving people advice (illegal), the Texas Bar's Unauthorized Practice Com-

mittee dragged the companies into court. The Parsons case was decided first, when federal district judge Barefoot Sanders ruled in January that Quicken Family Lawyer was illegal. He brushed off the defendant's argument that the First Amendment protects the right to sell such products. That argument had prevailed in the Second Circuit in 1967 when the New York Bar tried to block the sale of Norman Dacey's How to Avoid Probate!, but Judge Sanders ruled that Texas' statute was a reasonable, "content-neutral" restriction on the press and therefore constitutional.

There was no evidence that any person had been harmed by the use of Quicken Family Lawyer, but

proof of harm is never required in unauthorized practice cases. Nor did it matter that the software was written by lawyers and checked for compliance with differing state laws. Competence is no defense to the charge that you've given "unauthorized" legal assistance.

Having found Parsons in violation of the law, Judge Sanders issued an order prohibiting the sale of its legal self-help products in the state.

In Nolo's case, the company succeeded in taking its case directly to the Texas Supreme Court, which heard arguments last October. Months went by without a decision. Meanwhile a storm of protest blew up like a Texas twister. Citizens who did not want to be deprived of what they regarded as a good, low-cost alternative to hiring a lawyer made their wishes known to state legislators.

Rep. Jim Wolens introduced a bill (HB 1507) to amend the Unau-

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Common SENSE



What does the George W. Bush presidential campaign have in common with Microsoft?

Both of them have achieved a monopoly. Microsoft in the field of operating systems for personal computers. Bush in the field of political fundraising in the race for the Republican presidential nomination.

Both monopolies have driven out the competition - and, as a consequence, have limited the public's alternatives.

Both monopolies raise a question about whether something ought to be done to "open up the marketplace."

Should Microsoft be broken up? Or should it be required to share its "Windows" operating system with its competitors?

Should Bush be limited in the amount of money he can raise and spend? Or should a system of public campaign finance support provide his competitors with enough resources to maintain a "level playing field."

Both Microsoft and Bush would argue that their monopolies have been earned fairly - and that their success benefits the public.

How have these monopolies been achieved?

I won't even try to answer this question as it relates to Microsoft, but I am going to try to outline some of the reasons George W. Bush has become America's most successful political fundraiser.

Reports show that he has already put well over 50 million dollars in the bank - far outstripping any other Republican contender. His "monopoly" position helped scare off Elizabeth Dole - and is keeping every other legitimate contender out of the Republican race for next year's presidential nomination.

You would have to think that there is something sinister about Bush's fundraising. But, except for the taint that is attached to almost all political fundraising, Bush's success appears to be clean.

Let's look at how and why he got his money - and so much of it.

There are several factors that explain how most money for political candidates is raised.

First, money rolls in for a candidate who appears to be a winner. (That is why Jim Hunt was able to raise a lot of money from staunch Republicans.)

They wanted have an "in" with Hunt, even if he wasn't their real first choice.)

Second, money rolls in for the opponent of the candidate or cause that people hate with a passion. (That is why whoever runs against Senator Helms can raise a lot of money. And it is why Senator Helms

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