

Kennedy brothers named Lawyers of the Year

By ROBIN BARKSDALE
Chronicle Staff Writer

Hours in front of the television act as youngsters, watching "Perry Mason" and "Judd for the Defense," have paid off for Harold and Harvey Kennedy. The twins got an extra surprise on their birthday when they were named the Lawyers of the Year by the North Carolina Association of Black Lawyers.

Harold L. Kennedy III and Harvey L. Kennedy III were recognized June 25 during the organization's annual convention. The award, the highest honor given by the association, recognizes lawyers who have made outstanding contributions in their field for the year.

"It was a tremendous feeling," Harold said of the brothers' award. "It is a great honor to be honored by the North Carolina Association of Black Lawyers."

The award comes on the heels of a year during which the Kennedys were involved in several prominent cases. Throughout their careers, they also have argued cases which have resulted in landmark decisions in North Carolina. Currently, the pair has a case pending before the U.S. Supreme Court.

One of the reasons we received the award was because of the cases we have been working on," said Harvey, who is two minutes younger than his brother. "A lot of those cases have resulted in new laws in North Carolina."

The Supreme Court case, Brenda Patterson vs. McLean Credit Union, will be re-argued before the court in the fall. The Kennedys said the case is significant because it involves racial harassment and, more importantly, because it could help to preserve privileges awarded under the Runyon vs. McCrory decision. That decision, the Kennedys said, "opened things up" for Afro-Americans.

Harold said that the facts of that case represent one of the major threats to equality in the country's workplaces.

"Trying to run blacks off of their jobs is one of the worst forms of discrimination," he said. "I think

most Americans would probably be very appalled at the racial harassment that is practiced on some jobs."

The Kennedys report also that instances of racial harassment occur more frequently than the public is made aware of, but that several factors often prevent them from coming to light.

"A lot of cases get lost in the system," Harold said. "If the court rules in favor of Brenda Patterson, you'll see more types of these cases tried in the courts."

The case already has attracted the attention and support of civil rights advocates across the nation. The Kennedys said that 119 mem-

-- Harold L. Kennedy III

bers of the House of Representatives have come out in support of upholding the Runyon-McCrory decision in the case. The attorney generals in all of the southern states also have supported the Kennedys' position in the Patterson case.

The Kennedys also tried a case of sexual harassment in 1986 which resulted in the highest jury award ever given in the state at the time. The jury, in the case of Comatzer vs. Forsyth Country Club, awarded \$900,000 to the plaintiff.

One of the Kennedys' other landmark cases involved a decision handed down against the Housing Authority of High Point, a case which resulted in the establishment of several new laws in the state. The case became the first case in North Carolina where the state's Supreme Court said that persons could receive punitive damages against a municipal company for wrongful death. The ruling also made it easier for tenants to sue landlords. But, Harold said, for Afro-Americans, the decision in the case had even more important results.

"It was a civil case, but it affected the lower court because it was decided that lawyers could not use pre-emptory challenges to take blacks off juries," he said. "That practice violated the North Carolina Constitution. It is so important that blacks feel that they're going to get a fair trial."

Harold said that the decision in

the case, with regard to pre-emptory challenges, meant that lawyers no longer could arbitrarily remove Afro-Americans from the jury because of their race.

The Kennedys, who both received their undergraduate degrees from the University of North Carolina at Chapel Hill, said that while their firm handles "a wide variety of law," they specialize in trying civil litigation cases. That category, they said, includes medical malpractice, sexual harassment, insurance "bad faith" cases, negligence cases, wrongful death and workers' compensation cases.

"We enjoy practicing law and helping people who have been wronged by other people or large corporations," Harold said.

Harvey, who received his law degree from Harvard University, joined his parents' law firm in 1977; Harold, who received his law degree from the University of Michigan Law School, joined the firm in 1978, after spending a year with the NFL Players' Association.

Both said that there was never any doubt about the careers they would pursue.

"We grew up in a home where law was very much a part of our lives," Harold said. "We used to watch all kinds of those lawyer shows, like Perry Mason and Judd for the Defense. We always knew that that's what we wanted to do."

"When we were growing up we also used to go down to the courtroom and watch the lawyers try

cases," Harvey said. "It was the most exciting thing for us at that time."

The twins said also that being able to come into their parents' law firm has been an additional bonus in their careers. Their parents, Harold Kennedy Jr. and Annie Brown Kennedy, they said, provide them the opportunity to practice with attorneys who have had years of experience in practicing law.

"It's very beneficial when you can work with your parents -- people who have had a lot of experience," Harold said. "It's the ideal law practice when young lawyers can work with experienced lawyers."

When not in the courtroom, the brothers spend time participating in several activities and organizations within the community. They also have a passion for travelling, which has taken them across the country and to vacation spots outside of the country.

Harvey said that their mother worked closely with them on many of their major cases. He said also that the credit for their selection as lawyers of the year must be shared by several people.

"We've had tremendous support from people in other areas, like black doctors, psychologists, psychiatrists and other professionals. They've all been very helpful to us in trying cases," Harvey said. "This award also is really more of a firm award because of the support we've had from our parents."

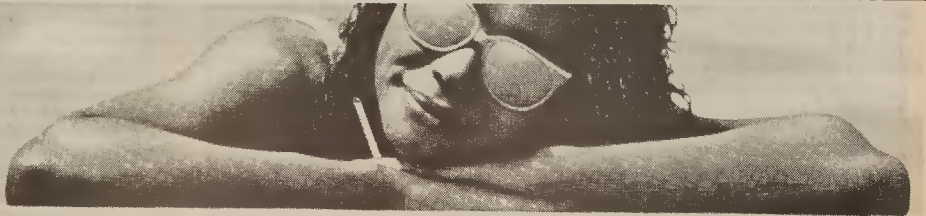


photo by Mike Cunningham

Top Honors

Lawyers Harold, sitting, and Harvey Kennedy recently were named Lawyers of the Year during the N.C. Black Lawyers Association convention. The recognition is the association's highest honor.

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Loans available for E. Winston businesses

By VALERIE ROBACK GREGG
Chronicle Staff Writer

The city loan program for small businesses located in the city's downtown area now includes businesses in parts of East Winston, city Economic Development Coordinator Frieda Williams said Monday.

Small businesses located -- or who wish to locate -- in East Winston districts labelled "pockets of poverty" can apply for a loan between \$1,500 and \$30,000. The money can be used to buy property for economic development purposes, to use as working capital or operating funds, or to buy, construct or renovate commercial buildings and equipment. The maximum term for the loan is five years at a 7 percent yearly interest rate.

Qualifying small businesses must have a maximum net worth of \$6 million and a net profit, after taxes, averaging less than \$2 million during the two previous years. Preference will be given to businesses with a good credit rating, but the city will consider applicants with a history of accounts up to 30 days past due. Applicants with

bankruptcy or repossessions on their credit report will, in most cases, be ineligible.

To apply for an economic development loan, borrowers must submit an application specifying the loan amount, purpose, collateral, and source of loan repayment to the city Economic Development office.

Areas designated as pockets of poverty must house at least 10,000 people or 10 percent of the city's population. At least 70 percent of the residents must have an average income below 80 percent of the city's median income, and at least 30 percent of the residents must have incomes below the national poverty line, according to Joseph J. Sausser, city housing planning coordinator.

Other factors include the age of the area's housing, a high vacancy rate, the low-income level of residents, the condition of available housing, and the presence of low- and moderate-income households living in substandard housing units. The requirements were defined by the federal Department of Housing and Urban Development, the Treasury Department and the North Carolina Department of Housing Financing.

School board From Page A1

American woman who is assistant to the superintendent.

School officials said, however, that they did not want to name an acting superintendent who might ultimately apply for the permanent position.

About 30 Afro-American community leaders turned out for a special school board meeting a few weeks ago, during which time the board discussed the process for selecting a new superintendent. Public input was not allowed at that time.

Salem

THE REFRESHMENT

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