

# **APPENDIX F**

## ***Annual Meeting Resolutions***

### **1978**

#### **1. ERA:**

BE IT RESOLVED that NCAWA does hereby support the passage of the Equal Rights Amendment by the NC General Assembly.

### **1979**

#### **2. REPRODUCTIVE FREEDOM:**

BE IT RESOLVED that NCAWA does hereby endorse the right of all women to exercise their reproductive freedom to carry their pregnancies to term with adequate pre-natal care or to have an abortion.

### **1980**

#### **3. DAY CARE:**

A. BE IT RESOLVED that NCAWA does hereby endorse the proposed amendments to state child day care licensing laws to provide for a consumer majority on the Child Day-Care Licensing Commission; create 3 grades of licenses; require new staff education and post employment training standards; set out better space and child-staff ratio regulations; and allow for a civil penalty for violations.

B. BE IT HEREBY RESOLVED that the Standing Committee on Government Action in conjunction with the Governing Board and other committees of the NCAWA, be directed to take those steps it deems necessary to implement the Association's endorsement. Such implementation could include, but is not limited to, educational activities directed toward the Bar and members of the lay public, combining efforts with other organizations supporting this legislation, activities directed toward mobilizing individual efforts, such as letter writing, on the part of the membership, and publicizing the NCAWA's position on this matter. The Standing Committee on Government Action is specifically not authorized to contribute NCAWA funds directly to this effort.

#### **4. EQUITABLE DISTRIBUTION:**

A. BE IT HEREBY RESOLVED that NCAWA does endorse the right of marriage partners to an equitable distribution of property upon dissolution of marriage.

B. BE IT HEREBY RESOLVED that the Standing Committee on Government Action in conjunction with other committees of the Association, be directed to take those steps it deems necessary to implement the Association's endorsement. Such implementation could include, but is not limited to, educational activities directed toward the Bar and members of the lay public, joint work with the NC Center for Laws Affecting Women, activities directed toward mobilizing individual efforts, such as letter writing, on the part of the membership, and publicizing the Association's position on this matter. The Standing Committee on Government Action is specifically not authorized to contribute NCAWA funds directly to this effort.

### **1982**

#### **5. DOMESTIC VIOLENCE:**

BE IT RESOLVED that NCAWA does hereby endorse the permanent funding for maintaining domestic violence programs through the State of North Carolina.

#### **6. ERA:**

WHEREAS the NCAWA endorsed the proposed Equal Rights Amendment to the United States Constitution in 1978 and maintain need for the amendment is still needed:

AND WHEREAS, the passage of the Equal Rights Amendment to the United States Constitution was not ratified;

AND WHEREAS, equality of rights of women in North Carolina would be furthered by an Equal Rights Amendment to the North Carolina Constitution;

BE IT RESOLVED the NCAWA does hereby endorse an Equal Rights Amendment to the North Carolina Constitution.

BE IT FURTHER RESOLVED that the Governing Board of NCAWA assess the sentiments of the active women's groups in North Carolina before undertaking any concerted activity on behalf of an Equal Rights Amendment to the North Carolina Constitution.

#### **7. WOMEN PRISONERS:**

BE IT RESOLVED that the NCAWA does hereby endorse the right of women imprisoned in North Carolina to equal opportunities in care during their periods of confinement by providing equal, adequate, safe and sanitary facilities; equal and adequate

medical and psychiatric treatment; eligibility for and equal access to recreational, educational and vocational programs; equal access to parole, work and study release programs; facilities and programs to provide for infant and child care and relationships; and access to equal legal library facilities.

**8. PUBLIC BENEFITS:**

WHEREAS, the Legislative Research Commission's Committee on Women's Needs concluded in its report to the 1982 North Carolina General Assembly that:

*Poverty in North Carolina is becoming increasingly feminized. Although most households are headed by men, fifty percent of the households in North Carolina below the poverty level are headed by women. As women are getting older, they are getting poorer. Additionally, with the reduction in federal financial assistance, women, especially women with dependent children, will experience a reduction in their already meager income.*

WHEREAS, North Carolina provides the forty-second lowest amount of Aid to Families with Dependent Children of any state in the country (\$176 for a mother and one child);

WHEREAS, many needy recipients of food stamps, Medicaid, Medicare, Social Security and Aid to Families with Dependent Children have had their benefits drastically reduced or eliminated through federal budget cuts;

BE IT RESOLVED that the NCAWA does hereby endorse the enactment of State and Federal laws and regulations governing the provision of public benefits (e.g. food stamps, Medicaid, Medicare, Social Security, AFDC, and General Assistance) which will maximize the benefits to persons in need of assistance.

**9. CHILD SUPPORT:**

WHEREAS, women are the custodial parents for the vast majority of children being raised in one-parent families;

AND WHEREAS, a state and national problem exists in establishing and enforcing the child support obligations of the fathers of these minor children;

AND WHEREAS, these single female parent households are facing economic deprivation due to discriminatory salaries and massive budget cuts in benefit programs;

AND WHEREAS, legislation affecting child support is expected to be presented to the 1983 General Assembly;

THEREFORE BE IT RESOLVED that the NCAWA direct its Government Action Committee to examine proposed legislation and assist in the passage of child support legislation to establish a more efficient and effective system for the collection of child support.

**10. INTERNAL RESOLUTION:**

WHEREAS, the NCAWA has endorsed and passed certain resolutions at its 1982 annual meeting;

AND WHEREAS, the Standing Committee on Government Action in conjunction with the Governing Board and other committees of the association should take steps necessary to implement the Association's endorsements:

BE IT RESOLVED that the Standing Committee on Government Action in conjunction with the Governing Board and other committees of the Association, be directed to take steps it deems necessary to implement the Association's endorsement. Such implementation could include, but is not limited to, educational activities directed toward the Bar and members of the lay public, joining forces with other organizations and/or coalitions, activities directed toward mobilizing individual efforts, membership and lobbying efforts. The Standing Committee on Government Action is specifically not authorized to directly contribute NCAWA funds to these efforts.

**1983**

**11. ALIMONY ORDERS ON APPEAL:**

BE IT RESOLVED that NCAWA supports passage of House Bill 790 which would provide that alimony orders which have been appealed to the Appellate Division are enforceable by the trial court for civil contempt during the pendency of the appeal.

**12. ALIMONY FACTORS:**

BE IT RESOLVED that NCAWA supports passage of House Bill 141 which would add "educational, professional and career goals" to be considered by the court in awarding alimony.

**1985**

**13. REPEAL OF SALES TAX ON FOOD:**

WHEREAS, the Legislative Research Commission concluded in 1982 that poverty in North Carolina has been increasingly feminized:

WHEREAS, more families with dependent children are headed by women than ever before;

WHEREAS, sales taxes in general disproportionately affect people with low or fixed incomes; and

WHEREAS, food is essential for survival;

BE IT RESOLVED that the NCAWA does hereby endorse the repeal (or reduction) of the North Carolina sales tax on food.

**14. PREVENTION OF INFANT MORTALITY:**

WHEREAS, North Carolina has the fourth highest rate of infant mortality in the nation; and

WHEREAS, infant mortality is highest in areas where prenatal care and maternal nutrition are poorest;

BE IT RESOLVED that the NCAWA hereby endorses legislation which will create programs and/or provide funding for existing programs designed to reduce the rate of infant mortality.

**15. DOMESTIC VIOLENCE:**

WHEREAS, in 1982 NCAWA resolved to endorse permanent funding for domestic violence programs in the State of North Carolina; and

WHEREAS, the need for such programs has continued and expanded;

BE IT RESOLVED that the NCAWA does hereby reaffirm its 1982 resolution and further, does endorse legislation which will expand such programs as needed and which will specifically create more shelters and programs to train, educate [sic] and provide support for victims of domestic violence, and which will create more programs designed to prevent domestic violence.

**1986**

**16. TORT REFORM:**

WHEREAS, representatives of health care-givers and insurers have indicated that they presently face a financial crisis of major proportion which they attribute to the legal mechanisms by which damages are paid to those suffering as the result of the negligence of others, particularly in the realm of medical malpractice; and

WHEREAS, this crisis has given rise to proposals in the North Carolina General Assembly which would significantly alter the procedures and reduce the compensation for injured plaintiffs in such cases; and

WHEREAS, proposals for sweeping changes in the civil tort system are presently under study and are generally opposed by major bar organizations as premature and inadequately understood; and

WHEREAS, reductions in the available funds to compensate victims of negligent injury or death will significantly and adversely affect the families and care-givers of those victims, and that, this effect will fall disproportionately upon the women in these families, who more often than not are the ones responsible for caring for the disabled and the surviving children and parents of those deceased; and

WHEREAS, NCAWA is composed of those who are both women and lawyers, and to whom this issue is of pressing concern;

THEREFORE, BE IT RESOLVED, that NCAWA opposes major changes in the civil tort systems, unless such changes can be proven to be necessary and possible without sacrificing the efficient administration of justice, and without sacrificing fairness to victims in order to satisfy the desires of special interest groups.

After this resolution was adopted, the membership adopted the following:

To implement this resolution, the Governing Board and Government Action Committee shall recognize that our highest priorities include:

1. Preservation of the right to trial by jury;
2. Preservation of the present right of victims and their families to be made whole;
3. Support of requirements that the insurance industry provide to the Insurance Commissioner full and accurate disclosure of financial records necessary for determination of equitable insurance rates;
4. Support of alternative methods to tort reform to ensure that all pregnant women have access to physicians for pre-natal care and delivery.

**17. WORKER'S COMPENSATION:**

WHEREAS, the Worker's Compensation Act is the exclusive remedy for the families of workers injured or killed on the job; and WHEREAS, the law presently provides, in Chapter 97, that benefits can be paid directly to the widows and children of deceased workers, but not in the same manner the children of workers or their parents who were not married to the deceased worker; and

WHEREAS, the law also provides that a person who can be proven to have been actually dependent upon a deceased worker, but was not married, cannot recover benefits; and

WHEREAS, these provisions unfairly discriminate against women and children and all workers in the applicable categories;

THEREFORE, BE IT RESOLVED that NCAWA supports change in the provisions of the Worker's Compensation Act which unfairly discriminate against unmarried persons and their children in the allowance of benefits.

**1988**

**18. ISSUES OF WOMEN'S LEGISLATIVE AGENDA:**

WHEREAS, the NCAWA has been and continues to be an active participant in the North Carolina Women's Legislative Agenda and was instrumental in creating the Draft Legislative Agenda; and

WHEREAS, the February 1988 Statewide Conference of the Agenda identified five major issues of concern to the women of North Carolina:

1. Women in poverty -- their need for more money, good jobs, child care and housing;
2. Pregnancy -- especially as it affects poor and teen women;
3. Improved child care options;
4. Care for the elderly;
5. Collection of child support; and

WHEREAS, Regional Task Force Meetings have examined the facts and issues set out in the Draft Agenda to further refine the needs and ideas of North Carolina women; and

WHEREAS, with substantial input from members of the NCAWA, the Draft Agenda will be rewritten and republished in January, 1989, to include the findings of the Regional Task Force Meetings;

NOW THEREFORE, BE IT RESOLVED that the NCAWA endorses the legislative issues as currently identified by the North Carolina Women's Legislative Agenda and authorizes the Board, in its discretion, to endorse the issues as finally identified for the 1989 legislative session, and to work for the enactment of appropriate legislation and for the education of women at the local level on these issues and on the legislative lobbying process.

**19. ATTORNEY'S FEES IN EQUITABLE DISTRIBUTION:**

WHEREAS, one party in a marriage may not have financial resources available during a separation with which to retain the services of an attorney; and

WHEREAS, the statutes currently do not allow for an award of attorney's fees in equitable distribution cases; and

WHEREAS, the lack of funds to hire an attorney by one party places the parties in unequal positions; and

WHEREAS, the parties are each entitled to equitable distribution of the marital estate;

THEREFORE BE IT RESOLVED that NCAWA supports legislation to award payment of attorney's fees by the spouse with significantly more financial resources to the other spouse, where that party is unable to otherwise afford an attorney, to allow the parties to be in equal positions.

**20. ELDER AND HANDICAP ABUSE/50B:**

WHEREAS there is a growing population of elderly persons and persons with physical and mental disabilities in North Carolina; and

WHEREAS many of these persons are living in family situations with children or relatives; and

WHEREAS there is a growing and shocking trend of abuse of the elderly and persons with physical and mental disabilities by members of the person's household; and

WHEREAS current domestic violence statutes do not reach these situations;

THEREFORE BE IT RESOLVED that NCAWA supports the enactment of statutes similar to NCGS 50-B to provide protection of elderly persons and those persons with physical and mental disabilities from abuse within the scope and intent of the statutes.

**1991**

**21. FACTORY SAFETY:**

WHEREAS NCAWA is concerned that the State of North Carolina appears to be devoting too few resources to safety inspections of factories in which women are the principal employees;

WHEREAS the recent tragedy in Hamlet is but one manifestation of the problem;

BE IT RESOLVED that NCAWA urges legislative and administrative regulations and adequate funds to address this problem.

**1992**

**22. ACCESS TO HEALTH CARE:**

BE IT RESOLVED that NCAWA supports, in principle, improving access to health care for all citizens of North Carolina. The Governing Board, upon recommendations of the Committee on Government Action, may take positions consistent with this resolution on proposed legislation which impacts access to health care.

**23. EXTENSION OF STATUTE OF LIMITATIONS FOR CHILDHOOD SEXUAL ABUSE:**

BE IT RESOLVED that NCAWA supports legislative reform which would extend the statute of limitations for civil actions to provide a meaningful remedy for survivors of childhood sexual abuse.

**1994**

**24. CALENDARING OF COURT CASES BY SUPERIOR COURT JUDGE:**

WHEREAS, the current court rule provides for the calendaring of court cases by the District Attorney, but the new rule would move the calendaring of cases to the Superior Court Judge;

WHEREAS, this power to set the calendar has an effect on women, especially in domestic violence cases where the parties often do not show up at court, and in sexual offense cases where it may be politically easier to dismiss a case.

BE IT RESOLVED that the NCAWA supports a court calendaring rule change that would provide that the control of the court calendar be removed from the District Attorney; and that this control of the court calendar be given to the Chief Resident Superior Court Judge or the Trial Court Administrator, with a statutory mandate that the trial of cases be expedited as currently required of the District Attorney.

## 1995

### **25. PRO BONO ATTORNEYS FOR LOW-INCOME WOMEN:**

WHEREAS, there is an increasing unmet need for pro bono attorneys for low-income women in North Carolina, particularly in the area of protection from domestic violence; therefore

BE IT RESOLVED, that the members of NCAWA will strive to personally represent at least one low-income woman each year, pro bono, in any matter which might include obtaining domestic violence protective orders.

### **26. DOMESTIC VIOLENCE PROTECTIVE ORDERS:**

WHEREAS, domestic violence protective orders under N.C.G.S. 50B must be for a fixed period of time, not to exceed one year;

WHEREAS, expiration of a 50B order within a year terminates all of its provisions, including custody and child support;

WHEREAS, expiration of such orders can work a severe hardship on women and children; therefore

BE IT RESOLVED, that NCAWA supports removal of the one-year limitation on 50B orders.

### **27. PROTECTION OF DOMESTIC VIOLENCE VICTIMS:**

WHEREAS, domestic violence is a threat to women, children and society as a whole, therefore

BE IT RESOLVED, that NCAWA supports all laws and remedies to prevent domestic violence and protect its victims.

## 1998

### **28. PRO BONO SERVICE**

WHEREAS pro bono programs play a vital role in providing equal access to justice in this country and state; and

WHEREAS federal funding for legal services to the poor has been drastically reduced; and

WHEREAS the need for legal services by low income people is far greater than the resources now available to meet that need.

BE IT RESOLVED that the members of NCAWA encourage pro bono and community involvement consistent with the American Bar Association pro bono guidelines. Implementation of this resolution includes, but is not limited to: encouraging NCAWA members to accept and fulfill a minimum of twenty hours of free legal service per year; encouraging our law firms and employers to provide pro bono programs; encouraging financial contributions to community organizations providing pro bono services; supporting legislative efforts to fund legal services; participating in community legal education and community economic development; participating in CLE programs that involve issues which primarily affect low income people; and recognizing the good works of NCAWA attorneys and community members.

### **29. ELIMINATION OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION**

WHEREAS the origin of the torts, alienation of affection and criminal conversation is the anachronistic philosophy that women were property; and

WHEREAS this philosophy is inconsistent with the sound principle that women are full and equal partners in marriage; and

WHEREAS these torts are inconsistent with North Carolina's public policy embodied in its laws of no fault divorce; and

WHEREAS, the litigation of these torts contributes to the conflict between marital partners and has a detrimental impact on the family.

BE IT RESOLVED the members of NCAWA shall seek to abolish the torts of alienation of affection and criminal conversation in North Carolina.

## 1999

### **30. HATE CRIMES**

WHEREAS, violent crime is abhorrent and violent criminal acts based on a person's group membership are particularly unacceptable in a civil society; and

WHEREAS, NCGS §§14-3(c), 14-401.14, and 15A-1340.16(d) refer only to ethnic intimidation based on race, color, religion, nationality or country of origin, and increase criminal sentence categories and aggravating factors based only on these categories;

BE IT RESOLVED that NCAWA supports legislation amending our criminal statutes relating to hate crimes and ethnic intimidation to include the following categories: gender, sexual orientation and disability.

### **31. CRIMINAL COHABITATION AND CRIME AGAINST NATURE STATUTES**

WHEREAS, North Carolina's criminal statutes prohibiting sex or cohabitation between a consenting man and woman who are not married to each other and prohibiting consensual sexual acts between any two persons in private are rarely enforced and are outdated public policy; and

WHEREAS, although these statutes are rarely criminally enforced regarding private activity, their existence has a detrimental effect on the lives of our citizens, especially in the area of family law, employment and housing, and these statutes are often used as a basis to discriminate against individuals;

BE IT RESOLVED that NCAWA supports legislation to repeal NCGS §14-184, criminal fornication, adultery and cohabitation, and legislation to repeal NCGS §14-177, crime against nature, or amend it so that it does not apply to acts between consenting adults in private and not for hire.

## 2000

### **32. SUPPORT OF A MORATORIUM ON LEGAL EXECUTIONS**

WHEREAS, North Carolina is the twelfth-leading state for legal executions in the United States; and,  
WHEREAS, North Carolina currently has more than 200 persons on Death Row awaiting execution, a number that grows by 20 to 30 new condemned prisoners every year; and,

WHEREAS, North Carolina has one of the highest per capita death sentence rates in the country; and,

WHEREAS, more than 95% of the condemned prisoners on "Death Row" were unable to afford to retain legal counsel; and,

WHEREAS, North Carolina has never adopted nor made provisions for implementing the American Bar Association's "Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases," to ensure that those accused of capital crimes receive adequate representation; and,

WHEREAS, other studies have shown that in North Carolina the death penalty is imposed in a random and often racially motivated manner with those convicted of killing whites far more likely to be sentenced to death than those convicted of killing blacks or other minority groups; and,

WHEREAS, 76% of those executed in North Carolina this century have been black and 60% of the condemned prisoners on "Death Row" awaiting execution are black, one of the highest percentages in the United States; and,

WHEREAS, North Carolina has one of the highest homicide rates in the country, has a homicide rate higher than every state that does not have the death penalty, and has a homicide rate higher than the national average; and,

WHEREAS, the cost of the death penalty is approximately \$2.16 million dollars more than imprisonment for life according to a Duke University Study of North Carolina's death penalty in 1993, resulting in potential total costs of more than \$350 million dollars to North Carolina to carry out all present sentences of death; and,

WHEREAS, the American Bar Association on February 3, 1997, called for a moratorium on legal executions in the United States until all jurisdictions adopted procedures to (1) ensure that death penalty cases are administered fairly and impartially, in accordance with due process, and (2) minimize the risk that innocent persons may be executed; and,

WHEREAS, the North Carolina Association of Women Attorneys is not taking a position on the death penalty at this time;

NOW THEREFORE, BE IT RESOLVED that the North Carolina Association of Women Attorneys calls upon the General Assembly and Governor of the State of North Carolina to:

1. Establish a Study Commission for the purpose of examining the existing death penalty system in this State to determine whether death penalty cases are administered fairly and impartially and in accordance with due process and that the system is operated in a way which ensures that the risk that innocent persons may be executed is minimized;
2. Provide for the implementation of the American Bar Association's Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases and otherwise determine the necessary steps needed to ensure that all persons accused of capital murder receive constitutionally effective assistance of counsel;
3. Provide that the Study Commission report back to the General Assembly within 2 years with its findings and recommendations and that these findings and recommendations will then be presented in the next available legislative session for debate;
4. Take appropriate measures to prohibit the execution of any prisoner under a sentence of death until a date following the legislative session at which the findings and recommendations of the Study Commission are presented and debated.

## 2001

### **33. ACCESS TO JUDICIAL OFFICE**

WHEREAS, it is a principal goal of the North Carolina Association of Women Attorneys to increase the effective participation of women in the justice system, in public office and within the legal profession; and

WHEREAS, it is a principal goal of the North Carolina Association of Women Attorneys to promote and improve the administration of justice; and

WHEREAS, women are now under-represented among the North Carolina judiciary; and

WHEREAS, it is in the best interest of the people of North Carolina for all members of the judiciary to be selected on the basis of merit, and for the process of selecting appellate judges to be apolitical; and

WHEREAS, the elements of merit selection should be:

1. A nonpartisan nominating commission, generally reflective of the gender and racial composition of the community, which recruits applicants for judicial vacancies, screens judicial candidates, and submits a list of names of qualified judicial candidates to the governor or other appointing authority; and
2. A requirement that the nominating commission take into account diversity on the bench in submitting the list of names to the governor or other appointing authority; and
3. A requirement that the governor or other appointing authority is constrained to choose the judicial appointee from the list of names submitted by the nominating commission; and

WHEREAS, a system of merit selection of judges may lead to an increase in the number of women in the judiciary; therefore,

BE IT RESOLVED that NCAWA supports legislation providing for the merit selection of judges, provided that such merit selection system includes the elements described above.

#### **34. PUBLIC FINANCING OF JUDICIAL CAMPAIGNS**

WHEREAS, it is a principal goal of the North Carolina Association of Women Attorneys to increase the effective participation of women in the justice system, in public office and within the legal profession; and

WHEREAS, it is a principal goal of the North Carolina Association of Women Attorneys to promote and improve the administration of justice; and

WHEREAS, North Carolina judges must run for election in order to obtain or retain their seats; and

WHEREAS, women and minorities are now underrepresented among the North Carolina judiciary; and

WHEREAS, the appearance of impropriety is raised by the disproportionate contributions made by attorneys to judicial campaigns; and

WHEREAS, it is in the best interest of the people of North Carolina for there to be a strong, impartial and independent judiciary; and

WHEREAS, public financing of judicial campaigns would preserve the impartiality and independence of the judiciary and would prevent the appearance of impropriety or undue influence; therefore,

BE IT RESOLVED, that NCAWA supports public financing of judicial campaigns, provided such public financing system increases the impartiality and independence of the judiciary.

#### **35. LIVING INCOME**

WHEREAS, over 1.1 million North Carolina households are working and filing tax returns but do not have an adequate income to support their most basic subsistence needs; and

WHEREAS, the real cost to live in North Carolina is 1 1/2 to 2 times the federal poverty level; and

WHEREAS, the percent of North Carolinians living below poverty level has remained constant throughout much of 1990's in spite of a booming state economy and that women, minorities and children are disproportionately living in poverty and working in jobs paying less than \$8.50 per hour; and

WHEREAS, most low-income households require additional assistance to help them meet their families' basic needs and the demands of working, but are often not receiving cash assistance, food stamps, Medicaid, Social Security, child care, Health Choice or other public benefit because of waiting lists and/or federal or state restrictions placed on these programs; and

WHEREAS, it is in the best interest of the people and the state of North Carolina if all persons have adequate income to support the basic needs of their family; therefore,

BE IT RESOLVED that NCAWA does hereby endorse the enactment of State and Federal laws, regulations and policies that assist all North Carolinians to bring home an adequate income to support their families' basic needs.

### **2004**

#### **36. CONSUMER PROTECTION**

WHEREAS, nearly 30% of U.S. households are either female headed or comprise a single female; and

WHEREAS, an additional 53% of households are composed of married couples, in which the woman is likely to make 80% of household purchasing decisions;

THEREFORE, women represent a large segment of the commercial marketplace.

WHEREAS, women workers earn 74 cents for every dollar men workers earn; and

WHEREAS, women's total earnings over their prime working years average only 38% of what men earn during those years, due to a combination of lower pay, more part-time work and time out of the workforce to care for children;

WHEREAS, 40% of the nation's poor live in families headed by women; and

WHEREAS, women live on average five years longer than men, thus being left to make financial decisions on their own and needing additional income to survive;

THEREFORE, many women are susceptible to financial hardship.

WHEREAS, women, minorities, the elderly, and the working poor are targets of predatory lending, characterized by high interest rates, high fees, fraudulent and high pressure sales tactics, funneling of borrowers into loans they cannot afford and cannot repay, funneling borrowers into loans more expensive than justified by their credit history, and unnecessary add-on products such as credit insurance.

WHEREAS, when purchasing a new car, white women have been found to pay forty percent higher markups than white men and black women more than three times the markup of white men; and

WHEREAS, the typical victim of telemarketing fraud involving the offering of prizes and sweepstakes is an elderly female;

THEREFORE, women are often taken advantage of in the commercial marketplace.

NOW, THEREFORE, BE IT RESOLVED that the NCAWA supports legislation that seeks to protect the consuming public and that promotes responsible lending practices and access to fair terms of credit for women, minorities, and low-wealth families.

#### **37. SAME-SEX MARRIAGE**

BE IT RESOLVED that the NCAWA opposes amending the United States or North Carolina Constitutions to address marriage.

#### **38. RIGHTS OF UNMARRIED COUPLES AND THEIR CHILDREN**

BE IT RESOLVED that the NCAWA supports legislation that protects and enhances the legal rights of unmarried couples and their children.

**39. JOINT AND SECOND-PARENT ADOPTION**

BE IT RESOLVED that the NCAWA supports laws that permit the establishment of legal parent-child relationships through joint adoptions and second-parent adoptions by an unmarried person functioning as a child's parent, when such adoptions are in the best interests of the child.

**2005**

**40. ADEQUATE FUNDING FOR THE JUDICIAL BRANCH**

WHEREAS, judicial independence is essential to the proper functioning of our democracy;  
WHEREAS, judicial independence requires adequate funding for the courts;  
WHEREAS, funding for North Carolina's court system has historically been inadequate, yet its needs have never been greater, due to dramatic population growth and ever more complex cases;  
WHEREAS, our courts struggle with outdated technology and equipment and cannot process cases in a timely manner;  
WHEREAS, the court system does not have sufficient money to pay attorneys to represent indigent defendants, as is constitutionally mandated;  
WHEREAS, the General Assembly controls how judicial money is spent and what court personnel positions are created, such that court administrators do not have the flexibility needed to respond to changing needs and priorities;  
BE IT RESOLVED that NCAWA supports the provision of fully adequate funding for North Carolina's judicial branch and supports legislation to give the judicial branch substantial control over its budget and personnel.

**2006**

**41. RESOLUTION SUPPORTING THE PROTECTION OF CIVIL LIBERTIES WHILE SAFEGUARDING NATIONAL SECURITY**

WHEREAS, one of the purposes for which the North Carolina Association of Women Attorneys ("NCAWA") was founded is to promote and improve the administration of justice; and  
WHEREAS, NCAWA supports the system of checks and balances created by the United States Constitution and respects the essential roles of the executive, legislative and judicial branches of the federal government in ensuring that our national security is protected in a manner consistent with Constitutional guarantees; and  
WHEREAS, our government has instituted a domestic surveillance program which monitors American citizens without judicial oversight; and  
WHEREAS, the American Bar Association's House of Delegates adopted a resolution on February 13, 2006 which provides, "RESOLVED, that the American Bar Association opposes any future electronic surveillance inside the United States by any U.S. government agency for foreign intelligence purposes that does not comply with the provisions of the Foreign Intelligence Surveillance Act, 50 U.S.C. Section 1801 et seq. ("FISA"), and urges the President, if he believes that FISA is inadequate to safeguard national security, to seek appropriate amendments or new legislation rather than acting without explicit statutory authorization"; and  
WHEREAS, NCAWA, whose members are lawyers and judges from all walks of life representing all political views, recognizes that the interest and priorities of our profession lie not in partisanship but in the balanced pursuit and protection of freedom, national security and justice, conducted within the framework of the Constitution.  
BE IT THEREFORE RESOLVED, that NCAWA opposes any future electronic surveillance inside the United States by any U.S. government agency for foreign intelligence purposes without explicit statutory authorization.

**42. RESOLUTION SUPPORTING CIVIL LIBERTIES, DUE PROCESS AND A JUSTICE SYSTEM FOR ALL**

WHEREAS, one of the purposes for which the North Carolina Association of Women Attorneys ("NCAWA") was founded is to promote and improve the administration of justice; and  
WHEREAS, NCAWA supports the system of checks and balances created by the United States Constitution, and the freedoms as provided by the Constitution, the Bill of Rights and all subsequent amendments; and  
WHEREAS, NCAWA supports the system of checks and balances created by the North Carolina Constitution, and the General Statutes; and  
WHEREAS, NCAWA respects the essential roles of the executive, legislative and judicial branches of the state government in ensuring that our security is protected in a manner consistent with legal guarantees; and  
WHEREAS, NCAWA respects the essential roles of the executive, legislative and judicial branches of the federal government in ensuring that our national security is protected in a manner consistent with Constitutional guarantees; and  
WHEREAS, NCAWA, whose members are lawyers and judges from all walks of life representing all political views, recognizes that the interest and priorities of our profession lie not in partisanship but in the balanced pursuit and protection of freedom, national security and justice, conducted within the framework of the Constitution; and  
WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world; and  
WHEREAS, all human beings are born free and equal in dignity and rights and are all entitled to certain minimal rights no matter their status; and

WHEREAS, these minimal legal rights include, but are not limited to the following:

1. the right to life, liberty and security of person;
2. the right to be free from slavery or servitude ;
3. the right to be free from torture or cruel, inhuman or degrading treatment or punishment;
4. the right to recognition everywhere as a person before the law;



5. the right to an effective remedy by competent neutral tribunals;
6. the right to not be subjected to arbitrary arrest, detention or exile;
7. the right to be told of what they are accused and who may bear testimony to the accusation;
8. the right to a fair, speedy hearing by a competent independent and impartial tribunal, in the determination of any rights and obligations and of any criminal charges against them
9. the right to be presumed innocent until proven guilty according to law in a trial at which that person has had all the guarantees necessary for a defense;
10. the right to be free from, and to the protection of the law against, arbitrary interference with that person's privacy, family, home or correspondence;
11. the right to freedom of movement and residence within the borders of each state, and between each state and nation;
12. the right to be free from arbitrary deprivation of their nationality and the right to change their nationality;

BE IT THEREFORE RESOLVED, that NCAWA urges the government of the United States, including Congress and the President, and the government of North Carolina, including the General Assembly and the Governor to protect the civil liberties of U.S. citizens and the minimal due process rights of all persons while adequately safeguarding national security. Furthermore, NCAWA urges the government to amend current legislation or implement new laws to ensure that the rights of all peoples are protected through a just and fair legal system.

## **2007**

### **43. PRO-BONO ATTORNEYS TO BE AWARDED FEES**

WHEREAS, many low-income and middle-income women are unable to afford an attorney to represent them in civil matters;

WHEREAS, such litigation is time-consuming and expensive;

WHEREAS, various North Carolina General Statutes authorize the award of attorneys fees;

WHEREAS, the Supreme Court of North Carolina has excluded pro-bono attorneys from being awarded attorneys fees in *Patronelli v. Patronelli*, 360 N.C. 628 (2006);

WHEREAS, there is an increasing unmet need for pro-bono attorneys for low-income and middle-income women in North Carolina;

WHEREAS, the availability of pro-bono attorneys would be increased if they could be awarded attorneys fees to compensate them for their services;

BE IT RESOLVED that NCAWA supports the award of fees to pro-bono attorneys.

**44. PAY EQUITY AND COMPARABLE PAY**

WHEREAS, NCAWA has a long history of working to end discrimination against women in the workplace in all its myriad forms including in the stark reality of the wage gap; and

WHEREAS, the stated goals of NCAWA include “to promote the rights of women under the law” and “to promote the welfare of the women attorneys of North Carolina”; and

WHEREAS, 2006 U.S. Census data reveals that women earn only \$0.77 per dollar earned by men, and the U.S. General Accounting office, in studying the wage gap revealed in the 2000 U.S. Census, found that even after accounting for the difference between male and female work patterns, as well as other key factors, women earned only \$0.80 per dollar earned by men; and

WHEREAS, 2000 U.S. Census data revealed that women lawyers suffer from a wage gap and nationally earn only \$0.73 per dollar earned by male lawyers, and 2002 Census data revealed that North Carolina is in the bottom 1/3 of states when comparing wage ratios across the United States; and

WHEREAS, the Institute for Women’s Policy Research reports that if we continue at our current rate of change the wage gap will not close until 2057; and

THEREFORE BE IT RESOLVED, that NCAWA does hereby support an end to the wage gap and supports policies, legislation and regulations that seek equal pay for equal work and comparable pay for comparable work.

**45. SUPPORT FOR A HEALTHY WORK/LIFE BALANCE FOR EMPLOYEES**

WHEREAS, NCAWA has a long history of supporting a healthy workplace for all; and

WHEREAS, the stated goals of NCAWA include “to promote the welfare of the women attorneys of North Carolina” and “to promote the rights of women under the law”; and

WHEREAS, NCAWA offers and promotes annual Balanced Life Workplace Awards to encourage legal employers to create environments that foster and encourage healthy workplaces for all their employees and reward offices which recognize that alternative work arrangements, generous benefits or perquisites, maternity/paternity/family leave, flexible work schedules, telecommuting, encouragement of pro bono legal service and other community involvement, can increase employee effectiveness and job satisfaction, while decreasing turnover and absenteeism; and

THEREFORE BE IT RESOLVED, that NCAWA does hereby support policies, legislation and regulations that encourage balanced workplaces and support work/life balance for all employees.

**46. SUPPORT FOR PREGNANT AND LACTATING WOMEN**

BE IT RESOLVED that NCAWA supports the rights of pregnant and lactating women through endorsement and development of policy and legal measures in accordance with the goals of the Association.

## **2011**

### **47. PROTECTION FOR VICTIMS OF HUMAN TRAFFICKING AND PROSTITUTED MINORS**

**WHEREAS**, NCAWA's mission is to "advance the rights and welfare of women under the law" and NCAWA has a long history of working to end violence against women and children in North Carolina; and

**WHEREAS**, women and children are disproportionately the victims of human trafficking and prostitution; and

**WHEREAS**, North Carolina consistently ranks in the top ten worst states for reports of human trafficking, according to national statistics;

**THEREFORE BE IT RESOLVED**, that NCAWA does hereby support policies, legislation, and regulations that seek to confront and demand an end to sex trafficking and the prostitution of minors in North Carolina.

## **2016**

**48. WHEREAS**, in order for proposed legislation to be fully understood, discussed and vetted by legislators, legislative staff, and the public, sufficient time must be allowed for review and debate before the proposed legislation is voted on by the House or Senate; therefore,

**BE IT RESOLVED** that NCAWA supports efforts to ensure that proposed legislation is given time to be fully thought through, vetted and debated before final votes on the proposed legislation are allowed in the House and Senate.

**49. WHEREAS**, the importance of equal rights under the law for all North Carolina citizens has been a focus of the NCAWA's work since our founding;

**AND WHEREAS**, as women attorneys we oppose legal discrimination against any North Carolinian;

**AND WHEREAS** the NCAWA believes the state legislature should focus on increasing the number of job opportunities for North Carolinians rather than passing legislation that hurts talent recruitment and deters companies from expanding in North Carolina; therefore,

**BE IT RESOLVED** that the NCAWA supports legislation that makes sexual orientation and gender identity a protected class;

**BE IT RESOLVED** that the NCAWA supports the North Carolina Equal Employment Practices Act (EEPA) and a three-year statute of limitations for state private rights of action for employment discrimination cases and public accommodation discrimination cases;

**BE IT RESOLVED** that the NCAWA opposes legislation that discriminates against lesbian, gay, bisexual, transgender, and questioning (“LGBTQ”) individuals;

**BE IT RESOLVED** that the NCAWA opposes legislation that purports to safeguard the public by perpetuating discriminatory stereotypes;

**BE IT RESOLVED** that the NCAWA opposes legislation that eliminates a private right of action to sue in state court for employment discrimination cases and public accommodation discrimination cases;

**BE IT RESOLVED** that the NCAWA opposes legislation that denies local governments the ability to extend legal protections to LGBTQ people in North Carolina.

**50. WHEREAS** the NCAWA believes that the state legislature should not pre-empt local government provisions which seek to raise the standard of living for hard working North Carolinians;

**AND WHEREAS** women are most likely to be impacted by legislation which prohibits local governments from raising wages for their citizens above the minimum wage; therefore,

**BE IT RESOLVED** that the NCAWA opposes legislation that denies local governments the ability to require living wages for hard-working North Carolinians.