

TAMAR REBECCA BIRCKHEAD

UNC School of Law, CB #3380, Chapel Hill, NC 27514 ◦ 919.962.6107 ◦ tbirckhe@email.unc.edu

EDUCATION

Harvard Law School, J.D., 1992

Honors:

- *cum laude*
- Recent Developments Editor, *Harvard Women's Law Journal*

Yale University, B.A. in English Literature, 1987

Honors:

- *cum laude*
- John Hersey Prize for journalistic writing
- Yale special correspondent, *The New York Times*
- Managing Editor, *The New Journal*

PROFESSIONAL EXPERIENCE

University of North Carolina School of Law, Chapel Hill, N.C.

- 2006–Present
Assistant Professor of Law
Courses taught: Juvenile Justice Clinic; Criminal Lawyering Process
- 2004–2006
Clinical Assistant Professor of Law
Courses taught: Criminal Law Clinic; Criminal Lawyering Process

Suffolk University Law School, Boston, MA

- 2003–2004
Visiting Assistant Clinical Professor of Law
Courses taught: Suffolk Defenders Program; Criminal Practice course

Federal Defender Office, Boston, MA

- 1999–2003
Assistant Federal Defender

Committee for Public Counsel Services, Public Counsel Division, Cambridge, MA

- 1993–1999
Staff Attorney, Trial and Appellate Units

Massachusetts Appeals Court, Boston, MA

- 1992–1993
Law clerk to the late and the Honorable Edith Fine

PUBLICATIONS

Law Review Publications:

- *The Youngest Profession: Consent, Autonomy, and Child Prostitution* (work in progress).
- [*Toward a Theory of Procedural Justice for Juveniles*](#), 57 *BUFF. L. REV.* (forthcoming Dec. 2009).

- [*North Carolina, Juvenile Court Jurisdiction, and the Resistance to Reform*](#), 86 N.C. L. REV. 1443 (2008).
- [*The Age of the Child: Interrogating Juveniles after Roper v. Simmons*](#), 65 WASH. & LEE L. REV. 385 (2008).
- [*The Conviction of Lynne Stewart and the Uncertain Future of the Right to Defend*](#), 43 AM. CRIM. L. REV. 1 (2006) (published by Georgetown Univ. Law Center) (lead article).
- [*To Bedlam and Part Way Back: Anne Sexton, Her Therapy Tapes, and the Meaning of Privacy*](#), 2 UCLA WOMEN'S L.J. 165 (1992).

Other Publications:

- Op-Ed., [*The Right Thing for Juveniles*](#), NEWS & OBSERVER (Raleigh, N.C.), Nov. 24, 2008, at 9A (arguing that the upper age of juvenile court jurisdiction in N.C. should be raised from 16 to 18).
- Fact Sheet, Action for Children North Carolina, [*New Research Analyzes North Carolina's Century-Long Refusal to Include 16- and 17-Year-Olds in Juvenile Court*](#) (Nov. 12, 2008).
- [*Detention Hearings*](#) in MASSACHUSETTS DISTRICT COURT CRIMINAL DEFENSE MANUAL (with Wendy S. Wayne) (Massachusetts Continuing Legal Education, Inc., 2000) (Massachusetts Continuing Legal Education, Inc., 2d ed. 2005) (Massachusetts Continuing Legal Education, Inc., 3d ed. 2008).
- [*Why I Initiated the Public Defender Mentor Project for Law Students*](#), CAROLINA LAW ALUMNI NEWS, Spring 2007, at 18.

SELECTED SPEECHES & PRESENTATIONS

- Speaker, "Toward a Theory of Procedural Justice for Juveniles," [*Children and the Law Junior Faculty Workshop*](#), Washington & Lee University School of Law, Lexington, VA., July 16-17, 2009 (selected through blind peer-review process)
- Invited Participant, [*Georgetown Summer Institute on Clinical Teaching*](#), Georgetown University Law Center, Washington, D.C., June 22–25, 2009
- Speaker, "Toward a Theory of Procedural Justice for Juveniles," Faculty Workshop Series, UNC School of Law, June 11, 2009
- Panelist, "Toward a Theory of Procedural Justice for Juveniles," [*Law and Society Association Annual Meeting*](#), Denver, Colo., May 29, 2009
- Panelist, "Pros and Cons of Raising the Juvenile Age," N.C. Ass'n of Community Alternatives for Youth Joint Legislative Conference, Raleigh, N.C., May 12, 2009
- Speaker, "Applying *Roper v. Simmons* to Juvenile Interrogations," [*Ohio Juvenile Defender Leadership Summit*](#), Children's Law Center & National Juvenile Defender Center, Dayton, Ohio, Apr. 2, 2009
- Speaker, History of the Movement to Raise the Age of Juvenile Court Jurisdiction in N.C., Raleigh, N.C., [*N.C. Governor's Crime Commission*](#), March 5, 2009
- Invitee, Working Strategy Roundtable for the Center on Wrongful Convictions of Youth, Northwestern University School of Law, Chicago, Ill., Feb. 26–27, 2009
- Faculty, "Lawyering Across Difference," UNC School of Law Festival of Legal Learning, Feb. 6, 2009
- Speaker, "Raising the Age of Juvenile Court Jurisdiction in North Carolina," UNC School of Law Festival of Legal Learning, Feb. 6, 2009

- Panelist, Faculty Panel at the 7th Annual Public Interest Retreat, UNC School of Law, Jan. 23, 2009
- Interviewee, Study on Raising the Age of Juvenile Court Jurisdiction, [N.C. Governor's Crime Commission](#), coordinated by [The Estis Group](#), Jan. 21, 2009
- Faculty Moderator, [Public Defender Panels](#), UNC Public Defender Mentor Project, UNC School of Law, 2006–present
- Faculty, “Applying *Roper v. Simmons* to Juvenile Interrogations,” Juvenile Defender Leadership Summit, National Juvenile Defender Center, New Orleans, La., Oct. 25, 2008
- Speaker, “North Carolina, Juvenile Court Jurisdiction, and the Resistance to Reform,” Juvenile Justice Workgroup Meeting, [Action for Children North Carolina](#), Sept. 18, 2008
- Faculty, National Institute for Trial Advocacy, 2008 Southeast Regional Program, May 19 & 20, 2008
- Speaker, “Recent Developments in Juvenile Defense,” UNC School of Law Festival of Legal Learning, Feb. 1, 2008
- Panelist, Discussion/Forum on “Welcome to Durham,” the Award-Winning Gang Documentary on Juveniles and Gang Violence, UNC-Chapel Hill, Oct. 30, 2007
- Speaker, “The Age of the Child: Interrogating Juveniles after *Roper v. Simmons*,” Faculty Workshop Series, University of Maryland School of Law, Baltimore, Md., Oct. 25, 2007
- Speaker, “The Age of the Child: Interrogating Juveniles after *Roper v. Simmons*,” Faculty Workshop Series, UNC School of Law, Aug. 30, 2007
- Speaker, “Motions Practice: Tools for Your Defense,” presented at four Regional Juvenile Defender Workshops, sponsored by the UNC School of Government and the Office of Indigent Defense Services, February through May 2006
- Speaker, “*Roper v. Simmons* and Its Impact on Juvenile Justice,” Faculty Workshop Series, UNC School of Law, Feb. 23, 2006
- Speaker, “Recent Developments in Juvenile Defense,” UNC School of Law Festival of Legal Learning, Feb. 10, 2006
- Panelist, Faculty Panel at the 4th Annual Public Interest Retreat, UNC School of Law, Jan. 27, 2006
- Panelist, Faculty Lives in Public Interest Law, UNC School of Law, Sept. 12, 2005
- Speaker, “Motions Practice in Juvenile Court,” Representing Children in Juvenile Delinquency Cases, sponsored by the UNC School of Government, June 3, 2005
- Speaker, “Kids are Different: Defending Children in Juvenile Court,” UNC School of Law Festival of Legal Learning, Feb. 12, 2005
- Speaker, Training Seminar on Juvenile Defense Practice, Public Defender for Orange and Chatham Counties, Feb. 4, 2005

SELECTED MEDIA COVERAGE

- [Birckhead's Research Addresses Need for Juvenile Justice Reform](#), CAROLINA LAW, Spring/Summer 2009, at 10.
- Darv Johnson & Robin Hilmantel, *These Seeds She Planted*, [CAROLINA ALUMNI REV.](#), May/June 2009, at 36 (explaining that the murder of UNC undergraduate Eve Carson highlights a major flaw in N.C.'s criminal justice system, which prosecutes all 16 and 17-year-olds as adults).
- [Featured Guest](#), “Juvenile Justice Matters” with Eric Solomon of the Campaign for Youth Justice on [blogtalkradio.com](#), Jan. 15, 2009 (discussed research on the movement to raise the age of juvenile court jurisdiction in N.C.).

- [Featured Guest](#), “WPTF Presents: Reporter’s Notebook” with Dave Haley on News Talk 680 WPTF-Raleigh, Nov. 22, 2008 (discussed research on movement to raise the age of juvenile court jurisdiction in N.C. from 16 to 18).
- José Cusicanqui, [Adultos, Sólo Para Ser Llevados Presos](#), QUÉ PASA-TRIANGLE (Raleigh, N.C.), Nov. 27-Dec.3, 2008, at A9 (discussing the harsh impact of N.C.’s juvenile justice policy on the Latino population).
- Chris Fitzsimon, [North Carolina’s Draconian Juvenile Justice](#), N.C. POLICY WATCH, Nov. 12, 2008 (“A new article in the North Carolina Law Review makes a strong case for N.C. to abandon its policy of treating 16 and 17-year-olds as adults when they are charged with crimes instead of treating them like juveniles....”).
- [News Release](#), Action for Children North Carolina, Research Analyzes North Carolina’s Historic Resistance to Juvenile Court Jurisdictional Reform (Nov. 12, 2008).
- [Birckhead’s Research Addresses Need for Juvenile Justice Reform](#), UNC School of Law Home Page, Nov. 1, 2008.
- [Article Chronicles Efforts to Raise the Age of Jurisdiction in North Carolina](#), CAMPAIGN FOR YOUTH JUSTICE NEWSLETTER, Sept. 2008, at 7.
- [Featured Guest](#), “The State of Things” with Frank Stasio on WUNC-NPR, Mar. 19, 2008 (discussed the juvenile justice system in North Carolina in the wake of the murder of UNC undergraduate, Eve Carson).
- [Featured Guest](#), “The State of Things” with Frank Stasio on WUNC-NPR, July 18, 2007 (discussed issues relating to juvenile justice in North Carolina, including the question of the proper jurisdiction of juvenile court).
- Matthew Cole, [Quavering at the Terror Bar: Lynne Stewart Conviction Worries Lawyers Who Represent Accused Terrorists](#), N.Y. MAG., Mar. 7, 2005.
- Maura King Scully, *Balancing Act: Privacy v. Security in the War on Terrorism*, SUFFOLK L. ALUMNI MAG., Fall 2003, at 16.
- Thanassis Cambanis, [Drug War Dilemma: U.S. Criticized for Discouraging Addicts from Seeking Treatment While Collecting Evidence Against Them](#), BOSTON GLOBE, Jan. 3, 2003, at B1.

PROFESSIONAL SERVICE

Service to the Legal Profession:

- Member, Law & Society Association, 2008–present
- Member, Juvenile Defender Section, North Carolina Academy of Trial Lawyers, 2008–present
- Member, New Law Response Committee, North Carolina Juvenile Defender, 2007–present (appointed to review new laws that impact juveniles and to develop a "response package" for the juvenile defense bar that includes an analysis of new legislation, a guide for defending against the new laws and for counseling clients, and model motions and other defense tools)
- Member, Legislative Review Committee, North Carolina Juvenile Defender, 2007–present (appointed to review proposed legislation affecting juveniles and to make recommendations to the N.C.B.A. Juvenile Justice and Children's Rights section)
- On-Call Juvenile Defender Resource, North Carolina Juvenile Defender, 2007–present (appointed to screen and respond to calls and questions from juvenile defenders across the state when the N.C. Juvenile Defender is unavailable)
- Member, Committee to Review the Age of Delinquency, North Carolina Juvenile Defender, 2006–present

- Member, Performance Guidelines Committee, North Carolina Juvenile Defender, 2006–present (this committee’s version of the Performance Guidelines was adopted by the Indigent Defense Services Commission in 2007 and affects all appointed attorneys who represent juveniles in delinquency matters in N.C.)
- Vice President, North Carolina Center for Actual Innocence Board, 2005–present
- Invited Participant, National Juvenile Defender Leadership Summit (held annually), 2005–present
- Member, Advisory Board of the North Carolina Juvenile Defender, 2005–present
- Member, Criminal Defense Section, North Carolina Academy of Trial Lawyers, 2005–present
- Member, Clinical Legal Education Association (CLEA), 2004–present
- Member, AALS Section on Clinical Legal Education, 2004–present
- Member, AALS Criminal Justice Section, 2004–present
- Member, J. Kirk Osborn Public Defender Fellowship Committee, 2007–08 (assisted with the coordination of this summer fellowship program for UNC law students working in PD offices, sponsored by the Dist. 15B Bar in honor of the late J. Kirk Osborn, Esq.)
- Invited Participant, Roundtable Discussion for the Systems Evaluation Project, Evaluating the Indigent Defense System in North Carolina, 2006
- Member, Executive Council of the Juvenile Justice and Children’s Rights Section of the North Carolina Bar Association, 2005–06
- Member, Training Committee, North Carolina Juvenile Defender, 2005–06

Service to UNC-Chapel Hill:

- Member, Dean’s Advisory Committee, 2009–10
- Member, UNC-Chapel Hill Parking Appeals Committee, 2009–12
- Faculty Participant, *Carolina Seminar on the Future of the Social Safety Net*, [Carolina Seminars on Law and Public Policy](#), 2008–09
- Thesis Advisor, UNC-Chapel Hill Undergraduate Student Class of 2009, Department of Public Policy, 2008–09
- Member, Curricular Reform Committee, 2008–09
- Faculty Facilitator, Ethics and Professionalism Orientation for the UNC School of Law 1L Class, 2008 & 2009
- Faculty Advisor, UNC Death Penalty Project, 2007–present
- Alternate Voting Member (Prisoner Representative), Behavioral Institutional Review Board, 2006–present
- Alternate Voting Member (Prisoner Representative), Public Health, Nursing, and Biomedical Institutional Review Boards, 2006–present
- Faculty Coordinator and Founder, [UNC Public Defender Mentor Project](#), 2006–present
- Faculty Advisor, UNC Innocence Project, 2005–present
- Member, Summer Public Interest Grant Selection Committee, 2008
- Faculty Speaker, Curriculum Strengths and Enrichment Opportunities, Admitted Students Day for Class of 2011, Apr. 11, 2008
- Member, Appointments Committee, 2006–07 and 2007–08
- Presenter, The James E. and Carolyn B. Davis Society Induction Ceremony (recognizing third year UNC law students possessing both academic and personal excellence), May 12, 2007
- Member, Search Committee for Director of Admissions, 2007
- Member, Admissions Committee, 2006–07 and 2009–10
- Faculty Coordinator, UNC School of Law, National Guantanamo Teach-In, Oct. 5, 2006

- UNC Law School Faculty Representative, N.C. Equal Access to Justice Commission meeting, Aug. 11, 2006
- Member, Academic Affairs Committee, 2005–06
- Member, Technology Committee, 2004–05

Other Public Service:

- Chair, Hiring Committee for Religious School Director, Chapel Hill Kehillah, Chapel Hill, N.C., 2009-10
- Member, North Carolina Governor-Elect Beverly Perdue’s Transition Team, Planning Committee on Juvenile Justice, 2008–09
- Pro Bono Attorney, Durham County Juvenile Court, assists 16 and 17-year-olds in filing for emancipation and represents them at evidentiary hearings, 2006–present
- Member, Alumni Schools Committee – North Carolina Chapter, Yale University, 2004–present
- Parent Co-Chair, School Improvement Team, Frank Porter Graham Elementary School, Chapel Hill, N.C., 2007–08
- Parent Representative, School Governance Committee, Frank Porter Graham Elementary School, Chapel Hill, N.C., 2006–07
- President, Executive Board, Family Preschool, Chapel Hill, N.C., 2005–06
- Classroom Volunteer, Frank Porter Graham Elementary School, Chapel Hill, N.C., 2005–08

CONSULTING

- I consult on matters within the scope of my scholarly expertise, including issues related to juvenile justice policy and reform, criminal law and procedure, indigent criminal defense, and clinical legal education. I am frequently asked to assist litigants, advocates, and scholars with amicus briefs, policy papers, and expert testimony, as well as specific questions relating to juvenile court and delinquency.

BAR ADMISSIONS

- North Carolina: 2004
- New York: 1999
- United States District Court for the District of Massachusetts: 1993
- Massachusetts: 1992