

# BRIEFS

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## *Levi to head new judicial institute at Duke*

THE BOLCH JUDICIAL INSTITUTE WILL ADVANCE THE RULE OF LAW THROUGH THE STUDY OF COURTS, JUDICIAL DECISION-MAKING AND LEGAL INSTITUTIONS, JUDICIAL EDUCATION AND TRAINING, AND CIVIC EDUCATION INITIATIVES

**D**uke Law alumnus Carl Bolch Jr. and his wife, Susan Bass Bolch, have endowed a new judicial institute at Duke Law School with a \$10 million gift to the university. The Carl and Susan Bolch Judicial Institute will be dedicated to bettering the human condition through studying and promoting the rule of law.

David F. Levi, the James B. Duke and Benjamin N. Duke Dean of the School of Law and former chief U.S. district judge for the Eastern District of California, will serve as inaugural director of the Bolch Judicial Institute when he steps down as dean on June 30. John K. Rabiej, director of Duke Law's Center for Judicial Studies, will serve as deputy director.

"We are enormously grateful to Carl and Susan Bolch, both for their generosity to Duke Law School as well as their recognition of the need to advance our understanding of the judiciary and the rule of law," Levi says. "On a personal level, I am delighted for the opportunity to continue the work begun during my deanship to establish Duke as a

global leader in the study of judicial decision-making and the operation and design of legal systems more generally."

The Bolch Judicial Institute's mission focuses on studying and advancing rule-of-law principles, studying and promoting judicial independence, and providing unique educational opportunities for sitting judges and members of the public. It will conduct research and support teaching and scholarship; award an annual prize recognizing individuals or entities who have distinguished themselves in the preservation or advancement of the rule of law; provide education for judges in the United States and elsewhere; and develop public education programs for audiences around the globe.

Carl Bolch Jr. is chairman of Atlanta-based RaceTrac Petroleum Inc., a family-run operator of more than 750 gas stations and convenience stores. He holds a B.S. degree from the Wharton School at the University of Pennsylvania and a law degree from Duke Law School. Susan Bolch, a graduate of Barnard ▶

CARL BOLCH JR. AND SUSAN BASS BOLCH

## On the rule of law, an impartial judiciary, and self-serve gasoline

Just a few years after he took over his family's business operating gas stations — and not long after graduating from law school at Duke — Carl Bolch Jr. made what some called a crazy decision: to offer self-serve gasoline at the pump.

"People said I would lose money, that customers would just drive off after pumping gas," he recalls. At the time, just a few companies were offering self-service, and most were in the West and Southwest. For many Southern states, self-service gasoline was unheard of and, in some cases, barred by law. But Bolch pressed on, making his gas stations the first in Alabama, Georgia, and Florida to offer self-service and working to change laws where needed. "We not only didn't lose money, it was the best business decision I ever made," he says.

People didn't drive off. They pumped gas and came inside to pay. And then

they started buying other items while inside. Today RaceTrac Petroleum Inc. is a \$9-billion family business operating more than 750 stores in 12 Southern states. And self-serve gasoline is the standard in all but two states in the U.S.

Why did self-service work? Why didn't people just drive off? For Bolch, the answer is obvious.

"It comes down to the rule of law," he says — a system of laws and understood repercussions for breaking those laws that frames our business and personal interactions and creates a moral code of behavior that the vast majority of us not only observe but cherish.

Bolch, who earned a B.S. from the Wharton School of Business and took over his father's small gas station business shortly after graduating from Duke Law School in 1967, sees his success as the direct result of the strength of the rule of law in the United States. That view has been reinforced by interna-

tional travel — a passion he shares with his wife, Susan Bass Bolch, a lawyer and former RaceTrac general counsel who now sits on the company's board of directors.

"Our interest in the rule of law and what it does domestically and globally stems from our curiosity in our travels," he says. "We make two trips around the world each year. The people themselves don't seem to change that much, but their prosperity, their society, their situations change drastically depending on the strength of the legal framework.

"I have had success in business that I couldn't have dreamed I'd have, largely because of a system built on the rule of law and a society that respects the rule of law. It is the foundation for the stability of society, human rights, a growing economy and flourishing culture and artistic life."

Establishing a multidisciplinary institute devoted to protecting and advancing

College of Columbia University and Georgetown University Law Center, is an attorney who has served as general counsel of RaceTrac Petroleum and is a member of its board of directors.

Levi, who has been dean of Duke Law School since 2007, has a long record of leadership in the law and law reform efforts. As a judge, he was appointed by the Chief Justice of the United States to serve as chair of two Judicial Conference committees, and more recently he chaired the American Bar Association's Standing Committee on the American Judicial System and co-chaired the North Carolina Commission on the Administration of Law and Justice. In May 2017, he became president of the American Law Institute.

As chief U.S. district judge for the Eastern District of California, Levi had chambers in Sacramento. He was appointed to the federal bench in

**THE BOLCH JUDICIAL INSTITUTE WILL OFFER TRAINING AND EDUCATIONAL PROGRAMS FOR JUDGES IN THE UNITED STATES AND AROUND THE WORLD.**

1990 by President George H.W. Bush. Before becoming a judge, he served as U.S. attorney, appointed in 1986 by President Ronald Reagan. He is a graduate of Harvard College and Stanford Law School.

Rabiej, who has served as director of the Center for Judicial Studies since 2011, was previously executive direc-

tor and director of judicial outreach for The Sedona Conference. Prior to that, he served for 20 years as chief of the Rules Committee Support Office of the Administrative Office of United States Courts, which staffs the six rules committees of the U.S. Judicial Conference.

Duke University has committed to raise or otherwise provide \$10 million in matching funds to augment the Bolches' gift and amplify the Institute's interdisciplinary reach. The Institute will build on the strengths of Duke's Center for Judicial Studies, established in 2011 and supported by a \$5 million grant from The Duke Endowment, and will assume and further develop several of the Center's programs, including the Master of Judicial Studies, a unique advanced degree for sitting federal, state, and international judges offered at Duke since 2013; the Duke Conference series, which brings together lawyers,

ing the rule of law worldwide is, for the Bolches, a way to both strengthen the system that has provided them with so much opportunity and extend that opportunity to the far corners of the planet where a system of laws and justice could undergird and foster societal transformation.

The Bolch Judicial Institute at Duke Law School is a natural step in the couple's personal philanthropy and an ideal expression of their values, says Susan Bolch. "We have found the causes that we embrace — children's health, education, the rule of law — have something in common," she says. "We support the Boys & Girls Club of Collier County, Florida, and a volunteer there put it this way: 'If we work to make children strong, we won't have to fix broken men and women.' In the same way, if you promote and defend the rule of law, you won't have to fix a broken society. We are really interested in these

judges, and scholars to examine challenges and develop solutions for improving and advancing the administration of justice; the annual Appellate Judges Educational Institute (AJEI), one of the nation's largest educational conferences for appellate judges and lawyers; and *Judicature*, Duke's scholarly journal on judging.

The Master of Judicial Studies degree for sitting judges has been a centerpiece of Duke's judicial studies efforts. More than 60 judges have attended the program since it launched in 2012; judges take courses on Duke's campus during two month-long summer semesters and work on a thesis paper during the 'at-home' months. The program's third class of judges will graduate in May, and the fourth begins its first semester in residence this summer.

"The program gives sitting judges a chance to look at law and judging from



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foundational, and therefore transformational, endeavors."

The Bolches believe that defending the rule of law begins with a strong and independent judiciary, which is one reason why the institute that bears their name will focus on the study of judges and judicial institutions, judicial training and education, and law reforms that strengthen and advance the administration of justice.

"An independent and fair judiciary is critical to the stability of a society and the rule of law," says Susan Bolch. "It's the difference between feeling disap-

a broader perspective, to explore questions they have not previously considered in any depth, and to revisit issues that they touched on years before in law school before they knew much about how legal issues play out in the real world," says U.S. Supreme Court Justice Samuel Alito Jr., who has taught a seminar on constitutional interpretation in the LLM program. It also helps bridge the "unfortunate development" of a growing divide between the legal academy and the world of legal practice, including judging, and offers an opportunity for judges to learn from one another, he adds.

The Bolch Judicial Institute will build on the success of the LLM program to further bridge that divide through new training and educational programs for judges, both in the U.S. and around the world, and through other programs designed to bring judges, lawyers, and scholars together to learn from one other.

pointed in a judge's decision and thinking a judge's decision is corrupt or based on a secret direction from some government official. We have to have the belief, the knowledge really, that our laws are stronger than any one person, that our judges are impartial and responsible to the law and nothing else."

"In John Adams's words, we must have 'a government of laws, and not of men,'" adds Carl Bolch Jr. "That is what is at the root of our institutions, and that is what we want to promote and protect through the work of the Bolch Judicial Institute."

"Duke's faculty are at the forefront of scholarship in these areas, and its leadership in judicial education and the study of the judiciary is well known and highly respected here and around the world," says Susan Bolch. "It is a tremendous foundation from which to launch our efforts."

"I learned quickly in my business the value of having good people around you," Carl Bolch Jr. adds. "You need multipliers to make something great. I thought David Levi would be a hell of a multiplier. With such great leadership and institutional strength behind it, I am confident the Bolch Judicial Institute can have myriad, far-reaching effects for the betterment of society."

— MELINDA MYERS VAUGHN is  
managing editor of *Judicature*.