

CHARLES SZYPSZAK

School of Government, UNC-Chapel Hill
Campus Box 3330, Knapp-Sanders Building
Chapel Hill, N.C. 27599-3330

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919-843-8932
szypszak@sog.unc.edu

Education

J.D., University of Virginia School of Law (1986)

M.A., History, San Diego State University (1982)

B.A., History, University of Southern California (1979)

Professional Experience

Albert Coates Distinguished Professor of Public Law and Government, School of Government, University of North Carolina at Chapel Hill (faculty member since 2005).

Director and Shareholder, Orr and Reno, P.A., Concord, New Hampshire (1987-2005). Attorney with general practice firm with about thirty-five attorneys. Counsel and advocacy in real estate and commercial matters. Tried cases in state and federal courts and argued cases before the New Hampshire Supreme Court, U.S. Court of Appeals, and other tribunals.

Law Clerk to Circuit Judge Hugh H. Bownes, U.S. Court of Appeals for the First Circuit (1986-87). Research and opinion drafting for criminal and civil appeals.

Law Intern to Judge Herbert J. Stern, U.S. District Court, Newark, New Jersey (1984). Research and opinion drafting for federal trial judge.

Fields of Teaching and Research

Real estate law

Law for public administration

Law teaching and pedagogy

Leadership

Academic Honors and Awards

Albert Coates Distinguished Professor, University of North Carolina at Chapel Hill (since 2017)

Fulbright Specialist Award, Adam Mickiewicz University, Poznań, Poland, in teaching pedagogy and analytical thinking (2017)

J. Carlyle Sitterson Freshman Teaching Award, University of North Carolina (2016)

Albert and Gladys Coates Award for Teaching Excellence, University of North Carolina at Chapel Hill (2010-2012)

Albert and Gladys Coates Term Associate Professorship at the University of North Carolina at Chapel Hill, for faculty achievement (2008-2010)

Fulbright Specialist Award, University of Wrocław, Poland, in advanced property law and law teaching pedagogy (2014)

Special Recognition Award, North Carolina Association of Registers of Deeds (2008)

Virginia Law Review (1984-86), Managing Editor (1985-1986)

Virginia Journal of Natural Resources Law, Editor (1983-1986)

Dillard Fellow for Legal Research and Writing, University of Virginia School of Law (1984-85)

Magna Cum Laude Graduate, University of Southern California (1979)

Phi Beta Kappa (1978)

Bibliography

Books

MILITARY LEADERSHIP LESSONS FOR PUBLIC SERVICE (McFarland & Co. 2016)

NORTH CAROLINA GUIDEBOOK FOR REGISTERS OF DEEDS (School of Government, University of North Carolina at Chapel Hill, 10th edition 2013)

REAL ESTATE AND NORTH CAROLINA LAW: A RESIDENT'S PRIMER (School of Government, University of North Carolina at Chapel Hill 2012)

UNDERSTANDING LAW FOR PUBLIC ADMINISTRATION (Jones & Bartlett 2009)

EMINENT DOMAIN FOR NORTH CAROLINA LOCAL GOVERNMENTS, LAW AND PRACTICE (School of Government, University of North Carolina at Chapel Hill 2008)

NORTH CAROLINA GUIDEBOOK FOR REGISTERS OF DEEDS (School of Government, University of North Carolina at Chapel Hill, 9th edition 2007 & 10th edition 2013, supp. 2016)

NOTARY PUBLIC GUIDEBOOK FOR NORTH CAROLINA (School of Government, University of North Carolina at Chapel Hill, 10th edition 2006)

REAL ESTATE (N.H. Practice Series) (LexisNexis 2003 and annual supplements)

Chapters

Eminent Domain, in COUNTY AND MUNICIPAL GOVERNMENT IN NORTH CAROLINA (School of Government, University of North Carolina at Chapel Hill, 2nd edition 2014)

Registers of Deeds, in COUNTY AND MUNICIPAL GOVERNMENT IN NORTH CAROLINA (School of Government, University of North Carolina at Chapel Hill, 2nd edition 2014)

Registers of Deeds, Land Records, and Notaries, in NORTH CAROLINA LEGISLATION 2008 (School of Government, University of North Carolina at Chapel Hill 2008)

Property Acquisition, Sale, and Disposition (with D. Lawrence) and *Register of Deeds*, in COUNTY AND MUNICIPAL GOVERNMENT IN NORTH CAROLINA (School of Government, University of North Carolina at Chapel Hill 2007)

Registers of Deeds, Land Records, and Notaries, in NORTH CAROLINA LEGISLATION 2007 (School of Government, University of North Carolina at Chapel Hill 2007)

Registers of Deeds, Land Records, and Notaries, in NORTH CAROLINA LEGISLATION 2006 (School of Government, University of North Carolina at Chapel Hill 2006)

Registers of Deeds, Land Records, and Notaries, in NORTH CAROLINA LEGISLATION 2005 (School of Government, University of North Carolina at Chapel Hill 2005)

Historical Development and Basic Concepts of Home Owner Associations and Planned Unit Developments, in HOME OWNER ASSOCIATIONS AND PLANNED UNIT DEVELOPMENTS (Matthew Bender 1992)

Law Review and Journal Articles

Legal Protection of Property Rights in the Self-Regulating United States Local Recording System, to be published in 9 ADAM MICKIEWICZ UNIVERSITY LAW REVIEW (2019)

Privacy and Public Real Estate Records: Preserving Legacy System Reliability against Modern Threats, 49 URBAN LAWYER 355 (2017) (with E. Roscoe)

Local Government Registers of Deeds and the Enduring Reliance on Common Sense Judgment in a Technocratic Tide, 44 REAL ESTATE LAW JOURNAL 350 (2015)

Socratic Method for the Right Reasons in the Right Way: Lessons from Teaching Legal Analysis Beyond the American Law School, 11 JOURNAL OF POLITICAL SCIENCE EDUCATION 358 (2015)

Property Rights, Public Records, and Risk of Loss in the United States Real Estate Recording System, 14 UKRAINIAN COMMERCIAL LAW 88 (2015)

Teaching Law in Public Affairs Education: Synthesizing Political Theory, Decision Making, and Responsibility, 17 JOURNAL OF PUBLIC AFFAIRS EDUCATION 483 (2011)

Just Compensation, Claims for Lost Business Profits, and Income Valuation of Real Property, JOURNAL OF THE POLISH REAL ESTATE SCIENTIFIC SOCIETY (2010)

Real Estate Records, the Captive Public, and Opportunities for the Public Good, 43 GONZAGA LAW REVIEW 5 (2008)

North Carolina's Real Estate Recording Laws: The Ghost of 1885, 28 N.C. CENTRAL LAW JOURNAL 199 (2006)

Public Registries and Private Solutions: An Evolving American Real Estate Conveyance Regime, 24 WHITTIER LAW REVIEW 663 (2003)

Jural Entities, Real Parties in Controversy, and Representative Litigants: A Unified Approach to the Diversity Jurisdiction Requirements for Business Organizations, 44 MAINE LAW REVIEW 1 (1992)

Statutes of Limitations Under the F.T.C.A.: A Synthesis and a Proposal, 28 HARVARD JOURNAL ON LEGISLATION 1 (1991) (equal contribution with K. Sinclair)

The Protection, Salvage, and Preservation of Underwater Cultural Resources in the Chesapeake Bay, 4 VA. J. NATURAL RESOURCES LAW 373 (1985)

Other Publications

Learning from Military Leadership, PA TIMES (August 30, 2016)

Register of Deeds Automation Enhancement and Preservation Fund—Best Practices Land, LAND RECORDS BULLETIN NO. 36 (School of Government, University of North Carolina at Chapel Hill April 2016)

2011 Changes in the Laws and Regulations Regarding Satisfactions, Recording Fees, Format Requirements, Electronic Plats, Military Discharge Access, and Indexing LAND RECORDS BULLETIN NO. 35 (School of Government, University of North Carolina at Chapel Hill July 2011)

Registers' Public Records in the Digital Era, LAND RECORDS BULLETIN NO. 34 (School of Government, University of North Carolina at Chapel Hill November 2010) (with E. Roscoe)

Ten Common Misconceptions about Eminent Domain, POPULAR GOVERNMENT (School of Government, University of North Carolina at Chapel Hill Winter 2009), at 43

2008 Changes in the Law Regarding Rerecording Prerequisites, Electronic Recording Verification, Indexing and the Fee for Recording Deeds of Trust, LAND RECORDS BULLETIN NO. 33 (School of Government, University of North Carolina at Chapel Hill August 2008)

When is Plat Review Certification Required?, LAND RECORDS BULLETIN NO. 32 (School of Government, University of North Carolina at Chapel Hill October 2006)

Land Records Metamorphosis, POPULAR GOVERNMENT (School of Government, University of North Carolina at Chapel Hill Winter 2006), at 4

Session Law 2005-123, LAND RECORDS BULLETIN NO. 31 (School of Government, University of North Carolina at Chapel Hill, September 2005)

Beyond the Rule of Law, 45 N.H. BAR JOURNAL (Winter 2005), at 46

Property Law Reform in Russia, 44 N.H. BAR JOURNAL (June 2003), at 13

Legal Liability for Malevolent Internet Communications, N.H. B.I.A. REPORT (November 1998), at 4

Trying the Real Estate Case, 14 PRACTICAL REAL ESTATE LAWYER 69 (1998)

Uncertainty in War and Litigation, TRIAL MAGAZINE (May 1996), at 73

Attorneys' Fees Awards and Unreasonable Litigation, 37 N.H. BAR JOURNAL (March 1996), at 9

Municipal Exactions for Development in New Hampshire, 34 N.H. BAR JOURNAL (June 1993), at 14

How to Challenge Zoning Ordinances, 8 PRACTICAL REAL ESTATE LAWYER 5 (1992)

Blue Sky Registration After Landreth: A Proposal for a Transactional Exemption for the Sale of a Closely Held Business, 29 N.H. BAR JOURNAL 191 (1988) (equal contribution with T. Platt)

Teaching Activities

Professor of Public Law and Government, University of North Carolina at Chapel Hill, School of Government (since July 2005). Develop and teach schools, seminars, and workshops for public officials and attorneys on real property and related matters; teach law in the Master of Public Administration curriculum. Courses include:

Public Administration 760: *Law for Public Administration* (25-30 students annually). Required for students in the Master of Public Administration program. Introduction to law and legal research and analysis; constitutional interpretation; individual constitutional rights; contract law; personnel law; property law; torts; administrative law; criminal law; civil litigation and alternative dispute resolution; and managing the client-lawyer relationship.

Public Administration 760, MPA@UNC: *Law for Public Administration* (15 students annually). Developed and delivered asynchronous and synchronous version of Law for Public Administration for web-based program. Lead instructor for other sessions taught by adjuncts.

Public Administration 635: *Military Leadership and Public Affairs* (15 students annually). Developed and teach course for future public leaders to study of leadership as taught and demonstrated in the services and how it translates to leadership in the government and non-profit sectors, and issues concerning the transition of military leaders to civilian management and leadership roles. Cross-listed with Peace, War, and Defense.

Political Science 75: *Thinking About Law* (approx.. 24 students annually). Developed and teach first-year seminar that explores the notion of a rule of law, formal and customary law, legal analysis, judicial interpretation, and the realities of the adversarial system and law practice.

Basic School for Registers of Deeds (approx. 50 students semi-annually). Register's role in property transactions; registration requirements; satisfaction and security instruments; registering plats; marriage licenses; register of deeds office; and common difficult issues.

Basic Register of Deeds School for Experienced Personnel (approx. 30 students bi-annually). Register's role in property transactions; registration requirements; satisfaction and security instruments; registering plats; marriage licenses; register of deeds office; and common difficult issues.

Advanced Program for Registers of Deeds (approx. 30 students bi-annually). Making decisions without clear legal direction; liability and risk management; public records; introduction to real property law for non-lawyers; advanced topics; and ethics and values.

North Carolina Mappers' School (approx. 50 students annually). Basic real estate law and law of listing for property taxation.

Notary Instructors' School, North Carolina Department of Secretary of State (approx. 30 students) (2006-07). Acknowledgment certificates and notary transactional role.

Numerous workshops on various real-property related topics (approx. 50 students in each of 7-8 sessions annually).

Chair, Master of Public Administration Capstone Committees: Emily Roscoe ("Only the Appearance of Accountability: The Need for a Return to First Principles in Public Records Law"); Adam Parker ("Judicial Opinions and Election Cycles: Do Election Cycles Affect the Productivity of North Carolina Court of Appeals Judges?"); Matthew Boyer ("Form or Fluff?: Assessing the Claims of Form-Based Codes Proponents"); Jamie McColl ("The Use of Eminent Domain by North Carolina Counties: Historical Patterns, Current Trends, and Decision Variables"); Sean Coffey ("Regulating Mortgage Loan Servicing"). Member of Committees: Nicholas Ring ("Critical Success Factors in Information Technology Infrastructure Library Implementation in the State of North Carolina Government Offices"); Gregory Mavraganis ("The North Carolina Brownfields Program").

Research Visiting Professor, University of Bern Law School, Land Registry Bern-Mitteland, Bern, Switzerland (2018). Collaborative research on *Transfer of Real Property Interests*.

Visiting Professor, Adam Mickiewicz University, Poznań, Poland (2017). Taught seminars on *Learning Law through Analytical Dialog* (15 faculty) and *Teaching Law through Analytical Dialog Review* (12 students and faculty).

Visiting Professor, Adam Mickiewicz University, Poznań, Poland (2016). Taught seminars on *Learning Law through Analytical Dialog* (15 faculty) and *Constitutional Framework and Judicial Review* (100 students and faculty).

Visiting Professor, Jagiellonian University Faculty of Law and Administration, Kraków, Poland (2015). Taught law school graduate seminar *Learning Law through Analytical Dialog* (15 students).

Visiting Professor, University of Wrocław, Poland (2014). Taught law school credit course *Current Issues in U.S. Real Estate Law* (15 students).

Visiting Professor, Jagiellonian University Faculty of Law and Administration, Kraków, Poland (2013). Teach law school credit course *Current Issues in U.S. Real Estate Law* (15 students).

Adjunct Professor of Law, Franklin Pierce Law Center, Concord, New Hampshire (2000-2004). *Real Estate Transactions* (30-50 students annually); Cross-Cultural Negotiations (co-taught 25 students in 2000).

Adjunct Professor, New Hampshire Technical Institute, Concord, New Hampshire (1989-2004). *U.S. History; Western Civilization; Business Law and the Legal Environment; Business Organizations and Bankruptcy; Family Law* (approx. 15 students in 2 courses annually).

Advising and Consulting

Respond to frequent daily inquiries from registers of deeds and their deputies and assistants, state judges, other state and local government public officials, attorneys, lending institutions, and the public on issues regarding real estate instrument recording, register of deeds operations, notaries public, eminent domain, and general real property issues. Provide advice in connection with problems in registration of real estate transactions throughout the state. Provide Internet-based reference material for frequently encountered issues. Work with register of deeds committees, county tax committees, state agencies, and other groups on education programs and legislative proposals, including drafting of bills that have been enacted into law. Visit register of deeds offices throughout the state for consultations.

Conference Presentations

“Real Estate Law Update,” N.C. District Court Judges Conference (Wrightsville Beach, N.C. 2016)

“Ten Register of Deeds Issues Encountered by County Attorneys,” N.C. Association of County Attorneys’ Winter Conference (Chapel Hill, N.C. 2013)

“Law and Public Administration: When Does Law Matter” (Jagiellonian University Faculty of Law and Administration , Kraków, Poland 2012)

“Just Compensation, Claims for Lost Business Profits, and Income Valuation of Real Property,” Polish Real Estate Scientific Society (University of Warmia-Mazury, Olsztyn, Poland 2010)

“Title, Ownership, and Listing,” N.C. Property Mappers Association Conference (Durham, N.C. 2009)

“Ten Important Things to Know About Notarial Acts,” School for N.C. County and Municipal Clerks (Durham, N.C. 2009)

“Public Registries and Private Solutions: Mechanisms for Protection of Real Property Interests in the United States,” United Nations Economic Commission for Europe, Working Party on Land Administration (Croatia 2008)

“The New World of the Registers of Deeds,” Public Law for the Public’s Lawyers, N.C. General Assembly Joint Conference (Raleigh 2008)

“Real Estate Recording Practices,” Alaska Recorders Conference (Anchorage, Alaska 2008)

North Carolina Association of Registers of Deeds Conferences: “Military Leadership Lessons for Public Service” and “International Perspective” (Greenville 2018); “Exercising Discretion, (Raleigh 2018); “Current Issues” (Raleigh 2017); “Current Issues” (Ashesville 2016); “What Ten Years Have Brought, What Ten Years Might Bring” (Concord 2015); “Update on Laws” (Wilmington 2014); “Leadership in Public Service (Pinehurst 2013); “Traditions of Registers of Deeds” (Kitty Hawk 2012); “Public Officials, Public Benefits” (Raleigh 2012); “Contracts for Public Records Management” and “Subsequent Instrument Indexing Fee (Boone 2011); “Who Is the Boss” and “Innovations in Indexing (Raleigh 2011); “Fees and Funding Register Operations” (Raleigh 2010); “2009 Changes in Register of Deeds Fees” (Raleigh 2009); “Satisfactions and Modern Indexing” (Raleigh 2009); “2008 Changes in the Law” (Asheville 2008); “Rerecording” and “Indexing Challenges” (Raleigh 2008); “Register’s Function in Verification,” “Rerecording Issues” and “Bar Issues Concerning Registers” (Raleigh 2007); “Difficult Register Issues” and “Changes in Notary Laws Affecting Registers” (Raleigh 2006); “Changes in Register Laws” (Fayetteville 2006); “Changes in Register Law” (Pinehurst 2005).

“Issues in Real Estate Recording in N.C.,” N.C. Department of Revenue Administration Conference (Greensboro, N.C. December 2007)

“Some Curious Legal Things,” N.C. Property Tax Assessors’ Conference (Durham, N.C. 2007)

“Approaching and Implementing Changes in the Law Affecting Registers,” International Association of Clerks, Recorders, Election Officials, and Treasurers (San Francisco, 2006)

“Building the Rule of Law: Lessons from Russian-American Exchange,” John Sloan Dickey Center for International Understanding, Fulbright Association (Dartmouth College, 2004)

“Real Property in Russia,” Russian American Rule of Law Consortium (Boston, 2004)

New Hampshire-Vologda Rule of Law Partnership in Vologda, Russia: “Philosophy of Government Expressed in U.S. Declaration of Independence,” at Russian Academy of Government Service, “Private Property Ownership,” at Vologda State Pedagogical University, “Alternative Dispute Resolution” and “Use of Expert Witnesses in Adversary Proceedings,” at Oblast Arbitrage Court, and “Trade Secrets and Intellectual Property,” at Vologda Region Chamber of Commerce (2004); “Legal Problems in Real Property Tax Appraisal,” at Vologda State Pedagogical University, and “Resolution of Abatement Disputes,” at Oblast Arbitrage Court (2002); “Mortgage Law,” at Oblast Judicial Conference, and Vologda City Hall (2001); “Title Registration,” at Oblast Land Records Department (2000), “Enforcement of Civil Judgments,” at Oblast Judicial Conference (1999)

Professional Service

Adam Mickiewicz University, University of Wrocław, and Jagiellonian University, Poland (since 2014). Teach seminars on analytical teaching with engaged dialog.

Professor, Warrior-Scholar Project (since 2016). Volunteer teaching constitutional law to enlisted military veterans making a transition to college studies.

United Nations Economic Commission for Europe, Working Party on Land Administration (since 2008). Speaking and consultation on real property and housing issues.

International Association of Clerks, Recorders, Election Officials, and Treasurers (since 2006). Speaking and consultation on emerging land registration issues.

New Hampshire-Vologda Rule of Law Project (1999-2005). Volunteer member of New Hampshire Supreme Court delegation in U.S.A.I.D. exchange program; collaboration with Russian justice department and other agencies in Vologda, Russia; chaired program for reform of real property and mortgage laws with regional land administrators and judges; organized and presented programs in Russia and the U.S.

Mediator, New Hampshire Superior Court (2001-2005). Volunteer court-appointed mediator for the New Hampshire courts’ alternative dispute resolution program.

Continuing Legal Education Faculty (1987-2005). Faculty for seminars on real estate law, technology law, and other commercial topics.

Other National Service

Officer, U.S. Marine Corps (1979-83). Intelligence officer and platoon commander. Attained the grade of captain. Served in various locations in the U.S. and Pacific. Officer's Candidate School Leadership Award (1st in class); Basic School Honor Graduate; Navy Achievement Medal; Snedeker Leadership Award.

Service to University and School

Advisory Committee, Center for Slavic, Eurasian, and East European Studies, University of North Carolina at Chapel Hill (since 2017)

Member, University of North Carolina at Chapel Hill Faculty Hearings Board Panel (since 2015)

School of Government Faculty Honor Code Liaison to University of North Carolina at Chapel Hill Office of Student Conduct (since 2013)

Faculty Teaching Mentor, School of Government, University of North Carolina at Chapel Hill (since 2013)

Chair, Margaret Taylor Writing Prize Committee, School of Government, University of North Carolina School of Law (2011-2013)

Elected member, Faculty Council, University of North Carolina at Chapel Hill (2009-2011)

Committee on the Status of Women, University of North Carolina at Chapel Hill (2008-2009)

Legislative Reporting Service (2005-2012). Analyze bills and summarize pending legislation at the North Carolina General Assembly the *Daily Bulletin*.

Search Committee for Director of Public Safety, University of North Carolina at Chapel Hill (2007)

Summer Reading discussion leader, University of North Carolina at Chapel Hill (2007, 2012)

Publication Content Committee, School of Government, University of North Carolina at Chapel Hill (2007)