

William & Mary Law School

William & Mary Law School Scholarship Repository

History of William & Mary Law School

Archives and Law School History

Spring 2001

America's First – William & Mary Law School

Megan Rhyne

Follow this and additional works at: <https://scholarship.law.wm.edu/history>



Part of the [Legal Education Commons](#)

Repository Citation

Rhyne, Megan, "America's First – William & Mary Law School" (2001). *History of William & Mary Law School*. 14.

<https://scholarship.law.wm.edu/history/14>

Copyright c 2001 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository.

<https://scholarship.law.wm.edu/history>

AMERICA'S FIRST WILLIAM & MARY LAW SCHOOL

BY MEGAN RHYNE

As the dean or an administrator of one of America's 184 accredited law schools, a large portion of your time must be devoted to persuading the general public why your school is as good or better than all the rest. To attract the best faculty and students, you must outperform your competitors in key statistical categories: grade-point averages and LSAT scores of incoming students; student to faculty ratios; tuition value; percentage of graduates employed at graduation; bar passage rates; and reputation among academics, lawyers and judges.

The school's everyday operations contribute to that reputation. Prospective students, and prospective donors, want to know about the school's physical structure, the number of volumes in the library, who the new faculty are, and who's donating private funds to supplement public dollars.

By all statistics, the William and Mary Marshall-Wythe School of Law rates as one of the nation's top law schools. *U.S. News & World Report* ranks William and Mary as the 29th best, placing it in the top 16 percent of all law schools, up 5 places, from 34, in two short years. In comparison, the school's overall score of 61 is 39 points behind top-ranked Yale, yet only 13 points lower than 15th-ranked University of Texas, law schools with operating budgets and endowments monumentally larger than William and Mary's. In addition, the 2000

*"Here we will form
such characters
as may be useful
in the national councils
of our country."*

GEORGE WYTHE
1779

Educational Quality Rankings puts William and Mary at 27, up three places from two years ago.

Rankings aside, the school also continues to improve itself from the inside out. The new north wing, which will increase the school's square footage by one-third, is well underway and should be completed by the summer of 2001. Stirring statues of John Marshall and George Wythe now grace a newly expanded entryway to the law school. The fac-

ulty gained five impressive new members in 2000-2001. Annual giving has dramatically increased by 67 percent in two years. And school-sponsored programs brought two U.S. Supreme Court justices to the campus in a one-month period last fall.

Behind the law school's recent resurgence is Dean Taylor Reveley, though the one-time managing partner of Richmond-based Hunton & Williams is quick to point out that he is merely carrying the torch lit by predecessors William B. Spong Jr. and Timothy J. Sullivan '66. Reveley, a 1968 graduate of Thomas Jefferson's second law school, the University of Virginia Law School, is proud of the fact that his life in law has brought him full circle to Thomas Jefferson's — and America's — first law school.

Williamsburg lawyer George Wythe brought Thomas Jefferson's concept of legal education to life in 1779 at William and Mary. Prior to that, 17th and 18th

century colonists followed the age-old English tradition of studying law in a lawyer's office, essentially as apprentices. Jefferson's idea was to move the study of law into the university setting, integrating law with the humanities. Law students would learn history, philosophy and the classics. They would emerge not just as legal tacticians, but as "citizen lawyers" dedicated to contributing to the greater good of society.

One of Wythe's first students was John Marshall, who took his lessons to heart, going on to lend his considerable talents to our fledgling country. According to Reveley, Marshall is not only the most important alumnus of William and Mary Law School but of any American law school ever. Marshall's opinion in the celebrated case of *Marbury v. Madison* solidified the basic principle of judicial review that our government adheres to today. Without Marshall, the Supreme Court would not be the co-equal branch of government it is now.

Sixty years of dormancy, from 1862 when the Civil War forced the College's doors closed to 1922 when law school classes resumed, did not diminish the power of the Jefferson-Wythe-Marshall legacy. Even two attempts by the Virginia General Assembly since 1922 to shutter the law school couldn't kill their spirit.

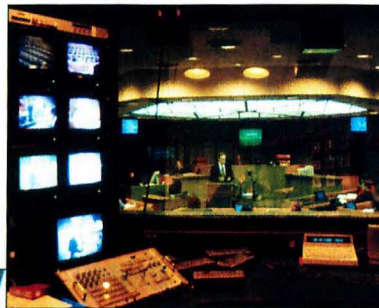
The law school's founding fathers' ideals have seeped into law students whenever the school's doors

have been opened. Alumni are fiercely proud of their B.C.L. and J.D. degrees from the law school because they understand the school's rich heritage. Most support a recent drive to reacquire those outside the William and Mary family with what has made the school great in the past and present.

Third-year law student Adam Casagrande emphatically states that the law school should emphasize its historical role, while Colleen Killilea '84, J.D. '87, agrees to the extent that the look is forward too, not just backward.

"We should be honored and perhaps in awe that we have attended the same school as some of the best legal scholars ever, but we also need to remember that the school's current stature, and the current students, are just as important to the institution, and that perhaps those students will evolve into some of the great legal scholars of the future."

Reminding the country of William and Mary Law School's early status as the pinnacle of legal education has been a major part of Reveley's administration to



Lawyers and judges the world over flock to McGlothlin Courtroom, presided over by Professor Fred Lederer (center) to learn the very latest in courtroom technology. One Russian interpreter was left speechless after a demonstration of the sophisticated voice-activated court reporting system.



Photos: Randy Searle

date. To defend the primacy of the law school, Reveley penned letters to *Student Lawyer* and *ABA Journal* magazines to explain that Harvard's law school, established in 1817, was years behind legal training in Williamsburg. (A Harvard spokesman said his school's claim to be the "oldest" law school referred to its continuous operation for 184 years.)

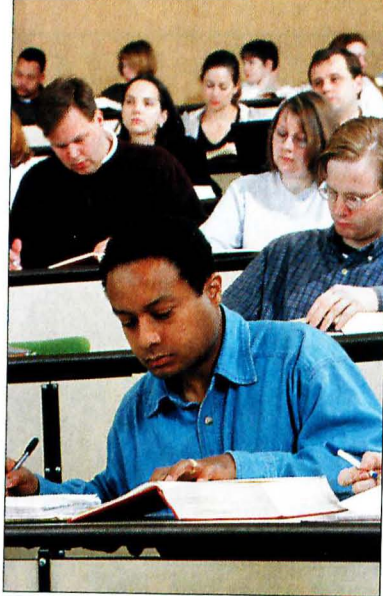
"William and Mary School of Law is justly proud of the extraordinary accomplishments of its most distinguished alumnus, John Marshall," says Davison Douglas, professor and director of the Institute of the Bill of Rights Law (IBRL) at the College. "But we celebrate John Marshall not just because of his connection to William and Mary. Rather, we remember Marshall because he articulated certain ideas about the role of law and courts in the American polity that remain absolutely fundamental to our society today."

One way to reintroduce the law school is to switch the focus on the school's name. A prospective student or employer in Arizona might not have heard of Marshall-Wythe, or might wonder which Marshall it is (John or Thurgood) or how to pronounce Wythe (rhymes with pith). But that same person has probably heard of William and Mary. It's a brand name to promote. Reveley is not abandoning the Marshall-Wythe name, but for non-alumni publications, "William and Mary" is the name of choice.

Associate Dean of Admissions Faye Shealy jokes that she supports the move if it means she will have a permanent place at law school recruiting functions.

*"The Law School
relishes its size,
small enough for
people to know
one another by name
and large enough
to form a critical
mass for learn-
ing and scholarship."*

DEAN TAYLOR REVELEY



William and Mary Law School students are some of the most academically distinguished in the country.

"Sometimes we're at 'C' for College; sometimes at 'M' for Marshall-Wythe; and sometimes at 'W' for William and Mary."

Another way to promote the school is through the Courtroom 21 project, billed as the country's (and perhaps the world's) most technologically advanced courtroom. Chancellor Professor Frederic I. Lederer, who delivers demonstrations to dele-

gations from all over the globe, plainly enjoys the looks of fascination and disbelief at the many capabilities wired into the McGlothlin Courtroom. Students train to use the equipment and to assist in presentations. Second-year student Shawn Leppo has realized he might be as interested in developing future technology as in using it as a litigator.

Still another public way to promote the school's tremendous potential is to present outstanding legal symposia. Part of the IBRL's mission is to host a series of events, lectures and forums each year, the results of which are edited and put into the *William and Mary Bill of Rights Journal*.

This year, to celebrate the 200th anniversary of John Marshall's appointment as chief justice, the IBRL's programs have been especially impressive. The

16th Chief Justice, William Rehnquist, was on hand to kick off the yearlong celebration of Marshall, and to dedicate the Marshall and Wythe statues. A month later, Supreme Court Justice Breyer visited the school to receive the Marshall-Wythe Medallion, the school's highest honor, and participate in a C-SPAN discussion on the process of appointing federal judges and cabinet members. Also during that one-month period, a panel of the 4th U.S. Circuit Court of Appeals, which usually sits in Richmond and governs federal courts in five states, heard oral arguments on several cases pending before that court.



Photos: Doug Beutem

CONTINUED ON PAGE 34

Marshall and Wythe Statues Dedicated

by Megan Rhyne
photos by Randy Searle

On a cloudless morning in early October, President Timothy J. Sullivan '66 stood before an audience of well-wishers at the law school's entrance and led them down memory lane. Less than 30 years ago, when he became a professor of law at William and Mary, the school was on the verge of losing its accreditation. Out of 150 law schools in operation at the time, Sullivan told the crowd, William and Mary ranked 147th.

What a difference the passage of a few years make.

Ten years later, the school acquired a new building on South Henry Street, which Sullivan referred to as "opulence beyond belief" to faculty and students who were there then. And 10 years after that, the school had climbed into the top 16 percent of all the nation's law schools, ranking 29 out of 184 in one national poll.

On Oct. 7, 2001 Sullivan was now present to unveil the statues of



Always the scholar, Chief Justice Rehnquist's comments emphasized the historical importance of William and Mary Law School's grand gentlemen, George Wythe and John Marshall.

the school's namesakes, John Marshall and George Wythe, sculpted by internationally acclaimed artist Gordon Kray '73. Set atop a base of Tennessee pink marble, the statues serve as a symbolic rallying point for the school.



"These statues inspire us to think about our rich history, connect the past with present-day affairs and look toward an even more promising future."

WILLIAM REHNQUIST
CHIEF JUSTICE OF THE UNITED STATES

Law school graduate Robert F. Boyd '50, B.C.L. '52, and his wife Sara Miller Boyd '54, commissioned the sculptures at Sullivan's behest. Boyd said he believed the statues were the "physical manifestation of the spirit of the law school."

Kray strove to capture each man's essence. Wythe stands on the right, one hand resting on a book, the other outstretched as if conveying an important point to a student. Marshall, on the left, is lost in deep thought.

Dean Taylor Reveley said it was important that the two men stand sentinel over the school's front doors. "You cannot get in or out of the building without coming to grips with them," he said.

Chief Justice of the United States William Rehnquist attended the unveiling and sung the praises of each man. In reverential tones, Rehnquist shared his belief that "these statues inspire us to think about our rich history, connect the past with present-day affairs and look toward an even more promising future."

Adam Casagrande wondered if the statues would have an inspirational effect on an "old 3L" like himself, but he praised the statues for giving the school a distinctive character.

Sullivan spoke of the statues as "an appropriate signature symbol of all the progress that had been made in the building of this school over the centuries."

"It should inspire us as we look forward to the future to say and hope that those who are here 50 years from now will be able to look back on this period and be inspired by this sculpture and say we continue the progress, and we continue to build one of America's great institutions of legal learning."

Alumni Medallion recipients Sara Miller Boyd '54 and Robert F. Boyd '50, B.C.L. '52, below, flanking 16th Chief Justice of United States, William Rehnquist, with President Timothy J. Sullivan '66 (left) and Dean Taylor Reveley, spearheaded the 10-year project to commission and place the statues of John Marshall and George Wythe in front of the law school.



Photos: Randy Searle

Law School

CONTINUED FROM PAGE 32

This is all pretty heady stuff for a school that still clings to the notion that one of William and Mary's biggest selling points for new students is the intimate, collegial feel of the school. Ultimately, it is the people — the professors, students, administration and staff — that give the school its character at any given time. The citizen lawyer pillar upon which the school rests invites people of like mind to the school.

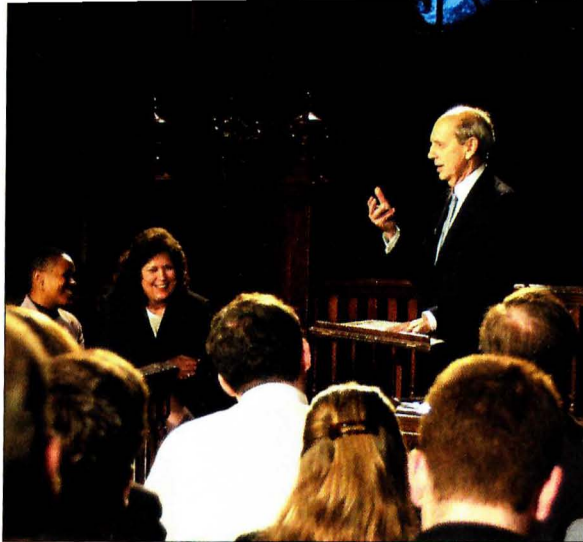
"I became fond of the place, as most do, not because of its bricks and mortar, but because of the people who were bringing those walls to life each day," says Christian Simpson J.D. '00. "I encountered people who were channeling their interests in a way that enhanced their law school experience. The vast majority of these interests were civic in nature. Even more inspiring were the community service programs joined in and even run by law students."

Community service programs are but one way law students and eventually lawyers can act as citizen lawyers, explains Douglas of the IBRL. A lawyer might perform pro bono work or serve on the board of

directors of a community organization. Even the big-time corporate attorney acts as a citizen lawyer when he represents his clients with an eye to the public interest and a willingness to advise them about the ends they should seek as well as the means to achieve their objectives. The goal, Douglas says, is to act beyond one's self-interests in money, power or prestige.

Reveley began a course last year, "Citizen Lawyers: The Country's Lawyers," to explore the citizen lawyer model more closely. The move pleases faculty members such as Professor Alemante Selassie, who praises the citizen lawyer principle, but wonders how he and other professors can inject the values into the everyday teaching of technical, black-letter law.

Leading by example is one way. Selassie, a refugee from Ethiopia, teaches a seminar on international devel-



United States Supreme Court Justice Stephen Breyer answered questions from students on C-SPAN in George Wythe's former classroom, the courtroom in the historic capital building of Colonial Williamsburg.

Randy Squire

opment, focusing particularly on Africa. Associate Professor of Law Susan S. Grover has worked extensively with Avalon, the Williamsburg-area shelter for abused women and their children. Through mass media, Professor of Law Michael J. Gerhardt educated millions of Americans on the impeachment process during the 1998 presidential crisis.

Reveley's course is one-fifth of a program to promote the citizen lawyer concept

and to pay tribute to a man who lived the ideal: William B. Spong Jr., dean of the law school from 1975 to 1985. The program also envisions student scholarships, conferences, faculty research and a professorship. Estimated cost: \$4.7 million.

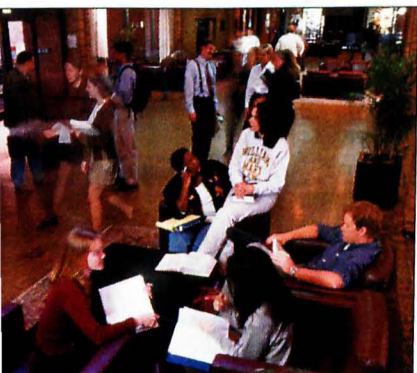
Private giving is the key to the future of this old school with untapped potential. An encouraging sign may be the class of 2000's class gift, a record-breaking \$114,500, with 76 percent class participation. Earl Pinto J.D. '00, who spearheaded the fund-raising effort, presented his classmates with two reasons why they should contribute: (1) the best thing about the law school was its people, and (2) the school would be unstoppable if it had resources comparable to those people's talents.

From the beginning, an outstanding faculty has been the foundation of Jefferson's and Wythe's vision for legal training at William and Mary. The current faculty is a living representation of these 18th century leaders. They are devoted, innovative teachers, who know their students by name and care about their progress. They are highly productive scholars, studying important issues of the day. And they are constructive citizens of their school, community and profession. Following the model crafted by George Wythe, William and Mary law professors still work to "form such characters as may be useful in the national councils of our country." Ancient as legal training at William and Mary has now become, it remains youthful in its vigor and insistence on realizing Jefferson's high ambition for America's first law school.



Doug Buerlein

Megan Rhyne, a lawyer, is a freelance writer in Williamsburg.



A new north wing will dramatically increase the school's current square footage and greet the class of 2004 next fall.

Doug Buerlein