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1977

# The Marshall-Wythe School of Law of the College of William and Mary

William & Mary Law School

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## I Letter From The Dean

Our purpose in preparing and distributing this brochure is to provide you and other prospective employers of our students with some sense of the institutional character of the Marshall-Wythe School of Law of the College of William and Mary. We have endeavored to include more than a bare statistical profile of students currently enrolled. We have sought to convey something of the flavor of the educational process here as well as to set down some of the fundamental philosophical assumptions which inform the educational experience we strive to provide.

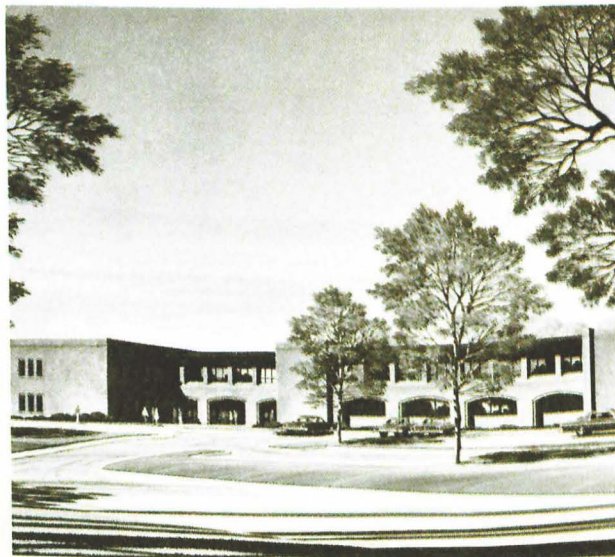
I hardly need to tell you that these are times of rapid and sometimes traumatic change for our profession. We, in the law schools, have not been immune from the critical scrutiny focused upon the profession as a whole. The basic thrust of the criticism aimed at legal education has been that it is not sufficiently sensitive to the professional realities which confront a young lawyer as he commences his practice. There is merit in that criticism, but in changing our educational program to meet it, we should not compromise the essential intellectual rigor which is a proper part of every lawyer's training.

Balancing the acknowledged need for prudent reform with the preservation of what is good in traditional legal education has not been easy. Indeed, changes here at the Marshall-Wythe School of Law have been so recent that their impact on the skills acquired by our graduates cannot yet be assessed. We are, however, intensely proud of the young men and women who are now our students. In the main, they possess quick and lively minds coupled with spirited interests in life as well as law. We have great expectations of their capacity to contribute significantly to the betterment of the profession they are about to enter.

Cordially,

*W.B. Spong, Jr.*

William B. Spong, Jr.  
Dean



Artist's Rendering of Proposed New Law Building

## VI Letter from the Placement Director

We hope that we will have the opportunity to welcome you to the Marshall-Wythe School of Law. I will be happy to do whatever I can to make your visit here productive.

If you wish to come to Williamsburg, please make your appointment as soon as possible. At the time you make your appointment we would very much like to have two copies of your firm's resume.

Your interview date will be posted three weeks in advance so that students wishing to be interviewed may sign up. We will see that you receive resumes of interested students at least ten days prior to your visit.

Again, let me emphasize our wish to make your visit here as pleasant as possible. Please let me know if you wish additional information about the Marshall-Wythe School of Law or the Williamsburg area.

Sincerely,

*Louise Morton Murtagh*

(Mrs.) L. Morton Murtagh  
Director of Placement



THE  
MARSHALL-WYTHE  
SCHOOL OF LAW  
OF THE  
COLLEGE OF  
WILLIAM AND MARY



## II Historical Sketch

### The Marshall-Wythe School of Law

Created in 1779 by the Board of Visitors at the urging of Thomas Jefferson, the chair of law at William and Mary was the first established in the United States. The first occupant of the chair was George Wythe, in whose offices studied Thomas Jefferson, John Marshall, James Monroe, and Henry Clay. Wythe, who was a signer of the Declaration of Independence and a member of the Federal Constitutional Convention, became a powerful force in the development of American legal education. During the decade of his professorship, he developed a comprehensive course of law study which emphasized the acquisition of practical skills in such areas as legislative drafting and oral advocacy.

Wythe's successor was one of his pre-Revolutionary students, St. George Tucker, who proved to be a pioneer in legal education in his own right. Tucker drafted a formal description of the requirements for a law degree at the College, which included an exacting schedule of qualifying examinations in history, government and related pre-law subjects. Tucker's course material was soon published as the first American edition of Blackstone's Commentaries on the Laws of England. This work was the earliest treatise on the common law adapted to the needs of the legal profession in the United States. For a generation, Tucker's volume was considered the leading authority on American law.

Tucker's successors as professor of law at William and Mary included the brothers William and Robert Nelson, James Semple and St. George Tucker's son, Nathaniel Beverley Tucker. The younger Tucker was the author of *Principles of Pleading* which became a leading authority of its day. Beverley Tucker is perhaps best remembered as one of the ablest exponents of the states' rights school of Southern constitutional law.

The growth of the law school at William and Mary was abruptly halted by the beginning of the War Between the States. The commencement of military campaigns on the Virginia Peninsula compelled the College to close its doors. It would be another sixty years before the historic priority in law could be revived in a modern program that is now more than a half century old.

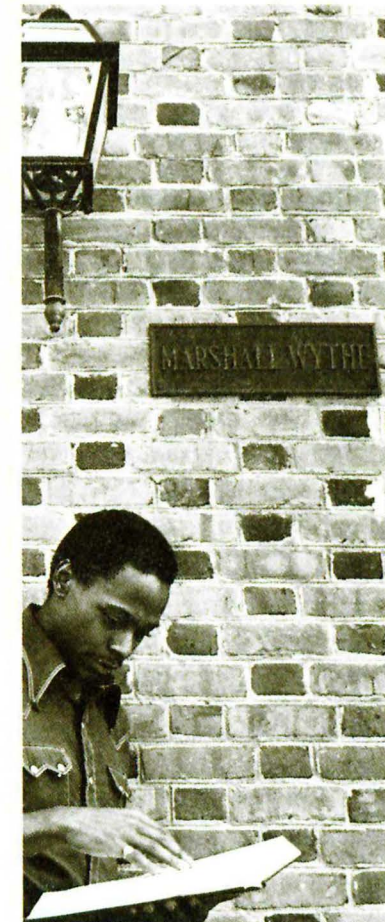


Dean Spong



Thus, while the antecedents of the Marshall-Wythe School of Law are relatively ancient, the revived law program at William and Mary is relatively new. Moreover, it has only been within the last ten years, that student enrollment has grown large enough to permit the curricular expansion and faculty growth essential to the development of a distinguished program of contemporary legal education.

Today, the Marshall-Wythe School of Law enrolls 450 students from all regions of the nation. Over 2400 applications for 150 spaces in the entering class were received last year. As a state supported institution, the Law School maintains a student body composed of 70% Virginians and 30% non-Virginians. The legal education offered, however, is national in scope, since our students are engaged in the practice of law throughout the United States.





### III Educational Philosophy

It would be inaccurate to suggest that a single point of view animates the work and teaching of every member of the faculty of the Marshall-Wythe School of Law. Law professors, no less than their brethren in the practice, are intensely individualistic. Yet there are certain core values which are shared by the faculty as a whole. These common assumptions impart a cohesiveness, an intellectual unity to the educational experience at Marshall-Wythe that we would like to believe is somewhat unusual in contemporary legal education.

There can be no doubt that intellectual distinction is a fundamental attribute of a good lawyer. Our admissions process is sufficiently stringent to assure that each of our students possesses the intellectual potential for success at the bar. Once enrolled, particularly in the first year courses, every effort is made to assure that the intellectual capacity of our students is tested rigorously and directed along professionally productive lines. In addition, early emphasis is placed upon the acquisition of essential practical skills. The first year legal writing program, for example, is an important part of our students' basic education. Because writing and research are essential tools for every lawyer, our faculty does not view the writing program as an unfortunate intrusion into more important substantive fields, but rather as a co-equal educational experience of independent merit.

None can doubt the primacy of intellectual rigor in the training of a lawyer. Yet our faculty firmly believes that the education of a complete lawyer must be more than training in the life of the mind. Most lawyers perform many functions in their professional careers. They are often advocates, counselors and community leaders. In the discharge of these functions, more is required than an able intellect. Traditional traits of character are

equally important. Of course, no law school can create character, compassion or sensitivity to human needs. A law school can, however, make it clear to its students that these qualities, in common with intellectual ability, are important in the education of a lawyer who aspires to genuine professional excellence.

At the Marshall-Wythe School of Law, we have tried to emphasize the human side of the practice of law. Many members of our faculty consistently strive to provide this perspective in the teaching of their courses. We have also developed educational programs designed to show the student by example how very important sensitivity to the personal needs and problems of clients can be. Among these programs are the Post Conviction Assistance Project and a student operated law clinic for patients at the Eastern State Hospital.

In sum, it may be said that our educational aim at the Marshall-Wythe School of Law is to insure that our students have the intellectual ability to solve their clients legal problems, but also the depth of character to see their clients as more than disembodied legal difficulties.



### IV The Educational Program: Recent Developments

As we noted in the historical sketch of the Marshall-Wythe School of Law, the law program here has only recently grown to its present size. In consequence of this recent growth, many members of our faculty have taught less than ten years. Despite the relative youth of the faculty and our strong institutional commitment to the primacy of good teaching, published scholarly work has not been neglected. Scholarly articles by William and Mary faculty members have appeared in at least nineteen respected journals over the last three years.

The recent appointment of William B. Spong, Jr. as Dean and Woodbridge Professor of Law has brought the Law School new leadership. Dean Spong has had an unusually varied professional career. He has served as a United States Senator, a state legislator, practicing lawyer and law teacher. He recently completed a term as president of the Virginia Bar Association. An authority on foreign policy and the Constitution, Dean Spong has previously taught at the University of Richmond, the University of Virginia and William and Mary.

A number of other recent developments have measurably strengthened the educational program of the Marshall-Wythe School of Law. Perhaps preeminent among these is the inauguration of the Tazewell Taylor Visiting Professorship program. Over the past three years, this program has brought a number of distinguished lawyers, judges and law teachers to William and Mary for a semester or for the entire academic year. Among the holders of Tazewell Taylor appointments have been: the late Justice Tom C. Clark of the U.S. Supreme Court; Glenn Winters, Director Emeritus of the American Judicature Society; John Ritchie, former Dean of Northwestern University Law School and Professor Emeritus at the University of Virginia School of Law; Howell Heflin, former



UNDERGRADUATE INSTITUTIONS  
MARSHALL-WYTHE SCHOOL OF LAW  
COLLEGE OF WILLIAM AND MARY  
1977-1978 SESSION

University of Virginia	70	University of Florida	2	Randolph-Macon Women's College	1
William and Mary College	49	University of Illinois	2	Rider College	1
Old Dominion University	20	University of Miami	2	Rosemont College	1
Virginia Polytechnic Institute	17	University of Michigan	2	Roosevelt University	1
Washington and Lee University	11	University of Nebraska	2	Rutgers University	1
Virginia Commonwealth University	11	University of Pennsylvania	2	St. Joseph College	1
Georgetown University	8	University of Tennessee	2	St. Lawrence College	1
Princeton University	8	Vanderbilt University	2	St. Mary Seminary	1
University of Richmond	8	Vassar College	2	Seton Hall University	1
American University	5	Virginia Military Institute	2	Skidmore College	1
Christopher Newport College	5	Wake Forest University	2	Southern Methodist University	1
Duke University	5	West Chester State College	2	Spring Hill College	1
George Washington University	5	Alfred University	1	Swarthmore College	1
Hampden-Sydney College	5	Arizona State College	1	Temple University	1
Madison College	5	Auburn University	1	Tulane University	1
Colgate University	4	Boston College	1	University of Akron	1
Hampton Institute	4	Bridgewater College	1	University of Alabama	1
U.S. Naval Academy	4	Brown University	1	University of Chicago	1
Virginia Wesleyan College	4	C. W. Post	1	University of Dayton	1
University of North Carolina	4	Carnegie-Mellon	1	University of Georgia	1
Allegheny College	3	Catholic University	1	University of Kentucky	1
Alma College	3	Colby College	1	University of New Hampshire	1
Davidson College	3	College of Notre Dame	1	University of Pittsburg	1
Holy Cross	3	College of St. Teresa	1	University of Notre Dame	1
Lynchburg College	3	Colorado College for Women	1	University of Southern Florida	1
Michigan State University	3	Colorado State College	1	University of Texas-Austin	1
University of Delaware	3	Columbia University	1	University of Wisconsin	1
University of Maine	3	Drew University	1	Virginia State University	1
University of Maryland	3	Emory and Henry College	1	Virginia Union University	1
University of South Carolina	3	Fordham University	1	Wayne State University	1
Yale University	3	Goucher College	1	Western Illinois University	1
Bryn Mawr College	2	Hamilton College	1	Wheaton College	1
Bucknell University	2	Harvard University	1	Wheeling College	1
Colorado College	2	Howard University	1	William Carey College	1
Cornell University	2	Indiana University	1	Williams College	1
Dartmouth College	2	Iowa State University	1	Windham College	1
Dension University	2	Johns Hopkins University	1		
Fairfield University	2	Kansas State University	1		
Florida State University	2	Kenyon College	1		
George Mason University	2	Lawrence University	1		
Gettysburg College	2	Lebanon Valley College	1		
Grove City College	2	Lehigh University	1		
Mary Washington College	2	Lincoln College	1		
Monmouth College	2	Longwood College	1		
Northwestern University	2	Louisiana State University	1		
Ohio State University	2	Merrimack College	1		
Providence College	2	Miami University	1		
Smith College	2	Middle Tennessee State University	1		
Stanford University	2	Mississippi State College for Women	1		
Stonehill College	2	Murray State University	1		
Sweet Briar College	2	Oregon State University	1		
Syracuse University	2	Pennsylvania State University	1		
Tufts University	2	Purdue University	1		

Representation from 147 institutions      431

MARSHALL-WYTHE  
SCHOOL OF LAW  
COLLEGE OF WILLIAM AND MAR...  
1977-1978 SESSION

	MEDIAN GRADE POINT AVERAGE	MEDIAN LAW SCHOOL ADMISSIONS TEST
Third Year	3.25	617
Second Year	3.25	622
First Year	3.29	632

Chief Justice of Alabama and recognized national leader in the field of judicial administration; Dominik Lasok, Dean and Professor of Law at the University of Exeter, England; Delmar Karlen, Professor of Law Emeritus at New York University and United States District Judge Walter Hoffman who has also served as Director of the Federal Judicial Center.

Other distinguished visiting professors whom we expect to enrich the educational experience of our students include William W. VanAlstyne, Perkins Professor of Law at Duke University, J. Rodney Johnson of the University of Richmond School of Law and John W. Bridge of the University of Exeter (England) School of Law.

The planned location of the national headquarters of the National Center for State Courts in Williamsburg is an exciting prospect. The headquarters building will be completed in January of 1978 and the staff will be moved in the spring of that year. A new law building is planned adjacent to the National Center's headquarters building. We believe that the mutual benefits of such a unique law center will be considerable. Indeed, the presence of the National Center has already made positive contributions to the life of the Law School. Distinguished judicial figures such as Chief Justice Heflin, Justice Paul Reardon of the Massachusetts Supreme Court and Judge Orman Ketcham of the Superior Court in the District of Columbia -- all affiliated with the National Center -- have taught or will teach courses at the Law School.

Finally, the 1976-77 academic year marked the beginning of a comprehensive program of clinical legal education at the Marshall-Wythe School of Law. A full time faculty member -- Professor John Levy of the Richmond Legal Aid Office -- was hired to develop and administer the program. Professor Levy has made an effective beginning in establishing opportunities for our students to acquire the skills and learn something of the working environment of the practicing lawyer. This year, in co-operation with the newly created Peninsula Legal Aid Society, our clinical program will be expanded further. We have high hopes for the clinical program at Marshall-Wythe. It has added a new and needed dimension to our core program. Our only real concern is how we may find the means to finance further expansion of what is a very expensive form of legal education.