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An Interview with Timothy J. Sullivan

Timothy J. Sullivan

Brendan Clark

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**Guide to: W&M Law School Oral Histories Project.
Timothy J. Sullivan.
OH.2023.003**

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Summary Information

Collection: Oral Histories Project

Identifier: OH.2023.003

Narrator: Timothy (Tim) J. Sullivan

Interviewer: Brendan W. Clark, *Class of 2024*

Supervisor: Kathryn Downing, *Digital & Electronic Resources Librarian*

Interview Date: March 28, 2023

Language of Materials: English

Repository: Wolf Law Library Archives
William & Mary Law School
613 S Henry St
Williamsburg, VA 23185

Biographical Notes

Narrator

Timothy J. Sullivan was Dean of William & Mary Law School and 25th President of the College of William & Mary. Sullivan first attended William & Mary as a student where he had membership in organizations such as Phi Beta Kappa and Omicron Delta Kappa. In 1966, he graduated with a B.A. in government. He then went on to attend Harvard Law School where he earned his J.D. in 1969. Prior to teaching law, he served in Vietnam as part of the U.S. Army and received distinctions such as the Bronze Star, Army Commendation Medal, and the First Oak Leaf Cluster. Sullivan joined the faculty of William & Mary Law School in 1972. He was a visiting professor at UVA's law school 1981-1982, then an advisor to then-Governor Charles S. Robb. In 1984 he returned to William & Mary Law School, becoming its dean in 1985.

On April 9, 1993, Sullivan was elected 25th President of the College of William & Mary, a position he would serve until his retirement in 2005. He has earned recognitions such as the Freedom of the Drapers' Company (1992) and an honorary L.L.D. from the University of Aberdeen (1993).

Interviewer

Brendan W. Clark '24 is a J.D. candidate at William & Mary Law School from Barnstable, Massachusetts. Brendan attained his B.A. in History and Public Policy and Law, *summa cum laude*, from Trinity College in Hartford, Connecticut. Brendan is active at the Law School, where he has served as an editor of the *Business Law Review*, President of the Business Law Society, and Spong Justice on the William & Mary Law School Moot Court team. Brendan is also an active supporter of the law school and William & Mary Libraries and is particularly passionate about the Law School's history.

Scope & Contents (interview summary)

The interview of Timothy J. Sullivan, Dean Emeritus of William & Mary Law School and President Emeritus of the College of William & Mary in Virginia, occurred on Tuesday, March 28, 2023, from approximately 2:00 P.M. to 3:00 P.M. in the Media Center of Swem Library. The interview concerned Timothy Sullivan's tenure at the law school, beginning with his time as a member of the faculty in the early 1970s and continuing to the conclusion of his time as dean of from 1985 to 1992.

Separated Materials

Interview recordings for each narrator have been archived in the library's dark storage. A copy has been saved on external hard drive #1002222548.

Conditions Governing Access

Except where otherwise noted, these materials are open for research.

Conditions Governing Reproduction and Use

The copyright for these materials remains with their narrator. Permission to publish, quote, or reproduce must be secured from the repository and the copyright holder.

Acquisition Information

Immediate Source of Acquisition

These materials were generated through the W&M Law School Oral Histories Project.

Accruals

No further accruals are expected.

Existence and Location of Copies

Access copies of the recorded interview are available in the William & Mary Law School Scholarship Repository: https://scholarship.law.wm.edu/oralhist_all/1/

Related Archival Materials

Sullivan's papers may be found in the following collections of the Special Collections Research Center at Swem Library: [Office of the President. Timothy J. Sullivan Records](#) (UA 2.18); and [Timothy J. Sullivan Papers, 1982-2012](#) (UA 2.19)

Additional stories about Sullivan are available in the web archive of William & Mary Law School under News | William and Mary Law School (<https://archive-it.org/collections/21165>)

Additional items related to Sullivan have been digitized and are available in the Scholarship Repository of the Wolf Law Library (scholarship.law.wm.edu).

Description Information

Collection guide written by Kathryn Downing, 2023. Biographical note for the narrator provided by student assistant. Biographical note for interviewer and interview summary provided by interviewer.

Both DACS and the Oral History Cataloging Manual (Chicago: Society of American Archivists, 1995) were consulted in the generation of the template.

Keywords & Subjects (Access Points)

Names

- Bolling R. Powell, Jr.
- Rodney A. Smolla
- William B. Spong
- William F. Swindler
- James P. Whyte, Jr.
- Richard (Dick) Williamson

Subjects (local headings)

- William & Mary Law School.
- Citizen Lawyer.
- Institute of Bill of Rights Law (IBRL)
- Law school buildings and facilities.
- Law school deans.
- Student life.
- Teaching—Law school.

Subjects (Library of Congress headings)

- College of William & Mary. School of Law.
- Law schools—Accreditation.

Inventory

- Informed Consent signed by the narrator.
- Recording Release signed by the narrator.
- Correspondence between narrator and student worker regarding oral history interview.
- Bibliography of sources consulted.

- Interview questions written by the student/supervisor team for recorded interview with narrator.
- Interview notes from recorded interview with narrator written by the student.
- Interview metadata created by the student for the recorded interview.
- Recorded interview (see Separated Materials and Existence and Location of Copies, above).

An Interview with Timothy J. Sullivan

Available at: https://scholarship.law.wm.edu/oralhist_all/1/

[text] Oral Histories, William & Mary Law School. A Project of the Wolf Law Library.

A man is seated in a chair against a black background. The text, "An Interview with Timothy J. Sullivan" appears.

Brendan Clark: All right. Good afternoon. This is Brendan Clark interviewing former president and dean of William & Mary Law School, Timothy Sullivan, on March 28, 2023. It's 2:20 in the afternoon, and this interview is taking place in the production studio of the Reeder Media Center at William & Mary in Williamsburg, Virginia. And it's being conducted as part of the Wolf Law Library's Oral Histories Project.

Thank you, President and Dean Sullivan, for being with us here today.

Timothy (Tim) J. Sullivan: Well, I'm delighted. I appreciate the opportunity to share some of my experiences, particularly as a law faculty member and then as dean of the law school. So I'm grateful for this opportunity.

Brendan: So we'll start off with what brought you to William & Mary Law School?

Tim: It's simple and not simple. I was, I graduated from William & Mary as an undergraduate in 1966. Loved my experience here. And I was looking for... and then I went off to Harvard Law School. I had a short period of civilian life, and then I was in the Army, U.S. Army for two years. And when I was coming out of the army, I called or sent a letter to the then dean of the law school, Jim Whyte, inquiring as to the possibility of a position.

And when I got back to the United States, he invited me to come down and meet with him and other faculty members, and they offered me a job and I took it very happily. So that's, that's how it happened. What it was... In the first instance, I wanted to find a way to come back to William & Mary. I wouldn't be the only former William & Mary student who wanted to do that.

But in my case, I succeeded.

00:02:19:15

Brendan: Can you tell us a little bit about your first day on the job, your first week?

Tim: Oh, yes, I can. One of the most amazing things, the first day of the first class I was to teach in law school. The course was, I believe, constitutional law. And it was because the law school was scattered out over buildings in the old campus. It was in the basement of Washington Hall. I arrived and there's no one there.

I had misjudged the time of the class, so I... I missed my first class, which was not a very auspicious beginning, I must say. And especially if you knew Dean Whyte, there would be consequences for that sort of delinquency. But I got past it and went on from there. The first year was, you know that phrase drinking from a firehose?

That's what I did. I came without any expectation of the class assignments. And so what I got, that's a good thing, because what I got was what was left over. I came in the middle of the, of the year in January, and I was assigned... why constitutional law, I don't know, but also environmental law. I was the first professor of law at William & Mary to teach environmental law.

So I'm a pioneer and I love that subject. But two years later, the law school hired a senior person, a very senior person who wanted to be the environmental professor, and that was the end of my service in that field. So I moved on to some other things that I turned out to like very much and that's contracts, contracts law, which I taught for a long time.

00:04:20:19

Brendan: So can you tell us a little bit about the most senior members of the faculty who were there when you arrived, people who... you could tell us about what they did, in your experience?

Tim: Oh, I certainly can. Yes. There were, the senior members of the faculty... Well I'm going to start with Professor William Swindler, an unfortunate name for a law professor. He was a legal historian and rather distinguished. He was one of the leading lights of the Supreme Court Historical Society. He, and he did teach constitutional law and legal history. He had been in the law school for some time. A second senior person was Arthur Phelps, who came to the law school as a faculty member before World War II and was briefly the dean.

And another was Tom Jolls J-O-L-L-S. Who did commercial law and a variety of other subjects related to corporate law. And he had come to legal teaching late in life. He'd been a fairly high ranking officer in Northern Trust in Chicago.

Tim: There was a fourth man named Bolling Raines Powell. Bolling was a native Alabamian. He had been in the, had an administrative post, somewhat significant one, in the New Deal and had made important acquaintances and so he came to the school and made a very interesting career. So those were, those were... the only person of that bunch who, who had made a whole career of law teaching was Arthur Phelps.

The others had done other things and [...] I guess it's just the phenomenon of people who've either practiced or done some other law related thing that wanted to kind of end their careers as teachers. And those were, those were people who did. Bill Swindler, for instance, was, came to law school originally, I mean, to the college as a development officer. For a brief time he was the college's chief development officer.

And the fac- that seems like a small number, but the faculty was quite small in those days. So that, that's why I'm only mentioning that number. And then shortly after I arrived, perhaps just before I arrived, the law school had expanded enrollment considerably, probably almost double the enrollment. And that meant there was a large cohort of new faculty members.

00:07:22:19

Brendan: Can you tell us about the junior faculty?

Tim: Well, I could. They're the there were quite a few of them. There was a Professor Tom Collins who came from Indiana and the University of Michigan Law School. Tom taught administrative law and was rather a colorful character. He was a colorful character. And he had a little difficulty in getting used to the classroom. And that took a bit. Who else? One, another professor was Ronald Brown, who taught contracts and labor law.

He stayed with the school quite a long time and then became a professor out at the University of Hawaii. And once he got out there, he, I don't think any of us ever saw him again. I don't know what that says, but that's what happened. Another professor named Gary Bahr, who came from Ohio State Law School and he taught civil procedure, subjects in that area.

And finally, I think Richard Williamson, who also came to the law school from Ohio State, became an expert in criminal law and procedure and became a very important figure in the story of the law school from 1972 until probably 2004.

He became, he was the vice dean, sort of second in command and served in that role under Jim Whyte, the dean to whom I have referred. Bill Spong, Jim Whyte's successor, and then me, as I was the third dean he, he worked

with. Amazingly able person. Dean Spong, who was a rather, had just, had a distinguished career in politics, but in the practice of law, said to me once, Tim, Dick Williamson, can get more work done in a short period of time than anyone I've ever seen.

Tim: He was extraordinarily efficient, a very good administrator, organizational skills of a high level, and he really cared about the law school and the students here. Though he taught in a little bit in the Kingsfield style. That is the Socratic method. That wasn't, some students thought that wasn't kind and gentle, but it was typical of the day. And so Dick Williamson didn't always win a popularity contest with the students, but they always respected his talent and his abilities as a teacher.

But they didn't love him. He was not lovable. Who else... I'm trying to think.

Brendan: John.

Tim: Well, John Donaldson, someone I omitted probably because he perhaps was the most important among this whole bunch. John was in, came to the college and the law school shortly before I got here. He was, I think he came in, you might even know, 1965, 66. He was not only a member of the faculty, but he wound up being a close and trusted adviser of the then-president, Davis Paschall.

So John had administrative experience on the central campus, of course, was a brilliant teacher of taxation and trusts in the states, subjects in that area. Just a fine teacher, a good scholar. When the word citizen lawyer, which is a phrase we use at the law school pretty commonly now, and I'm very pleased about that, he, he comes to mind as someone who did everything a member of a learned profession with an obligation to help the society could do.

John was quite good, really quite special and a lovely personality. A gentleman to his fingertips, a Virginia gentleman to his fingertips. He grew up in Richmond. Very fine person. I'm sorry I didn't catch him in the first go. But you reminded me of him. I'm grateful for him.

00:11:59:14

Brendan: So tell us about the deans that you worked under, what you remember about them, what, what lessons they imparted to you.

Tim: Well, the first dean I worked under was James P. Whyte - that's W-H-Y-T-E. He was proud...he was of Scottish heritage and very proud of it. He had served as a naval officer in World War II and began his teaching career

somewhere out in the midwest. He's from Oklahoma, maybe he taught in Oklahoma. He came here and became dean.

Tim: He was a... his military training... He found expression of that training in his general manner. He was, he was excellent. He was a labor law teacher. He was a very sought after arbitrator [...] in labor disputes, traveled all over the country. And how he became dean, I can't answer that because I was, I was at the bottom of the totem pole and I wasn't asking any questions like that in those days.

He was quite a distinguished person. He was extremely, he could be very abrupt. He did not suffer fools gladly. And I think he put more people in the category of fools than wanted to be there. So he was just all business and but did a very good, good work for the law school. I mean, he was the dean when this increase in enrollment started and the influx of faculty.

And that was a kind of, that was a rough transition. It wasn't smooth by any means. And he did a very good job of handling that transition. He had the misfortune of being dean when the law school invited a African-American named JeRoyd X. Greene. A high profile civil rights lawyer in Richmond, African-American, he came and talked and he was a very controversial figure in, in the legal profession in Virginia, in the judiciary.

And there were some people in the William & Mary community who were not pleased that he was there. I'm not saying that was correct, right. But that's the way it was. And so the president heard a lot about Mr. Greene. And then the young faculty, and I was one of them, we took umbrage at the criticisms of the school for inviting Mr. Greene.

Also took umbrage at the idea that there was some sort of ideological test, of people who could come speak at the law school. So we, this, mostly this bunch of younger people that I mentioned who'd just come, we wrote up a open letter and sent it to the president and to the Board of Visitors and I don't know what we thought we were going to do.

We were vindicating our righteousness. I think that was the main thing. I don't think we thought of it that way. We thought we're standing up for something that was important, but none of us in that group had a clue as to the complexities of Virginia culture, and many on the Board, including the rector, were very upset with the faculty and then upset with the law school.

And Jim Whyte, the dean, got caught between that group outside the school and his faculty and that led to, I think, his agreed agreement to resign after

having a couple conversations with the president. So that's... that's his story.

00:16:32:05

Brendan: What...going back to something you said earlier, what reprimand did he give you for missing class?

Tim: Well, he didn't take much because I knew I had really made a huge mistake in not only that, but it showed a kind of lack of focus. Ill discipline. And that, Dean Whyte wouldn't put up with ill discipline. So I knew I was going to go in there and get chewed out. And I did. I mean, I just sat there.

He didn't do anything, but he made me feel miserable. And when I left for the next couple of weeks, I was thinking about what sort of future I might have at the law school. I had no idea. But later I think he came to appreciate me and I came to appreciate him. And so he made me a second associate dean, with Dick Williamson, and I did that for a number of years. So that's, that's how it happened.

00:17:31:06

Brendan: And then tell us about William Spong.

Tim: Well, that's a that's a hard subject. William B. Spong, Jr. from Portsmouth, Virginia was dean after Dean Whyte. We had an interim dean for a year, Emeric Fischer, who was a member of the faculty, senior member of the faculty. I consider Bill Spong... He had, his career was, he had a distinguished career as a legal practitioner. He was a member of the state Senate. He was president of the Virginia Bar Association.

And he wasn't just a member of the Virginia Senate. He was a deeply respected member who chaired something that in the early to mid 60s, was called the Spong Commission, and it really was the commission charged with looking at the state of Virginia public education and made a number of far sighted recommendations, many of which were adopted.

And that commission, and its recommendations in this bill were credited with a number of the important steps forward in Virginia public education. Well, after his service in the state Senate, he while he was a state senator, he ran for U.S. Senate. He ran against a senator, A. Willis Robertson, who was from Lexington and was, he wasn't, he wasn't in the Byrd organization exactly.

But he was of that view, very conservative, traditional. I mean, if you ever think about -- I'm now speaking of Senator Robertson, and if you think about if you had this image of how politicians in the early part of the 20th

century spoke in public, this very formal, high flown rhetoric that was like, he was like a good preacher and he was good at that.

Tim: But anyway, Bill ran against him, and it was odd that they... both Senate seats were up at the same time, U.S. Senate seats. And the other, the other seat was occupied by Harry Byrd Jr. And so Bill Spong and I can't remember who ran against Harry Byrd, but they represented in the, in the view of people their age and the professional, especially among lawyers and community leaders of that era, their, their prospects, the chance that they could be elected, was critically important to people of that generation, because if we, if they had, if they succeeded in being elected, it would be a statement that Virginia had moved on from the Byrd era and was now looking seriously at the future rather than the past.

And Bill won, Spong won by some very small margin, and Senator Byrd Jr, known as Little Harry, won comfortably, but Bill won and that was a huge thing. He had a very distinguished career in the U.S. Senate. He was a special favorite of the, it was as a first term senator, he was a special favorite of Mike Mansfield, then the Senate majority leader, and a very legendary figure in the history of the U.S. Senate.

But Bill ran against perhaps the worst candidate that ever ran for the U.S. Senate in Virginia named, a fellow named Bill Scott, who was... he didn't have much to recommend him, let me put it that way. And Bill had everything to recommend him. But Spong had the misfortune of running in Virginia on the same year that George McGovern was on the ticket as a presidential candidate, and he got wiped out, McGovern in Virginia.

And Bill ran a somewhat lackluster campaign. He did better than George McGovern, but he lost. And that was a source of great lamentation among people like me and others, young lawyers around the state. So he, Bill, spent a couple of years at the Smithsonian, practiced some in his hometown. And when the deanship opened it's... there were a number of us, the younger folks, that really thought he'd be a great dean.

And we worked to get organized. And I was actually chair of the search committee for that. And so it was, I don't know, God's blessing that Bill was chosen to become dean. And he did an extraordinary job. He, I think many people who know much of the history of the law school in that era know that there was a period when the American Bar Association [...] they're the accrediting, one of the accrediting agencies for law schools said, We're not going to, we don't think we can continue your accreditation. Your physical facilities are so dismal.

Tim: And of course, that got out in public and went around the state and it didn't do much for our standing. And so it was desperately important that we get a new dean who could deal in the political milieu, both in Virginia and nationally, and get us re accredited and then help us move forward as a more modern law school.

And he did all that. As a person, he had a wonderful sense of humor. He was a great storyteller. I mean, the best. And he had the, he had a number of phrases that he'd always say: when he wanted you to do something quickly, he'd say, You never have an earlier opportunity. And another thing he'd say, he said, when I got to be his successor, he said, Tim, there are a lot of complicated books you can read on leadership, but if you want my advice, just look at the back of the Hellman mayonnaise jar and look at the instructions on it.

Very short and simple. Keep cool, but don't freeze. That was his, one of his mantras. And there were many others. And it would take all afternoon to tell you all about them. But he was a brilliant man who cared deeply about this school. I mean, really did... deeply about Virginia and did a wonderful job of elevating the law school, not just in Virginia, but nationally and that happened because he'd made a number of very intelligent decisions.

We got reaccredited. He was able to help us get the money for what was then the new law school building, which we occupied in 1980, 1980 or 81. And then helped us bring in as... recruits on the faculty who were quite able. And he gave all of us confidence in ourselves, a belief that we can be something. We are something.

And it's very hard for me to... I don't know how, I can't convey exactly how important that was at that time. So he's a very, very, very important figure in the law school's history. If I had to pick one man, I started on the faculty in 1972 at the law school, and I left it when I left the college in 2005. So I have a considerable chunk of time.

He's without question the single most important figure in the history of the law school during that period. Without question. Great man, basically, and a great soul. If you knew him, you'd be... it would make you happy to have known him. And if you were his friend, you'd feel privileged to have been his friend.

00:26:10:07

Brendan: So how did you find yourself elevated to the position of dean?

Tim: Well, I thought from the time I came to the law school, and I don't mean by that first week when I missed my first class, I was figuring I was going to be the dean. But I have a natural bent toward organizational leadership. It's just something in me. And I thought, You know... I wouldn't mind someday being dean of law school. And I taught until, from the time I came in '72, to 1982, when I took a three-year leave of absence and went to work for then-Governor Chuck Robb as his chief policy person in Richmond.

And during the course of that time in Richmond, I still taught one course down here. Bill made it, Bill Spong, made it clear to me that he was not going to stay around a whole lot longer. And he really encouraged me with that. He never said anything like this directly to you. You just had to, you had to infer from what he told you, what he thought would be a good idea.

And he made it clear in the Spong-ian way that he thought I'd be a good dean. I had to think about doing it. And he said, If you want to be a dean, the dean here, you've got to cut your time in Richmond short and get back here and get on the faculty, which I did. And I think that period in Richmond as an item on my resume, first, and then as a, as an education of the kind you couldn't get in academia, was critical to my becoming dean.

And so I thought hard about how, a strategy for being a strong candidate for dean. I worked. I worked hard at it. I talked to faculty members, colleagues and asked them to help me if they felt comfortable doing it. I did the same, because I had been on the faculty for some time as associate dean I knew a good many of the alumni, including alumni leadership, and I went to them and asked them if they could help me.

So it was an organized effort actually. And there are people in academe who thought then and probably think now that it was very unseemly of me to put myself forward in such a way, that the job should come to the person, the person shouldn't seek the job. I thought that was baloney, and I still think it's baloney, but that... so my obvious interest in the position and my quote, campaigning for it didn't sit well with some people, but it sat well enough with the right people.

And I got, I got to be dean.

00:29:23:17

Brendan: So what were some of the challenges you feel you faced as, as dean?

Tim: Well, the first well, the first thing I would say is because of Bill Spong's work, the law school was in quite good shape. So I came into a situation where the table was set. That's the good news.

The bad news is the table was set and the person who set it was Bill Spong. And a good many people, because we had no institutional history as a law school of great distinction, great many people had the view that, well, all right, they're doing pretty well, that Marshall-Wythe School of Law. But that's all because of Bill Spong. The place, once he leaves it's just going to be like a balloon, a balloon deflating. So I had to deal with that, had to help convince maybe people on the campus, but also certainly people in Virginia and the political class and the legal profession that [...] we could do something that's important and good even if Bill Spong wasn't here.

And so that in the broad sense was my, was my purpose. In the more specific sense. It meant recruiting excellent faculty members and it meant beginning a serious effort to raise private money for the law school. That had never happened before. So I made it a high priority to put together a development program. Looking back on it, it is pretty, pretty primitive, but it was the first one we ever had and we began to have some success, raise some money.

And the other thing I wanted, and this is the part that can't be... it's hard to describe. It's not hard to describe, but it's not visible like how much money did you raise and how many good faculty. I thought the culture of the law school to which I came was extraordinarily fond and positive.

It was humane. We liked each other. We cared about the school, the faculty, not just about our own careers, but we cared about the school. And I wanted to preserve and strengthen that culture because I thought it was a distinguishing feature of the law school, even though to the outside world we hadn't been a very distinguished place. But that distinguished it. But the only people who understood that were people inside.

So I took it as a very important job to not just build on that, but to strengthen that feeling. And I think I did accomplish that over those years. I did. I made a lot of friends in the alumni and the faculty got behind me after a couple of false starts. And because of my work in Richmond, I was able to network with political and bar leaders and built, help build the law school's reputation with them.

So when I finished, the law school's reputation was enhanced and without being, without having lost the great qualities that we had when I became dean.

00:32:52:08

Brendan: Who were some of the faculty that you brought on?

Tim: Hmm let me think. One of the problems of being old is that your names are not, you're not, you're not as sharp. Well, I can think of... we had a professor named Rod Smolla who was with us for about ten years. Rod was a very distinguished scholar of the First Amendment, brilliant teacher, brilliant advocate. He did some, argued some cases on First Amendment at the Supreme Court.

We hired him and he became a real ornament to us. And he, not only was he able, but he also was a good person. He understood that culture that I described and he wanted to be part of it and helped advance it. Another faculty member who came was Paul Marcus, whom you probably know. He's just retired, I think, recently. Paul had been dean of the, I think it was the University of Arizona Law School, quite a distinguished figure.

And I wanted him and he came and I think he was, never regretted coming. His [Rod Smolla's] wife Linda Malone, altogether different sort of person, but she, she did a lot for us. Another one I can think of was Jayne Barnard. Jayne had been, she was in Chicago with a big law firm.

She'd been deputy corporation counsel, city attorney for Chicago, and brought great intellectual capacity. And a great sense of life and the fun in life, great sense of humor. And she was a very constructive contributor to, to the law school. Those are three and there are others, but, I mean a lot of others, but those are the ones that come to mind.

00:35:03:08

Brendan: So you had mentioned culture is one of your sort of accomplishments that you sought to keep alive. What, what other sort of accomplishments did you view, or do you view from your time as dean?

Tim: Well, I think I did, the... I think the most important accomplishments of anybody in academic leadership position... Well, mostly can't be measured by quantitative tests. I could point to the fundraising and that was... Since we started from almost zero, the percentage gains we made were quite large.

And we did, that was for the quality of the faculty we hired. I think, building that culture that I mentioned, not building, but preserving it and strengthening it was extremely important, extremely important. It was

during my tenure as dean, we began to talk about the citizen lawyer as a, as a, the kind of person we wanted to attract and educate.

00:36:10:18

Tim: And, and that was the, frankly, that phrase... it may have been used somewhere else by somebody else. But I was sitting in Rod Smolla's office one time, and the phrase citizen lawyer just popped out of his mouth. And I said, Rod, you know, I think that might, that might fly, that might have legs. And it did... Because it made sense. It fit. If you recall what I said about the quality of the culture of the place, that notion of a lawyer as not just about serving private clients, but as a person obligated to serve in the public interest, in other ways, that fit with the culture we already had.

And that little tagline, it's, it's great to have something that's complicated that can be captured in a few words. And that did it. And still, I think, used pretty consistently at the law school now. So, I mean, there are some other things like we got money for some special lectures.

The Institute of Bill of Rights Law was a huge plus for us, and I'm not taking credit for that, but it, it existed on my watch. But I, when I came, but I really, the things we did while I was dean, it enhanced its reputation hugely and enhanced its, its impact hugely. But those kinds of things. But in the end, I'll stake my claim to preserving and enhancing the particular culture of the William & Mary Law School.

And that's nothing that you can put on a, I mean, when you, when you're writing a resume-- I don't have to worry about that anymore, to have a resume. I don't need one. But if you're trying to put one together and you think, well, what did I do as dean, I can put the faculty, some lectures, Institute of Bill of Rights Law, some other specific things. But the thing I think that was most important was that work on the culture. And you can't put that in a line of a resume. Something people who aspire to be leaders need to think about, need to think about and internalize.

That's by far, I mean, anyway. So yeah, that's, that's the best I can do.

00:38:38:22

Brendan: So going back, what, you alluded earlier to some of the courses that you've taught, but could you expand on, on what courses you, you taught during your tenure?

Tim: What I wound up with? Yes. Well, my, my stock and trade was contracts and commercial law. I taught the entry level contracts class, the

large section. In those days we had first year classes. There was a large section of about 150 or so, and then, well, maybe 140 and a small one of 15 or 20. And I had the, I started teaching a large section of contracts, and I did that for more than 20 years.

Tim: And I loved it. I loved every minute of it. And I think... I think I had an impact on my students. Certainly I, in what's happened after I left, and they [...] I know I did. And then the other thing is commercial law, I really enjoyed teaching. Particularly the bank collections and negotiable instruments, secured transactions. Most people consider that to be terminally dull. Let's be honest.

Not too many people would say my passion in life was I taught Uniform Commercial Code, but I loved it. It was a self-contained universe, all internally consistent and interlocked. And so it was a great intellectual challenge to master it because you could, I don't know if you've ever taken commercial law, but you could open up commercial law, I mean, the Uniform Commercial Code and pick a section out: 2-201 in the contract section, and you'd read it, and you think, Oh I understand that. Well, the fact is you don't. There's probably five or six other cognate sections that give color to it and maybe even contradict what you think it says.

And you have to put all that together. And when it's all together, it's a beautiful, harmonious system. Maybe if I were brilliant enough to be a physicist, I'd see the order in the universe or disorder. But I never got past understanding the order of the Uniform Commercial Code. And teaching that is a serious challenge, serious challenge, because it requires exceptional devotion on the part of students.

That is, if you're going to do well at it, you just can't paw at it. You have to immerse yourself in it. And helping students reach that level of competence was extremely satisfying to me. And I think those who did see the light at the end of the day, it was very satisfying for them. And it served them well in their practice.

00:41:37:13

Brendan: Do you remember any notable moments happening in class, any, any sort of unique outburst or event?

Tim: There are few. One, the one that's the most memorable to me, memorable to me, was in contracts class. And this is a story that people who may watch this... probably wouldn't understand because they'd be a whole

different, two generations removed. But during the fifties and sixties, everybody knows Groucho Marx, of course, but he had a program.

Tim: It was a, it was sort of a quiz program or an interview program. And it was, it was hilarious the people he had on there. And at the beginning, when the credits, when the thing opened up and he, they had, they said, Now today's magic word... And he'd have some word, let's say it was fraud or automobile or something.

And he said, and then when he said that word, a duck would drop down from the... and show itself in the screen and he'd stick that word on a piece of paper in the duck's mouth. And if a contestant happened to say that word, the duck would drop and he would make a big fuss about it. So I had a habit of, in class when I was pressing a student, which I did, and they finally maybe got it right, I'd say, And the duck dropped. Meaning you got it right.

And so one day I went into class and it was in what was the moot courtroom of the old building. Quite a big, nice room. And I walked up and started lecturing. And then the students all started laughing like hell. And the students had rigged up a duck on a pulley. And I didn't see it when I came in. Dropped right in front of me.

And so I think that may be the most memorable event of my 20 years. There were some others, too, but that one I'll always remember. They actually gave me the duck, too. I had it for a long time. I don't know where it is now.

Brendan: What...

Tim: That was a stuffed duck, by the way, not a live one.

00:44:14:12

Brendan: That's an important clarification. Speaking of the students, what do you remember most about them and, and have you kept up with some as, as you've grown in your career?

Tim: I have. I've kept up with a fair number of students. When you last as long as I have, I mean you go through different phases of... But over time I've... yeah I've kept up. Many students keep up, want me to know what they're doing. So they're in touch with me and many of them I consider to be now my friends.

And so, yeah, that's been, it's been a lifelong relationship. Not with all of them, but well, not a... not... more than just a tiny sample. So that's part of it. Students then and in the early days were, we had a number of people

who, like me, were veterans, come back to study. And of course they brought a level of maturity and a different view of life from them.

Tim: The men and women who are-- mostly men-- who came, came right from college, but they were very, they were mostly serious students, but they sure knew how to have a good time. There were a lot of keg parties, all the social life at the law school among the students was very rich and very deep and sometimes wacky.

There was, during that era, Busch Gardens, the entertainment complex? When it first opened, you know they had a brewery, still have a brewery there? Had a taproom that you could go to and you get free beer. In theory it was limited, but in practice it was pretty much unlimited. And there were a number of times our, a bunch of our law students became very memorable by their antics after that.

But just there was, uh, it was, we were... this was -- you think Williamsburg is small in 2023? It was microscopic in 1972. And so you had to make, you had to make your social life among yourselves. There weren't too many nightclubs to go to, things like that. And so they did. It was... there was just a lot, they had a lot of fun.

They had a thing called-- I don't know if you still have the Barrister's Ball or fancy dress ball and other things. One of-- Bolling Powell, the faculty member I mentioned? The, the deep Southerner. Bolling, most distinguished looking man, he knew he was distinguished. He had, he owned a home in Gloucester County that was in the Washington family for a while. A lovely place.

Bolling was a devotee of fancy antique sports cars, like MGs and Jaguars. So Bolling and his wife every spring had an oyster roast and road rally out there. And it was really quite an event. Just, people just loved it. I mean, there were a lot of things like that that were going on in those days.

And I assume there's a good deal of that still. But I, of course, don't know.

00:48:01:18

Brendan: So you mentioned the sort of switch from buildings from the start of your time and then to, moving to Henry Street. Can you talk a little bit about that transition and describe sort of the offices or places that you taught in, what you, what comes to mind?

Tim: You mean in the new building or the old ones?

Brendan: Both.

Tim: Well, THE old building wasn't THE building. It was a series of buildings on the old campus. The, we had sole occupancy of what's now called Tucker Hall. That building was once the William & Mary Library. That was the library when I was a student undergraduate. That building represented the entire library of the College of William & Mary. To give you an idea of how much things have changed because we're in a building that's quite different.

There was that building and then we had, there were faculty offices in what was called Marshall-Wythe Hall, it's James Blair Hall now, up on the third floor. And there were... and we taught classes in the library, the old, the old library building, in Washington, and all over the campus.

So we, we were scattered all over. And that was a real disadvantage to the situation as it was. ...I did basement of Washington Hall, which was pretty dingy and pretty dim. And then the smaller classes in, in the main law building, including the moot courtroom, which was-- I think as you know, it's got a little addition on the back of it that sticks out. And that's where the moot courtroom was. And I taught in that for a while.

When we came to the new building I taught in that, contracts class was, for 20-some years, was in 119 or 20. One of those big rooms in the front. And then I taught in the back, like the contra- commercial law classes in those rooms around the tail that were the great horseshoe thing. And so those were wonderful. I assume they still are wonderful rooms to teach.

But that was what we had then. We didn't have all this extra stuff that's been built in the years since I actually left the law school to become president.

00:50:35:03

Brendan: So I suppose it's that time where we ask if there's anything that... else that comes to your mind that you might wish to add, any, any other name you wanted to mention?

Tim: Well, I don't know any more names, but [...] I think I need to, first I need to say that if you know the history of the law school from... First of all, we... I think we all know we're flying somewhat under false colors when we say we were established in, what is it, 177-- whatever it is, 1779 or something.

Well, that's partly true, except for the period when this college wasn't opened during [the Civil War]. And then after that, there really weren't any serious law taught at William & Mary until 1920 when this sort of was reconstituted as part of something called the Marshall-Wythe Institute of

Citizenship and Government. So if you know that history and... there's... In the thirties, the law school was minuscule, I think the student body probably was 90 people maybe.

Tim: And toward the end of the 1930s, the General Assembly proposed to abolish the law school at William & Mary. And a group of students led by the folks who became very successful lawyers and prominent alumni, raised hell and created [...] ran a campaign and got it sort of saved from the executioner's block. But what I meant to say is, if you, if you know from whence we came-- let's just say from 1920-- to where we are today, it's an extraordinary story.

It's an extraordinary story, if you just look at the period of time while I was privileged to be associated with the school from 1972 to 2005, I suppose. Institutions, complicated institutions like a law school, they do not rise normally except by applied efforts stretching over a couple of generations. Here, the law school has been elevated to an entirely different category within the legal academy, entirely different, much more distinguished.

I don't know where we, how you define a pecking order, but the law school at William & Mary is pretty far up the totem pole. To have that happen in 50 years? It's an amazing story.

And I hope, one of the reasons I hope that use will be made of these tapes and some other things is that story needs to be told, by someone. And in the modern age, how that... a book is the first thing I think of. Maybe it's something besides that. But some way the things that I've just described, those things actually happened. It is a colorful story. It is a story of triumph and setbacks and a lot of very interesting people who played a role in that. So that's, when I think about that, that's what I think about. Just what a glorious story it is, what a privilege it's been to be a part of an institution that has made that kind of progress. And, in the main, remained true to its best qualities.

That's also something highly unusual. I hope it still is. I'm not saying it isn't. I just, the law school of 2023 is really unknown to me. I don't, don't know it anymore. I mean, I know it where it is, but that's about all I can say. I don't know... That culture I talked about? I have no idea what it is, but I know that through at least 2005 it was preserved and that's a great achievement.

I don't believe you can find another law school in this country that could tell a similar story. Unique.

Brendan: Well, that was wonderful. Thank you very much for your time.

Tim: My pleasure.

[end of video]