1985


William & Mary Law School

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Hunton & Williams
Richmond, Virginia
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This periodical was published by the Marshall-Wythe Foundation and the William and Mary Law School Association in conjunction with the Marshall-Wythe School of Law.

The following individuals at the Law School were involved in the typing and proofreading of this material: Mary E. Abele, Helen Adkins, Nancy Allison, Della Howard, Linda Spalding.
he decade of the eighties will be taking on new meaning for two graduates of the sixties at William and Mary. On July 1, 1985, Paul R. Verkuil, '61, became the 25th President of the College of William and Mary. Two months later, Timothy J. Sullivan, '66, assumed the position of Dean of the Marshall-Wythe School of Law.

As Verkuil pointed out in a recent interview, his return to William and Mary comes on the eve of the 25th anniversary of his graduation from the College, where he was an English literature major, president of his fraternity, president of the Interfraternity Council, and a member of the Scabbard and Blade, the honorary society of the ROTC.

Verkuil’s journey of almost 25 years back to his alma mater as President first took him into the Army for a three-year tour at Fort Lee, Virginia, and then to law school at the University of Virginia, where he served as editor of the Virginia Law Review, was an honor student, and a recipient of the DuPont Scholarship.

After graduating in 1967, Verkuil returned to his home city of New York to practice law for three years, during which time he received an LL.M. in trade regulation from New York University, an M.A. in political science and economics from the New School of Social Research, and a J.S.D. from New York University.

In 1971 he became an Assistant Professor of Law at the University of North Carolina at Chapel Hill, and in 1977 he was named to the prestigious Kenan Research Professorship. While at UNC, he spent a year as a visiting Professor at Duke University, and a semester as a visiting scholar at the Columbia University School of Law.

In 1978, Verkuil was named Dean of the Tulane Law School, and in 1983 he was named Joseph M. Jones Professor of Law. He is a council member of the Administrative Law Section of the American Bar Association, a Commissioner on Uniform State Laws, a member and consultant of the Administrative Conference of the United
Common to both new President and new Dean exists experience in the public and legislative sectors as well as in legal education, a love for and commitment to their alma mater, and a College and Law School worthy of the best efforts each can muster.

States, and a member of the American Law Institute. In the summer of 1984, he served as a member of the Anglo-American Legal Exchange in London. He is a member of the law faculty and expects to begin teaching at Marshall-Wythe in the near future.

Verkuil credited, at least in part, the liberal arts education he received at William and Mary for his successful career. He described himself as someone who, having gone through the liberal arts tradition, went on to professional life to find, both in practice and in academia, an important connection between undergraduate school and subsequent undertakings.

Twenty years ago, Timothy J. Sullivan began his career at William and Mary, laying the groundwork for his professional future in public life as campus president and state chairman of the Young Democrats, and as senior editor of the Flat Hat. He too has ably integrated his undergraduate education with his professional life. A Phi Beta Kappa graduate, Sullivan received his A.B. in government at William and Mary in 1966, an experience which instilled within him a desire to become a lawyer, a professor of law, a public servant, and now a law school dean.

Sullivan returned to the College twelve years ago, after graduating from Harvard, practicing and teaching law for six months, and serving as a captain in the Army in Vietnam. In 1972 Sullivan made the transition from decorated military officer to Assistant Professor of Law at Marshall-Wythe, and was soon promoted to Associate Professor of Law and Associate Dean of the Law School in 1974, gaining full professorship three years later.

Sullivan’s interest in public service translated into a high level appointment on the Robb campaign staff in 1980. Stewart H. Gamage, ’72, introduced Sullivan to Robb, then Lieutenant Governor of Virginia. After Robb was elected Governor, he made Sullivan one of his primary assistants. As Executive Assistant for Policy, Sullivan was responsible for preparing the Governor’s legislative package.

In addition, Sullivan worked on regulatory reform and on Robb’s new Center for Innovative Technology, a program designed to enhance Virginia’s ability to compete for high technology industries. He also served as a member of Robb’s budget steering group, which was responsible for formulating the executive budget for the Commonwealth. Robb depended on Sullivan to advise him on judicial appointments, and named him Executive Director of the Governor’s Committee for Virginia’s Future.

In September, 1983, Sullivan resumed full-time teaching responsibilities at Marshall-Wythe, and was soon named the John Stewart Bryan Professor of Law at the College. During this time, William B. Spong, Jr., Dean of the Law School since 1976, announced his decision to retire on September 1, 1985.

Following a nationwide search of several months, Sullivan was approved by the Board of Visitors as Marshall-Wythe’s new Dean. President Verkuil, who recommended Sullivan’s appointment to the Board, described the 1969 Harvard Law School graduate as “an outstanding teacher and experienced administrator, who has the vision, energy, dedication, and loyalty to lead the nation’s oldest Law School at this important stage in its development. He will make a superb dean, and has my full confidence.”

Sullivan assumes the deanship at a time when the Law School is in excellent standing—thanks, he says, to the considerable leadership skills of Dean Spong over the past nine years. At the close of Spong’s tenure, the Law School was named as one of the fifteen bargain law schools in the country, along with other leading law schools, such as North Carolina, California and Texas, and was ranked among the top thirty-six schools with an academically superior student body. Faculty size and salary had increased significantly: the library had more than doubled its collection, and the Law School was located in a new $5.4 million building.

Sullivan believes that Marshall-Wythe will continue to grow in reputation over the next few years, and commends Dean Spong for his outstanding contribution to the Law School’s growth and stature. “By almost every measure the Law School is in good condition,” he asserts. “All of us here credit that to Dean Spong, who was the crucial element in our progress. Without him, all of this would not have been possible.”

The new Dean of Marshall-Wythe is eager to continue the success of his predecessor, first by creating a “consensus for our objectives and maintaining a continuity of purpose,” and next, by increasing the Law School’s “national visibility, without forgetting that our first obligation is to the Commonwealth of Virginia.” This he hopes to accomplish by “continuing to attract able students and by encouraging our faculty to establish themselves as recognized authorities in their fields. To do all of this requires a supportive and stimulating intellectual environment and additional financial resources.”

At this stage in the Law School’s development, Dean Sullivan’s agenda for improvement is focused on academic quality. Sullivan hopes to see the Law School command a national reputation for excellence; to serve as “something of a model for other law schools.” He would like “other law schools to compare themselves to William and Mary.” These goals are reminiscent of the new President’s statements concerning objectives for the College, for he hopes to see William and Mary “realize its potential as a university,” and “really gain that national recognition that it deserves.”

Both the new President and new Dean are committed to raising the national image of the College and the Law School. These two alumni bring their own individual talents and personalities to their positions, yet common to both men exists experience in the public and legislative sectors as well as in legal education, a love for and commitment to their alma mater, and a College and Law School worthy of the best efforts each can muster.
This is my first report as Dean to the Marshall-Wythe Law School alumni. There is no opportunity I would rather have; there is no community I would rather serve. Since joining the Law School faculty in September of 1972, I have taught hundreds of you and have shared a rich, professional life with many remarkable colleagues. I have had the privilege of working with Dean Spong, whose leadership has carried us a long way toward national distinction.

Our Law School now enters a new and critical period in its life. We have a magnificent building, superb students, a dedicated faculty and loyal alumni. The question is not, “Will Marshall-Wythe survive?”, but rather, “What do we want to become?” For me, the answer to that question is not difficult. Our destiny is to be a relatively small law school of exceptional quality which never forgets that its first obligation is to the Commonwealth of Virginia, but whose educational program attracts a national student body and commands a national reputation. To achieve this goal—to be genuinely unique—will require institutional self-confidence and an independent spirit. We ought not to be “just like” other good law schools. The quality that has made us special, even in difficult days, is a commitment to good personal relations among students and between students and faculty. This quality makes life here better than at most law schools, and it helps make our graduates better lawyers.

Our ability to establish Marshall-Wythe in the front rank of American law schools will require an altered perspective. Dean Spong’s leadership laid
the foundation in the most concrete way: a new building, a chapter in the Order of the Coif, a Law School Foundation and soon a new Law School dormitory. The next stage of our development will be defined in different terms. Our faculty must continue to mature and establish a national reputation for excellence in many fields. Our graduates must prove themselves to be lawyers of great ability and high ethical standards. We must continue to attract students who have the intellectual and moral potential to be leaders of the bar, the state and nation. We must strive to find new ways to serve the public interest.

These are immensely ambitious goals. Their attainment will require patience and perception. Our alumni, whose commitment and generosity have sustained us during times of adversity, should understand that the challenge of the years ahead is different, but no less daunting than when we struggled to emerge from the basement of Bryan Hall dormitory. Our faculty must have the courage and discipline to push itself to higher levels of distinction. The Board of Visitors and the College administration need to support our efforts to achieve genuine national stature.

When I begin to worry that these goals are too ambitious, I stop short. I think about how much we have achieved in the last decade. I know the quality of the young men and women whom I have taught during the last twelve years. I have also come to know many of our older alumni—veterans of the days when the Law School’s survival was not assured. I am certain that they would not be content with less than an effort to achieve real greatness on terms consistent with the Law School’s traditional character.

There is every reason to be optimistic that our future is bright. We enrolled an exceptionally able and interesting first-year class this September. They were selected from more than 1,670 applicants representing 48 states and 458 undergraduate institutions. Our applicant pool increased while the national trend continued to reflect declining applications. Even more encouraging is the fact that the academic credentials of the Class of 1988 equaled those of recent classes. The median LSAT score, for example, is at the 88th percentile of those who took the test. Those of you who are skeptical of the value of pure numbers in evaluating professional promise should be reassured.

Our Law School now enters a new and critical period in its life. We have a magnificent building, superb students, a dedicated faculty and loyal alumni. The question is not, “Will Marshall-Wythe survive?”, but rather, “What do we want to become?”

The Class of 1988 is composed of lively, hardworking young men and women who did not check their sense of humor when they walked through our classroom doors the first time.

Finally, Mike Schoenenberger, who has labored for five years to help us in alumni relations, development and placement, will be working exclusively in the placement area. We have hired Geof Follansbee to be the new Associate Dean for Alumni Relations and Development. Geof graduated with honors from Princeton University, where he received his B.A., and from the State University of New York at Buffalo, where he received his J.D. Since 1979, he has been employed with the law firm of Phillips, Lytle, Hitchcock, Blaine and Huber in Jamestown, New York. Most of his work has been in the areas of estate planning and taxation. Geof has been a member of the Chautauqua Institution Board of Trustees for ten years. I am certain that he will be a great asset to the Law School and that the alumni will be as impressed with him as was the search committee which included Mark Dray, President of the Marshall-Wythe Law School Foundation and Debra Prilla- man, President of the William and Mary Law School Association.

Since the announcement of my appointment as Dean, I have received literally hundreds of congratulatory letters and other expressions of support. I am sincerely grateful for each one. I know that much depends upon my ability to provide the leadership the Marshall-Wythe School of Law deserves, but I also know that real success can come only through the cooperative efforts of all who share a commitment to the Law School community. Together we have come far in realizing the dreams of those who established legal education at William and Mary; together we will continue to work toward a day when those dreams will be fulfilled.

Cordially,

Jim Sullivan

Dean Timothy J. Sullivan welcomes editors and media law experts to a symposium held at the Law School.

Elsewhere in this magazine, you will read of the achievements of our faculty, a report of our annual giving last year, the promising evolution of the Institute of Bill of Rights Law and other subjects. I do want to mention specifically two developments of importance to the Law School and its alumni.

Beginning on September 1st, Dick Williamson, my colleague and my friend, accepted the new post of Vice Dean of the Law School. Dick’s talents as a teacher-scholar and administrator are remarkable. He will have broad responsibility for managing all aspects of the Law School’s operations. Dick’s appointment permitted other administrative changes. Connie Galloway has been promoted to Associate Dean for Administration and Faye Shealy was likewise promoted to the position of Associate Dean for Admissions. Both Connie and Faye are exceptional assets to the Law School and have proved their ability to contribute broadly to improved administrative efficiency.
The Institute of Bill of Rights Law

"The Institute of Bill of Rights Law has already attained national stature as a center for the study of important constitutional issues. Its future is bright, and it will strengthen the Law School's basic educational program."

Timothy J. Sullivan, Dean

The vision and bequest of the late Laura Lee made possible the creation of the Institute of Bill of Rights Law at the Marshall-Wythe School of Law. With its programs, publications, and faculty contributions, the Institute has achieved a national reputation as a center for research on the Bill of Rights, particularly on first amendment speech and press issues. Since Dean Timothy Sullivan is by his office also Director of the Institute, the Institute is developing in close coordination with the overall needs of Marshall-Wythe.

The Institute's primary objective is scholarly research on the Bill of Rights, with an emphasis on the first amendment. Each year the Institute brings to the Marshall-Wythe School of Law the Distinguished Lee Professor to research first amendment issues in conjunction with specialized course offerings. David Anderson of the University of Texas and Robert Kamenshine of Vanderbilt University were the previous Lee Professors. Currently R. Kent Greenawalt is visiting the Law School. He is the Cardozo Professor of Jurisprudence at Columbia Law School, the author of Legal Protection of Privacy and Discrimination and Reverse Discrimination, and co-author of The Sectarian College and the Public Purse.

The Institute also dedicates substantial resources to the study and teaching of legal history, particularly the history of liberties in the Anglo-American tradition. Robert C. Palmer is the Adler Fellow of the Institute and Associate Professor of Law at Marshall-Wythe. He received his Ph.D. in history from the University of Iowa and came to Marshall-Wythe after teaching four years at the University of Michigan Law School. Professor Palmer has published extensively in English legal history, and, under the auspices of the Institute, is conducting research in American legal history. His first book,
The County Courts of Medieval England, received the American Historical Association's Herbert Baxter Adams Prize for 1984, as the best first book of an author in European history. His second book, *The Whilton Dispute, 1264-1380: A Social-Legal Study of Dispute Settlement in Medieval England*, was published in 1984 by Princeton University Press. His most recent work has been on the fourteenth amendment, the early history of the federal common law of crime, and the origins of property law in twelfth century England. He currently is working on a book on the Bill of Rights. Professor Palmer teaches both American and English legal history, as well as a course on the historical backgrounds of the Bill of Rights.

The Institute is also concerned with the advancement of the Marshall-Wythe legal writing program. In 1984 Professor Michael Hillinger was hired to improve the Law School's legal writing instruction and appellate advocacy. He holds a Ph.D. in history from Columbia University and a J.D. from Marshall-Wythe. He has taught history and political science at Hampton University, and was a law clerk to U.S. District Judge Walter E. Hoffman. One of the moot court teams Professor Hillinger advised recently won the Marshall-Wythe Moot Court Invitational Tournament. His own research interests are in the areas of immigration law and comparative law, with a special interest in Eastern European legal systems.

The Institute activity most noticeable outside the Law School is an annual symposium on the Bill of Rights. Designed to stimulate and disseminate original research on the first amendment, the symposium attracts a national audience of both scholars and practicing lawyers and journalists. Symposium proceedings are published in a special edition of the *William and Mary Law Review*. Professor Gene Nichol, a nationally recognized constitutional scholar at Marshall-Wythe, is coordinator of the symposium programs.

This year the major symposium will
take place on April 4-5, 1986. The topic is "Religion and the State." The distinguished panel of principal speakers indicates the success of the symposium series. Jesse Choper, Dean of the Law School at the University of California at Berkeley, Philip Kurland of the University of Chicago, and this year's Distinguished Lee Professor Kent Greenwald of Columbia will speak on various first amendment religion problems.

The Institute's first symposium, in 1984, was on "Defamation and the First Amendment: New Perspectives." Even in its first year, the Institute was fortunate enough to attract eminent scholars: Professor David Anderson of the University of Texas Law School, Professor Marc Franklin of Stanford Law School, and Professor Frederick Schauer, then a visiting professor and now a faculty member at the University of Michigan Law School. David Bois, then involved in the Westmoreland trial, addressed the participants at the luncheon on the handling of complex libel litigation. The published papers and commentary have had an enthusiastic reception as a major contribution to the field.

The second symposium was on "National Security and the First Amendment." The principal speakers were Burt Neuborne, Legal Director of the American Civil Liberties Union and Professor of Law at New York University; Bruce Fein, Vice-President of Gray and Company, Washington, D.C.; and Robert Kamenshine, Professor of Law at Vanderbilt University and then visiting Distinguished Lee Professor at the Institute. They addressed various aspects of the relationship between first amendment freedoms and restrictions on the flow of ideas, information, and technology. Additionally, John Shenefield of Milbank, Tweed, Hadley and McCloy in Washington, D.C. addressed the luncheon audience on "National Security and the Exercise of Civil Liberties." Distinguished panelists from governmental and academic positions commented on the papers. The proceedings have recently appeared in a special issue of the William and Mary Law Review.

The Institute also maintains a continuing commitment to encouraging communication between the fields of law and journalism. The Institute thus sponsored a symposium in July 1985 with the American Society of Newspaper Editors, where a number of the country's leading editors joined media law experts for a program entitled "Legal Restraints on the Press: An Overview" here at the Law School. On November 17-20, 1985, the Institute will co-sponsor a seminar on the development of first amendment press doctrine with the Southern Newspaper Publishers Association. Participants will be predominantly journalists, and the panel will include publishers, editors, lawyers, and constitutional scholars.

In addition to the symposia publications, the Institute has an ongoing monograph series. On November 7-8, 1984, the Institute invited Professor Lee Bollinger of the University of Michigan Law School to deliver the annual George Wythe Lecture on "Tolerance and the First Amendment." Professor Bollinger is presently working on a book treating the same topic for Oxford University Press. The talk will soon appear as the Institute's first monograph. The second monograph will consist of those papers presented at the Institute-sponsored plenary session on the making of the Constitution at the annual meeting of the American Society for Eighteenth Century Studies. The speakers at the plenary session will be Professor William Nelson, director of the legal history program at New York University School of Law, and Professor Robert Palmer, Adler Fellow in the Institute.

The funding of Institute personnel and programs derives from the Lee Memorial Trust Fund. Laura Lee provided for the endowment of the Institute in memory of her parents, Alfred Wilson Lee and Mary I. W. Lee. Her bequest created the Trust Fund and stipulated that an Institute of Bill of Rights Law be established to further the principles embodied in the first amendment's guarantee of free speech and a free press. The Lee Memorial Trust Fund provides the Institute with $250,000 annually for its first seven years, of which the 1985-86 year is the fourth. The corpus of the endowment will be conveyed in the final year. The Trust currently is managed by Miss Lee's lawyer Arthur B. Hanson, of Hanson, O'Brien, Birney and Butler, Washington, D.C.; Lloyd G. Schermer, President of Lee Enterprises, Inc., of Davenport, Iowa; and Gregory Schermer of Hanson, O'Brien, Birney and Butler. Gregory Schermer assumed his position as trustee following the death of Philip D. Adler, a former president of Lee Enterprises, Inc.

For the future, the Institute plans to strengthen even further its programs and contributions to the Law School. In addition to its current programs, further programs to involve journalism professors and librarians interested in first amendment problems with lawyers may be scheduled. The already-established series of visiting professors, the additional regular faculty, and the speakers and publications made possible by the Institute endowment constitute a vital contribution to the educational program at the Marshall-Wythe School of Law.

Some of the information in this article is reprinted from the 1985 edition of The Colonial Lawyer.
PLACEMENT REPORT

by Michael R. Schoenenberger
Associate Dean for Placement

Is there life after law school? For many third-years, this simple question takes on a seriousness that it never had in many of those bull-sessions in the student lounge. For most of the class, the answer is simple. Jobs will be waiting for them after graduation. In fact, our surveys of the last two graduating classes show almost 70% of the class is recruited before graduation, with the remainder of the class finding their jobs after taking the summer bar exam.

Many of our alumni find it hard to believe that so many of our students are recruited before graduation. Many of them contact the Placement Office in the first few weeks after graduation looking for new associates and are sometimes frustrated by the lack of job candidates. Much of this confusion can be traced to press reports on the status of the job market for new lawyers. In the early 1970's, a number of researchers took a look at the sudden rise of law school enrollments and concluded the market for new lawyers would be flooded by the end of the decade. The legal press and various professional organizations expressed grave concern for the political effect this flood of new lawyers would have on lawyers' incomes and level of employment.

Despite the dire warnings, however, the market for legal services continued to expand and the demand managed to keep up with the supply. In the latest figures released by the National Association for Law Placement, more than 90% of the law graduates eligible for employment had found a position within nine months of graduation. Our experience at Marshall-Wythe closely tracks the national trend and these figures have remained stable over the last five years.

On-Campus Recruiting

While recruiting at Marshall-Wythe has followed the national experience, it is important to understand how the market has grown and developed. With the increased competition for new recruits, many law firms and other legal employers have come to recognize that recruiting requires a more businesslike approach than in times past. The most striking change involves the way many employers are rethinking and revising their entire recruiting process. In order to sell themselves in a competitive, wide-open market, many employers are marketing themselves to our students in a very sophisticated way. For example, we have witnessed a major change in the way smaller firms recruit on-campus. In the past, only the larger firms recruited our second-year students, offering them employment in their summer programs with the hope of attracting them into the firm well in advance of their graduation. Now we find the smaller firms following the techniques of their larger brethren. They are developing their summer programs and making offers to our second-years. In this way, they find that they can compete with the larger firms and recruit on their own terms. So far, this development has benefitted the recruiter and the recruit. It allows the student to take a good look at a potential employer over the course of the summer, while at the same time enabling the employer to avoid a costly employment mistake.

But for every move in the recruiting wars, there is always a countermove designed to beat the competition. The larger firms are now moving to set earlier on-campus interview dates and even asking about the possibility of interviewing first-year students in the late spring. All of this activity is calculated to get the jump on the competition.

As a result, the on-campus programs continue to grow with 120 employers from 23 states conducting in excess of 2500 interviews at the Law School last year.

Off-Campus Programs

In addition to the on-campus programs, Marshall-Wythe has joined with ten other law schools in the South in sponsoring a special recruiting conference held each year in Atlanta. The Atlanta conference meets on one weekend in the fall inviting students from each of the member schools to interview with employers from all areas of the country. In the weekend program held last fall, more than 110 employers from 24 states conducted in excess of 4000 interviews with students at the conference. Now in its 10th year, the Atlanta conference is the largest and best known off-campus recruiting conference in the nation.

Drawing on the success of the Atlanta conference, four Virginia law schools, including the University of Virginia, joined Marshall-Wythe in organizing a recruiting conference for Virginia firms last spring. With the co-sponsorship of the Virginia State Bar, the conference drew employers from across the state. The program was held in Charlottesville on March 31, 1985, and provided an opportunity for law firms, corporations, public interest groups and government agencies to interview students from each of the participating schools. More than 800 interviews were scheduled with students attending the conference.

All of these trends are increasing the recruiting activity at Marshall-Wythe, improving the quality and quantity of job placements. In the last three years, more than half of the Marshall-Wythe graduates have entered private practice. In addition, almost 11% accepted judicial clerkships, 9.9% entered government service, 8.6% took corporate positions, 3% entered the military justice system and 2% went into other legally-related employment.

A list of the employers of the Class of 1985, reported as of August 1, 1985, follows. This is not a complete list since many members of the graduating class will not report their employment until after they receive the results from the summer bar exam.

MARSHALL-WYTHE SCHOOL OF LAW
### Judicial Clerkships

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Court/Jurisdiction</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>BELL, Edward J., III</td>
<td>Law Clerk</td>
<td>Supreme Court of Virginia</td>
<td>Richmond, VA</td>
</tr>
<tr>
<td>CULVER, Alana S.</td>
<td>Law Clerk, Hon. Marvin E. Smith</td>
<td>Maryland Court of Appeals</td>
<td>Denton, MD</td>
</tr>
<tr>
<td>DUNBAR, Thomas W.</td>
<td>Law Clerk</td>
<td>U.S. Bankruptcy Court</td>
<td>Roanoke, VA</td>
</tr>
<tr>
<td>GIDEON, Megan E.</td>
<td>Law Clerk</td>
<td>U.S. District Court</td>
<td>Atlanta, GA</td>
</tr>
<tr>
<td>HUMES, Kimberly H.</td>
<td>Law Clerk, Hon. Ronald Wertheim</td>
<td>District of Columbia Superior Court</td>
<td>Washington, DC</td>
</tr>
<tr>
<td>KELSEY, Denham Arthur</td>
<td>Law Clerk, Hon. John A. MacKenzie</td>
<td>U.S. District Court</td>
<td>Norfolk, VA</td>
</tr>
<tr>
<td>LONG, Margaret C.</td>
<td>Law Clerk</td>
<td>19th Circuit Court of Virginia</td>
<td>Fairfax, VA</td>
</tr>
<tr>
<td>LOWNDES, Nancy L.</td>
<td>Law Clerk, Hon. Richard H. Poff</td>
<td>Supreme Court of Virginia</td>
<td>Richmond, VA</td>
</tr>
<tr>
<td>MADISON, Benjamin V., III</td>
<td>Law Clerk, Hon. Water E. Hoffman</td>
<td>U.S. District Court</td>
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<td>MANHARD, Virginia R.</td>
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<td>Supreme Court of Virginia</td>
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<td>Law Clerk, Hon. Jackson L. Kiser</td>
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<td>REGAN, Michael J.</td>
<td>Law Clerk, Hon. Albert V. Bryan, Jr.</td>
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<td>WATERLAND, Laura J.</td>
<td>Law Clerk</td>
<td>Office of the Chief Staff Attorney</td>
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### Other Placements

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<tr>
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<td>Bracewell &amp; Patterson</td>
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<td>Venable, Baetjer &amp; Howard</td>
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<td>Citizens &amp; Southern National Bank</td>
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<td>Friedman &amp; Ginsberg</td>
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<td>National Center for State Courts</td>
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<td>Dickinson, Wright, Moon, Van Dusen &amp; Freeman</td>
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<td>Eugene DeFronzo</td>
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<td>Jones, Blechman, Waltz &amp; Kelly</td>
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<td>NEMETH, Brenda G.</td>
<td>ML &amp; T Program</td>
<td>Marshall-Wythe School of Law</td>
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NISSLY, Nedric L.
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WARNER, Valerie A.
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WESLEY, John W.
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WOOTTEN, Thomas M.
Coopers & Lybrand
Chicago, IL

WRIGHT, William H., Jr.
Hunton & Williams
Richmond, VA

YENKOWSKI, Gary F.
McNees, Wallace & Nurick
Harrisburg, PA

ZELL, Wayne M.
Venable, Baetjer & Howard
Baltimore, MD
Dean Richard Williamson was a program participant at a number of professional meetings during the 1984-85 academic year. He was a member of a panel discussion on the term of the Supreme Court during the meeting of the Southern Association of Attorneys General, spoke to the Criminal Law Section of the Virginia Bar Association on "In Limine Motions in Criminal Cases," lectured on "The Warrant Process" at the District Court Judges' Judicial Conference, and participated in the Recent Developments in the Law Seminar at the Virginia State Bar meeting in Virginia Beach. Dean Williamson also completed work on the 1985 Supplement to Defending Criminal Cases in Virginia, and recently was appointed Reporter of Decisions for the newly-formed Virginia Court of Appeals. He continues to serve on the Committee on Continuing Legal Education of the Virginia Bar Foundation.

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Professor Jayne Barnard began teaching at Marshall-Wythe this fall, following two years as administrative head of the City of Chicago Law Department and several years as a partner at Jenner & Block, a 200-lawyer firm in Chicago, where she specialized in corporate and securities litigation. She is teaching Corporations and Securities Regulation and is focusing her research in the area of shareholders' rights and directors' liabilities.

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Professor Lynda Butler continues work on a forthcoming book entitled Rights and Interests Relating to the Tidal Waters of Virginia. Professor Butler is a member, ex officio, of the Board of Governors of the Real Property Section of the Virginia State Bar.

**********

Professor John B. Corr has recently authored three articles that will shortly appear in print. He wrote "Supreme Court Doctrine in the Trenches: The Case of Collateral Estoppel," a forthcoming article to be published in the William and Mary Law Review; "Criminal Procedure and the Conflict of Laws," a forthcoming article to be published in the Georgetown Law Journal; and "Modern Choice of Law and Public Policy: The Emperor Has the Same Old Clothes," a forthcoming article to be published in the University of Miami Law Review.

**********

Professor Glenn E. Coven addressed the Old Dominion Tax Conference in October of 1984 on tax planning for Subchapter S corporations and will address the William and Mary Tax Conference this December on the admission of new partners in light of recent statutory changes. This summer Professor Coven completed an article proposing a change in the partnership loss allocation rules, and he is currently working on an article critical of the current approach to nonrecourse debt. Professor Coven is the new Director of the Graduate Tax Program at Marshall-Wythe.

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Professor Donaldson is also chair of the Subcommittee on Wills of the Committee on Wills, Estates and Trusts of the Virginia State Bar, and maintains a seat on the Board of Governors of Sections on Trusts and Estates of the Virginia State Bar.

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Ed Edmonds, Associate Professor of Law and Law Librarian, served as moderator and program chair of "Copyright Law for Legal Educators," a joint program of the sections on Intellectual Property and Law and the Arts of the Association of American Law Schools and the Copyright Committee of the American Association of Law Libraries. The program was held during the 1985 Annual Meeting of the Association of American Law Schools in Washington, D.C. Professor Edmonds is currently serving as chair of the Constitution and By-laws Committee of the Southeastern Chapter, American Association of Law Libraries. He was a member of the Copyright Committee of the American Association of Law Libraries during 1984-85.

**********

Professor Emeric Fischer is in the process of completing work on a casebook on Insurance Law to be published by Matthew Bender. He taught on the campus of the University of Exeter during the 1985 summer session sponsored by the Marshall-Wythe School of Law. Professor Fischer has served as Director of the program during most of its existence. He is also Director of the Annual Tax Conference.

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Professor B. Glenn George, who spent the past semester on research leave, has resumed full-time teaching.

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Kent Greenawalt, Cardozo Professor of Jurisprudence at Columbia University School of Law, is visiting Lee Professor during the fall semester. He is teaching a seminar on Religion, Law and Politics. This is related to research he is presently doing on religious convictions and lawmaking, the topic he plans for Cooley lectures to be given at the University of Michigan Law School next spring. He was a commentator at the September 19-21 Conference on the Virginia Statute for Religious Freedom, sponsored by the Virginia Foundation for the Humanities and Public Policy, and is program chair for the yearly meeting of the American Society for Political and Legal Philosophy, on the subject of Religion, Morality and Law, to be held in connection with the AALS convention. His other major academic project at present is revision of a manuscript on Conflicts of Morality and Law.

**********

Professor Trotter Hardy, a computer scientist before attending law school, authored “Six Copyright Theories for the Protection of Computer Object Programs,” published in the Arizona Law Review. He spent the summer in England with his family as one of three Marshall-Wythe faculty members teaching in the Exeter summer program.

**********

Professor Ingrid Hillinger is a visiting Professor at the University of Texas this fall. She wrote “The Article 2 Merchant Rules: Karl Llewelyn’s Attempt to Create the Good, the True, the Beautiful in Commercial Law” recently published in the Georgetown Law Journal, and participated in a CLE program on the Uniform Commercial Code. She has been appointed to the State Commission on Legal Services.

**********

Professor Charles Koch published a two-volume treatise on administrative law for West Publishing Company this spring. The treatise explains administrative law in a way that will be useful to practitioners as well as scholars. He is working on an article on administrative discretion for the George Washington Law Review. Professor Koch has developed an instructional program to be used with his casebook; the program is an attempt to make the course in administrative law more realistic. He also participated in the Shell Oil Company Faculty Forum.

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Professor Paul A. LeBel published a book review of Robert S. Summers’ “Lon L. Fuller” in the Michigan Law Review, and also published a satirical article entitled “A Revue of Books” in the Journal of Legal Education. Professor LeBel was a principal speaker at a symposium in New York City on the topic of defamation and fiction. An article incorporating his talk will be published by the symposium sponsor, the Brooklyn Law Review, under the title “The Infliction of Harm Through the Publication of Fiction: Fashioning a Theory of Liability.” An article by Professor LeBel was published by the Georgia Law Review. The article, entitled “Legal Positivism and Federalism: The Certification Experience,” was part of a Federalism symposium published by the review. Professor LeBel also moderated a panel on legal malpractice at the meeting of the Virginia Bar Association, and published an article in the Virginia Bar Association Journal on “Contributory Negligence and Mitigation of Damages: Comparative Negligence Through the Back Door.”

**********

Professor Fred Lederer is a member of the Drafting Committee for the proposed Virginia Rules of Evidence just submitted to the Chief Justice of the Virginia Supreme Court. During the 1984-85 academic year he organized and conducted a program teaching Introduction to Law to high school TAG (Talented and Gifted) students, and this year plans to teach a seminar to TAG students on Contemporary Problem Analysis. Professor Lederer is presently co-authoring a book tentatively entitled Evidence for Criminal Cases, to be published by the Michie Company in 1986. In addition, he is now working on the preparation of printed and video-taped legal materials for use in primary, middle, and secondary public schools. In September and October of this year, he will be teaching military criminal law to the Coast Guard’s new uniformed lawyers.

**********

Professor John Lee has recently prepared and presented two major speeches. One, entitled “Divorce, Separation and Termination of a Professional Corporation” was delivered in January, 1985, to the Virginia Bar Association. Another, entitled “Taxable Corporate Acquisitions: A Transactional Analysis of Section 338” was delivered to the American Institute of Federal Taxation in June.

**********

Professor John Levy wrote an “op-ed” piece on the problem of marital rape in Virginia and will be testifying on that topic before a Virginia legislative committee. He recently chaired a program in Richmond on the Constitution in Court sponsored by the American Civil Liberties Union Foundation.
of Virginia. Professor Levy continues to serve as the Director of Clinical Education.

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Professor Gene Nichol, a visiting Professor at the Marshall-Wythe School of Law in 1983-84, returned to the Law School after a year at the University of Florida. During the last year, Professor Nichol has authored a book review entitled “An Activism of Ambivalence” published in the Harvard Law Review and another entitled “Constitutional Perils: Real and Otherwise”

************

Professor Robert C. Palmer, Adler Fellow of the Institute of Bill of Rights Law, was the recipient of the Herbert Baxter Adams Prize for 1984. This prize, given by the American Historical Association for the best first book of an author in European history, was awarded for *The County Courts of Medieval England, 1150-1350* at the annual convention of the American Historical Association in Chicago last December. Professor Palmer delivered a paper entitled “The Role of Politics in the Origins of Property Law” at the University of Illinois College of Law in November, 1984; he delivered another entitled “Liberties as Constitutional Provisions, 1776-1791” at the University of Southern California Law Center in February, 1985; and most recently, delivered “Law, State and Society in the Reign of Edward I” at the Weingart Conference, California Institute of Technology in March, 1985. Professor Palmer received a College of William and Mary Summer Research Grant this year for work on the early history of English obligations. He is a member of the 1985 Nominating Committee of the American Society for Legal History.

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Professor Doug Rendleman co-edited *Remedies*, fourth edition, with Ken York and John Bauman, published by West Publishing Company. His professional activities include a session on damages during the Judicial Conference of Virginia for Virginia District Judges; CLE programs on Bankruptcy Jurisdiction; and a Federal Judicial Center program on the Review of Jury Trials for the United States Court of Appeals for the Federal Circuit. Professor Rendleman chairs the Committee on Government Relations of the American Association of University Professors and the Committee on Courts of the American Association of Law Schools.

************

Professor Ronald Rosenberg published an article in the *Virginia Journal of Natural Resource Law*, entitled “Uranium Mining and Milling in Virginia: An Analysis of Regulatory Choice.” He spoke before the Local Government Law Section of the Virginia State Bar Association meeting in June and to the Virginia Local Government Attorneys Association in September on recent U.S. Supreme Court decisions concerning local governments.

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Professor Walter Williams recently attended the Berlin Conference on the Law of the World in Berlin, Germany. At the conference, sponsored by the World Peace Through Law Center, Professor Williams presented a paper on “Transnational Legal Aspects of Biotechnology.” In October, he attended the Tenth Congress on the International Society for Military Law and the Law of War, in Garmisch, Germany, where he has been invited to deliver a paper on “Protection of Persons at Sea During Armed Conflict.” Professor Williams recently published “Freedom of Civilians of Enemy Nationality to Depart from Territory Controlled by a Hostile Belligerent” in the *Military Law and Law of War Review*, and has a forthcoming article in the *William and Mary Law Review* on “The American Maritime Law of Fire Damage to Cargo.”
William B. Spong, Jr. proudly displays a plaque of appreciation from some of his best fans—Marshall-Wythe students.
If William B. Spong, Jr. had arrived home from World War II a couple of weeks earlier than he did, the Marshall-Wythe School of Law might have been cheated out of one of its best deans.

It was late September, 1945, when he returned to Portsmouth after serving in Europe as an Army radar expert. He had grown up with the expectation of being either a journalist or a lawyer, and had spent three years at Hampden-Sydney College, and one year at the University of Virginia, before going off to fight in a global conflict.

Young Spong got back on track with career plans immediately after being discharged from the service. Was it to be journalism or law? The matter was settled for him when he found that he was too late to register for the fall semester at the Columbia University Journalism School. Classes at the University of Virginia's School of Law, however, did not begin until early October. The die was cast.

Who would have believed that the ex-GI would someday become a United States Senator, and then Dean of the oldest law school in America? "Being a law school dean was not a career goal," he says now.

When he was appointed Dean of the Marshall-Wythe School of Law in 1976, the school had already survived many crises: low enrollments, lack of money and proper facilities, and even several plans to abolish the school entirely. It was in danger of losing accreditation by the American Bar Association, its law library was woefully inadequate, and its building was unsatisfactory for the numbers of students using the facility.

But Bill Spong enjoys a challenge. That’s why the dean’s job captured his interest. “It represented an opportunity to me. The school was in some difficulty; if it had been in great shape it probably would not have appealed to me,” he declares.

In the past ten years he has managed—with help from his friends—to effect a lot of changes. As a former politician on the state and national levels, he had political savvy. He knew how to obtain funds to improve the Law School. He had the organizational skills to bring out the best efforts from faculty and staff, and he possessed the will to oversee the tedious process of turning around the Law School until by 1983 it was named one of the thirty-six best in the nation.

And now Spong has retired as dean. “I think the Law School needs a fresh perspective,” he explains. “The average tenure of a law school dean in the United States is slightly less than three years, and I was in my tenth year. I believe that’s long enough, and I made up my mind to leave. My association with Marshall-Wythe, however, has meant a great deal to me. Coming here as dean gave me an opportunity to be useful.”

How would he like to be remembered? “As a man who cared about the students,” he says firmly.

Spong’s roots in Virginia go back to colonial times. He was born September 29, 1920, in Portsmouth, where his forebears had resided for many generations. His father was a newspaperman at the old Portsmouth Star (hence the journalistic influence), and his mother was an educator, serving for 23 years on the Portsmouth School Board, 13 as chairman. Both parents exerted strong influences on their only child and he learned to love both journalism and education. He was president of the senior class of 1937 at Woodrow Wilson High School in Portsmouth, played tennis, debated, and participated in the state forensic tournament. From there he went to Hampden-Sydney, where he says he was "an indifferent student." Then he transferred to the University of Virginia with the idea of gaining enough academic credits to apply for law school. Pearl Harbor changed that, and he went off to Boca Raton, Florida, to learn how to become a radar mechanic and operator. Eventually he joined the Eighth Air Force in Britain.

Home again, he headed back to Charlottesville, where in two years he earned a law degree and passed the bar examination before graduation. A sports nut from childhood, he yielded to his journalistic proclivities by churning out sports publicity for Virginia’s athletic department.

After his school days were over, he returned to Great Britain, a country he had learned to love, and studied international law and forensic medicine at the University of Edinburgh and at Cambridge. Then he came back to Portsmouth to open a law practice.

“I was there less than a year when an older lawyer with the best practice in Portsmouth asked me to join his..."
How would he like to be remembered? "As a man who cared about the students," he says firmly.

Spong was elected State Senator in 1956, serving the Commonwealth with dignity and integrity for the next decade. Among many good works, he headed a special Virginia Commission on Public Education, 1958-1962, to push the need for better teacher training, better curricula, and more funds for the Commonwealth's poorer school districts. The Spong Commission, as it came to be known, made his name a household word in Virginia.

In 1966, he decided to go after the Democratic nomination for the U.S. Senate, a position held for 34 years by A. Willis Robertson, father of today's television evangelist, Pat Robertson. Spong won the election by a slim 611 votes and packed his bags for Washington.

While in the Senate, he served as a member of the Foreign Relations, Commerce, and Steering Committees, as well as the Select Committee on Standards and Conduct. He more often than not voted his conscience on national matters, rather than following a partisan line, and gained a reputation as a moderate, hard-working senator.

In a *Texas Law Review* article in 1971, author John Frank called Spong a "low-visibility type, a Senatorial workhorse rather than a Senatorial show horse." The attorney pointed out to Texas law students that "some of you have dreams of stepping from a small law practice into public life with your own independent momentum, not as the tool of any pressure group, not for oil, not for cattle, not for labor, but on your own. Spong has done this, as you dream of doing it . . . Spong is more than an individual victory and Spong is more than a model for young law students of today. The success of Senator Spong is a victory for the force of reason in American life. Spong's experience in the Senate demonstrates that rational analysis may still thrive in our government, despite the pressure of throttling emotionalism. To all for whom the law is important—those who make the law, who interpret the law, and those who live by the law—Senator Spong offers hope that the bond of law to reason may yet endure."

Fulsome words for the senator who would one day influence many more young lives through his leadership and example at the nation's first law school!

Although he served only one term in the U.S. Senate, Spong enjoyed his time in Washington. He feels he made his best contributions by being floor manager of the War Powers Act, and of the disaster relief bill that followed Hurricane Camille, the storm which did massive damage to Nelson County, Virginia and its environs. He also conducted the Senate hearings which led to legislation on clean water, toxic substances, toxic waste disposal, and solid waste disposal. These problems were just beginning to surface and those early hearings indicated that much more needed to be done nationally to insure quality water and its distribution, along with drawing attention to the harm generated by toxic waste. "I like to think that conducting those hearings aroused interest in what was to come," he notes.

However extravagant the praise for a job well done in Washington, Spong worked harder in the Senate than he did at being re-elected. Republican Richard Nixon's overwhelming win over Democrat George McGovern in the 1972 election also swept other Republicans into office, and Spong was replaced by a Virginia Republican, William Scott. Later, after Scott had been termed by some as "the dumbest man in Congress," a newspaperman telephoned Spong to ask if there was any comment. The diplomat Spong said no, but then added, "This isn't going to make my mother any happier."

However, looking philosophically at his first and only defeat at the polls, Spong admits it was all for the best. "I wasn't seeing much of my family and was working terribly hard." And it's for sure that if he had been returned to the Senate, he would not have been available to assume the dean's position at the Marshall-Wythe School of Law. Fate sometimes is kind, or, as Virginia
Pronounced after her husband's political defeat, "other doors will open," and they did.

After going out of office he retained governmental ties by becoming General Counsel to the Organization of the Government for the Conduct of Foreign Policy, 1973-75, took a turn as guest scholar at the Smithsonian Institution's Woodrow Wilson Center, and then as visiting scholar at the University of Virginia's Law School. During the 1974-75 school year he was an adjunct Professor at the University of Richmond's T.C. Williams Law School. He returned to Portsmouth to his old law firm to practice, and in 1975 was elected President of the Virginia Bar Association. He also accepted a position as Carder Lecturer at the Marshall-Wythe School of Law. The following year, he was selected as Dean.

During his decade as head of the Law School, Bill Spong has accomplished many things—"with a lot of help from alumni, faculty and students"—but says he's proudest of several. First, of course, is the Marshall-Wythe School of Law's new building, which went into service in September, 1980. Costing $5.4 million, the 87,954 square-foot brick structure has offered for the first time modern classroom facilities for 500 law students, a law library with shelf space for 250,000 volumes, computerized research systems, and a courtroom with extensive audio and video-taping equipment. His other main accomplishments, he feels, are: seeing the Order of the Coif and the Institute of Bill of Rights Law come to Marshall-Wythe; elevating the compensation level for the faculty; and raising the quality of the student body. He's also highly pleased that the law library now owns in excess of 200,000 volumes, "the watershed mark for evaluation of law schools." The law library is especially good as a research facility not only for students and faculty, but for practicing attorneys in the eastern part of Virginia, according to Spong. A dormitory, adjacent to the Law School, is now scheduled for construction in 1988. Spong had been asking for such a facility for five years.

A modest man, he credits the many individuals who have helped the Law School progress during the past ten years. "We are very selective, but no well-qualified Virginian is denied admission," says Spong. One aspect that has changed is the percentage of women students in law school. Only 27 women had graduated from this Law School by 1970, but as the women's movement grew in the 1970's, so did their law school enrollment. Now women comprise about 40% of the student body. In recent years recruitment efforts have yielded increased numbers of black applicants.

Generally, a lack of financial resources has been the largest problem at the Law School, asserts Spong. "We've had to operate on limited resources in competing with the better schools for students. We have not had enough money for scholarship help. Until two years ago, the compensation for faculty members was not anywhere near what it should have been. We were near the bottom of the list in faculty salaries. The Virginia General Assembly has helped us with that and we are now a little better than average among U.S. law schools. I think we are competitive now. A large share of the additional financial resources we need will have to come from private support. We have a young alumni group. As they grow in number, I believe we can expect greater financial support from them. William and Mary President Paul R. Verkuil knows a lot about law schools; he was a first-rate Dean at the Tulane Law School, and he comes here with a good idea of the resources it will take to continue Marshall-Wythe's development."

Dean Spong claims that during his tenure at the College of William and Mary he has had few disappointments. "I haven't had them because I think my expectations have been realistic. My mother used to say to me, 'I do the best I can,' and I guess that's what I've tried to do."

He wants to continue an association with the Law School, and will teach a class during the spring semester. This fall, he is attending the Institute for Advanced Legal Studies at the University of London. Although he and Mrs. Spong intend to continue their residence in Williamsburg, eventually, he suspects, they will return to Portsmouth where they also have a home.

Spong will continue his interest in both law and education. He has accepted an appointment to the State Council on Higher Education and is looking forward to that. He just completed the chairmanship of the Governor's Commission on Virginia's Future, with a two-year study finished last December. He has already served as a Trustee of Hampden-Sydney College, the U.S. Air Force Academy, and the U.S. Naval Academy. He is a Trustee of the Virginia State Library Foundation.

Many honors have rightfully come to Bill Spong, among them: the University of Virginia's Raven Award, the coveted Thomas Jefferson Award from William and Mary for his contributions through the field of law to Virginia and the nation, and the Virginia Chamber of Commerce's Distinguished Service Award, the organization's highest honor.

If ten years as Dean of the Marshall-Wythe School of Law have changed him, he feels it's for the better. "I'm a great deal more patient, and probably not as intolerant as when I was younger. I like to think that's true...And I've enjoyed being around young people. We've had so many fine ones graduate from this Law School."

I am turning over to Dean Tim Sullivan the helm of a law school that has made significant progress but still has a way to go," he concludes. "I have great confidence in Tim. He worked with me as Associate Dean for several years and is a splendid teacher. He loves this school, and I feel good about leaving the direction of Marshall-Wythe in his hands."
Appreciative Alumni Create Marshall-Wythe Foundation

by Tina Jeffrey

The Marshall-Wythe School of Law has reached a high point in excellence of instruction and in a superior student body—now what it needs are additional financial resources. Fierce competition among American law schools for the best students means that private support is more than ever necessary for fellowships and scholarships to attract top students here. There is also a necessity to continue the momentum in progress through additional support for the law library and for faculty development. All this adds up to a critical need for more money, over and above what comes from state sources and from tuitions. To maintain the indomitable spirit of the Marshall-Wythe School of Law, the years ahead will require the combined efforts of alumni, faculty, friends, and administration.

A start has been made through the formation in 1982 of the Marshall-Wythe School of Law Foundation, and its offshoot, the Founders' Fund. Groups of generous friends have initiated meaningful gifts to an endowment to aid the Law School in achieving some of its pressing goals, but larger participation is essential.

Presently at Marshall-Wythe, there are six endowed professorships, plus two others funded by the Institute of Bill of Rights Law. There are only eleven fellowships and scholarships for students. The law schools most competitive with William and Mary for superior students are the University of Virginia, Duke, Georgetown, Cornell and Pennsylvania. Retired Dean William B. Spong, Jr., points out that all of them have much more extensive financial resources than does William and Mary. For instance, the University of Virginia established its foundation more than 30 years ago and now enjoys an annual yield of more than $1.2 million per year to supplement law school scholarships, faculty research and salaries, law library acquisitions, and fringe benefits.

Part of the reason that William and Mary has only a small endowment to date is that, in spite of its reputation as the birthplace of American legal education, it has—until fairly recently—graduated only small numbers of students, so its alumni support has been less than that of the larger law schools. Now that Marshall-Wythe is teaching around 500 students a year, that condition should change.

Until the mid-1960's, the average size of graduating classes at Marshall-Wythe was eleven. Moderate growth in the late 1960's and early 1970's saw the average class size increase to fifty-three. Now graduates are numbering around 160 yearly. As time goes on, support is bound to increase, but it may take a decade before the impact of young graduates' contributions can be felt, says Spong.

The Marshall-Wythe School of Law Foundation is separate from the annual giving campaign for the Law School Association, and should in no way affect yearly contributions made by alumni, according to Spong. The Foundation is for those individuals and firms who are able and willing to provide larger amounts of support, through pledges or outright gifts of cash, securities, or other property, through deferred gifts or through bequests.

Spong says he has pushed hard for the Foundation. One reason is to channel loyalties of students and alumni into a common cause. "We find in surveys that our Law School students have attended more than 170 undergraduate schools, but when they come here, they develop an allegiance to the Marshall-Wythe School of Law. It binds them together and after they graduate, they want their financial contributions to go toward the development of the Law School and to its needs."

He is hoping that law firms around the country, those with Marshall-Wythe alumni among their associates, will follow the recent example of the Hunton and Williams firm in Richmond, Virginia. That partnership, with three Marshall-Wythe alumni in its ranks, not only matched the donations made by the threesome, but added its own contribution to achieve a total gift of $50,000 to the Foundation.

"We are very appreciative," says Spong. "Hunton and Williams has been generous to this Law School. They have provided us with nine or ten adjunct instructors, just as they have done for other law schools. They match whatever gifts are made by alumni who work for the firm, an admirable trait. I hope that other firms will be encouraged to do likewise to benefit the Marshall-Wythe Foundation."

Dean Sullivan shares Spong's enthusiasm for the Foundation's role in the future of Marshall-Wythe, maintaining that "Marshall-Wythe's reputation as an institution of quality, distinction, and excitement in the years to come depends to a large degree on the Foundation's expansion."

Twenty-one alumni have created the Founders' Fund, thus pledging seed money of $290,000 to give a good start to the much-needed endowment. This list includes: Stanley G. Barr, Jr., '66; Robert Friend Boyd, '52; Howard J. Busbee, '68; R. Harvey Chappell, Jr., '50; Peter G. Decker, Jr., '60; A. Robert Doll, '51; Mark S. Dray, '68; Edwin C. Ferguson, Jr., '41; Anne Gordon Greever, '77; Earle T. Hale, '70; Arthur B. Hanson, '40; William B. Harman, Jr., '56; Herbert V. Kelly, '43; James W. McLoathlin, '64; Shepard W. McKenny, '64; Robert S. Rausch, '81; John A. Scanneli, '72; Glenn J. Sedam, Jr., '69; Rand E. Shapiro, '72; Robert C. Stackhouse, '51; and Hillsman V. Wilson, '53.
Founders were asked to comment on the special fund, now closed, to which they contributed. These are the responses received.

"I have a great debt to the Law School and becoming a Founder was one way of repaying that debt. Dean Dudley Woodbridge allowed me to enter the Law School after completing only three years of college, and Dean Joe Curtis allowed me to remain at Marshall-Wythe while also working full-time. They appreciated my ambition to become a lawyer and went out of their way to accommodate it. Their empathy with my career goals and personal needs is the personification of what Marshall-Wythe stands for as an institution. To the extent that becoming a Founder helps to perpetuate those personal attributes, then it was my duty to join my fellow alumni."

-- Stanley G. Barr, Jr., '66

"No school can be or remain great without the dependable support of an endowment fund. Even with adequate current funds, it would lack the future assurance and continuity of support which only an endowment can give. Our Law School has struggled under the need for such an endowment fund to provide established and dependable funds with which to provide supplements for obtaining and retaining superior faculty and students who would not otherwise be available from the much appreciated but limited funds provided by the Commonwealth. The Foundation provides such an endowment that will enable us to successfully compete with other top-rate law schools.

"In order to establish a new Foundation for the School of Law, it was necessary to have a group of dedicated people who would each contribute an amount substantial enough that, when combined with others, would create a sum sufficient to assure its viability and enable it to start giving immediate grants and support that would otherwise take years to establish.

"Since the graduation in 1952 of our little class of about twenty-nine people, the School and I have both matured and prospered, and I feel that those of us nurtured and educated by it should share our material success with the College. I am pleased to have contributed to Marshall-Wythe and especially now for the opportunity to contribute to the founding of a new Foundation that will establish a perpetual care for the School's needs long after those contributing have gone. The opportunity to have attended a rather small, but quality law school has been personally meaningful to me and had a lasting effect upon my practice and life, for which I am grateful."

-- Robert Friend Boyd, '52

"The School of Law at William and Mary is now regarded as providing a superior legal education and is one of a relatively small group of law schools falling in that category. If our School of Law is to continue its growth in quality and stature, I do not believe that this can be done without substantial private financial support. It cannot look to the Commonwealth of Virginia for the extra funding which will be needed to attract the best faculty and the best students available. For these reasons, I enthusiastically participate in the Marshall-Wythe School of Law Foundation and became one of its Founders."

-- R. Harvey Chappell, Jr., '50

"Marshall-Wythe School of Law is rich in tradition and has a reputation of greatness. I am delighted to have contributed to the Founders' Fund, which will help to continue that tradition and greatness. I also feel obligated to continue my support to the Marshall-Wythe School of Law because whatever I am, I am because of the education I received there."

-- Peter G. Decker, Jr., '60

"The Founders’ Fund is an essential ingredient in the continuing success of the Marshall-Wythe School of Law as we approach the twenty-first century. A supplementary private source of funds is vital to provide additional income to be used to assure continued competitiveness with the other fine law schools of the country. I have watched with pride the Law School grow in resources and reputation since I graduated in 1951. I consider it a privilege to be able to support the Founders’ Fund and ‘pay my own
dues’ to the institution that was the foundation for my professional career.”

-- A. Robert Doll, ’51

“For generations, through excellent professors, the Marshall-Wythe School of Law has given students an opportunity to know the law, the importance of high ethical standards, and the responsibility which knowledge brings. Each of us can fulfill that responsibility by providing funds to the Marshall-Wythe Foundation to further a tradition of excellence.”

-- Edwin C. Ferguson, Jr., ’41

Edwin C. Ferguson, Jr., ’41

William B. Harman, Jr., ’56

School of Law would enthusiastically support the Foundation. Many of us, particularly including me, owe our professional success to the Law School, and I would hope that we, through the Foundation, might contribute to the further success of the Law School and its students in the future.”

-- William B. Harman, Jr., ’56

A. Robert Doll, ’51

Herbert V. Kelly, ’43

“I know that all of Marshall-Wythe’s graduates take great pride in the growth of our law school to one of the outstanding schools in the country. Unfortunately, as a part of a state institution it must rely upon independent funds to continue as a solid proven law school.

“I am ever mindful of my great debt to William and Mary and its law school. Its contribution is measured by whatever personal successes I may have enjoyed. The Marshall-Wythe Foundation provides a method for me to personally express my gratitude. I would hope that many more would express their appreciation and their hope for an even greater Marshall-Wythe by being a part of the Foundation.”

-- Herbert V. Kelly, ’43

Edwin C. Ferguson, Jr., ’41

James W. McGlothlin, ’64

“My time at Marshall-Wythe was the best educational experience of my life. In large part, that experience was made possible by a W.A.R. Goodwin scholarship and Dudley Woodbridge, the finest teacher I have ever known. Since the Law School Foundation funds will be used to assist worthy students and to attract the best teachers, this is a unique opportunity for me to help others as I was helped. It gives me great pleasure to be able to do so.”

-- Shepard W. McKenney, ’64

Herbert V. Kelly, ’43

William B. Harman, Jr., ’56

James W. McGlothlin, ’64

22 MARSHALL-WYTHE SCHOOL OF LAW
The annual Marshall-Wythe giving campaign has been quite successful in raising funds to fulfill the short-term goals and immediate financial needs of the School of Law. The ardent efforts of the alumni, the Dean and faculty must be applauded for all they have been able to accomplish. However, if the School of Law is to maintain its stature and reputation as one of the finest in the nation, some long-range financial planning is necessary. It is to this end that the Marshall-Wythe School of Law Foundation will speak. As the assets of the Foundation grow, it will form a more significant base for economic security and operations. Students seeking legal careers in the future will have financial resources available to them to help bring their goals to fruition. It is with this program in mind that I am honored to do a small part in contributing to the establishment of the Foundation, which in turn will ultimately carry out the goals and ideals for which the Marshall-Wythe School of Law was founded.

-- John A. Scanelli, '72

Agreeing to be a Founder of the Marshall-Wythe School of Law Foundation was for me a continuing family relationship with the school. My affiliation goes back many years to when my two brothers, Paul and Joel, were graduated from Marshall-Wythe. Our family scholarship, the Paul Michael Shapiro Scholarship Fund, has aided many law school graduates in attaining their goal as tax lawyers today.

"I attribute part of my success as a lawyer to the camaraderie between the teachers and the law students at William and Mary. This experience continued for many years in my life. Therefore, I want to show my appreciation for what I feel I owe the Marshall-Wythe Law School; for this reason, I'm happy to have the privilege of an ongoing relationship, through the Founders' group, with an institution that has done so much for me."

-- Rand E. Shapiro, '72

Those of us who entered the School of Law at William and Mary in the 1940's found at least two prerequisites—a strong pair of legs and an oxygen mask. The School of Law in those days was located on the top floor of Marshall-Wythe (now James Blair Hall), and the law library was in the attic of what is now St. George Tucker Hall. The Old Guard takes great pride in the emergence of the School of Law, its beautifully designed plant, its fine faculty, and its designation as one of the nation's top law schools.

"The Foundation, now a healthy reality with assets and pledges of approximately $400,000, had its progenitor in the Law School Association. Despite annual fund drives, it became obvious to its Board that a permanent Foundation to provide long-term financial support was both desirable and necessary to insure the continued growth and upward movement of the School of Law toward excellence. The Foundation was chartered in 1982; its founding Board of Trustees commenced work immediately. The first phase of fund-raising was directed toward our alumni who wished to become Founders by giving $10,000 over a five-year period. The response was excellent. The second phase of our fund-raising will be to concentrate on corporate, foundation and testamentary gifts. We hope to reach several million by the end of the 1980's.

"While the Commonwealth has been generous in its support, as costs of operation increase and competition for superior professors becomes more intense, it is obvious that additional support must come from the private sector."

-- Robert C. Stackhouse, '51
First President, Marshall-Wythe School of Law Foundation
Thanks to the generous support of alumni and friends, more than $402,000 in gifts were recorded in 1984-85. In an effort to provide for the long-range development of the Law School, the alumni organized a two-fold effort to (1) increase annual giving, and (2) encourage major gifts for endowment.

Working closely with the Board of the Law Alumni Association, the trustees of the Law School Foundation organized a special endowment drive. In a year-long campaign which ended on December 31, 1984, the trustees recorded $290,000 in pledges and received more than $174,000 in cash gifts.

To encourage gifts for endowment, the trustees established a Founders' Fund for donors who made a commitment of $10,000 or more to the campaign. Twenty-one alumni donors qualified as Founders.

THE FOUNDERS

Stanley G. Barr, Jr., '66
Robert Friend Boyd, '52
Howard J. Busbee, '68
R. Harvey Chappell, Jr., '50
Peter G. Decker, Jr., '60
A. Robert Doll, '51
Mark S. Dray, '68
Edwin C. Ferguson, Jr., '41
Anne Gordon Greever, '77
Earle T. Hale, '70

Arthur B. Hanson, '40
William B. Harman, Jr., '56
Herbert V. Kelly, '43
James W. McCloughlin, '64
Shepard W. McKenney, '64
Robert S. Rausch, '81
John A. Scanelli, '72
Glenn J. Sedam, Jr., '69
Rand E. Shapiro, '72
Robert C. Stackhouse, '51

Hillsman V. Wilson, '53

"Our campaign for endowment has served as a catalyst," said Mark Dray, '68, President of the Law School Foundation. "It has inspired our alumni and friends to contribute not only their resources but their personal involvement as well. In supporting the education of the exceptional young men and women at our alma mater," Dray added, "we have a rare opportunity for an investment which will nurture the future leaders in Virginia and throughout the nation."

In 1982, the Marshall-Wythe School of Law Foundation was organized to help the Law School develop its endowment. While Marshall-Wythe is one of the oldest law schools in the nation, it has a very small endowment when compared with schools of equal quality. Less than $2 million of the College's $32 million endowment is designated for use by the Law School.

"The purpose of our endowment campaign," said Dray, "was to help build a base of support for the future. Marshall-Wythe is competing with some of the top schools nationwide, and it must compete in attracting students and faculty at a time when its endowment is far below the level of its principal competitors."

"For example," Dray notes, "there are no fully endowed professorships at Marshall-Wythe and only a few faculty positions where the basic salary is supplemented by endowment income. Another area of concern is the lack of scholarship assistance for needy students. Inflation has taken its toll on the student budget. It is not unusual for the Law School to lose some of its most promising applicants to other campuses for purely financial reasons. With an adequate endowment, the Law School could end this drain of talent and continue its remarkable progress."

In noting the progress made by the Law School in recent years, Dray acknowledged the contributions of Dean Spong and Robert C. Stackhouse, '51. In the case of Bob Stackhouse, Dray noted that his commitment began with his graduation from Marshall-Wythe in 1951 and continued through the years in his service with the Alumni Board, culminating in his term as the first President of the Marshall-Wythe School of Law Foundation. "It was the leadership and enthusiasm of Dean Spong and Bob Stackhouse," said Dray, "that provided the momentum which was so essential to the establishment of the Foundation and the success of the Founder's campaign. We share their satisfaction in knowing that they have planted the seed which will help sustain our tradition of excellence."

While the campaign for endowment made great progress, it created a new challenge for the annual giving program. The annual drive began on July 1, 1984 and ended on June 30, 1985.

"With the overlap of the endowment campaign," said Ellen Pirog, '76, the Annual Fund Chairman, "we faced a new challenge. In the past, our alumni were accustomed to making one annual gift. These funds were then expended during the year on some of the most pressing needs of the Law School. Now we were asking our alumni to give at two levels: (1) to continue their annual gift, and (2) to consider a gift for the endowment."

The annual giving campaign recorded $73,039.76 in unrestricted gifts.
and $7,025.85 in restricted gifts for a total of $80,065.61,” noted Pirog. “In the future we will have to build our base of support at both levels. Our annual giving campaign will provide the foundation of support which will help the Law School meet the most pressing needs of its annual budget and our gifts for endowment will help us build for the future.”

**MARSHALL-WYTHE SCHOOL OF LAW FOUNDATION**

**DONORS**

*July 1, 1984 - July 31, 1985*

Mary E. Abele  
R. William Arthur  
Stanley Graves Barr, Jr.  
Robert Friend Boyd  
Howard J. Busbee  
R. Harvey Chappell, Jr.  
Tom A. Collins  
Timothy Andrew Coyle  
Peter George Decker, Jr.  
A. Robert Doll  
Mark S. Dray  
E. C. Ferguson, Jr.  
Anne Gordon Greever  
Earle T. Hale  
Norris Edward Halpern  
William B. Harman, Jr.  
Beverly H. Karch  
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Herbert V. Kelly, Sr.  
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James W. McGlothlin  
Mary Jane Morrison  
Shirley G. Roby  
John A. Scanelli  
Rand E. Shapiro  
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**Corporation**

McCormick & Company, Inc.

**Law Firms**

Hunton & Williams  
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**Foundation**

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**Development Report**

**Richard E. Walck Scholarship**

Evan E. Adair  
Victoria Lynne Huber  
Ronald Glen Reel  
Gretchen Marie Wolfinger

**Thomas H. Jolls Memorial Scholarship**

Mr. & Mrs. James P. Whyte, Jr.  
William & Mary Law School Association

**Mary S. Hinz Memorial Fund**

John E. Donaldson  
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Ronald H. Rosenberg  
Elmer J. Schaefer  
Margaret K. Schaefer  
Timothy J. Sullivan

**Marshall-Wythe School of Law Annual Fund**

**DONORS**

*July 1, 1984 - July 31, 1985*

**CLASS OF 1926**

Oscar L. Shewmake Associates  
Ted Dalton  
W. A. Dickinson, Sr.

**CLASS OF 1928**

General  
Lawrence W. L’Anson

**CLASS OF 1929**

Lucian Minor Associate  
Walter E. Hoffman  
Dudley W. Woodbridge Associate  
Gordon E. Campbell

**CLASS OF 1933**

General  
Benjamin R. Bruner

**CLASS OF 1934**

Oscar L. Shewmake Associate  
L. Eldon James

**CLASS OF 1935**

Dudley W. Woodbridge Associate  
Ernest W. Goodrich

General  
Joseph N. Cridlin

**CLASS OF 1937**

General  
Virginia Mister Walker

**CLASS OF 1938**

General  
George Mason, Jr.

**CLASS OF 1939**

Oscar L. Shewmake Associate  
Torsten E. Peterson

**CLASS OF 1940**

Dudley W. Woodbridge Associate  
Robert L. Simpson, Sr.  
Oscar L. Shewmake Associate  
Elmo T. Legg

**CLASS OF 1941**

John Marshall Associate  
E. C. Ferguson, Jr.

**CLASS OF 1942**

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Ellis R. Parry

General  
Alexander N. Apostolou  
Anthony Champa

**CLASS OF 1947**

Oscar L. Shewmake Associate  
William W. Jones

**CLASS OF 1948**

Dudley W. Woodbridge Associate  
R. Stanley Hudgins  
Oscar L. Shewmake Associate  
Ira B. Dworkin

General  
Francis E. Clark

**CLASS OF 1949**

George Wythe Associate  
Joseph Smith  
St. George Tucker Associate  
Dixon L. Foster  
Dudley W. Woodbridge Associates  
Robert S. Hornsby  
Donald H. Sandie  
A. B. Smith, Jr.

General  
Welsey R. Cofer, Jr.  
Allen C. Tanner  
Dudley L. S. Woods, Jr.

**CLASS OF 1950**

George Wythe Associate  
R. Harvey Chappell, Jr.  
Lucian Minor Associate  
Jack M. Gulyeat

Oscar L. Shewmake Associates  
Myers N. Fisher  
L. David Lindauer  
Sidney Schwartz  
William L. White

General  
Stanley H. Mervis

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Development Report

CLASS OF 1951
Dudley W. Woodbridge Associate
James H. Joines
Oscar L. Shewmake Associate
Thomas G. Martin

CLASS OF 1952
George Wythe Associate
George I. Gondelman
St. George Tucker Associate
Vincent P. Pirri
Dudley W. Woodbridge Associate
James M. Pickrell
Oscar L. Shewmake Associate
Donald C. Grey

CLASS OF 1953
Vincent P. Pirri
St. George Tucker Associate
George Wythe Associate
Oscar L. Shewmake Associate

CLASS OF 1954
Dudley W. Woodbridge Associate
Oscar L. Shewmake Associates
CLASS OF 1955
Donald C. Grey
Samuel W. Phillips
Channing M. Hall, Jr.

CLASS OF 1956
Oscar L. Shewmake Associates
CLASS OF 1957
Elizabeth Wood Walton

CLASS OF 1958
Oscar L. Shewmake Associates
James A. Murphy, Jr.

CLASS OF 1959
Robert E. Mellon
Elizabeth Wood Walton

CLASS OF 1960
Oscar L. Shewmake Associates
St. George Tucker Associate
Oscar L. Shewmake Associates

CLASS OF 1961
St. George Tucker Associate
Oscar L. Shewmake Associates
George Wythe Associates

CLASS OF 1962
Dudley W. Woodbridge Associate
Sebastian Gaeta, Jr.
General
Rexford R. Cherryman

CLASS OF 1963
Dudley W. Woodbridge Associate
M. Peter Yahr
Oscar L. Shewmake Associates
Richard S. Cohen
John E. Donaldson
Emerick Fischer
Owen A. Knopping
Alan P. Owens
Edmund L. Walton, Jr.
General
A. Earle Garrett, III
Thomas O. Moyle

CLASS OF 1964
George Wythe Associate
Shepard W. Mckenney
David L. Short
Oscar L. Shewmake Associates
Philip J. Hendel
Thomas A. Shiels
General
Allan C. Brownfield

CLASS OF 1965
George Wythe Associate
Nicholas J. St. George
St. George Tucker Associate
Nathan S. Howard
Lucian Minor Associates
M. Elvin Byler, Jr.
C. Lacey Compton, Jr.
J. R. Zepkin
Oscar L. Shewmake Associate
Ronald B. Zedd
General
David Beach
Raymond H. Strople
Peter H. White

CLASS OF 1966
St. George Tucker Associate
E. Kenneth Day
Dudley W. Woodbridge Associates
Albert J. Mainelli
Daniel D. Portanova
Alfred D. Swersky
Henry C. Wolf
Oscar L. Shewmake Associates
Aubrey Goldberg
Lloyd C. Sullenberger
General
Robert E. Kane, Jr.
William R. Keown

CLASS OF 1967
St. George Tucker Associate
Howard J. Busbee
Lucian Minor Associate
Stephen D. Harris
Raymond H. Kratfson
Dudley W. Woodbridge Associate
Ralph K. Barclay, Jr.
Oscar L. Shewmake Associates
Shepard F. Lewis
Ocie Murray, Jr.
D. Wayne O'Bryan
Joseph W. Roskos

Howard P. Schiff
General
Horace A. Teass, Jr.

CLASS OF 1968
St. George Tucker Associate
Robert A. Hendel
Lucian Minor Associates
Sam T. Beale
Mark S. Dray
John H. Goodrich, Jr.
Richard A. Repp
Oscar L. Shewmake Associates
C. Butler Barrett
Frank M. Morton, III
Robert E. Scott
David K. Sutelan
William L. Wellons
General
David J. Agatstein
John R. Boberg
Richard H. Harding
R. Garndete Saunders Tease

CLASS OF 1969
Lucian Minor Associate
James K. Stewart
Dudley W. Woodbridge Associate
Robert C. Elliott, II
Oscar L. Shewmake Associates
Jon W. Bruce
William C. Field
E. Alan Hechtkopf
Barry M. Hollander
Gary E. Legner
General
Hal J. Bonney, Jr.
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The Alumni Association Board

William and Mary Law School Association Alumni Board Spring Meeting, April 16, 1985. Alumni Board: Seated left to right: William L. Lewis, '76; Robert S. Parker, Jr., '70; Dean William B. Spong, Jr.; Dean Timothy J. Sullivan; David F. Belkowitz, '77; and Debra J. Prillaman, '76. Standing left to right: Christopher J. Honenberger, '77; Joseph T. Waldo, '78; K. Maxwell Dale, '75; H. Robert Mayer, '71; and Timothy A. Coyle, '74.

30 MARSHALL-WYTHE SCHOOL OF LAW
A Farewell Address

It is an honor to address members of the Marshall-Wythe Class of 1985. We are leaving together. You are in the springtime of your lives, while I am in the late autumn of a full and rewarding life. Our differences in years and perspective emboldens me to make observations that I hope will not overly underscore the familiar platitudes of graduation addresses.

These past nine years mark a period during which nearly 1500 graduates have gone from here to many parts of the United States. Our graduates are the stewards of Marshall-Wythe’s quest for greatness. Their performance as professionals—and as human beings—is a major factor in any judgment of the kind of law school Marshall-Wythe is. Our graduates’ progress will influence the type of student attracted here in the future, and the success of our placement effort is dependent upon how our graduates are perceived.

I have watched this annual leave-taking in confident expectation that our students will, in large measure, make contributions to society worthy of the hopes of those who initiated the study of law at William and Mary so many years ago. And what were those hopes?

Thomas Jefferson, who was responsible for the establishment of the first university-related legal instruction in America, and his teacher, George Wythe, shared a view that the study of law, in addition to preparation for the practice of law, provided a foundation for public service. Indeed, Wythe’s underlying purpose was “. . . to form such characters as may be fit to succeed those who have been useful in the national councils of America.”

Through the middle years of the nineteenth century, lawyers were looked to for leadership. A visiting Alexis de Tocqueville identified lawyers as the American aristocracy. Most of the contributions to the early writings and debates that form the foundation of our government may be credited to lawyers. Yet, earlier this week, Justice Rehnquist, speaking at the University of Chicago Law School, bemoaned developments that find lawyers no longer the balance wheels of our democracy. The Justice noted
the demise of the lawyer-statesman, and credited such demise to the mad-dening scramble for billable hours that occupies much of the energies of today's bar.

Attorneys during this past quarter century have seen the practice of law, long regarded as a learned profession, changed by custom, court decision and the demands of a consumer-oriented society. The legal profession is now subject to anti-trust laws. There is a move in the Congress to place regulation of the legal profession with the Federal Trade Commission. Commercial speech about fees and legal services now has constitutional protection to assure greater access to the courts, help the public locate lawyers, and become better acquainted with legal charges. Large firms quartered in imposing suites, marvelously equipped, and populated with many partners, associates, and paralegals are today often located in two or three metropolitan areas. Much of the very nature of modern practice has become an impersonal, highly specialized, quite technical enterprise.

A recent commentator has suggested that the legal profession is being organized into bureaucratic forms, designed to serve a greater number of clients and a greater proportion of the population than is the past. It is also observed that such reorganization presents two challenges. First, the institutional mechanism within the new system must ensure that lawyers treat each client as an individual and not merely as a legal problem passing through the bureaucratic process. Second, lawyers must respect the overall conditions of our legal systems and legal institutions in their entirety and not merely as specific issues bearing little or no relationship to each other or to our general legal well-being.1

I do not recite these developments to mourn the passing of law as it was practiced. I recite them to underscore that the practice of law as you will experience it has changed more in the past quarter century than it had during all the previous years since Wythe began teaching. Nor do I wish to discourage you about your chosen profession. On the contrary, I urge you to go forward and practice competently, zealously and ethically. But the law has become a business, and the competitive nature of today's practice will make the profession difficult to regulate from an ethical standpoint—more difficult for the lawyer of tomorrow to experience the useful life envisioned by Wythe.

You should try to avoid awakening in your middle years, after the coveted partnership is obtained, to discover that a life of billable hours, club memberships and foreign automobiles is not enough; that success and happiness are not always the same; and that your capacity to be helpful to others and relate to others may have been impaired by single-minded efforts in your practice, often in a specialized area of competence not related to human needs and human understanding.

W

We wish you well as you become servants of the law. There is within each of you a capacity to do good, to serve well, and to contribute to society.

Am I suggesting that you should avoid specialization in one of the myriad of new areas of the law? No. Am I suggesting that you should avoid large firm practice? No. Am I so naive that I would attempt to dissuade you from seeking the most competitive of situations? No.

I am, however, alerting you to the danger of spending your formative years bereft of literature, music, art, an appreciation of nature, and most important, of the joys of family life. Jefferson's idea of taking the study of law away from the apprentice model and into an academic setting, was, I believe, to assure that the practicing lawyer would be a whole person, with an understanding and appreciation of many things beyond the artisan demands of a skilled trade.

Try to avoid becoming a sophisticated artisan—a digit or myopic clone in an emerging market model that is becoming increasingly dominant in the legal profession today. You should cheerfully and diligently pursue the tasks assigned you as a lawyer, but do not do so to the total exclusion of other interests. The time you spend in public service (and I use the term "public service" in its broadest context to include much more than elected public office) will contribute to your growth and your worth as a lawyer and an individual. Certainly this is true of work within the profession to enhance competence, ethical standards and law reform.

But this is a day of joy for you and your families, a day when at last your formal education is ending. Three years ago you came to us from near and far, graduates of nearly a hundred colleges and universities, and you have since shared a rigorous learning experience, a legal education more personal than at most law schools. Our faculty has watched your struggles and knows you better than you may think. An academic, in addition to the pleasure of nurturing young minds, derives the greatest satisfaction from the progress of former pupils. It is our abiding hope that you will reflect the best of what we have tried to give you. We wish you well as you become servants of the law. There is within each of you a capacity to do good, to serve well, and to contribute to society.

The wish of this faculty is little different from the hopes of Jefferson and Wythe. We want you to become useful citizens. We have great expectations of you. We congratulate you and wish you godspeed. In a moment you will receive your degrees, and leave to begin a new life, a life of challenge and opportunity, a life that can be both fulfilling for you and helpful to others.

Today is a time for farewells. Shakespeare tells us that after the death of Julius Caesar, the armies of Anthony and Octavius pursued and confronted Brutus and Cassius at the plains of Philippi. Before descending from the heights above the plain to do battle, Brutus turned to Cassius and spoke:2

"... and whether we shall meet again I know not. Therefore, our everlasting farewell take: For ever, and for ever, farewell, Cassius! If we do meet again, why, we shall smile; if not, why then, this parting was well made."

William B. Spong, Jr.
May 12, 1985
Phi Beta Kappa Hall
College of William and Mary
Williamsburg, Virginia

2 Julius Caesar, Act 4, Scene 1.
Order of the Coif


First Place Award

The First Place Award for Regional Negotiation Competition sponsored by the American Bar Association Law Student Division was received by the Marshall-Wythe team in November of 1984. The participants and their faculty advisor received recognition from the Chief Justice. Left to right: Steve Schooner, Robert Acosta-Lewis, Professor B. Glenn George and Chief Justice Warren Burger.