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## Letter to Graduates and Friends

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August 2002

Dear Graduates and Friends,

On Mother's Day, the Class of 2002 graduated in the football stadium. At the moment of truth, the class was 184 strong: 175 J.D.'s and nine LL.M.'s in American Legal Studies (international students). The graduates wore newly created green and gold gowns, open in the front (clothes underneath made sense). Hats were purple, for law. In full regalia and moving into a stiff breeze, the graduates marched around the field to take their seats on the track, with family and friends behind them in the stands and faculty facing them on the grass. Professor Paul Marcus from the Law School spoke, and Justice Elizabeth Lacy of the Virginia Supreme Court charged the class (including Michael Lacy, her son). The event was hot and marvelous.

The Law School now has over 5,800 living alumni. Over 90 percent graduated in the last 30 years, and over 70 percent in the last 20 years. The school's tiny size from the 1920s through the 1960s accounts for this relative youth. It will take another couple of decades, into the 2020s, before the demographics of Marshall-Wythe mirror those of other leading law schools. The oldest law school in the country still has one of the smallest, youngest alumni bodies.

The Law School has graduates practicing in all 50 states and in at least 26 other countries. The greatest concentration falls in and around Washington, D.C. About 60 percent of each graduating class ends up working outside Virginia. The Law School's reach is increasingly national and international.

Virginia's current attorney general (Jerry Kilgore '86) and its immediate past attorney general (Mark Earley '82) are Marshall-Wythe graduates. So are the chief judge of the U.S. Court of Appeals for the Federal Circuit (H. Robert Mayer '71) and the chief justice of the Connecticut Supreme Court (William J. Sullivan '65). On the bench in Virginia are almost 70 Marshall-Wythe graduates, with another 18 among the state's retired judges. Professor Walter S. Felton, Jr. will shortly leave the Law School to join the Virginia Court of Appeals. Our alumnae include the president-elect of the Virginia State Bar (Jeannie P. Dahmk '85) and a recent past president of the Virginia Bar Association (Anita O. Poston '74). The Virginia State Senate includes two of our own, Senator Thomas K. Norment, Jr. '73 and Senator Malfound W. Trumbo '83. Serving in the Virginia House are delegates James F. Almand '74, Robert H. Brink '78, and Ryan T. McDougle '96, and in Congress, Representative Eric Cantor '88. The prime exemplar of Marshall-Wythe graduates who've gone into law teaching is Robert E. Scott '68, who recently completed a brilliant decade as dean of U.Va. Law School. The number of Marshall-Wythe people who are partners in firms of all sizes, including the largest, is growing rapidly. We have graduates highly placed in corporations and governmental bodies, and many alumni are doing a lot of good in nonprofit endeavors of all sorts. This account of Marshall-Wythe prowess leaves much unsaid. The point, simply, is that our graduates are making a difference for the better in their communities, states, and nation.

The Law School's halls and classrooms have not lain fallow this summer. A large contingent of the Class of 2002 has been here studying for the bar exam. The National Regulatory Conference returned for its annual session at Marshall-Wythe. Then came the new Virginia College of Trial Advocacy for four days of intense training by teachers from the Virginia Trial Lawyers Association. Next a practicum for parliamentarians made its annual pilgrimage here. Prosecutors from around Virginia

followed for a lengthy Trial Advocacy Conference, and a select group of Commonwealth's Attorneys and law enforcement officers came to study a coordinated approach to homicide cases, under the aegis of the Virginia Department of Criminal Justice Services and the Commonwealth's Attorneys' Services Council.

The Law School's five-week session in Madrid, Spain, was also in full cry this summer, with 113 students from 45 U.S. law schools and 11 Spanish law students. Two members of our faculty plus teachers drawn from the Spanish academy and bar offered a rich curriculum, focused on European Union law.

Marshall-Wythe professors year-round (but especially during the summer and when on research leave) produce significant scholarship<sup>1</sup> – articles, monographs, casebooks, treatises, and expert reports of a quality and quantity normally associated with much larger faculties at wealthier schools. Some examples of faculty scholarship, most of them articles hot off the press, are telling.<sup>2</sup> Our faculty members are also in great demand as participants in conferences around the country and as visiting professors at other law schools (*e.g.*, Virginia, Michigan, and Chicago). Important in an interdisciplinary world, we now have five professors who combine J.D.'s with Ph.D.'s (two in history, and one each in economics, international relations, and philosophy).

Last academic year, a student-coached trial team from Marshall-Wythe came in 12<sup>th</sup> out of 225 teams (from 126 law schools) in the Student Trial Advocacy Competition. Réco Thomas '02 recently received the first-ever Oliver White Hill Student *Pro Bono* Award from the Virginia State Bar Association. This summer 55 of our students worked in public interest jobs for 46 organizations located in 12 states, D.C., Brazil, Cambodia, India, Kyrgyzstan, and Mauritania. During 2002-03, 29 recent graduates will clerk for federal and state judges. Each year, the great bulk of our 3Ls complete their job searches by graduation, and virtually everyone is employed within six months. This August the Law School has organized job fairs for our students with employers in New York City, Chicago, and Dallas. We expect 160 employers to be on campus for interviews in the fall, with several thousand other employers expressing interest in receiving resumes from Marshall-Wythe students. Almost 3,400 applicants applied for one of the 175 places in the Class of 2005. While this has forced difficult admission decisions, the result will be a splendid group of new students. Like our graduates and faculty, Marshall-Wythe students are special.

What is it about this place that does make it so special? Informed by four years as dean, it seems to me three factors, in particular, set William & Mary Law School apart. First, it **has the dignity, enduring strength, and direction inherent in having roots that run deep into American history.** This is

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<sup>1</sup> Faculty productivity this summer has not stopped with scholarship. Five faculty children have been born since school ended last May (two within a day and a minute of each other).

<sup>2</sup> Peter Ales, *Contract Reconsidered*, *Northwestern Law Review*; Jayne Barnard, *Renewable Bar Admission: A Template for Making "Professionalism" Real*, *Journal of the Legal Profession*; Lynda Butler, *The Pathology of Property Norms: Living Within Nature's Boundaries*, *Southern California Law Review*; Lan Cao, *Corporate and Product Identity in the Post-National Economy: Rethinking U.S. Trade Laws*, *California Law Review*; Glenn Goven, *Bad Drafting – A Case Study of the Design and Implementation of the Income Tax Subsidies for Education*, *The Tax Lawyer*; Neal Devins, *Congressional Factfinding and the Scope of Judicial Review: A Preliminary Analysis*, *Duke Law Journal*; Mechele Dickerson, *Bankruptcy Reform: Does the End Justify the Means?*, *American Bankruptcy Law Journal*; Dave Douglas, *Reading, Writing, and Race: The Desegregation of the Charlotte Schools* (University of North Carolina Press); John Duffy, *Harmony and Diversity in Global Patent Law*, *Berkeley Law & Technology Journal*; Jim Dwyer, *Vouchers Within Reason: A Child-Centered Approach to Education Reform* (Cornell University Press); Michael Gerhardt, *Norm Theory and the Future of the Federal Appointments Process*, *Duke Law Journal*; Susan Grover, *After Ellerth: The Tangible Employment Action in Sexual Harassment Analysis*, *Michigan Journal of Law Reform*; Trotter Hardy, *Copyright and "New Use" Technologies*, *Nova Southeastern University Law Review*; Jim Heller, *Copyright, Fair Use, and the For Profit Sector*, *Information Outlook*; Rich Hyman, *Optimal Bankruptcy in a Non-Optimal World*, *Boston College Law Review*; Eric Kadles, *History and Interpretation of the Great Case*

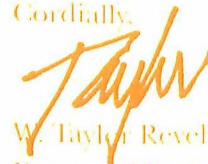
the oldest law school in the country, created by Thomas Jefferson and inaugurated by George Wythe, two transcendent figures of our revolutionary and early national eras. As the steward of Jefferson's and Wythe's concept of the citizen lawyer,<sup>3</sup> William & Mary Law School is charged to help give the concept meaning in today's world. It is the law school of John Marshall – the preeminent citizen lawyer: soldier, counselor, litigator, legislator, diplomat, chief justice. No other law school has roots of such elegance and strength. These roots, and these roots alone in my view, kept Marshall-Wythe alive during times that would have killed any less powerfully grounded institution. These roots nourish its promise for the future.

Second, Marshall-Wythe is **moving strongly into the 21<sup>st</sup> century**. The school has momentum. It's building the four sorts of capital crucial for sustained progress – the human, programmatic, physical, and financial. Important as deep roots are, continued accomplishment is even more vital. We are committed to continued accomplishment.

Third, Marshall-Wythe is **pushing forward with its core values intact**. It is moving to reclaim its primacy in American legal education without losing its soul along the way. It remains small enough for people to know one another by name while growing large enough to form a critical mass for learning and scholarship. It remains a school where superb teaching, as well as superb scholarship, is prized in practice, not just in rhetoric; where integrity, collegiality, and civility flourish, even while high standards of performance are demanded; and where the faculty's drive for professional accomplishment includes time to nurture students and serve the campus community. It remains a school with strong ties not just to the academy, but also to the bar, bench, and larger society. In the Jeffersonian tradition of the citizen lawyer, it honors its obligation to participate in resolving leading issues of the day.

William & Mary's law school is not just another tree in the forest of American legal education. It is the primal oak, seared and stunted at times over its centuries, but growing vibrantly into the 21<sup>st</sup> century. We can be confidently proud of what this school has been and will be.

Cordially,



W. Taylor Reveley III  
Dean and Professor of Law

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*of Johnson v. McIntosh*, **Law and History Review**; Charles Koch, *Judicial Review and Global Federalism*, **Administrative Law Review**; Fredric Lederer, *Excerpts from Basic Advocacy and Litigation in a Technological World* (Desktop); John Lee, *Policy Entrepreneurship, Public Choice and Symbolic Reform Analysis of Section 198, the Brownfields Tax Incentive: Carrot or Stick or Just Never Mind*, **William and Mary Environmental Law and Policy Review**; Linda Malone, *Economic Hardship as Coercion Under the Protocol on International Trafficking in Persons by Organized Crime Elements*, **Fordham International Law Review**; Paul Marcus, **Criminal Procedure in Practice** (NEA Press); Alan Meese, *The Externality of Victim Care*, **University of Chicago Law Review**; Jim Moliterno, *Experience and Legal Ethics Teaching*, **Legal Education Review**; Mitchell Reiss, *KLEDO: Which Way from Here?*, **Asian Perspective**; Taylor Reveley, *Is the Republic Circling the Drain?*, **Northwestern Law Review**; Ron Rosenberg, *When Lochner Met Dolan: The Attempted Transformation of American Land Use Law by Constitutional Interpretation*, **The Urban Lawyer**; Alemante Selassie, *Ethnic Federalism: Its Promise and Pitfalls for Africa*, **Yale Journal of International Law**; Michael Stein, *Human Rights and Genetic Discrimination: Protecting Genomics' Promise for Public Health*, **Vanderbilt Law Review**; Kathy Urbonya, *Determining Reasonableness Under the Fourth Amendment: Physical Force to Control and Punish Students*, **Cornell Journal of Law & Public Policy**; Cynthia Ward, *Defending Truth*, **Texas Law Review** (with Alces); Dick Williamson, **Defending Criminal Cases in Virginia** (Va. C.J.E., Charlottesville) (supplement).

<sup>3</sup> A member of our faculty, Dave Douglas, captured the essence of the Law School's "original intent" in his article on *The Jeffersonian Vision of Legal Education*, 51 **Journal of Legal Education** 185 (2001).

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

— George Wythe, 1726-1806

First professor of law in America, lawyer, statesman, jurist and  
revered teacher of Thomas Jefferson, James Monroe, John Marshall,  
and Henry Clay.