1980

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

William & Mary Law School

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Letter From The Dean

We hope by means of the annual distribution of this brochure to reach prospective employers of students enrolled in the Marshall-Wythe School of Law. From its inception three years ago, our aim has been to supply you with more than mere statistical data about the Law School. Those who take a few minutes to read what we have written here will, we hope, gain insight into the character of the educational experience our students receive.

Our profession is today seemingly under attack from every quarter. The Chief Justice of the United States has asserted that half of American trial lawyers are incompetent. The President of the United States has said that the American bar does not provide adequate legal services to those among our citizens who most need our help. We, in the law schools, are criticized in turn by the practicing lawyers for failing to provide sufficient practical training for our students. It is truly a season of discontent for all who work in the American legal system.

Here, at the Marshall-Wythe School of Law, we have attempted to prepare our students for the perhaps radical changes in the way law will be practiced during the course of their careers. No aspect of the practice will be immune from change. Even the continued right of the bar to regulate itself seems uncertain. I also expect that the advertisement of legal services and the problem of measuring lawyer competence will continue to command our attention. We will be disappointed if our students fail to participate constructively in the professional dialogue which will lead to the resolution of these issues. At the same time, we have sought to emphasize the unchanging requirements of good lawyering: integrity, intellectual rigor and concern about clients as human beings. We believe, in the main, we have succeeded in this effort, but the final answer, which cannot now be known, rests in the character of the professional lives our students will lead in the years to come.

Cordially,

William B. Spong, Jr.
Dean

Letter from the Placement Director

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

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

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

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

Sincerely,

(Mrs.) L. Morton Murtagh
Director of Placement
II Historical Sketch
The Marshall-Wythe School of Law

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

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

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

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

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

Today, the Marshall-Wythe School of Law enrolls 450 students from all regions of the nation. Approximately 1720 applications for 150 spaces in the entering class were received last year. As a state supported institution, the Law School maintains a student body composed of 70% Virginians and 30% non-Virginians. The legal education offered, however, is national in scope, since our students are engaged in the practice of law throughout the United States.
III Educational Philosophy

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

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

None can doubt the primacy of intellectual rigor in the training of a lawyer. Yet our faculty firmly believes that the education of a complete lawyer must be more than training in the life of the mind. Most lawyers perform many functions in their professional careers. They are often advocates, counselors and community leaders. In the discharge of these functions, more is required than an able intellect. Traditional traits of character are equally important. Of course, no law school can create character compassion or sensitivity to human needs. A law school can, however, make it clear to its students that these qualities, in common with intellectual ability, are important in the education of a lawyer who aspires to genuine professional excellence.

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

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

IV The Educational Program:
Recent Developments

Perhaps the most important development in the 1979-80 academic year will be the completion of a new building to house the Marshall-Wythe School of Law. Located on grounds adjacent to the national headquarters of the National Center for State Courts, the new building will provide a fine physical setting for the conduct of the Law School's educational program. The new building will have sufficient space to house the Law School's growing library collection (which now numbers approximately 140,000 volumes). In addition, classroom and seminar facilities will incorporate the most modern acoustical and electronic innovations. Finally, through the generosity of the Cabell and Kellogg Foundations and the Law Enforcement Assistance Administration, the Law School will enjoy the benefits of an experimental moot court room ideally suited for clinical advocacy training.

Considerable emphasis has been placed upon improving the Law School's placement program. In the fall of 1978, the Law School sponsored a placement symposium which brought to the campus a variety of speakers who provided substantial help to our students in planning their careers. Partly as a result of information provided at the symposium, eighteen members of the Class of 1979 were selected as judicial clerks (total class enrollment was 135). Perhaps most notably, the Law School expects to fill, in the fall of 1979, a newly created full time position of Associate Dean for Placement and Alumni Affairs. We are confident that the person selected will provide significant new leadership in strengthening our placement program.

Dean Roger Crampton of the Cornell Law School has observed that law school education is perceived as being remarkably successful in the first year of study and remarkably unsuccessful in retaining student interest in the second and third years. Dean Spong has appointed a Committee of the faculty to examine the Law School's second and third year curriculum with a view to possible reform. All Law School alumni and members of the current third year class have been asked for their views. The Committee's charge is to evaluate current offerings and make proposals for change that will enhance the educational experience of our students in their second and third years.

The Law School received a $62,000 grant from the Virginia Environmental Endowment in 1978. Part of the grant has been used to strengthen our environmental law library collection. The remainder has been and will be used to fund a series of environmental law conferences. The first such conference, treating the problem of toxic substances in the environment, was held last winter. It was very well received by those in attendance. Printed proceedings will be published soon. In the fall of 1979, a second conference on the future of the Chesapeake Bay will be held. Two additional conferences are planned for 1980.

In the last two years, the Law School has attempted to increase the use of adjunct professors from practice who are asked to teach seminars of a
specialized or advanced nature. In the 1979-80 academic year we will have adjuncts from practice whose collective efforts will, we are confident, better prepare our students to enter the world of practice. These advanced seminars are not substitutes for basic or core courses ably taught by full time faculty members. In areas such as energy law, advanced admiralty and government contracts, however, the perspective of the thoughtful practitioner is unique.

The Law School will also inaugurate a new program aimed at providing our students with an opportunity to meet leading members of the bar in an informal setting. In the spring of 1980, lawyers whose experiences vary from small town & rural practice to urban centered corporate work will spend a weekend in Williamsburg meeting with students and sharing their thoughts about professional goals and how they might be attained. We believe that such exchanges between lawyers in training and lawyers in practice can have beneficial impact upon both groups.

During 1979, the Law School is celebrating the founding here of the first university related chair of law in the United States. A number of programs have been conducted to observe this important anniversary date. In January, Professor William W. VanAlstyne of Duke University delivered the annual Wythe Lecture. In February at the college wide Charter Day exercises, Justice Lewis Powell of the U.S. Supreme Court delivered a most informative address on the history of legal education in the United States. In April, the official Virginia Law Day was observed at William and Mary as a part of a program which included the corner stone laying for our new building. Chief Justice Warren Burger and S. Shepherd Tate, President of the American Bar Association, were speakers. The concluding public event in our year long celebration will be held in the fall of 1979 when Sir Rupert Cross, Vinerian Professor of Law at Oxford, delivers an address to the local and national law school community.

For many years, the Law School has offered an advanced graduate program in taxation. Although enrollment has remained relatively small, our tax program has become an important part of our curriculum. This year, we were pleased to receive a major gift from the Jessie Ball DuPont Foundation. Proceeds of the gift have been used to endow a Ball Professorship of Law in support of our tax program.