



WASHINGTON AND LEE UNIVERSITY  
SCHOOL OF LAW

DEAN SEARCH



*Dean Attributes and Prospectus*

Lexington, Virginia



---

WASHINGTON AND LEE UNIVERSITY  
SCHOOL OF LAW

*Dean Prospectus*

(September 2006)

Washington and Lee University, the ninth oldest institution of higher education in the nation, is independent, nonsectarian, and privately endowed. Washington and Lee is a nationally ranked institution with a unique three-part structure: one graduate division, the School of Law; and two undergraduate divisions, the College (which includes fine arts, humanities, journalism and communications, the social sciences, and the natural sciences) and the School of Commerce, Economics, and Politics. These divisions share a central mission—to develop in students the capacity and desire to learn, understand, and share the fruits of their intellectual experience, and to maintain an environment that fosters personal integrity, harmonious relationships, and a vital sense of responsibility to serve society. With a rich heritage spanning more than two and a half centuries, the University has a profound sense of tradition, but it likewise affirms the ideal embodied in its motto, *non incautus futuri* (not unmindful of the future). It therefore remains responsive to changes and innovations that contribute to the realization of its aims.

The Law School at Washington and Lee occupies a distinctive position in American legal education. A highly regarded, national law school—consistently ranked among the top two dozen law schools in the country—we remain small, with around 130 students in each entering class of JD candidates. These characteristics of size and quality are related, we believe, and represent strengths on which we wish to build in becoming one of the premier law schools in the nation. We have achieved a great deal, but we seek to be even better.

The faculty, drawn from a broad range of backgrounds, is energetic, productive, and well-respected in the larger community of legal scholars. Our professors, including a stellar group of young colleagues who are drawing wide attention for their significant achievements, actively engage in, and help shape, national and international scholarly conversations on a broad array of subjects. Faculty scholarship is frequently cited by, and influences, scholars, judges, and policy-makers. We foster a hospitable environment for scholarly inquiry at Washington and Lee in a variety of ways, including generous sabbatical and pre-tenure leave policies and summer research stipends. Through the Lewis Law Center, the Transnational Law Institute, and the Law and History Center, we not only support our own work, we bring to campus numerous scholars, judges, and lawyers to discuss and sharpen their ideas, whether through major conferences, formal talks, or informal give and take.

In teaching, we invite our students into these larger conversations about the law. Each member of the faculty is whole-heartedly dedicated to the signal importance of teaching. Our small size—a deliberate, longstanding, strategic element in our pedagogy—permits us to teach in quite special ways, as does our enviable student-faculty ratio, the third best in the nation. We value, above all else, close relationships between students and teachers—the kind that permit genuine mentoring and that are a hallmark of the very best liberal arts approach to education. Our students appreciate our efforts and accessibility, as seen by a recent Princeton Review ranking that placed Washington and Lee professors as #1 in teaching.

---

Faculty teach in small classes that encourage dialogue. Faculty teach first-year writing as part of a substantive law course, not as a stand-alone offering. Faculty closely supervise a mandatory upper-level paper, requiring students to take an in-depth look at a subject of their choice. With its well-known “open door” policy—frequently cited by alums as having made a profound and lasting impression—the faculty also work closely with students outside the classroom, in supervised clinics and in a host of other settings, such as the Shepherd Program for the Interdisciplinary Study of Poverty that was recently featured in a *Washington Post Magazine* cover story.

Our commitment to innovative teaching continues. We encourage inter-disciplinary offerings in cooperation with other departments of our University. The School also sponsors exchange programs with three foreign law schools: Bucerius Law School in Hamburg, Germany; Trinity College in Dublin, Ireland; and the University of Western Ontario in Canada. Having pioneered a novel approach to the first year of law school in the 1980’s—now emulated by others—we are committed to making the oft-neglected third year a more meaningful learning experience. Our aim is to adopt additional intensive capstone courses and to enhance our clinical offerings in a way that will both provide progression *within* the law school and serve as guided “pathways” *from* law school to the larger professional world. The University is committed to supporting this intensive and creative approach to legal education.

Our students make this personalized approach to legal education possible. Drawn from the top 10% of national applicants, our students are, of course, bright. The median undergraduate GPA and LSAT score for those enrolling this year were 3.61 and 166, a score representing the 95th percentile of all test-takers. Our students also are a talented and diverse group, representing 191 undergraduate institutions, virtually every state, and thirteen countries. Minority students comprise 20% of this year’s entering class. Our students value the numerous mentoring opportunities we offer. They appreciate the approachability of the faculty and the keen interest we take in them as individuals, both in and outside the classroom. We think the great devotion shown to the Law School by our alumni is good evidence of that.

One cannot describe Washington and Lee’s Law School without noting its longstanding and ongoing commitment to an ethos of civility and integrity, and its student-run honor system. These qualities are especially important to the training of lawyers, and to the inculcation of a genuine commitment to justice and the public good that begins with a strong sense of personal professional responsibility.

In the sections that follow we say more about the Law School and the attributes we seek in a Dean, and provide additional information about Washington and Lee University.

# THE SCHOOL OF LAW

## *Faculty*

---

The School of Law faculty consists of 33 permanent professors and 22 adjunct professors. Every year several visitors from other universities or legal practice enrich our faculty. Our student-faculty ratio is one of the very best in legal education. The teaching load is approximately three courses per year, consistent with that of other leading law schools. Tenured faculty receive sabbatical leaves every five years. Tenure-track faculty are eligible for a one-semester, pre-tenure leave in their third or fourth year of teaching. Currently, we have ten endowed professorships and four one-year rotating fellowships that recognize outstanding faculty performance.

## *Facilities*

---

The School of Law moved into Sydney Lewis Hall, its present building, in 1976. Sydney Lewis Hall, funded by a generous gift from Frances and Sydney Lewis of Richmond, Virginia, contains no classrooms seating more than 81 students, ensuring small classes. A carrel or office space is provided for each student. A computer cluster is available for word processing and legal research. An addition completed in 1992 includes the archives for the Lewis F. Powell, Jr. '29, '31L papers, office space for the Legal Clinic, expanded library space, and additional faculty offices and seminar rooms. Classrooms were substantially renovated in 2000 and 2001. The Moot Court Room was completely renovated in the summer of 2006. Strategic planning now underway contemplates further significant renovation of Lewis Hall. The law library contains more than 427,950 volumes, including microform materials, appellate records and briefs, and government documents. It maintains subscriptions to more than 1,250 journals, over 250 looseleaf reporting services, and more than 500 series of documents issued by international organizations and the U.S. government. Lexis and Westlaw terminals are provided. The stacks, carrels and reading areas are available to students and faculty 24 hours a day, seven days a week.

## *Academic Centers*

---

The Frances Lewis Law Center is the primary research arm of the School of Law. Each year it appoints a Frances Lewis Scholar in Residence who comes for a semester to do his or her own research and to teach a seminar. These scholars have included Thomas L. Shaffer of Notre Dame; Herbert Fingarette of the University of California (Santa Barbara); Curtis R. Reitz of the University of Pennsylvania; Harold J. Berman of Harvard; Victor G. Rosenblum of Northwestern; Roger C. Cramton of Cornell; Christopher Osakwe of Tulane; Calvin Woodard of the University of Virginia; Doug Rendleman of William and Mary; Warren Lehman of the University of Wisconsin; Ferdinand Schoeman of the University of South Carolina; John C. McCoid II of the University of Virginia; Richard Delgado of the University of Colorado; Joseph Perillo of Fordham; Lewis D. Solomon of George Washington University; Brian P. Levack of the University of Texas; Linda R. Hirshman of Chicago-Kent; Yvonne Scannell of Trinity College, Dublin; Deborah A. DeMott of Duke University; Hilary Charlesworth of the University of Melbourne; Peggy Cooper Davis of New York University; Andrew Huxley of the University of London; David Bruck, attorney of Columbia, S.C.; Malgosia Fitzmaurice of the University of London; Chris Whelan of the University of Oxford; and Jeremy Sarkin of the University of the Western Cape. In 2004, Nicholas Bamforth of Queens College, Oxford, and David Richards of New York University were named 25th Anniversary Frances Lewis Scholars.

In addition, the Frances Lewis Law Center brings visiting judges and lawyers to the campus for varying periods, sometimes as long as a semester. It supports research by Washington and Lee faculty and students, and it convenes major scholarly colloquia on topics of current legal interest.

Recently, we have established a Law and History Center and a Transnational Institute. The Law and History Center is an interdisciplinary initiative bringing together the fields of law and history.

Several faculty members in both the Law School and College have interests in the intersection of law and history. The Center already has sponsored several formal presentations by distinguished legal historians.

The central goal of the Transnational Institute is to support and coordinate a variety of pedagogical methods that will contribute to the quality of the legal education the School of Law offers its students. One initiative is a writing-intensive Colloquium Seminar in Global Legal Studies. The Colloquium Seminar will provide a capstone course focusing on third-year academic legal writing. It will incorporate outside speakers into a coherent pedagogical strategy and involve student response to the written and oral work of distinguished scholars. A second initiative of the Institute involves assisting students who may assume internships involving international or comparative law matters in organizations of their choice. These students will be designated Institute Summer Associates, and two were named for summer 2006. A third initiative will be to serve as a coordinating mechanism for global scholars who will come to Washington and Lee for short periods of time to teach intensive courses. So far, global scholars include Jose Marcos Domingues, from the State University of Rio de Janeiro, Brazil, who offers an intensive course on Latin American Law and Professor Martin Matthews of Oxford University who offers a course on comparative tort law. As the work of the Institute deepens, the faculty will grow. This will help introduce the global legal community to Washington and Lee, and help expose Washington and Lee to the world.

## *Students*

---

We said a little bit about our impressive students at the beginning. We have approximately 390 students who are candidates for the J.D. degrees and four students who are LL.M. candidates. This year we also have ten foreign exchange students. This year's entering class is 41% female and 59% male. Twenty-five members of the class (20%) have identified

themselves as being members of a minority group. Eleven are Asian/Pacific Islanders, three are Black, two are Hispanic, one is Native American, and five identify themselves as multi-cultural. Our students are drawn from many different undergraduate institutions, and from virtually every state and several countries.

The instructional program is designed to provide students with a legal education in the fullest sense: not only the technical tools needed for the practice of law, but an understanding of how law operates in our society and keen sensitivity to the ethical imperatives of the profession. All first-year courses are required, with the first semester focusing on common law subjects and the second semester on many of the procedural aspects of our legal system. Most second- and third-year courses are elective; Constitutional Law and Professional Responsibility, however, are required. There are no "majors," and students are encouraged to obtain a broad-based legal education. Nevertheless, a student who wishes to do so may progress through courses of increasing complexity and intensiveness in areas of particular interest to him or her. We wish to enhance this sense of "progression" throughout the three years of education and currently are exploring ways to make the third year a more challenging and meaningful experience.

## *Student Organizations and Activities*

---

The Student Bar Association is the student government organization for the School of Law. All law students are members. It provides support for the publication of the Law News, the student newspaper. It also sponsors social events and intramural athletics throughout the school year. It also provides funding for a number of student organizations designed to support student interests, ethnic identity and practice aspirations. A current list of our numerous law student organizations is available on the website at <http://law.wlu.edu/directory/studentorgs.asp> Burks Scholars are third-year law students who are chosen to act as teaching assistants working with

faculty in small sections of first-year courses emphasizing writing and research skills. Burks Scholars are chosen on the basis of scholastic achievement, writing ability, skill in advocacy, and teaching aptitude. Kirgis Fellows are second- and third-year law students who serve as formal mentors to first-year students. They provide information about law school life, University services, extracurricular options and study skills.

Students, in general, spend most of their day at the Law School—it is the intellectual and social center of their lives here. This makes for a very close-knit student community, and permits close student-faculty interaction of the kind Washington and Lee values so highly.

## *Journals*

---

We offer three student-run journals.

### **ENVIRONMENTAL LAW DIGEST**

The Digest is written, edited, and published by W&L law students for the Environmental Law Section of the Virginia State Bar. Intended as a practitioner's guide, the Digest contains student-written articles on environmental and natural-resources issues, summaries of key court decisions on the federal and state level, and commentary on pending state and federal legislation and regulation.

### **JOURNAL OF CIVIL RIGHTS AND SOCIAL JUSTICE**

The *Washington and Lee Journal of Civil Rights and Social Justice* is a research and reference publication having its focus on legal issues that have an impact on racial and ethnic minorities. The C.R.S.J. Journal concentrates on legal realities and reports on developments in both statutory and case law in an effort to monitor their impact on minority communities.

### **WASHINGTON AND LEE LAW REVIEW**

Published four times each year, the Law Review presents lead articles contributed by leading scholars, judges, and lawyers, as well as student notes. Student

writers are chosen during the summer after their first year of law school based upon grades and the results of a writing competition. Each staff writer develops a topic for original legal research, and writes over the course of the second year under the supervision of a faculty advisor and student editor. Selected writers continue as editors in the third year of law school.

## *Clinics*

---

One of the most significant opportunities afforded by a law school education at W&L is its legal clinics. Second- and third-year students help to meet the need for legal assistance in the region and, at the same time, develop client contact and advocacy skills. The faculty has developed programs that deliver lawyering up close: tough lessons and real-life decisions that the profession deals with every day. We offer six clinics: Black Lung Legal Clinic; Community Legal Practice Clinic; Judicial Clerkship Program; Legal Aid Society; Public Prosecutors Program; Virginia Capital Case Clearinghouse.

## *Attributes of the Law School Dean*

---

We expect the next Dean of the Law School to be a proven, energetic, and collegial leader, whose qualifications will include a rich combination of the following characteristics:

A distinguished record of scholarship, and of professional and intellectual achievement.

An understanding of the uniqueness of the Law School, its accomplishments to date, and its high aspirations for the future.

An understanding of, and a commitment to fostering, the Law School's core values of civility, integrity and honor.

Commitment to diversity within the student body and faculty, as well as across the legal system generally, and the ability to articulate and carry out practical

and effective strategies for increasing diversity within the institution.

Excellent communication and leadership skills, whether dealing with individuals or groups, both within and outside of the University.

An ability to think strategically, and to work with senior University administrators in developing and carrying out strategic initiatives.

An ability to work with alumni across the country, in order to maintain their ties with the institution, to nurture future involvement with the Law School, and to encourage their continuing financial support.

An ability to identify resources for the financial support of the Law School, and an ability and willingness to pursue those resources actively, enthusiastically and effectively.

A commitment to both the scholarly and teaching missions of the Law School, and an ability to facilitate the faculty's development in both areas.

An ability to foster a continued and improved sense of community within the Law School and the University.

Provide and support creative ideas for curriculum planning that will maximize our students' preparation for the practice of law, including the role of ethics in professional life and the practice of law in a global setting.

Familiarity with the challenges of legal education generally, and a thoughtful perspective on ways in which the Law School can meet its particular challenges.

## *The University*

---

### LOCATION

Washington and Lee is located in Lexington, Virginia, a historic city of 7,000 residents. Lexington is three hours from Washington, D.C., less than one hour from Roanoke, and a little more than one hour from Charlottesville. Situated between the Allegheny and Blue Ridge Mountains in the Valley of Virginia, Lexington is the county seat of Rockbridge County, home to an additional 21,000 people. The area features strong public schools, a variety of cultural events, and rich opportunities for outdoor activities. Lexington is also the site of the Virginia Military Institute, and 12 four-year colleges and universities are located within 70 miles of the city (Hollins University, Roanoke College, Mary Baldwin College, Liberty University, Randolph Macon Women's College, Sweet Briar College, Lynchburg College, University of Virginia, James Madison University, Bridgewater College, Eastern Mennonite University, and Southern Virginia University). The Washington and Lee campus, renowned for its beauty and historical significance, has been designated a National Historic Landmark and is a frequent site of interest to those studying American, African-American, and Civil War history and culture.

### HISTORY

Washington and Lee's rich history has been shaped by key figures and moments in American history. Founded as Augusta Academy in 1749, it became Liberty Hall Academy in 1776. In 1796, George Washington gave the school an endowment gift, believed to be the largest to that date in American higher education. The institution's trustees expressed their gratitude to and respect for Washington by changing the name of the school, first to Washington Academy and later to Washington College.

In 1865, the trustees named General Robert E. Lee to the college presidency. Lee, who had headed the U.S. Military Academy at West Point prior to the Civil War, envisioned the college as an instrument for the spiritual and material reconstruction of the

South and for the reunification of a divided, embittered populace across the nation. To these ends, he expanded the existing classical curriculum to include the subjects of law, business, journalism, modern languages, and engineering. In Lee's presidency, primary responsibility for routine discipline shifted from administration and faculty to "the honor and self-respect of the students themselves." In tribute to Lee after his death in 1870, the trustees renamed the college Washington and Lee University.

Washington and Lee's graduates have assumed prominent roles throughout American society. Included in their ranks are an associate justice of the Supreme Court, Lewis F. Powell, Jr., and other prominent members of the judiciary, members of Congress and the executive branch of the federal government, ambassadors and governors, recipients of the Nobel and Pulitzer Prizes and the Congressional Medal of Honor, numerous presidents of universities and colleges, leading business figures, and six presidents of the American Bar Association.

The alumni as a whole have been a crucial element of the University's success. It is in these men and women—their achievements, loyalty, activism, generosity, and counsel—that the University finds one of its greatest resources.

## ACCREDITATION

The Commission on Colleges of the Southern Association of Colleges and Schools accredits the University. Washington and Lee is the only institution among U.S. News and World Report's top-25 national liberal arts colleges to be associated with a top-25 law school. It is also the only top-25 national liberal arts college with a business program accredited by the Association to Advance Collegiate Schools of Business. The American Bar Association and the Association of American Law Schools accredit the School of Law.

## LIBRARIES

Leyburn Library, Telford Science Library, and the Wilbur C. Hall Law Library are known for their resourceful, committed librarians and staff members, whose support of faculty and students is indispensable to the academic program. The libraries occupy a total of 197,000 square feet and house over one million volumes and additional resources, including microforms, manuscripts, and media collections. Leyburn and Telford Libraries are open 24 hours a day when classes are in session, and the Law Library is open to authorized users 24 hours a day throughout the year. Nearly all library materials are accessible through the libraries' online catalog, and the libraries' Web pages serve as a gateway, on and off campus, to hundreds of licensed digital resources. Significant special collections include the University Archives, the Robert E. Lee and Family papers, the Alfred I. and Jessie Ball duPont papers, and the papers of Lewis F. Powell Jr., U.S. Supreme Court associate justice and Washington and Lee alumnus.

## COLLECTIONS

Washington and Lee University owns a number of significant art collections, including early American portraits, Chinese export porcelain, fine and decorative arts, and contemporary paintings. In addition, the University has a small but important history collection housed in the Lee Chapel and Museum, a registered National Historic Landmark that attracts almost 60,000 visitors annually. The Laboratory of Anthropology also contains a significant collection of artifacts excavated by University faculty and students, representing the early history of the school and nearby communities. Like the University itself, these collections span four centuries of American history, creativity, and genius. In recent years, the University has given greater attention to these collections as foundations of academic research and as links to interested groups beyond the campus.

## FACILITIES

The campus is known for its great beauty and the high quality of its facilities. Several major building projects are planned or underway, including construction of the new Wilson Hall Art and Music Building, which is slated to open in September 2006, and the proposed renovation of a 100-year-old building at the center of the campus that will be used by the Williams School and the College to accommodate increased faculty. The University is also studying its libraries to determine how space can be used more efficiently and effectively, and it will shortly undertake a study of its historic Colonnade to plan for its renovation in the coming years. Finally, a number of projects involve renovation of the Law School, including the just-completed renovation of the Moot Courtroom.

The technology infrastructure is in good condition, and the University has nearly completed a program to make the entire campus wireless. The University has also made steady progress in equipping its classrooms with instructional and Web-based technologies. Increasing technological sophistication generates growing pressure for funds and new staff in the area of technical support.

## ADMINISTRATION AND STAFF

The University employs 750 full- and part-time employees. Its capable and experienced administrators provide the President and Deans with the support required to balance their extensive internal and external demands. Support staff members are unusually dedicated and hardworking. Many are drawn from the small surrounding community of Lexington and Rockbridge County, and they wholeheartedly join the faculty in serving the educational mission of the University and cultivating the character of its students. Continuing to value the contributions of staff members at all levels of the University is essential to maintaining a sense of common purpose, civility, and respect within the community.

Recently, the University augmented its administrative ranks in order to address growing demands in

the area of academic, fiscal, and physical administration, as well as communications. These changes were intended to create an administrative team that is more comprehensive and better aligned with institutional priorities. The University continues assessing the need for administrative positions in the context of simultaneous needs for additional staff and faculty positions.

## BUSINESS OPERATIONS

The Office of the Vice President for Finance and Treasurer oversees Washington and Lee's \$90 million annual operating budget. The office manages business affairs, investment, and budgeting. The University recognizes that recent and proposed growth in the University's physical plant and its ambitious strategic initiatives will require increased attention to the overall management of this sector. Our long history of sound fiscal health has earned us bond ratings from Moody's and S&P that are Aa2 and AA, respectively.

## EXTERNAL RELATIONS AND FUND-RAISING

The University's endowment of \$586 million is in the middle range for peer institutions. These University-managed funds are supplemented by outside trusts that add another \$248 million to the University's assets. A conservative approach to endowment drawdown has served the University well in a fluctuating economy. Alumni have traditionally donated the majority of support each year. The overall alumni participation rate is 45 percent. Law alumni have one of the highest participation rates in the country. About half of parents make a gift each year. Foundations have provided significant ongoing support. Examples from recent years include grants in excess of \$1 million from the Donald W. Reynolds Foundation (establishment of a chair in business journalism) and from the Andrew W. Mellon Foundation (international education); other grants above a half million dollars have been received from the Christian A. Johnson Endeavor Foundation (international education), the W. M. Keck Foundation (program in nonlinear dynamics), and the Jessie Ball duPont Fund (environmental studies).

Washington and Lee's generous and dedicated alumni and trustees have consistently supported the University's major institutional initiatives. The most recent capital campaign, For the Rising Generation, raised \$242.6 million, exceeding the original goal of \$225 million by eight percent. Begun in 1998 and successfully completed in 2003, despite a national recession and the death of President John Elrod in 2001, the campaign made possible the establishment of new scholarship and programmatic endowments, new faculty chairs, construction of the University Commons, the complete renovation of Reid Hall (home of the Journalism Department), and a number of other accomplishments. As the current strategic planning process identifies new initiatives, fundraising will continue to be important, and planning is underway for more comprehensive development work following an assessment by the vice president for University advancement. The new Dean's ability to inspire and communicate well with alumni, other friends of the Law School, and corporate and philanthropic communities will be critical.

## DIVERSITY

The Board of Trustees has committed the University to increasing the diversity of the administration, faculty, and student body. Diversity is defined broadly, encompassing not only race and ethnicity but also gender, country of residence, and socioeconomic status. The University envisions its goal as bringing diverse people together in an inclusive environment built on core values of honor, intellectual engagement, civility, and commitment to community. This ideal will be approached with constant effort and the provision of appropriate funding.

The commitment to diversification and equity is ongoing. Certainly the new Dean will enter into a continuous effort to promote equity and diversity at all levels of the Law School.

## THE HONOR SYSTEM

The student-administered Honor System is an important component of the University. A legacy of

Robert E. Lee's presidency, the commitment to honor is recognized by every student, faculty member, administrator, and staff member of the University. Providing the common thread woven through many aspects of this institution, honor creates a community of trust and respect affecting fundamentally the relationships of all its members. In the environment of trust created and protected by the Honor System, instructors presume academic honesty on all assignments, exams are unproctored, and all members of the community are free to develop their minds and spirits to the fullest.

Dedication to honorable behavior creates a strong bond of trust among the students and between them and the faculty, a bond that informs interactions both in and beyond the classroom. Alumni frequently cite the Honor System as the most valuable and cherished element of the Washington and Lee experience.

## *Nominations and Inquiries*

---

The Dean Search Committee will begin to review candidate materials in September and continue until appointment is made. Nominations and expressions of interest, which will be treated in confidence, should be sent to:

President Kenneth P. Ruscio, Chair  
Law School Dean Search Committee  
Washington and Lee University  
Lexington, VA 24450  
<http://law.wlu.edu/deansearch/index.asp>  
Phone (540) 458-8700; Fax (540) 458-8745

Washington and Lee University does not discriminate on the basis of race, color, religion, national or ethnic origin, sex, sexual orientation, age, disability, or veteran's status in its educational programs and activities or with regard to employment.

For more information, please visit the Washington and Lee University Web site at [wlu.edu](http://wlu.edu).



WASHINGTON AND LEE  
UNIVERSITY

SCHOOL OF LAW

Lexington, Virginia