

The Catholic Lawyer

Volume 3
Number 2 *Volume 3, April 1957, Number 2*

Article 4

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This is the fourth of a series of articles on Catholic law schools in America.

THE STORY OF GEORGETOWN LAW SCHOOL

FRANCIS E. LUCEY, S.J.*

Its Birth

THE STORY OF A law school is not a story of brick and mortar nor even of books, vitally important as these are in legal education. It is a story of expanding educational objectives and ideals, translated concretely into faculty, standards, methods and courses. The story of a law school reflects the vision and wisdom of its faculty and administrators. The story of Georgetown's Law School is an interesting story of how one center of legal education was born and grew in stature and wisdom.

The entering class in 1870 consisted of twenty-five students who came from twelve states, the District of Columbia and the Island of Cuba. Of these, ten were to graduate in June 1872. Georgetown started off as an evening school and remained exclusively such until the opening of a morning section in 1921, fifty-one years later. An old office building was selected as the school's first home, evidently because of its convenience for both professors and students. The local and federal courts were only a few blocks away and the leaders of the Bar also had their offices nearby. Most of the students worked for the Government or in law offices.

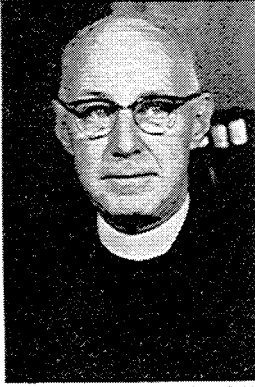
Curriculum

The law program, as originally fashioned in 1870, was a two-year course leading to the LL.B. degree. This course requirement was not extended to three years until the fall of 1897. In 1924, the afternoon course was extended to four years.

Scanning the early schedules of courses one cannot help but notice the relative importance which has always been given to cultural subjects such as International Law, Comparative Law, Civil and Canon Law and the History of Law. In 1875, a course on Ethics and its relation to

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positive law was instituted. The course was first given by the President of the University, Reverend P. F. Healy, S.J., and later, by the very learned scholar and writer, Reverend Rene Holaind, S.J. It is still a



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feature of our curriculum. For several years, the course on Comparative Jurisprudence was in the capable hands of the distinguished scholar and writer, Martin F. Morris, Judge of the Court of Ap-

peals of the District of Columbia.

In 1878, the school first offered a year of post-graduate work leading to the degree of Master of Laws. At first only a handful of the graduates took advantage of the extra year. However, in 1881, the District of Columbia made three years of law study a prerequisite for admission to the Bar of the Supreme Court of the District of Columbia. By 1885, it would appear from the greatly augmented Graduate School that many were taking advantage of the extra year for practical reasons. However, even after the undergraduate course was extended to three years in 1897, the Post Graduate courses were continued. Considering the times, the program of courses was excellent, and, from the nineties down through the thirties, the roster of the Graduate School professors contains the names of many distinguished legal scholars. In the forties, the idea of a Law Center was beginning to take shape and, in this function, the Graduate School plays a very important role.

The law center concept had gained wide acceptance in law school circles by the end of World War II. However, the law school was not, at that time, in a position to launch a complete law center program and all energies were directed to a step-by-step evolution of an active law center. Georgetown's lively realization of the marked compression of the world after World War II and the expansion of the legal order that would flow from such compression, with national and international interests, needs, wants and conflicts multiplied many times, led the law school, in 1948, into an understanding with the University of Frankfurt for an exchange professorship arrangement. That exchange has since become an established fact. The first exchange professor from Frankfurt was the former Dean of that University's Law Department, Professor Walter Hallstein who is, at present, Secretary of State, Foreign Office, Federal Republic of Germany.

The next step in the law center program was the establishment of a Continuing Legal Education program in February 1952. The basic program calls for self-contained, semester courses so as to provide adequate instruction, or extended education, in various fields of law which receive insufficient attention in the undergraduate curriculum. The program, now in its sixth year, has been very well attended by the practicing lawyers of the District and vicinity.

In 1953, Research and Teaching Fellowships were established. In 1954, with the help of a generous benefactor, arrangements were made to finance, on an annual basis, the sending of three graduates of the law school to Germany for a year of study at Frankfurt. The third annual group is now in residence at Frankfurt.

A sound educational program for undergraduate students, provision for research, an opportunity for continued legal education and the training of future professors of law are some of the important objectives of a law center. Another, which is equally important and becoming increasingly so every year, is the training of legal specialists. Our law has become so vast and complex that the practicing attorney is virtually forced to specialize. To provide for this growing need, the graduate department has tripled the courses offered, fashioned in the form of institutes. These institutes include such subjects as Taxation, Labor Law, Estate Planning, Medico-Legal Problems, Trade Regulation, and International Law.

Method of Teaching

At the inception of the school, the lecture-quiz method was used. From 1870 until 1899 the professor both lectured and quizzed. In 1899 quiz-masters were appointed whose function it was to inquire of the class on the previous lecture and the cases assigned by the lecturer-professor. Ten years later quiz-masters were given the more dignified title of instructors in law but the same method of instruction was maintained through the nineteen twenties. However, in the twenties, many of the professors did their own quizzing and spent most of the class time on case materials and very little on lecturing. Traces of the lecture system survived into the twenties and even these were practically eliminated by 1933. The transition from lecture to the case method in the undergraduate law school at Georgetown was due in no small degree to the fact that very many of the quiz-masters, who had learned the value of the case method in their work, eventually became the lecturer-professors. Nine of the ten

quiz-masters listed in early 1910 became professors during the subsequent decade. The lecture-quiz system was very effective and produced some great legal scholars and excellent practicing lawyers. It is, even today, the predominant method of legal instruction in England, Australia and several colonies or former colonies of Great Britain.

Library

The law school catalogue first mentions a librarian in 1904. However, it was not until 1920, that the library was provided with its present spacious and attractive reading room. Even as late as 1931, after sixty years of existence, the number of volumes in the library was comparatively small. Substantial growth began in the thirties when increasingly larger shares of the budget were allocated to new acquisitions. Because of that growth one large stack room was added in the thirties and a still larger one in the late forties. In recent years micro-card and duplicating machine facilities have been added. Physical growth of the library has, of course, required a correspondingly large increase in the library staff. The librarian enjoys full-time faculty status and is assisted by a full-time research assistant skilled in law and library science. In addition, there are other full-time and part-time assistants to minister to the needs of the students. Growth is such that plans are now being made to more than double the size of the reading room and triple the stack capacity.

Co-Curricular Activities

Law Journal

The Law Journal is now in its forty-fifth year. It is a quarterly publication, each issue containing about 160-180 pages, approxi-

mately equally divided between student contribution and articles by members of the Bench, the Bar and the law teaching profession. Like the Law School it is national in scope, devoting substantial space to state law problems as well as federal matters.

Until the early thirties, the staff used the office of the faculty adviser for their quarters. In the early thirties the staff was given its own spacious quarters and requisite furniture and equipment. The separate office of the faculty adviser adjoins these quarters to facilitate his accessibility to the editors and staff.

The Georgetown Law Journal is slightly different from other reviews in its objectives. It aims, as do other reviews, at a fine legal periodical and the training of students in legal writing. However it does

not restrict the opportunity for training in legal writing to the top few students. In a large school those capable of excellence in legal writing are more than a few, and thus the Law Journal staff is quite large. Of course, only those who show marked ability in the trial competitions are appointed to the staff. Other students may, however, submit recent decisions or notes and if the work thus submitted is of sufficiently high caliber and timely in nature, it may be printed. In this way, a great many students who do not achieve staff membership still have an opportunity to develop research and writing skills and techniques.

Moot Court

In view of the emphasis placed on the Practice Course and the Moot Court in today's law school programs, it is interesting



The Law School Library.

to note that the Moot Court appeared on the list of the law school courses in 1875. Professor Charles W. Hoffman, who later became Dean of the Faculty, presided over it that year. Within three years the number of professors in charge of the Moot Court was increased to three. The importance of the course seemed not only to endure but to increase as the years passed. Around the turn of the century we find six professors allotted to it. The course then offered corresponded to the current Practice Course in that it was designed to train the student in trial and appellate work. From its inception in 1875, all students have been required to take this course.

What are now designated Moot Court Clubs did not appear at Georgetown until the late twenties. The historical origin and evolution of these clubs is rather novel. They are apparently the successors-in-interest of the early law school debating societies, first established on a permanent basis in 1893. These societies debated such subjects as Chinese immigration, annexation of Hawaii and restriction of suffrage.

In 1894, inter-law school debates were arranged with Columbian Law School, now George Washington University Law School. In 1897, and succeeding years, debates were held with New York University Law School, Wisconsin, Notre Dame and Boston University. By 1906, it became difficult to arrange inter-law school debates, so a second debating society was established at the school and inter-club debates were begun. Each year two public preliminary debates were held, followed by a public final prize debate. During subsequent years the number of such debating clubs was increased and eventually, in the late twenties, these debating societies were converted into Moot Court Clubs which held weekly

arguments and five public inter-club prize competitions, four preliminary and a final prize competition. These prize competitions created a rivalry between the various Moot Court Clubs which in turn stimulated the efforts of the contending advocates and contributed to the excellence of the arguments they advanced. In recent years, a new rule provides that every first year student must belong to one of the Moot Court Clubs and no student may graduate who has not received a "pass" in moot court argument.

This long tradition may explain, in part at least, the success Georgetown teams have had in the National Moot Court Competition. This nation-wide competition, sponsored by the Association of the Bar of the City of New York, was started in the Fall of 1950. The previous year there had been an Eastern States Moot Court Competition fostered by the New York Bar. Georgetown did not enter the Eastern States Competition as the time assigned for it, in the Spring of the year, conflicted with the school moot court prize competition. Georgetown did enter the first National Competition and went to the finals in New York, winning by a unanimous decision of the Court. During the seven years of the National Competition, Georgetown has gone to New York seven times, reached the finals five times, won in the finals three times by unanimous decisions, lost twice by split decisions and twice has been eliminated in the second round. This law school has retired the first National cup after two victories, has also won the first District of Columbia cup, and now has two legs on the second District cup. The first moderator of the Georgetown teams was the present Dean, Paul R. Dean, whose teams had two local and two national victories. His successor, Professor Joseph F. Gaghan, has



Moot Court Prize Competition.

captured one national and three local victories. For many years the outstanding members of the Moot Court Clubs and many of the professors have made frequent appearances in panel discussions of legal subjects on the Georgetown Forum of the Air, a public-service radio and television program produced under University auspices.

Student Bar Association

Opportunity for student training in initiative, self-reliance and cooperative effort was greatly enhanced by the organization of the Student Bar Association in 1950. The Student Bar Association conducts all

student social functions and many other activities. Among other things, it operates the orientation program for new students, publishes the *Res Ipsa Loquitur*, conducts a series of lectures by distinguished jurists and holds an annual Law Day at which many legal scholars are invited to participate in round table discussions of vital legal and professional questions. The Student Bar Association has grown to be a very vital influence on the Law School's educational policy.

The Student Bar Association also takes an active part in fostering the Memorial Day Exercises, the Forum on Law and Morals, the League of the Sacred Heart

and the Law School Retreats. The Memorial Day Exercises were started by Dean Fegan after World War I. A plaque bearing the names of those who had died in that War was placed on the front wall of the Library Reading Room. On Memorial Day each year, a new wreath is placed on the plaque while a platoon of uniformed students stands in military formation and "Taps" is sounded. The students conduct the entire program which includes a patriotic talk by a high-ranking officer of the Armed Forces and two short speeches delivered by students. The student marshal then reads the roll of honor to the silent assembly. A brief talk is given by the Regent on the spiritual significance of the occasion followed by a special prayer of the assembly for the Law School's heroic dead. When the sound of the bugle floats through the hall after the placing of the wreath on the plaque an emotion is born which lingers in the memory of Georgetown men long after graduation. It is a beautiful, solemn and inspiring ceremony.

Annual retreats ante-date the writer's memory and no specific date can be placed on their origin although they were certainly in existence in the late twenties. Recently two have been offered annually: one in the Fall and one in the Spring — and, happily, many students take advantage of them. Another date which cannot be determined with exactitude is the origin of the monthly Mass and Communion breakfast which also came into existence in the twenties and perhaps long before. After World War II, it became the custom to have a theologian or Ethics professor address the participants after the Communion breakfast on a practical subject intimately connected with law or the legal profession. The broad range of these talks may be indicated by the follow-

ing incomplete list: negligence in law and morals; penal laws; freedom of speech; the privilege against self-incrimination and the right to silence in morals; the relation of law and morals to organizational picketing; Church and State; accessories and cooperation in law and morals and the duties of a Catholic lawyer in regard to divorce and divorce cases. Sometimes the discussion takes the form of a short talk followed by questions from the floor. At other times there is a panel of legal and theological authorities whose discussion is followed by questions from the floor. This questioning has been known to last for over an hour. In recent years this function has been named the Law and Morals Forum. It is very well attended by members of the student body and the faculty. To provide further spiritual benefits for the students a small chapel was installed in one of the Law School dormitory buildings over a year ago.

Conclusion

Georgetown Law School's story of initial poverty and struggle for existence followed by a period of growth and continued expansion is probably not unlike the story of many other law schools. Schools, however, vary as to their local or national complexion, their philosophy and science of legal education, due in great measure to difference of objectives, emphasis on cultural subjects, methods and extent of paternal interest in the student. Probably because of its location in the national capital, the mecca of international, national and state interest, and the fact that both faculty and student body represent all the states and possessions as well as some foreign countries, the school has never been local in its

outlook. Since it is a Church-related school it has always placed a strong emphasis on philosophical and cultural subjects, an emphasis that has been greatly augmented during the last twenty years. Its history of solicitude for the student dates back to the founders and the inheritance from law office training.

Georgetown has been quick to seize the good products of experimentation and to learn from the experience of other law schools. It has been quick to adopt what

is good in the new, but steadfast in holding to the good of the past. It has been fortunate in having had many dynamic men of learning, vision, courage and devotion on its faculty over the years. It may have faltered a few times, as it did in part of the twenties, but the faltering was merely a hesitant step in a continuous advance. Its distinctive characteristic? Just a bundle of intangibles constituting a spirit and vision inherited from great legal scholars and leaders of the past.



St. Ives, Patron of Lawyers.