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# DUQUESNE UNIVERSITY SCHOOL OF LAW

EDWARD F. C. MCGONAGLE\*

I N 1872, PRINCE OTTO VON BISMARCK, Chancellor of a united and resurgent Germany fresh from a decisive victory over France, decided upon a *Kulturkampf* in order to “purify” the German society he controlled. To this end he ordered the immediate banishment of all religious orders from Germany. Included among the banished were priests belonging to the Congregation of the Holy Ghost, a religious order originally founded in France in 1703 by a young lawyer turned priest. These exiles migrated to the United States where they settled in and around Pittsburgh, Pennsylvania. Asked by the then Bishop of Pittsburgh to establish a school or college, they opened in 1878, the Pittsburgh Catholic College of the Holy Ghost. With a faculty of seven and a student body of some forty, the new college rented the second floor of a building already occupied by a Presbyterian tailor and a Lutheran baker. With this new beginning the German priests of the order ended their exile.

In 1911, the Imperial German Empire established by Bismarck was nearing its end. Most of the then established political and social institutions of Europe were in the twilight of their existence. Yet the year 1911 was for the Pittsburgh Catholic College of the Holy Ghost a year of still further beginnings. In that year the Commonwealth of Pennsylvania granted the institution its charter as a university and it thus became the first Catholic university in Pennsylvania. In that year the name of the institution was changed from the Pittsburgh Catholic College of the Holy Ghost to Duquesne University. Finally, in that year the new

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university opened its School of Law with an enrollment in its first class of twelve students. Of the original faculty members, one, Dr. William H. Lacey, is still actively teaching in the Law School. His experi-



DEAN THOMAS QUINN

ence and wisdom, his legal erudition, combined with a gentle Irish charm, have made him the esteemed mentor of both past and present members of the School of Law, faculty and students alike.

From 1911 until 1932, the School of Law hop-scotched about Pittsburgh, making four moves as its need developed for larger and better quarters. In 1932 the Holy Ghost Fathers, either undaunted by the depression or perhaps inspired by Roosevelt, bought the Fitzsimons Building in the very heart of the business district of Pittsburgh's Golden Triangle. And from 1932 until December of 1958 the School of Law occupied two floors of this building. The School of Business Administration occupied the remainder of the building. The University was thus divided between the "downtown division" located in the Fitzsimons Building and the main body

of the campus located on a high bluff overlooking Pittsburgh's Golden Triangle. By the time of the Second World War, the facilities available to the School of Law in the Fitzsimons Building had become inadequate for its purposes. As part of a development program initiated in 1953, the University broke ground in 1956 for Rockwell Hall, a two and a half million dollar, ten-story, air-conditioned building adjoining its main campus and designed to house in separate parts of the building both the School of Law and the School of Business Administration. Upon the completion of Rockwell Hall in 1958, the School of Law moved into its new quarters. At present the School of Law occupies two floors of this building, with additional space for expansion available to it on another floor. The seventh floor contains the administrative offices of the School of Law, classrooms, a student lounge, and the Falk Moot Court Room. The eighth floor is occupied by the Faculty Suite, comprising individual offices, a library and lounge for the faculty, student discussion rooms, and the John E. Laughlin Memorial Law Library.

The School of Law is proud of its new home, considering it an excellent example of contemporary design and beauty. In recent months the Dean of the School of Law offered the facilities of the Falk Moot Court Room to the United States District Court of western Pennsylvania. Due to a crowded docket of cases and the presence of visiting judges, there was a shortage of adequate court room space in the Federal Building in Pittsburgh. Dean Quinn's offer was accepted by the United States District Court, and for several months, the moot court room was no longer the seat of a moot court. The presence of an actual court

within the school was an invaluable experience for law students.

The John E. Laughlin Memorial Library commemorates the services to the School of Law of its third dean. But the library, as it exists today, is also a tribute to the loyalty and generosity of the alumni of the School of Law, some four hundred of whom contributed over seventy thousand dollars to the library fund. Private universities and professional schools must look increasingly to their alumni for support if they are to survive and fulfill their ever-growing responsibilities to the nation. A broad base of alumni support is therefore necessary to the vitality of a university and the professional schools which are a part of it and to the progress of higher education generally. Our alumni have in the recent past demonstrated their willingness to support the School of Law not only by the amount of their contributions, but also by the high percentage of alumni contributors. This has been especially so in the campaign for funds for the library. The School of Law is grateful for this alumni support. Without it, the recent growth of the library could not have taken place. The School of Law has also enjoyed the patronage of many non-alumni members of the local bar. Despite their responsibilities to other law schools, these men have recognized Duquesne's contribution to the community and have contributed generously, in turn, to the support of the School of Law and the development of its library.

The main reading room of the John E. Laughlin Memorial Library was designed to provide the law student with a serene and pleasant atmosphere in which to study. One hundred and twenty persons can be seated comfortably in this room. At the

present time the library houses a collection of some thirty thousand books. In 1957 it contained only about fifteen thousand volumes. Thus in the short interval between 1957 and today the size of the library has more than doubled. The lack of physical facilities in the old Fitzsimons Building seriously hampered the development of an adequate library. Therefore, while the School of Law was located there, improvement of the existing library had to be limited to those volumes which were absolute necessities. Once plans were made for the construction of Rockwell Hall, the Dean and Faculty of the School of Law began an intensive study of the library and ways to expand its size. The present library is the result of this study. It has been planned as the foundation of a first class research library for the advanced legal scholar, as well as for the beginning law student. Thus in increasing the size of the library so drastically in such a short period of time the faculty has striven to emphasize the quality of the library collection, rather than its quantity. Further and continued expansion of the library remains one of the active programs of the School of Law. Since the ultimate capacity of the new library is in excess of a quarter of a million volumes, the School of Law does not expect to face for some time the problem of lack of space which plagued it in the old Fitzsimons Building.

One rather unique aspect of the operation of the John E. Laughlin Memorial Library should be mentioned here. From the establishment of the Evening Division of the School of Law in 1911 up to and including the present, the library of the law school has been kept open twenty-four hours a day, seven days a week, during the school year. This schedule was designed

primarily to accommodate the students in the Evening Division who can use the library only on weekends, holidays, and at night. A less flexible schedule of hours makes it difficult for these students to avail themselves of the library. Since these students cannot always adjust their employment schedules to fit into any standard library hours, the School of Law provides them with maximum opportunity to use the library at times most convenient to them. A sufficient number of students in both the Day and Evening Divisions take advantage of this opportunity to make use of the library to warrant the continuation of the custom.

In September of 1958, the School of Law enrolled its first class in its newly opened Day Division. The opening of the Day Di-

vision was planned to coincide with the completion of the new quarters for the School of Law in Rockwell Hall. Although Dean Quinn did not announce the opening of the Day Division until the Spring of 1958 and although the School of Law made no attempt to publicize the opening of the Day Division, forty-three students qualified for admission and registered for class the following September. With the graduation of this class next year the Day Division of the School of Law will be in full operation. The number of applications for admission to this first class and the high quality of many of the applicants accepted into it were a fine tribute to a law school which, from 1911 to this date, had operated solely as an evening law school.

Once admitted to the School of Law, all



*John E. Loughlin Memorial Law Library*

students are required to meet rigid standards of academic achievement for continuance from year to year. Although the passing grade is considered to be seventy on a scale of one hundred, all students are required to maintain a cumulative, weighted average of seventy-five in order to continue in school. These standards are the same for both divisions. This insistence upon the same standards of academic accomplishment for both the Day and Evening Divisions of the School of Law reflects the belief prevalent among the faculty that evening law education can be, and at Duquesne University has been, comparable in quality to that obtainable in law schools operating day divisions only. The distinction which is frequently drawn by some legal educators between "full-time" and "part-time" students is at best a misleading one. Of the two, the "part-time" student with "full-time" employment frequently devotes himself more closely to the study of the law than the "full-time" student with "part-time" employment. Besides, there is nothing part-time about the devotion to the law which most evening students bring to their studies. Beyond this, the evening student frequently brings a more mature mind with a greater breadth of practical experience to his study of the law. Whatever the difficulties of evening law study, these are advantages of great value which help com-

pensate for the problem of finding adequate time to study.

A moot court program has been established at Duquesne with an annual prize known as the *Sholom* Award to be given to the winners of the moot court competition. The faculty believes, however, that the student's primary task is to study and understand the law. To accomplish this he must devote himself to his day-to-day work of preparation and review. Whatever the value of a legal aid clinic or legal publication may be to the student who participates in such programs, this value is lost if the student is distracted from his strictly academic pursuits or occupies his time at the expense of classroom preparation.

The administration at Duquesne is attempting to foster in the School of Law a climate of learning. Students and scholars of all ages and degrees of experience have been brought together to educate one another and to develop new legal knowledge and understanding. For just as faculty educates student, so faculty educates faculty through a constant interchange of ideas, experience, and associations. The Duquesne University School of Law strives to be, for all who are a part of it, not just a place of prescribed formal hours of instruction and study, but an environment of scholarship lived daily in a rich variety of associations with people and ideas.

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