

# THE ESTABLISHMENT OF THE GEORGE MASON UNIVERSITY SCHOOL OF LAW

By

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George Mason University School of Law is the product of two sets of forces: a sustained community effort of two decades to develop a major university in Northern Virginia and the vision of certain persons who wanted a new and different kind of law school, the International School of Law, in Washington, D.C., in 1972. Had those impulses not come together in 1979 the University probably would have had its own law school eventually and International might have found its own new directions, but they did meet, and the present law school is the product. As has happened often before during the early years of universities in the United States, broad social considerations about education eventually came to dominate the narrower, often parochial, desires which led to the planting of the first seeds of an institution.<sup>1</sup>

## The State University in Northern Virginia

On April 7, 1972, the Commonwealth "established a corporate body. . . under the style: 'The Rector and Visitors of George Mason University. . .' The University shall be known as George Mason University."<sup>2</sup>

That act organized Northern Virginia's independent State University from George Mason College, an activity of the University of Virginia which had begun with establishment of an Extension Center in Northern Virginia in 1948. Enrollment in those institutions had grown from seventeen students in 1957, through 600 in 1967 to 13,000 in 1979.<sup>3</sup>

George Mason University stands on land purchased for, and donated to, the University by the City of Fairfax, plus other sites totalling 570 acres acquired with popular support from the towns and counties of the area. The last of these acquisitions on behalf of the University was the George Mason Foundation's purchase of the ten acre site of the Law School in the Virginia Square sector of Arlington in early 1979. That site is twelve miles from the Main Campus. It is just minutes from Washington, D.C. by subway and is known as "Metro Campus" by reason of proximity to the newly-established Metropolitan Transit System.<sup>4</sup>

The acquisition of the International School of Law and of authority to grant Doctoral Degrees in Education and Public Administration in 1979 brought George Mason to the status of ". . . a comprehensive, major university."<sup>5</sup>

## The International School of Law

There was broad support for and inquiry into the matter of a law school for George Mason University as early as 1974.<sup>6</sup> However, the beginnings of the present school occurred in Washington, D.C. during the same year, 1972, that George

Mason became an independent university in the Commonwealth system.

The founders of the International School of Law had two main objectives, to make a legal education available to more people, especially veterans of Vietnam, and to contribute to the “. . . revival of Jurisprudence—an understanding of our legal system and its Judeo-Christian base . . .”<sup>7</sup> The name “International” was chosen to reflect the uniqueness of the school’s objective and the plan to approach that objective partly through courses in Spanish Civil Law and in the Roman and Greek heritage of the Common Law.

Early classes were held in the Federal Bar Building, then at St. Matthews Church, and from 1974 to 1977 in purchased premises at 1717 Rhode Island Avenue, N.W. Each became inadequate to the requirements of a rapidly growing law school; enrollment had exceeded 200 students. The present site was leased with an option to purchase on December 2, 1976 and classes began there in March, 1977.<sup>8</sup>

International School of Law had been organized as a charitable trust but became a non-profit corporation under the laws of the District of Columbia on October 3, 1975. Its license to grant the Juris Doctor degree in the District of Columbia dated from December 29, 1973. After the move to Arlington, specifically on January 11, 1977, ISL was recognized as a foreign corporation authorized to do business in Virginia. It was also registered with the State Council of Higher Education. (Graduates had been permitted to sit for the Virginia Bar Examination since April 11, 1975.)

Students attended ISL from all of the United States. Although about one-half stated a residence in Maryland, Virginia or the District of Columbia, not many were natives of this area. Twenty to twenty-five percent of the student body during 1974, 1975 and 1976 was from New York and the Middle Atlantic states, and the final quarter from New England, the South and Middle West and Far West.

The acquisition of permission to sit for the Virginia Bar and the move to Virginia were the most visible signs of a change in direction in the institution. Others were that seven faculty members were added to the ten who ended the 1975-76 academic year and projections of growth toward 1000 students and thirty full time faculty members were voiced.<sup>9</sup>

Also during this period the goals of the school were re-ordered. It was recognized that nearly all law schools were committed to enhancing the ethical sensitivity of their graduates, and that the study of the law itself probably best promotes the goal of engendering a strong ethical sense. Accordingly, institutional goals were divided among Immediate, Medium Range and Long Range Goals. The first Immediate Goal listed was “. . . to concentrate resources and energies to the development of J.D. programs to a point of parity with excellence before turning any attention to other education endeavors.”<sup>10</sup>

Dominating the life of ISL at this time was the school’s lack of accreditation by the American Bar Association. The absence of accreditation meant many fewer job opportunities and very limited access to state bar examinations for graduates. The School met nearly all the standards of the ABA relating to Faculty, Library, Physical Plant and Instruction, but it was dependent on tuition income and viewed as not stable financially.

## George Mason University Acquires a Law School

Early in 1978 the governing boards of George Mason University and the International School of Law saw that a transfer of operational responsibility for the Law School to the University would enhance the achievement of the goals of both.<sup>11</sup> Requests were made to the State Council of Higher Education and the General Assembly. On March 10, 1978 the General Assembly directed the State Council of Higher Education “. . . to study the desirability and feasibility of establishing a school of law at George Mason University.” The General Assembly’s direction of thought was manifest: “Particular consideration should be given to the feasibility of accomplishing that objective through affiliation with an existing law school . . .”<sup>12</sup>

At that time the Commonwealth had not established a law school for over 150 years; only one in three Virginians desiring to go to law school in-state could do so; the population of wealthy, educated Northern Virginia was projected at over 2,000,000 by the Millenium; and the estimated start-up costs of a law school in the Virginia system were \$7,000,000.00, with the first graduates four years away from the starting date. ISL then was producing lawyers (over 200 already practicing in Virginia) and had 420 students (219 from Virginia), a competent faculty and a library worth almost \$2,000,000.00. Moreover, the replacement cost of its building alone was \$4,000,000.00.<sup>13</sup>

The George Mason University Foundation, a group of public-spirited citizens who assist the University financially, took over the ISL realty holdings on November 28, 1978, pending action by the General Assembly. The General Assembly’s authorization to George Mason University to establish a Law School was approved by the Governor on March 2, 1979 and the University established its law school as of July 1, 1979. During the remaining year of that Fiscal Biennium, the University exercised operational control over the Law School. The Foundation conducted business and financial matters for the Law School until the regular appropriation cycle began in 1980-81.<sup>14</sup>

### “The Urge to Merge”

A large part of the gap between a local desire to affiliate the two schools and the Governor’s approval in March was filled with concerted community action. Newspaper editorials were plentiful, citizens contacted their elected representatives and local governing boards expressed support in formal resolutions. However, the unique aspect of this community action in the legislative process was the “Merger Campaign” mounted by the student body of ISL.

Feeling that failure of the legislative proposal to permit GMU to establish a law school would doom ISL, its students voted unanimously to mount a lobbying campaign. Early on in the campaign one legislator noted the students’ “Urge to Merge” and the phrase became a slogan. The students’ plan involved a professional, but intense, campaign. Support was sought from every public official who could be reached, bus loads of students went to Richmond for all sessions of the Assembly and carloads of students toured the state, all dispensing brochures and “Urge to Merge” buttons. Their activities were coordinated from a “War-Room” at the Law

School. The vote in favor of affiliation was 28-9 in the Senate and 84-7 in the House.<sup>15</sup>

### **Today**

Provisional accreditation of the George Mason University School of Law was granted by the ABA House of Delegates on August 8, 1980. The School has successfully participated in one follow-up visit by the ABA since that time.

In academic year 1980-81 the School contained 509 students; 610 are projected for 1983-84, a figure which should then remain stable. Persons regularly admitted to the School have had average LSAT's of 536, 573 and 611 during the last three years.<sup>16</sup> In excess of 70% of the student body are Virginia residents, but graduates have recently attempted the bar exam successfully in Connecticut, South Carolina, Florida, Rhode Island, Pennsylvania, Maryland and New Jersey.

### **Curriculum**

The George Mason Law School Curriculum is more structured than most, but does address the subjects common to law teaching across the United States. A dominant feature of the curriculum is its compression of most of the traditional subjects into the six terms of the student's first two academic years. This permits use of the third year for Practice, Skill and Perspective Courses designed to bring substantive law and lawyerly skills together and to begin realization of a total lawyer concept.

### **Scholarships**

Among the increasing number of scholarships available to GMUSL students are several provided by the Lawyer's Wives of Arlington and the Women's Auxiliary of the Norfolk and Portsmouth Bar Association. Typically, grants are available in amounts under one-half of the annual Resident tuition. The Law School Alumni have offered a \$1,000-scholarship to an advanced student for Academic Year 1982-1983.

### **The Law School Building**

The site acquired by ISL, and later by the George Mason Foundation, as described above, was the former Kann's Department Store. Its 138,000 square feet of floor space are divided between the Law School on the first two floors and the University's Professional Center on the third. Together they are "Metro Campus."

The law school's library of 145,000 volumes, a cafeteria and student lounge comprise most of the public areas of the first floor. On the second level are faculty offices and classrooms with a capacity of over 600 students at one time. The dominant feature of the second floor is its massive "Grand Foyer," an open space sufficiently commodious for graduation ceremonies, large lectures and dinner-dances.

George Mason University offers courses in business, public administration and liberal arts in the "Professional Center" on the extensively renovated third floor. Students there have six classrooms, an art gallery and a 500-seat conference center. Their classes, both undergraduate and graduate, are offered in "megablocks," three hour classes, from 9 a.m. to 9 p.m. The Professional Center also makes space available to ARTEC, Arlington Communications, for a studio on the same floor.

### The Future of GMUSL

The Law School is part of a dynamic State University which is committed to superior education and service to the community. All its elements share that commitment. Although growth has been the University's experience, its growth has been in quality as well as size, a pattern which is to be continued.

Similarly, the Law School has its goals. First among them is excellence of education in the program for the first professional degree. For the Law School's formative years this means emphasis on its teaching function and refinement of its unique curriculum design. The Law School student body will grow slightly, but the principal areas of growth will be qualitative and related to basic professional education. Participation in the academic life of the University and its community orientation are seen as contributing to meeting the primary educational goals. Emphasis will be upon the student's qualification and professional growth.

### FOOTNOTES

<sup>1</sup> Harvard was "the School of Prophets" during its first century because the ministry was the favorite profession of its graduates. Morison, "Three Centuries of Harvard 24 (1936):" Humphrey, "From King's College to Columbia, 1746-1800" (1976).

<sup>2</sup> VA Code §23.91.24 (1980 Repl. Vol.).

<sup>3</sup> George Mason University. *Self-Study for the Southern Association of Colleges and Schools*, 1981, Sec. II.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Northern Virginia Sun*, 9/30/74. p. 1.

<sup>7</sup> \_\_\_\_\_, "An Introduction to the International School of Law, 1973-1974."

<sup>8</sup> The International School of Law, "Feasibility Study, 1977," p. 5.

<sup>9</sup> *Ibid.*, p. 22.

<sup>10</sup> *Ibid.*, p. 2.

<sup>11</sup> The International School of Law, "Feasibility Study, 1979," p. 1.

<sup>12</sup> Senate Joint Resolution No. 74, Vol. 2, Acts of Assembly, 1978 Sess., p. 2036.

<sup>13</sup> GMU Foundation, "Proposed: A Merger to Create a George Mason University School of Law" (undated) p. 3.

<sup>14</sup> "Feasibility Study, 1979," p. 1.

<sup>15</sup> *The Washington Post*, 2/2/79. p. C1; *The Richmond Times-Dispatch*, 1/22/79, p. 1.

<sup>16</sup> Approximately 25% of each entering class is selected from a "Pre-Admissions Summer Trial" Program. Candidates who do not qualify for regular admissions undergo an intensive eight-week semester of law school study and are evaluated for their ability to perform well in law school.