

A LONG LOOK BACK AT **OU LAW**



OU Western History Collections

As the College of Law prepares to celebrate 100 years of Oklahoma legal education, two distinguished OU alumni share highlights from their recently published centennial history.

BY BOB BURKE AND
JUSTICE STEVEN W. TAYLOR



Monnet Hall 1915

Two events in 1909 resulted in the birth of the University of Oklahoma College of Law. Two factions of the Methodist church split, signaling the demise of Epworth University, a predecessor to Oklahoma City University. Observers believed Epworth would soon close its doors as the state's only law school.

At the same time, lawyers and educators requested the OU Board of Regents establish a state-supported law school. Lawyers appeared before the Regents with a well-grounded argument that Oklahoma was growing and needed an institution at which to train lawyers. Regents were convinced of the need and authorized the establishment of the OU School of Law on April 3, 1909. A bar committee was appointed to hire a dean and faculty.

Julien Charles Monnet, a Harvard graduate, was a professor at the George Washington University Law School when a letter arrived in early August 1909 from Lee Cruce, an Ardmore, Oklahoma, banker and president of the OU Board of Regents. Cruce, later Oklahoma's second governor, offered Monnet the law school's dean position for the handsome sum of \$4,000 annually, the same salary given to the governor and OU President Arthur Grant Evans.

Monnet agreed to travel by train to Oklahoma to meet with Regents and members of the Oklahoma Bar Association. He arrived a day early, intent upon checking out the Norman campus before his official interview. It was a terribly hot, dusty and bone-dry August day. Years later, Monnet swore the temperature was 114 degrees.

He was discouraged when he found that the OU administration building had burned and that the campus consisted of only two brick buildings and a few common wooden structures. However, he had long thought about the importance of training future lawyers and felt the almost irresistible appeal to build a law school from the ground up. Oklahoma was one of the few places in the American frontier where that could be accomplished.

After Monnet accepted the job, his first decision was where to hold classes. Lawyers who had interviewed him for the position thought the law school should be located in Oklahoma City. There were rumors the state capital would soon be moved there from Guthrie. Members of the Oklahoma City bar argued that a state-supported law school should be close to the seat of state government and the appellate courts.

However, Monnet had strong feelings that the law school should be part of the mainstream of the full University. He courageously ruled out any idea of placing the law school in Oklahoma City, 20 miles from the Norman campus.

A second alternative was to rent classroom and library space

in downtown Norman. Local attorneys and businessmen showed him several locations. Even the distance from the campus to downtown Norman, however, was too far in Monnet's mind. He insisted the law school be somewhere on OU's 40-acre campus.

Monnet's final option was a third floor museum in Science Hall. Monnet made room for classes by crowding together dozens of tables and cases exhibiting rocks, minerals and fossils. With the help of the school's janitor, he built wooden shelves to house the small law library. Monnet wedged his desk between two display cabinets and placed a pine table in a corner to be occupied by his associate, who was yet to be hired.

"The Dean," as he was universally known, insisted upon academic excellence. At the time he founded the OU School of Law (which would become the College of Law in 1950), the average preparation for law students was low, only a high school diploma was required at most American law schools. When OU Law began, only 20 percent of the Association of American Law Schools had higher entrance requirements.

With support of the University administration and the State Legislature, a separate law school building was constructed. The new building was ready for occupancy for the start of the school year in the fall of 1913. It was named Monnet Hall.

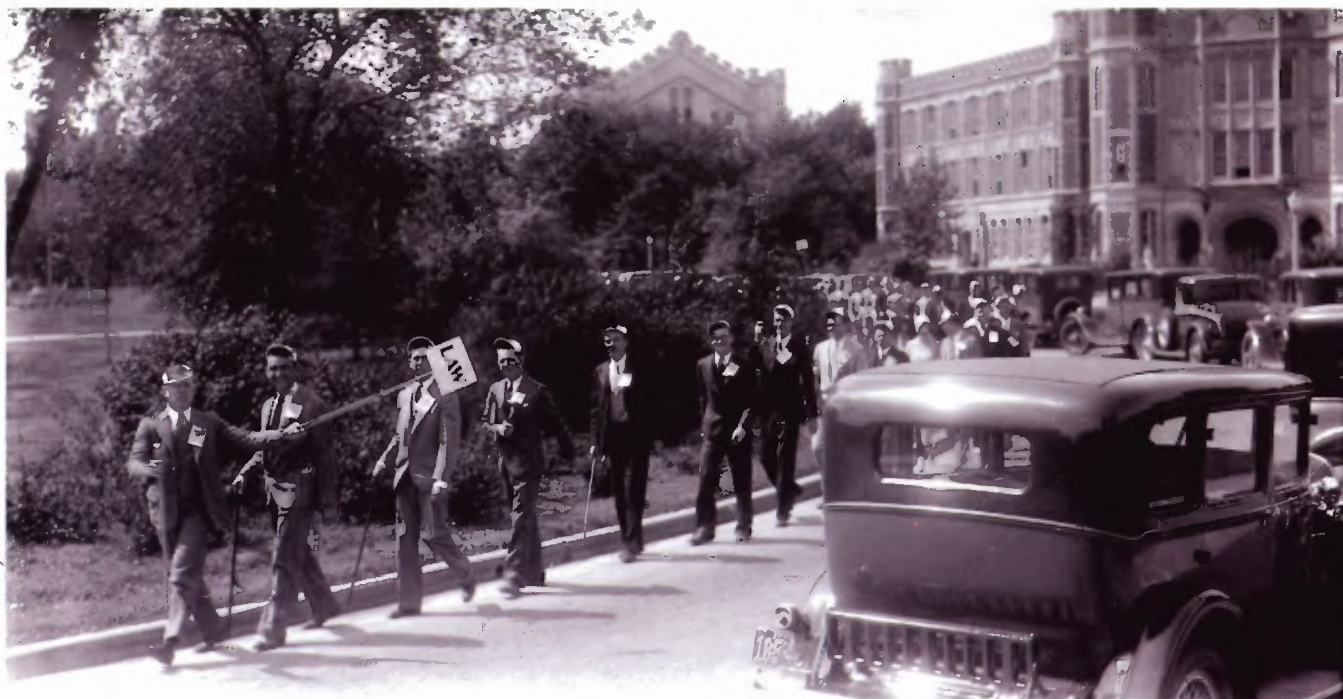
Another milestone for the infant law school was accomplished in 1915. Musetta Markland Pearl was the first female graduate; the following year, Jessie Stiles Fryer was the second.

The growth at the OU School of Law suffered during World War I. As America entered the conflict, several law students joined the military, and the incoming freshmen class was much smaller than in the school's first years. In January 1918, law school enrollment dropped from 180 to 80.

As soon as the war was over, a flood of returning veterans enrolled, especially in first-year classes. The increase in demand allowed Dean Monnet to raise entrance requirements. Beginning in 1920, at least two years of college work was required as a prerequisite for enrollment.

Monnet never was satisfied with mediocrity. Dave R.

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In this Roy Heffner Collection photo, senior law students lead the OU Senior Day parade on May 1, 1929. The spirited lawyers were involved in a number of legendary high jinks over the years, most based on their rivalry with OU's engineers—from kidnapping the Engineer's Queen and disrupting the Engineering Banquet to defending Monnet Hall's stone owls from green paint-bearing vandals.



Founding Dean Julien C. Monnet served OU Law from 1909 to 1941. Monnet Hall, the college's former home, bears his name.

McKown, in his biography of Dean Monnet, wrote:

He made sure that a brilliant young man had the opportunity to rise to his full potential, not for honors alone, but because it was his God-given right to gain all the school had to offer. Conversely, he had no patience with the bright boy of the class whose goal was merely to get by. There was never a compromise with mediocrity. At the same time, the Dean had enormous compassion for any student who genuinely wanted to rise above his environmental or parental background . . . He ruled the School of Law with his heart along with a well-honed mind.

The Dean referred to his graduates as "his boys." In the first few decades of the law school, Monnet's former students were elected to the State Legislature, sat on the state's highest courts and filled many county judicial and prosecutorial posts. In private life, hundreds more enjoyed success and occupied executive suites as general counsel to large corporations.

For a third of a century, OU Law had but one dean, Julien C. Monnet. Upon his retirement, the Board of Regents appointed John Gaines Hervey as dean. Hervey, one of "the Dean's boys," was a 1925 graduate.

The University of Oklahoma Law School Alumni Association was established in 1942 under Dean Hervey's watch. U. S.

District Judge Royce Savage, Class of 1927, presided over a state-wide meeting of alumni in his Tulsa courtroom. Travis Milstein, 1922, of Tulsa, was elected the first alumni president.

World War II again diminished the size of classes. But after the United States declared victory in the conflict, returning veterans crowded the law school. One of the first to return was Frank Elkouri, later an OU law professor, who joined only a handful of students enrolled in law classes. Soon dozens of veterans used the G.I. Bill to obtain a legal education. Swelled with veterans, the law school set a new enrollment record of 558 students for the second semester of the 1947-1948 school year.

OU celebrated its first Law Day observance on April 29, 1949. Its purpose was to allow members of the judiciary and the Oklahoma bar to meet together with law school faculty and students to talk about legal problems. Law Day won acclaim from many quarters. In the next few years, OU law graduate Hicks Epton took up the cause and promoted an annual nationwide Law Day. In 1958, President Dwight Eisenhower signed a proclamation making Law Day an official national day of observing contributions of lawyers to American society.

Enrollment in law school was an informal process in the 1940s. Rudolph Hargrave, later a longtime Justice of the Oklahoma Supreme Court, arrived in Norman while Professor Maurice Merrill was acting dean. When Hargrave tried to enroll in law school, he was informed that he needed to talk to the dean. He showed his transcript to Merrill who said, "This is a good looking transcript. I am going to approve it. You're now in law school."

At the beginning of the 1952 school year, the Liberty National Bank and Trust Company of Oklahoma City established the first law scholarship of major consequence. The \$500 scholarship was awarded annually on the basis of academic achievement and ability to perform scholarly legal writing. Robert B. Looper, 1953, was the first recipient; the second was Fred Harris, 1954, of Walters, later a U.S. Senator from Oklahoma and a presidential candidate.

John Green, the first African American male graduate of OU Law, sought good advice before he entered law school in 1954. When he was preparing to enroll, he visited Ada Lois Sipuel Fisher, OU's first African American law student. She told him, "Make good use of your time, stay in the library and work hard."

The first student Green met when he walked up the steps of Monnet Hall was Fred Harris, president of the Student Bar Association. Harris looked Green in the eye and said, "Welcome to the law school."

The Class of 1957 was star-studded. DeVier Pierson, whose father had also graduated from OU Law, joined with Jerry Dickman and Patrick Williams to win the national moot court championship in December 1956, the first ever such champi-

onship for the law school. The team competed against students from 90 other law schools in New York City before an eminent bench including U. S. Supreme Court Justice Felix Frankfurter.

One of the highlights of OU's recognition of the moot court team victory was an appearance by legendary OU football coach Bud Wilkinson. At an event honoring the moot court victors, Wilkinson told the audience that winning the moot court national championship was as important as his Sooners winning the national college football championship.

In the 1960s and early 1970s, OU Law outgrew its space in Monnet Hall. Marking the culmination of more than a decade of effort, the OU Law Center on the south side of the Norman campus was dedicated during ceremonies on July 9 and 10, 1976. At the official dedication, Governor David Boren, Class of 1968, said, "Let us not quit short of the challenge of excellence." Harvard Law Dean Ervin Griswold, an original member of the Law Center Commission, delivered the dedication address, urging the Law Center to focus on giving its students the tools of learning that would serve them well.

For the first seven decades of OU Law, graduates were accepted at the finest firms and most prestigious government agencies in Oklahoma. But with construction of new facilities in the late 1970s, there was additional stated emphasis on making OU Law a national law school, whose graduates would be accepted anywhere, anytime.

In 1982, Alma Bell Wilson, Class of 1941, was appointed by Oklahoma Governor George Nigh as the first female member of the Oklahoma Supreme Court. When she was sworn in by another OU law graduate, Chief Justice Pat Irwin, Wilson said, "I pray that I follow the law to wherever it takes me . . . I pray that I remain dedicated to the pursuit of excellence . . . and that I refuse to respond to whim."

For the second time in the law school's history, the National Moot Court Team won the national championship in competition in New York City in January 1986. Third-year law students Teresa Collett, Bill Bernhardt and Kevin Morrison won the 36th annual competition under the guidance of OU's husband-and-wife coaching team, Professors Tere Foster and Robert Spector.

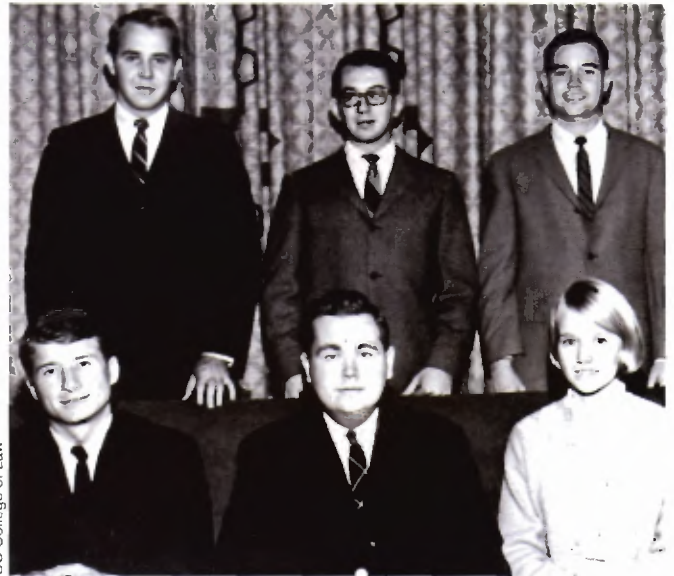
Future Oklahoma Governor Brad Henry was a member of the graduating class of 1988. From a family of Oklahoma public servants, Henry chose OU Law after being accepted for admission at Georgetown University. He was married after his first year in law school. Future First Lady Kim Henry taught school in Moore while her husband attended classes. Governor Henry often says he attended law school on a "Kim Henry Scholarship."

Concentrating on the longtime teaching strength of OU Law, the American Indian Law and Policy Center was established in 1990. Its first director was Professor Rennard Strickland, a graduate of the University of Virginia. Strickland was a national



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When Ada Lois Sipuel, with President Cross in 1948, applied to become OU's first black student, she changed the course of history.



OU College of Law

1966 freshman law officers: seated, Dan Little, vice president; David Boren, president; Prudence Little, secretary; standing, Jim Kirk and Chris Sturm, Honor Council; and Blake Hoenig, treasurer.

authority on American Indian law and legal education. In addition to providing comprehensive courses in Indian Law, the new Center supported the efforts of the *American Indian Law Review* and the Native American Law Students Association.

In 1991, the national news spotlight was aimed at Norman, not because of the football team, but because an OU law professor became an instant American celebrity. Professor Anita Hill testified at the 1991 Senate confirmation hearing of the nomination of Clarence Thomas as associate justice of the United States Supreme Court. Hill, a member of the OU law faculty since 1986, had worked with Thomas at the Equal Employment Opportunity Commission. In sworn testimony, she told senators that Thomas had made provocative and harassing sexual statements to her.

Hill being thrust into the national spotlight brought great

pressure on OU Law. When Dean David Swank appeared at a news conference with her, he was criticized by two Republican state lawmakers for allowing Hill to use OU as a backdrop for the allegations against Thomas. The legislators were critical of law school facilities being used for news conferences and allowing dozens of national and local media to “hang out at the law school.” OU President Richard Van Horn backed Dean Swank, saying that OU was a public institution, and its facilities were available to a wide range of people.

OU law graduate David Boren left the U.S. Senate to become president of OU in 1994. Within a short time, there was a vacancy in the dean’s post at the law school. By the spring of 1996, Boren had settled on Andy Coats as his choice for dean to bring back the greatness of the law school. Coats was one of Oklahoma’s best-known public servants and had a lucrative private practice as a principal at Crowe & Dunlevy in Oklahoma City. Sensing reluctance, Boren turned to his power of persuasion.

After dinner at Boyd House, Boren took Coats for a walk and ended up on the steps of Monnet Hall. The idea for a nostalgic walk came from First Lady Molly Shi Boren. She and Linda Coats accompanied their husbands on the moonlit walk around Parrington Oval.

Taking Coats aside, President Boren was direct, “Andy, how do you want to be remembered, as a lawyer who made a lot of money, or the man who saved our law school?” Boren remembers. “After I gave him my tombstone speech, we talked about memories of law school and what serious trouble the law school was in.” Boren promised Coats that if he took the dean’s job, they would form a winning team to raise money for a completely renovated and expanded Law Center.

While architects and engineers, under the close supervision of Dean Coats and Assistant Dean Robert Smith, began putting the dreams of new law school facilities on paper, the *Oklahoma Law Review* was 50 years old and celebrated with a banquet in the ballroom of the Oklahoma Memorial Union.

By 2000, a few short years of incredible progress at OU Law was paying off. The law school was named one of the top 15 law schools in the nation by the Thomas M. Cooley Program Achievement Rating study. The study compared each school’s entering class profile with its tuition costs and bar results, in-



Robert Taylor

Andy Coats became dean of OU Law in 1996 and oversaw the transformation of the 1976 Law Center, dedicated in 2002. Coats has announced his retirement at the end of the Centennial year.

stead of the age-old reliance on reputation for ranking law schools in the country.

It was a day of great celebration on April 30, 2002, when the renovated OU Law Center was dedicated. At an afternoon outdoor ceremony attended by law faculty, staff, alumni and students, the state-of-the-art facility was dedicated to training future generations of lawyers at OU. The transformed Law Center, which was named Andrew M. Coats Hall, included the 350,000-volume Donald E. Pray Law Library, the largest

public law library in Oklahoma; the Dick Bell Courtroom, containing seating for 240 and allowing students the opportunity to view live trials and appellate arguments; and extensively upgraded classroom, office and study space. With the additional space, the College of Law doubled in size, to approximately 170,000 square feet.

For the first time in history, women law students outnumbered the men in the entering class in 2002, making up 56 percent of the 177 new students. As more graduates took their place in cities and towns across the country, OU Law’s influence increased. An example is the area of Oklahoma higher education. In 2009, in addition to many law school graduates serving on boards of regents for Oklahoma colleges and universities, Glen Johnson Jr., was chancellor of Higher Education, David Boren was president of OU, Burns Hargis was president of Oklahoma State University, Tom McDaniel was president of Oklahoma City University, W. Roger Webb was president of the University of Central Oklahoma, Brandon Webb was president of Carl Albert State College and Andy Coats was dean of OU Law.

The story of OU Law is not about buildings and events—it is about the people who have made the only state-supported law school in Oklahoma a shining example of how to properly train lawyers, public servants and citizens who have made a huge difference in the success of Oklahoma and the nation. Faculty and students at OU Law have led Oklahoma through its first century to a place of greatness.

Editor’s note: Oklahoma City attorney Bob Burke and Vice Chief Justice Steven W. Taylor of the Supreme Court of the State of Oklahoma have completed a comprehensive history of OU Law, The University of Oklahoma College of Law: A Centennial History, released in October, 2009.