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RESPONSE FROM THE LAW SCHOOL

MERTON LEROY FERSON

DEAN OF THE LAW SCHOOL OF THE UNIVERSITY OF NORTH CAROLINA

It is an honor to participate in the administration of a law school which has for 80 years been a vital influence in the life of this great State. It is a pleasure to be associated with a faculty and student body that in past achievement and present promise stand among the foremost. It is a responsibility which was assumed with some misgivings but is being carried with increasing confidence as day after day I sense the helpful support of our alumni and the coöperation of the citizens throughout the State.

The Law School in so far as we can see it today consists of our beautiful Manning Hall, a library and a corps of teachers and students. It has other assets, however, more difficult to display—for indeed they are intangible. It is these other and intangible assets that give life and character to our School. The trend, ideals and morale of the institution, as a going concern, constitute its true character and its true worth. These qualities do not inhere in bricks or books and only to a limited degree in present personnel. The School as a living institution gets its momentum, goal, and power from the splendid men who have taught and studied here during the past eighty years.

It is hard to prove the efficiency or the products of a school. The products of a factory may be expressed in dollars but the products of a school cannot be expressed in any measurable units. One fact though is clear. This School has made an important—if not a measurable—contribution to the life of the State. A large per cent of the very able Bar in North Carolina attended this Law School. The same is true of those who have manned our Supreme Court and made it one of the most notable among the courts of the various states. All the Justices, save one, now on our Supreme Court attended this School. That one was prevented from attending here; but his coöperation and example in all that pertains to legal scholarship reveals a kindred spirit. The School has been a great influence for good in the history of the State.

These men who studied here and such teachers as Manning, Battle, McRae, McGehee and McIntosh have given the institution its character and kept it abreast in the steady advance of legal education.

The School had its beginning at a time when standards of legal education were almost unknown in North Carolina or elsewhere. During the life of the School standards have been established and gradually raised throughout the country. The men who conducted our School in the past kept it abreast with the progress of legal education in their day. They would expect us to fall in with the trend of our time. Our task at this moment is made somewhat easier by the great national movement now under way to bring up the character of the legal profession and make it worthy of the great work it has to do. The Bar of the United States has indulged in a candid introspection and discovered a great deal of room for improving itself. The personnel of our profession, past and present, includes many of the best characters in history, but it also includes a great many who are no credit to our profession and would be no credit to any profession or occupation. This is a situation that cannot be corrected over night. The members of the American Bar Association have perceived that a gradual improvement may be brought about by providing more adequate education and more stringent requirements for admission. A committee of the best lawyers in the country have worked out a clean-cut program for such schools as will undertake to give this more adequate training a young man needs before coming to the Bar. Without reciting the details of that plan, which details are entirely reasonable—I am glad to say that the North Carolina University Law School complies with all of them and expects to take her place as a class “A” school. This gives us a clean-cut program. We accept it not merely because it is clean-cut, not merely because it is nationally fashionable, but because it is a program of service. This Law School is not maintained as an end in itself. It is an institution for service to the State and to its students. A law school failing to render such service has no excuse for its existence. What then, let us ask, does our duty to the State dictate? Surely there is no service to the State in merely turning out more lawyers. We have enough, and some to spare. There is, however, a real service to the State in turning out more able lawyers—lawyers who elevate the standards of the profession by being in it, whose services will be a potent influence in securing justice, promoting commercial intercourse, and elevating our political life. The young men of North Carolina who come here as law students are potentially lawyers of this higher type. They have natural ability exceeded by none. I say that thoughtfully and with considerable

basis for the comparison. These young men should have the most thorough instruction we are able to give. They should be held to standards at least as high as those recommended by the American Bar Association. When that has been done the Law School will have rendered true service to the State.

It happens that our duty to the individual student exactly coincides with our duty to the State. The young man who comes to us has turned to law for his life work. He hopes to succeed. He wants to be happy in his work, prosperous and useful. He has turned away from a hundred other occupations that he might have followed. What does the best interest of that individual man require from us? The answer is clear. It may be read in the faces at the Bar in every county seat. You can read in those faces some stories of glowing success and some of dismal failure. You can see on one hand men who came to the Bar with abounding hope and confidence; but who, as the years rolled by have been found wanting. They have become triflers and hangers-on. Their hope is fading. Their youth has gone. They may have assumed the duty of supporting a family. It is everlastingly too late for those men to enter and put their youthful, untrammelled enthusiasm into another occupation for which they were better adapted and prepared. You will see on the other hand men who have found in the legal profession a work of absorbing delight. They are trusted, honored and well paid.

The law student is on a road that may lead to either one of these extremes. The race is swift and the stake is large. If he lacks the taste, the ability or the energy to hold the pace and succeed, the sooner he finds it out the better it is for him. There is no kindness to anyone in coddling and coaching an unfit man into the profession. Our duty to the individual student requires thorough teaching and standards he cannot pass if he be lacking in the ability, energy or education that a real lawyer should have.

Schools and Bar examiners have a great responsibility to young men entering the profession. There is a catchy argument afloat, that schools and Bar examiners may as well coöperate in providing easy admission to the Bar and thus "give every boy a chance" for—the argument runs—if the boy is unfit he will finally be eliminated anyway by the competition he meets. Now if this argument be taken seriously, it should be realized that such a prolonged elimination process is unfair to the public and a cruel injustice to the man thus