Guide to the Yale Law School Records of the Dean

RU 846

compiled by Daniel Hartwig

June 2008
Revised: September 2008

New Haven, Connecticut
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Paging Instructions

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Overview

**REPOSITORY:** Manuscripts and Archives
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128 Wall Street
P.O. Box 208240
New Haven, CT 06520
Web: http://web.library.yale.edu/mssa
Email: mssa.assist@yale.edu
Phone: (203) 432-1735
Fax: (203) 432-7441

**CALL NUMBER:** RU 846

**CREATOR:** Yale Law School.

**TITLE:** Yale Law School records of the dean

**DATES:** 1871-1994

**PHYSICAL DESCRIPTION:** 97.25 linear feet (81 boxes)

**LANGUAGE(S):** The materials are in English.

**SUMMARY:** The records consist of correspondence, reports, lecture notes, and assorted administrative files documenting the activities and operations of the dean of the Yale Law School.

**NOTE:** Forms part of Yale Record Group 26-A (YRG 26-A), Central records and records of the dean of the Yale Law School.

**FINDING AID LINK:** To cite or bookmark this finding aid, use the following address:
http://hdl.handle.net/10079/fa/mssa.ru.0846.

Administrative Information

Provenance

The records were transferred from the Yale Law School, 2001-2008.
Information about Access

Access to the records is partially restricted. See Collection Contents for details.

Ownership & Copyright

Copyright for materials authored or otherwise produced as official business of Yale University is retained by Yale University. Copyright status for other collection materials is unknown. Transmission or reproduction of materials protected by U.S. Copyright Law (Title 17, U.S.C.) beyond that allowed by fair use requires the written permission of the copyright owners. Works not in the public domain cannot be commercially exploited without permission of the copyright owners. Responsibility for any use rests exclusively with the user.

Cite As

Yale Law School Records of the Dean (RU 846). Manuscripts and Archives, Yale University Library.

Processing Notes

Yale University records are arranged and described at the accession level by the creating office. The University Archives creates collection level descriptive records, but typically does no further arrangement and description at the accession level.

Information About Creator(s)

Origins of Yale Law School

The origins of Yale Law School trace to the earliest days of the 19th Century when law was learned by clerking as an apprentice in a lawyer's office. The first law schools, including the one that became Yale, developed out of this apprenticeship system and grew up inside law offices.

The future Yale Law School formed in the office of a New Haven, Connecticut, practitioner, Seth Staples. Staples owned an exceptional library (an attraction for students at a time when law books were scarce), and he began training apprentices in the early 1800s.

By the 1810s his law office had a full-fledged law school. Samuel Hitchcock, one of Staples’ former students, became a partner at the office and later, the proprietor of the New Haven Law School.

Affiliation with Yale College

The New Haven Law School affiliated gradually with Yale from the mid-1820s to the mid-1840s. Law Students began receiving Yale degrees in 1843. David Daggett, a former U.S. senator from Connecticut, joined Hitchcock as co-proprietor of the school in 1824. In 1826 Yale named Daggett to be professor of law in Yale College, where he lectured to undergraduates on public law and government.

Yale Law School remained fragile for decades. At the death of Samuel Hitchcock in 1845 and again upon the death of his successor, Henry Dutton, in 1869, the University came near to closing the School.

Mission of the School

In the last decades of the 19th Century, Yale began to take the mission of university legal education seriously, and to articulate for Yale Law School two traits that would come to be hallmarks of the School.

First, Yale Law School would be small and humane; it would resist the pressures that were emerging in university law schools elsewhere toward large enrollments and impersonal faculty-student relations. Second, Yale Law School would be interdisciplinary in its approach to teaching the law.
Initially, the Law School achieved its links to other fields of knowledge by selecting members of other departments of the University to teach in the Law School. Across the 20th century, Yale pioneered the appointment to the law faculty of professors ranging from economics to psychiatry. This led Yale Law School away from the preoccupation with private law that then typified American legal education, and toward serious engagement with public and international law.

Revival of the School

The revival of Yale Law School after 1869 was led by its first full-time dean, Francis Wayland, who helped the School establish its philanthropic base. It was during this time that the modern law library was organized. It was also during this period that The Yale Law Journal was started and Yale’s pioneering efforts in graduate programs in law began; the degree of Master of Laws was offered for the first time in 1876.

After 1900, Yale Law School acquired its character as a dynamic center of legal scholarship. In the 1930s Yale Law School spawned the movement known as legal realism, which has reshaped the way American lawyers understand the function of legal rules and the work of courts and judges.

The realists directed attention to factors not captured in the rules, ranging from the attitudes of judges and jurors to the nuances of the facts of particular cases. Under the influence of realism, American legal doctrine has become less conceptual and more empirical. Under Dean Charles Clark (1929 -1939), the School built a faculty that included such legendary figures as Thurman Arnold, Edwin Borchard, future U.S. Supreme Court Justice William O. Douglas, Jerome Frank, Underhill Moore, Walton Hamilton, and Wesley Sturges. Clark was the moving figure during these years in crafting the Federal Rules of Civil Procedure, the foundation of modern American procedure.

Emphasis on public law

Yale Law School's tradition of emphasizing public as well as private law proved ever more prescient as events of the 20th century increased the role of public affairs in the life of the law. Yale graduates found themselves uniquely well prepared to play important roles in the rise of the administrative state, the internationalization following the World Wars, and the domestic civil rights movement.

In the 1950s and 1960s, the School became renowned as a center of constitutional law, taxation, commercial law, international law, antitrust, and law and economics. In recent decades the pace of curricular innovation has, if anything, quickened, as the School has developed new strengths in such fields as comparative constitutional law, corporate finance, environmental law, gender studies, international human rights, and legal history, as well as an array of clinical programs taught by a clinical faculty of exceptional breadth and devotion.

Description of the Papers

The records consist of correspondence, reports, lecture notes, and assorted administrative files documenting the activities and operations of the dean of the Yale Law School.

Arrangement

The records are arranged by accession.
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### Accession 2008-A-183. Eugene Rostow, dean of the Yale Law School, records

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