

THE ESTABLISHMENT OF THE WILLIAM S. BOYD SCHOOL OF LAW

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UNTIL 1997, Nevada and Alaska were the only states without at least one law school within their respective borders. That changed in June, 1997, when then Governor Robert Miller signed into law a bill authorizing the creation of the William S. Boyd School of Law of the University of Nevada, Las Vegas. The Boyd Law School opened its doors to students in August, 1998, secured provisional ABA accreditation in July, 2000, graduated its first class in May, 2001, moved into its permanent facilities in August, 2002, secured full ABA accreditation in February, 2003, and joined the Association of American Law Schools in January, 2004. This new law school is now well established, boasting an excellent faculty and staff, and academic and community service programs that are well-respected in (and beyond) our community.

As the founding dean of the William S. Boyd School of Law, I am very proud of the law school that my colleagues and I have created, aided by enormous support from the Nevada community and its leaders. We were given a unique opportunity—to build a state-supported law school at a very good public university in a growing and dynamic state that lacked the services of any law school, public or private. We continue to work on that opportunity, seeking to build a great law school for Nevada, one that will justify the confidence and resources that the state and its leaders have invested.

While the creation by the state of the William S. Boyd School of Law did not occur until 1997, discussions about such a school begin in the early '70s. How those discussions led—a mere 25 years later—to the opening of our law school in 1998 is an interesting story. It is that story that I will tell in the remainder of this essay.

By the early '70s, Nevada was beginning to experience significant population growth and economic development, though not yet at the torrid pace that would occur in later decades. In addition to the long-established University of Nevada-Reno, the University of Nevada-Las Vegas was rapidly maturing after its creation in 1957. The community in which that new university sat was no longer just a desert oasis for gamblers and those in search of a quick divorce, and some of the leaders of that community—people such as Jerry Mack—began to discuss the possibility of creating a law school for Nevada.

This led to a feasibility study, produced in the early '70s by Willard Pedrick, a luminary of legal education and then the founding dean of the Arizona State University College of Law. In this study, Dean Pedrick concluded—as did the authors of two or three other studies in subsequent years—that Nevada could benefit from the services of a good law school, that a law school was, indeed, feasible, and that the state should carefully consider establishing such a school. By the time of Dean Pedrick's death in 1995, no law school had been created,

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notwithstanding at least two subsequent studies that concurred with his recommendation.

While Willard Pedrick was not around to enjoy the creation of the Boyd School of Law, he did play a major role—beyond his initial study—in the school's development. It was largely because of Willard Pedrick, my friend and mentor at Arizona State University, that I was willing to consider leaving an excellent deanship at ASU to become founding dean of a new school at UNLV. Dean Pedrick, a wonderful and optimistic person, spoke so joyfully of his years as ASU's founding dean that I resolved to seek a founding deanship, if an excellent opportunity ever came up. That opportunity arose in 1997 at UNLV. Thus, because of his influence on me, Dean Pedrick contributed—for better or worse—to the development of the Boyd School of Law.

At about the time of Willard Pedrick's death in 1995, another passing occurred that played a key role in the development and success of our law school. The honorable Nick Horn, a well-respected Nevada legislator and advocate for a Nevada law school, passed away, requesting in his final days that his friend and colleague, Assemblyman Morse Arberry, Jr., continue his quest to establish a state law school in Nevada. Assemblyman Arberry, also a well-respected legislator, accepted the challenge and, at the conclusion of the 1995 legislative session, played a leadership role in securing a legislative appropriation of \$500,000 to support the planning of a law school. Assemblyman Arberry, Chair of the Assembly Ways and Means Committee, continues to be a great supporter of the William S. Boyd School of Law.

Also in 1995, President Carol Harter arrived at UNLV to take up her new presidency after a distinguished career as President of the State University of New York at Geneseo and as Vice President for Administration of Ohio University. While President Harter's prior administrative experience did not include involvement with law schools, she immediately recognized the good that could come—to UNLV and the state—if UNLV were to establish a law school. Therefore, she placed at the top of her priority list the establishment of an excellent law school for UNLV.

Working with Assemblyman Arberry, members of the Board of Regents and others, President Harter set out to gain community and legislative support for the school. Using the planning appropriation, she hired consultants to develop a plan for the law school and to reaffirm the feasibility of the project. Calling on volunteers from the community, she established an advisory board of leading lawyers and judges to provide advice and to stimulate community discussion and support for the law school.

Among the advice that President Harter received was that the legislature would be more supportive if the proposed school could be funded as a private-public partnership. Following this advice, President Harter enlisted the assistance of William S. Boyd, a graduate of the University of Utah College of Law who had practiced law for many years in Las Vegas before moving into the world of business. While he had been greatly successful in that world as the chief executive officer of Boyd Gaming Corporation, Bill Boyd attributed that success, in significant part, to his legal education. Because he had been forced to leave Nevada to gain a legal education, he was very interested in helping to establish a law school

for Nevada so that others could obtain the benefits of such an education without leaving the state.

After making a very substantial pledge in support of the proposed law school, Mr. Boyd agreed to work with President Harter in enlisting others to provide significant financial support. In this effort President Harter and Mr. Boyd were assisted by Kenny Guinn, then a member of the Board of Directors of Boyd Gaming Corporation and a well-respected community and business leader in Nevada. Mr. Guinn, a staunch supporter of the Boyd Law School from the beginning, is now serving his second term as Governor of Nevada.

Through the efforts of these leaders, additional pledges were secured from business or legal leaders in support of the Boyd School of Law. Among those making such initial pledges were James E. Rogers, a very successful businessman and philanthropist to higher education, who has subsequently increased his pledge to approximately \$28 million; and Sam Lionel, the dean of lawyers in the state, who has also contributed to the law school very substantially beyond his initial pledge. Jim Rogers now serves as Interim Chancellor of the Nevada System of Higher Education.

Armed with significant private support and current plans and feasibility studies, President Harter sought and received the support of the Nevada Board of Regents for the establishment of the Boyd School of Law. She then was able to convince the legislature that a law school should be established, and the bill establishing the school was signed into law in late June 1997.

My founding deanship began in September, 1997, at which time I and two colleagues (a very experienced law school administrator from ASU and a very experienced professional staffer from UNLV) set up shop in a small suite of offices in the UNLV administration building. A month later, as our number began to expand, we moved to a larger suite in another academic building on campus. Hanging over our heads was the frightening thought that we needed to open a law school to students a mere eleven months later, that the temporary facility in which we would open—an old elementary school—was in need of substantial renovation and that we would not even have access to that facility (which was in use as an elementary school) until the summer of 1998. While there were many frightening aspects to that first year (indeed, to the first several years), probably the most frightening was knowing that we would have less than two months to renovate the elementary school and that we had no backup plan in case the renovation did not conclude on schedule.

Putting these frightening thoughts out of our minds—except during the dark, wee morning hours—my colleagues and I set out to hire a founding faculty and staff, develop a curriculum and academic program, establish admissions policies and procedures, recruit a charter class, establish a law library, plan community service and clinical programs, plan the renovation of the temporary facility, begin the planning for our permanent facility (into which we moved in August, 2002), and do the myriad of other things that go into opening a law school. Most importantly, we sought to develop very substantial connections with our community, appearing frequently at events and in the media to talk about the Boyd School of Law and its mission.

That mission, the founding faculty decided, should be one of community service. Thus, in discussing the work of the law school at community events and with

community leaders, we were careful to articulate how our work—whether scholarship, teaching, or service—serves the community. Rather than talking about scholarship as an end in itself, we spoke of scholarship as improving public policy, as providing discipline for courts and policy makers, and of improving our understanding of the law. Rather than speaking of teaching and learning as ends in themselves, we spoke of them as a process through which future community leaders are trained. In addition to extolling the community service benefits of scholarship and teaching, we spoke about the community benefits that come from the law library, the legal clinics, the first year community service/legal information program, the involvement of faculty in bar and court commissions and task forces, the involvement of faculty in CLE work, the interaction of faculty with judges and legislators, the services of students in externships with public agencies, and so forth.

This emphasis on community service has had a good effect. At the time of my arrival in 1998, there was still substantial disagreement in the community on whether a law school for Nevada was a good idea, since for many people the relevant question was, “Why do we need more lawyers?” By emphasizing the community services that the law school would provide, we succeeded in changing the question to, “How can a community like this—one that is large and dynamic—get along without the services of a high quality law school?” Furthermore, by emphasizing quality in all that we have done—starting with faculty hiring—we have convinced the community that not only is a law school good for Nevada, but that a great law school will be great for Nevada.

With community support for the law school increasing, we were able to convince excellent founding faculty members to join us. That, in turn, was a selling point for skeptical students, who wondered why they should matriculate at a new and unaccredited law school. In answer to that query, we would point to the excellence of the founding faculty, saying that this school would be much more than an accreditable law school, that it would be an excellent law school and that they could play a major role in its creation.

In any event, we were able to open the school in August, 1998, in the renovated Paradise Elementary School, although the renovations had been completed only the night before and faculty had not yet had a chance to move into their offices. The 140 charter class students were a good group, who worked well with the founding faculty and staff in developing a law school and its culture. Those folks graduated in 2001 and have, like the graduates who have followed them, been well received in the community.

That charter class never had a chance to study in our new and lovely facility, which consists of the William S. Boyd Hall and the James E. Rogers Center for Administration and Justice and which is located on the UNLV campus. But they take great pride in their legal education and in the role that they played in establishing the Boyd School of Law.

After more than a quarter of century of consideration of the issue, a state law school for Nevada finally opened in August, 1998. Looking back, it seems like little time has passed from that opening. But enormous amounts of work have been done, enormous amounts have been accomplished, and an excellent school now exists. It is a school with enormous potential, and so the work goes on.