

## THE ROLE OF THE DEAN IN ENSURING A SUSTAINABLE LAW SCHOOL: EVERYTHING COMES DOWN TO WHAT I LEARNED IN LAND USE PLANNING AND SUSTAINABLE DEVELOPMENT LAW

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### INTRODUCTION

IN preparing for a presentation to a faculty on the role of the law school dean, I began to ponder where it is that one draws on the skill sets and perspectives necessary to be a good law dean, and I recalled the book, *All I Really Need To Know I Learned in Kindergarten*.<sup>1</sup> I have sat through my fair share of uninspired, uninformed, and uncreative “job talks” by individuals who desired to take on the role of dean. Often these presentations failed to reveal who the speaker really was and how he or she might lead and manage. Determined to not present a similar boring recitation of how challenging things are in legal education, and how no one really has a crystal ball to see into the future, I thought it best to go back to my passion as a lawyer and scholar for the subject of land use planning and sustainable development law. This is a field I have dedicated the bulk of my professional scholarship and advocacy to and, therefore, its principles and concepts resonate with me (sometimes positively and sometimes negatively) as I strive to find the paths to continually promote the development of law in this area.<sup>2</sup> Why not, then, consider whether all I really need to know about “deaning” I learned in land use and sustainable development law and policy? After all, in the classroom, I have been known to tell my students that everything about community, sense of place, and the local economy, comes down to decisions about how we plan for and ultimately use the land resources we have.

The comparison between land use planning and development concepts also works well with leading a law school in a time of great reflection about the future of legal education. Successful developers tend to be out-of-box thinkers and visionaries about what their end product will be and why it will be desirable. Today, law school deans (and others) are questioning the very model of legal education that has served the profession well for quite some time, finding that it

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1. ROBERT FULGHUM, *ALL I REALLY NEED TO KNOW I LEARNED IN KINDERGARTEN* (1st rev. Ballantine ed. 2003).

2. *See generally, e.g.*, JOHN R. NOLON & PATRICIA E. SALKIN, *LAND USE AND SUSTAINABLE DEVELOPMENT: CASES AND MATERIALS* (8th ed. 2012).

is a process that is stale in places. The ways in which legal services are being delivered is changing, and legal education has not been keeping pace with the rapidly developing environment. This is leading deans to work like developers who promote innovation, transition, and redevelopment. Like a developer, the landscape in which we operate is changing because of market and other forces out of any one law school's direct control. Like a locality, each school must revisit and deliberate on its own strategic vision for keeping with its own mission and traditions, while thinking creatively, and cultivating and leveraging its strengths into the future.

It is true that, while this Essay articulates many similarities between real estate development and deaning, there are stark differences. For example, a real estate developer functions in the for-profit world, and most of the American Bar Association ("ABA")-approved law schools operate in a not-for-profit world.<sup>3</sup> To effectively lead, a dean often assumes the roles of facilitator and advocate among and between the faculty and the university president.<sup>4</sup> Developers may more often be empowered to make decisions themselves or with a small group of owner-investors. Developers typically plan a project, get it started, and move on to start the next project somewhere else during build-out, or at best stay around only until the last phase or unit is built, while deans sometimes stick around long after their decanal tenure is complete.<sup>5</sup> Other differences are noted as appropriate later in this Essay.

#### SUSTAINABILITY

The land use and environmental law literature is full of articles and books advocating the importance of sustainability. A commonly accepted definition of sustainable development is "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."<sup>6</sup> A working definition in the context of sustainable legal education today might be "ensuring that the law school is meeting the needs of the current generation of law students as well as meeting obligations to the community and to the profession, while ensuring resources for future generations." Essentially,

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3. Three ABA-approved for-profit law schools are owned by InfiLaw (Florida Coastal, Arizona Summit, and Charlotte), and Charleston School of Law operates as an independent for-profit institution. *Our Schools*, THE INFILAW SYS., <http://www.infilaw.com/our-schools> (last visited Feb. 26, 2015). See also *InfiLaw Making Case to Lawmakers for Charleston School of Law Sale*, THE POST AND COURIER (Dec. 13, 2014, 7:00 PM), <http://www.postandcourier.com/article/20141213/PC16/141219765> (describing InfiLaw's interest in purchasing the Charleston School of Law).

4. Except for the private independent.

5. See Jim Rosenblatt, *Welcome to Rosenblatt's Deans Database (RDD)*, ROSENBLATT'S DEANS DATABASE, <http://www.law.mc.edu/deans> (last visited Mar. 1, 2015). While the average and median tenure of a law dean is 4.18 and 2.83 years respectively, what is not reported is the number of deans who remain on the faculty at the same school for years post-deanship. See *Average and Median Current Length of Service of Current Deans*, ROSENBLATT'S DEANS DATABASE, <http://www.law.mc.edu/deans/stats.php> (last visited Mar. 1, 2015).

6. WORLD COMMISSION ON ENVIRONMENT AND DEVELOPMENTS OUR COMMON FUTURE 43 (1987), available at <http://www.un-documents.net/ocf-02.htm>.

this means ensuring that the law school not only survives, but that it thrives in a competitive and rapidly changing marketplace influenced by various demands and new realities.<sup>7</sup> Indeed, the ABA requires law schools to demonstrate sustainability of resources.<sup>8</sup> This is really no different than the analysis that a real estate developer might engage in prior to investing significant resources into a project. What follows are essential considerations.

A. *Location, Location, Location*

A common adage in the real estate market is “location, location, location,” meaning that real estate is valued based upon its geographic location. This is true in the law school market as well. For example, my school, Touro Law Center, is located on what we refer to as a “court house campus,”<sup>9</sup> in a small triangle area where the federal courthouse and the state courthouse complex are both within walking distance of the front door of the Law Center. As a result, the Law Center honed in on this location advantage with the faculty developing innovative curricular reforms involving court observation and collaborative court initiatives.<sup>10</sup> Location also provides opportunities for other creative connections, and it is important to build on the foundation that already exists.

Before a developer bulldozes a site to make way for a new project, it is advisable to examine the site, consider the important natural and environmental features on the property, and determine whether there are areas and/or items that should be preserved and possibly highlighted as a desirable feature. Likewise, new law school deans should take time to get to learn the landscape, determine

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7. With declining LSAT takers and declining enrollment in law schools, the marketplace has become more competitive. See *End-of-Year Summary: ABA (Applicants, Applications & Admissions), LSATs, Credential Assembly Service*, LAW SCHOOL ADMISSION COUNCIL, <http://www.lsac.org/lscresources/data/lscac-volume-summary> (last visited Mar. 1, 2015).

8. See ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Standard 201(a) (2013-2014) [hereinafter ABA 2013-2014 STANDARDS]. Standard 201(a) provides: “The present and anticipated financial resources of a law school shall be adequate to sustain a sound program of legal education and accomplish its mission.” *Id.*

9. The description posted to the Law Center’s website reads:

Touro Law Center moved to its Central Islip location in 2007, adjacent to and working with a federal courthouse and a state courthouse. It is the first law campus of its kind in the country, and our curriculum not only addresses all aspects of law in today’s changing world, but capitalizes on the proximity of the courthouses. In addition, our 185,000-square-foot building is a state-of-the-art facility with enhanced technology, classrooms, study spaces and more.

*About Touro Law—History*, TOURO C. JACOB D. FUCHSBERG L. CENTER, <http://www.tourolaw.edu/AboutTouroLaw/?pageid=43> (last visited Mar. 1, 2015).

10. For a description of the Court Observation and Collaborative Court programs, see *Collaborative Court Programs*, TOURO C. JACOB D. FUCHSBERG L. CENTER, <http://www.tourolaw.edu/Academics/?pageid=68> (last visited Mar. 1, 2015).

the important and unique features of the school, and build upon the foundation that already exists. It may constitute detrimental waste<sup>11</sup> to do otherwise.

One aspect of the real estate or land development market today is the focus on smart growth.<sup>12</sup> Many of the ten commonly accepted principles of smart growth<sup>13</sup> are applicable to decanal decision-making. For example, one principle is “foster[ing] attractive, distinctive communities with a sense of place.”<sup>14</sup> Law school physical plants must be suitable and conducive to the practice of law, which today demands technology-enhanced facilities, with space for moot court rooms, clinics, and student organizations, as well as the traditional classrooms and offices.

More challenging, however, is the creation and marketing of the distinctive community with a sense of place. For real estate developers, this may be manifested in landscaping, building design, and amenities that may include upgraded infrastructure, mixed-use design, or common facilities for recreational use. For law school deans, this may mean ensuring enough space for student groups, sufficient study areas in the library, housing options, and a general culture or spirit of support and engagement with the law school. The distinctive aspect of a community requires deans to articulate what it is that makes one school positively different from others and desirable. This can be a combination of factors such as location, curriculum, faculty, clinics, institutes, initiatives, etc. It is essentially what distinguishes one school from another.

Another smart growth principle promotes real estate development that encourages “live where you work.”<sup>15</sup> Of course, on the micro level, this means building housing for those who can walk, ride bicycles or take public transit to work. From the law school perspective, this can also relate to employment and determining what job opportunities the host community offers to students and graduates. Along the “location, location, location” thread, it is important to create those initiatives that will best prepare students to work in the regions where they want to live, and many students pick a law school in the community where they might want to practice. Therefore, in designing institutes, centers, clinics and other similar initiatives, it is important to make these connections. For example, at Touro Law Center we recently re-energized a sleepy institute

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11. The term waste is defined as: “1. Permanent harm to real property committed by a tenant (for life or for years) to the prejudice of the heir, the reversioner, or the remainder man.” BLACK’S LAW DICTIONARY 1727 (9th ed. 2009).

12. See, e.g., SMART GROWTH ONLINE, <http://www.smartgrowth.org> (last visited Apr. 3, 2015).

13. The ten smart growth principles are: “[1] Mix land uses; [2] Take advantage of compact building design; [3] Create a range of housing opportunities and choices; [4] Create walkable neighborhoods; [5] Foster distinctive, attractive communities with a strong sense of place; [6] Preserve open space, farmland, natural beauty, and critical environmental areas; [7] Strengthen and direct development towards existing communities; [8] Provide a variety of transportation choices; [9] Make development decisions predictable, fair, and cost effective; and [10] Encourage community and stakeholder collaboration in development decisions.” See *Smart Growth Network*, SMART GROWTH ONLINE, [http://www.epa.gov/smartgrowth/about\\_sg.htm](http://www.epa.gov/smartgrowth/about_sg.htm) (last visited Apr. 3, 2015).

14. *Smart Growth Principles: Mixed Land Uses*, SMART GROWTH ONLINE, [http://www.smartgrowth.org/principles/mix\\_land.php](http://www.smartgrowth.org/principles/mix_land.php) (last visited Apr. 3, 2015).

15. See *id.* See also, e.g., *Homeownership*, NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY, <http://www.state.nj.us/dca/hmfa/homeownership/buyers/live> (last visited Apr. 1, 2015).

that focuses on land use planning, zoning, and sustainability, because we sit in a two-county region that houses 110 units of local government, each with planning and/or zoning authorities.<sup>16</sup> Considering that each municipality has a planning and a zoning board along with a local legislative body, each of which typically requires separate legal counsel due to client conflicts,<sup>17</sup> and then the applicants hire legal counsel, and often in high value real estate markets neighbors or community groups will hire land use counsel, there can be between one and five attorneys working on fairly straightforward land use issues. The number can increase with the complexity of the issues involved. The point is, there are jobs to be had in the region.

### B. *Understand the Market*

Real estate developers are in the business to build sustainable projects of all kinds, whether the end result is some form of residential or commercial development. To do this, a developer has to understand the market. The developer must consider the wants of the desired purchasers, the wants and needs of the community, the competition for purchasers/tenants, and desired amenities/attractions. Similarly, law school deans must understand their market. For example, deans must know and understand competitor schools.<sup>18</sup> It is important to know the types of amenities and benefits other developments/projects offer. Likewise, law school deans should have a good understanding of how their school differs from what others in the same market have to offer. Just as a developer has to bring a good, interesting, cost-effective product to a competitive marketplace, a dean must lead the law school in a similar manner.

### C. *Understand the Applicable Plans and Regulations*

Just as a real estate developer must understand the applicable comprehensive land use plan and other specialty plans that have been developed by a community, so too must a law school dean understand the law school's strategic plan<sup>19</sup> and its self-study.<sup>20</sup> And, much akin to the concept in land use

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16. *Institute on Land Use and Sustainable Development Law*, TOURO C. JACOB D. FUCHSBERG L. CENTER, <http://www.tourolaw.edu/LandUseInstitute/?pageid=792> (last visited Apr. 1, 2015).

17. Patricia Salkin, *Annual Review of the Law: No Protectable Property Interest in Making Land Use Decisions and Other Ethics in Land Use Issues 2009-2010*, 42 *URB. LAW.* 649, 653 (2010).

18. To do this, a quick study of Law School Admissions Council ("LSAC") data will reveal schools that have applications in common.

19. ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Standard 203 (2014-2015), available at [http://www.americanbar.org/groups/legal\\_education/resources/standards.html](http://www.americanbar.org/groups/legal_education/resources/standards.html) ("[A] law school shall demonstrate that it regularly identifies specific goals for improving the law school's program, identifies means to achieve the established goals, assesses its success in realizing the established goals and periodically re-examines and appropriately revises its established goals.") [hereinafter ABA 2014-2015 STANDARDS].

that planning is a dynamic, ongoing process,<sup>21</sup> so too must the dean recognize that the law school's plans and studies are snapshots in time, and they too must be updated routinely to meet changing dynamics in the marketplace. Likewise, the ABA Standards can be viewed similar to zoning codes insofar as they provide a basic sense of the boundaries, but each law school also needs its own master plan and the dean is central to that process.

Real estate developers, and of course their legal counsel, must also be familiar with and understand the regulatory climate, such as applicable zoning codes, land use regulations, and environmental laws where they desire to do business. Likewise, the law school dean must stay current on the content of the Standards on Legal Education,<sup>22</sup> as well as applicable court or bar association rules regarding admission to the bar.

#### D. *Assemble a Project Team*

To bring a project to successful fruition, a real estate developer does not work alone. The developer must assemble a project team that may consist of an architect, engineer, realtor, lawyer, marketer, and perhaps others.<sup>23</sup> Often, the developer is the person who has the vision as to what the project will look like and why it is important. However, it takes a team working on various aspects of the enterprise to actually get the product to market and sold. Similarly, a law school dean who has a vision (that is hopefully shared with various constituencies) must assemble a project team to move the institution forward. Unlike the real estate developer, who is free to hire whoever they may like for their private business enterprise, new law school deans inherit an existing team of administrators and faculty and must find ways to lead that team by creating a collaborative environment that energizes, and both recognizes and promotes strengths of all team members. A dean's team must consist of faculty, administrators, students, alumni, community leaders, and friends of the institution. Potential future employers of students and graduates can also be important members of the team.

Another aspect of the project team for a development project is that it is interdisciplinary. Each person brings a different skill set and perspective, all working together to accomplish the project goals. The legal profession benefits from lawyers who know how to work with an interdisciplinary team. Law

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20. *Id.* at Standard 202 (“Before each site evaluation visit the dean and faculty of a law school shall develop a written self-study, which shall include a mission statement. The self-study shall describe the program of legal education, evaluate the strengths and weaknesses of the program in light of the school’s mission, set goals to improve the program, and identify the means to accomplish the law school’s unrealized goals.”).

21. Comprehensive planning is an ongoing process, and courts have long recognized that it is not wise to pay “slavish servitude” to outdated plans. *See, e.g.,* *Town of Bedford v. Vill. of Mt. Kisco*, 306 N.E. 2d 155, 159 (N.Y. 1973) (“The obligation is support of comprehensive planning, not slavish servitude to any particular comprehensive plan. Indeed sound planning inherently calls for recognition of the dynamics of change.”).

22. *See generally* ABA 2014-2015 STANDARDS, *supra* note 19.

23. *See* JOHN R. NOLON & PATRICIA E. SALKIN, *LAND USE IN A NUTSHELL* 47-48 (2006).

schools offer enhanced education when students have an opportunity to learn with colleagues from different disciplines. Whether it be joint degree or dual degree programs, or simply courses available for cross-registration, interdisciplinary competence is important. Other opportunities may exist for joint faculty appointments.

Lastly, like the developer, the dean also seeks a team that is committed to excellence. After all, the dean and the developer are only as good as the people with whom they surround themselves. For example, developers want architects with creativity, a sense of what consumers are looking for, and the ability to be flexible and sometimes stray from the ideal design to meet the reality of the market. Developers want contractors who are dependable and reliable, and who deliver consistent, high-quality work product. This is no different from deans who seek excellence in teaching and scholarship from faculty.

#### E. *Seek Community Input and Participation*

Just as residents of a neighborhood or community care about what may happen to the future of their community, so too do the faculty, staff, students, and alumni with respect to the present and future direction of their school. Public participation in land use decision making has long been an important basic tenet for planners and developers. The American Planning Association even includes a section on the importance of this in their seminal *Growing Smart Legislative Guidebook*.<sup>24</sup> Seeking public opinion in the real estate development context can enhance the project design, add valuable information, secure necessary buy-in, and ultimately help win government approval for the project. The same benefits inure to the law school when the dean ensures that wide community input is sought in major planning efforts and the design of new initiatives.

It is important for the dean to hold town meetings, to share information and discuss ideas with the faculty, students, alumni, and friends (broadly organized to include volunteers, leaders in the community, employers, and potential donors). The really good developers and deans will provide the forums for these meetings and will listen to ideas and carefully consider suggestions. This can lead to positive energy and enthusiasm for the efforts, often resulting in a spread of positive messaging and excitement for what is happening.

#### F. *Price the End Product*

Related to financing (discussed below) is determining the market price for the real estate product. For instance, if it is a housing unit, what is the cost for each unit, and what is the predicted value when it is ready for sale? This also relates to knowing your market—who are your potential purchasers, what they want, and what they can afford to pay. In an admittedly oversimplified statement, law schools do have certain significant fixed costs that will drive the bottom line cost of tuition. However, in today's competitive marketplace, fewer

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24. AM. PLANNING ASS'N, *GROWING SMART LEGISLATIVE GUIDEBOOK* (Stuart Meck ed., 2002) <https://www.planning.org/growingsmart/guidebook/>.

students can afford to pay the sticker price and, like developers who will cut the asking price when necessary, law schools are faced with the dilemma of determining how much can be shaved off the list price in a tuition discount.<sup>25</sup> Further, it is critical to know what the competition is in the community. For example, if desirable housing in the same community with the same or similar amenities offers a lower price tag for essentially the same product, this requires a reconsideration of the business model. Similarly, in many geographic markets, public and private law schools compete for the same students, and the lower tuition available from public schools requires careful consideration in the pricing by the private institutions.

In many locations, residential developers are asked by the host communities to set aside a certain number of units as “affordable” and some projects in totality are designated as affordable housing. To qualify for these “affordable” units, potential owners must put forth financial information demonstrating their eligibility based on income and assets. Law schools have been criticized for straying from the model of using economic need as the qualification for aid and instead instituting systems that solely reward merit.<sup>26</sup> This has the effect of not only eliminating the hopes of access to the profession by economically disadvantaged individuals who, for explainable reasons, may not perform well on the assessment for entry (the LSAT),<sup>27</sup> but it can also create a situation where graduates are unable to realize the same return on an investment that those in the profession realized from a different economic model more than two decades ago.<sup>28</sup>

There is a stark difference, though, in the ability to borrow funds to pay for housing versus law school. To obtain a mortgage from a bank, borrowers must go through multiple forms, credit checks, background checks and show ability to pay back the loan beginning immediately. In contrast, the higher education model of both federal and private student loans is much more liberal in its lending requirements, banking on the degree to help pay back the loan rather than showing assets and a job at application (which admittedly would be difficult).

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25. Lately, some law schools are seeing an increase in enrollment as a result of price cutting. See, e.g., Jennifer Smith, *Law Schools Boost Enrollment After Price Cuts*, WALL ST. J. ONLINE (Sept. 2, 2014, 11:31 AM ET), <http://online.wsj.com/articles/law-schools-boost-enrollment-after-price-cuts-1409671882>.

26. To make matters worse, some schools have been criticized for playing shell games on the merit aid. See David Segal, *Law Schools Lose the Grant Game as Schools Win*, N.Y. TIMES, May 1, 2011, at BU1, available at [http://www.nytimes.com/2011/05/01/business/law-school-grants.html?\\_r=3&nl=todaysheadlines&emc=tha25&pagewanted=all&](http://www.nytimes.com/2011/05/01/business/law-school-grants.html?_r=3&nl=todaysheadlines&emc=tha25&pagewanted=all&). This practice has led the ABA to require consumer disclosures on all law school websites. See ABA 2013-2014 STANDARDS, *supra* note 8, at Standard 504.

27. See Segal, *supra* note 26; Vasant M. Kamath, *Report Shows LSAT Score Gap*, HARV. CRIMSON (Oct. 2, 1998), <http://www.thecrimson.com/article/1998/10/2/report-shows-lsat-score-gap-pa/>.

28. Paul Campos, *Perspectives on Legal Education Reform: The Crisis of the American Law School*, 46 U. MICH. J.L. REFORM 177, 211 (2012). See also Sally Kane, *10 Trends Reshaping the Legal Industry*, ABOUT.COM, <http://legalcareers.about.com/od/careertrends/tp/10-Trends-Reshaping-The-Legal-Industry.htm> (last visited July 21, 2015) (discussing alternate billing, legal source outsourcing, and social media as influencing changes to the legal industry model).



Just as housing and development are bound with aspects of social justice—whether it be affordability, inclusionary zoning, principles of fair housing, and community participation—so too is the law and legal education. Deans should ensure that, within the law school, students are exposed to principles of access to justice, pro bono, and social justice. An interesting model developed by my predecessor at Touro Law Center is the Public Advocacy Center,<sup>29</sup> a wing of the Law Center where more than a dozen community-based legal service providers have their offices and where students work with the public interest organizations and their clients.

#### G. *Finance the Project*

Real estate developers may personally provide seed funding for a project, but the reality is just about every project needs investors. These investors may be individual entrepreneurs or a group of private investors, and significant financing often comes from banks. The bottom line is it takes access to capital to move a project forward. Similarly, as deans lead the way to build new programs and initiatives at the institution, resource development is an integral part of the job. This typically comes from a combination of sources including annual unrestricted and restricted support, endowment support, capital support, and foundation and government grants and contracts.

Just as a developer seeking funding presents the business plan and case justification for the project (e.g., the vision—why the project is a good investment), so too deans must be able to effectively communicate the mission of the institution, the vision for the future, and the need for support today to ensure a sustainable future.

Developers typically participate in various community organizations and business groups as a method of meeting potential investors. Similarly, deans must make time for external visibility in the community to meet potential donors and others who can help provide leadership and support for the institution.

#### H. *Market the Project*

Developers can build a project, but they will never recoup their investment unless they let people know about it. Marketing a project may utilize many tools—passive, such as driving by and word of mouth; and active, such as billboards, advertisements in newspapers, and other media outlets.

While deans similarly have to market their law schools, the audience is somewhat different and the methods of communication are multi-fold and take time. Communication strategies may best be organized by audience. In no particular order of importance—other than the continuum of contact—first and foremost, deans desire to ensure that the curricular, extra-curricular, and other programmatic opportunities are marketed to potential students. This takes many forms including the internet, website, social media, ads in pre-law magazines,

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29. *William Randolph Hearst Public Advocacy Center*, TOURO C. JACOB D. FUCHSBERG L. CENTER, <http://www.tourolaw.edu/PublicServiceInitiatives/?pageid=150> (last visited Apr. 1, 2015).

visits to college campuses and other venues where one might find people considering law school. These initial contacts all require multiple follow-ups to secure an application if there is interest. This includes considerable cultivation from point of initial contact through every positive step in the process (e.g., application, acceptance, deposit, orientation) to ensure that the deal is closed. This level of communication is not required in the typical real estate deal.

Unlike developers, who are typically satisfied with a return on investment when the project units are sold and communication with purchasers ceases, deans have to continue marketing the law school to current students, alumni, the community, and potential donors. Another group the dean must market the school to is prospective faculty and staff. The law school has to be desirable for both up-and-coming scholars and teachers and to faculty at other schools who might consider a lateral move.

Another aspect of marketing is mission. For developers, it may be telling the story of why a particular project is in a particular location. It may be about a sense of community that is being built, sensitivity to a particular environmental design or sustainability principle; or it may be geared to a particular audience (e.g., active living, urban professionals, etc.). Likewise, deans must articulate the law school vision and message, making the case for recruitment, enrollment, retention, resource development, and general reputation.

#### I. *Reputation and Behavior Matter*

In the community, developers have reputations. For example, people want to know, whether developers are civic minded, whether they honor their word and are trustworthy, and whether they care about people or whether they are just in it for a dollar. Developers who have less than admirable reputations will have difficulty accomplishing many of the integral steps to a successful project, as outlined above. Likewise, to be successful, deans must create a welcoming environment; spend the time to develop an understanding and appreciation for the landscape; foster a people-centered environment where all opinions are welcome, encouraged and respected (from all constituencies); listen and be willing to respond; actively engage with civic and community organizations; and walk the talk that diversity matters and all are welcome to participate in the community.

#### CONCLUSION

When interviewing for the position of dean of a law school, the most important thing a person can do is to just be oneself. Academics who rise through the ranks to a deanship have a background in legal scholarship that often marries theory and practice. Faculty spend countless hours, even years, developing theories and concepts to advance the law in a particular discipline. Hopefully, the investment of time indicates a passion for the subject matter. Individual perspective on any subject matter can shine light on attitude and approach to problem-solving, vision, and passion. My recommendation to decanal candidates is skip the “copycat” discussions of boring and rote “role of

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the law school dean,” and demonstrate the kind of dean you would be through examination of your own area of law teaching and/or scholarship. While analogies to real estate development make sense to me through the land use and sustainable development law lens, the conversation can flow just as easily through business organizations, family law, alternative dispute resolution and dozens of other fields. I end where I began: [most] everything I know about deaning, I learned in land use and sustainable development law.