

LAW SCHOOL DEANSHIP: THE TOP TEN REASONS AND A TRIBUTE TO 36 OVER 10

*Teree E. Foster**

IN pondering my contribution to this ingenious project conceived by Bill Richman, it became apparent that one could pen volumes of anecdotes, accolades, observations, suggestions, advice and criticisms about being a dean; however, a brief statement of thoughts seems far superior to a lengthier treatment. Thus, this format.¹

I. TOP TEN REASONS TO ACCEPT A LAW SCHOOL DEANSHIP

10. The infinite variety of the job. No day at the office ever conforms to the schedule one plans, and no day is ever like any other.
9. The luxury and authority to approach even the most intractable problems creatively, seeking uncommon solutions that benefit all parties involved.²
8. The opportunity and privilege to serve as the interpreter for the College of Law in a multiplicity of contexts,³ and to communicate and share with members of the law school's multiple constituencies⁴ one's enthusiasm, optimism and confidence in the superb quality of the institution and of its personnel and programs.
7. The process of developing programs that are of inestimable benefit to students, and which significantly involve the creative talents and energies of faculty, staff and alumni.
6. Creative manipulation of the budget to wring from it every last penny through re-characterization of expenses and stealthy camouflage of monies.
5. The awesome, satisfying experience of utilizing every shred of one's attributes, talents, skills, energies, intelligence and vision, some of which were previously unknown and unmined, to the maximum extent each hour of each day, continually stretching *oneself* in remarkably rewarding ways.
4. The peerless privilege of sharing colleagueship and mentoring relationships with other law school deans, who are among the brightest, most committed and dedicated, creative, visionary, enterprising, and genuinely helpful group of persons in the legal profession. Moreover, 24 women currently serve as law school deans, and these remarkable women form a singular supporting, nurturing and mentoring group for each woman dean.

* Dean, DePaul College of Law, 1997 to present; West Virginia University College of Law, 1993-97.

1. In collecting my thoughts regarding the position and role of a dean, I consulted with a few decanal friends. Attribution to their thoughts is provided.

2. As Maryann Jones (Western State University) observes, it is most fortunate that problem-solving is enjoyable; it certainly consumes an inordinate proportion of a dean's time!

3. Nina Appel (Loyola-Chicago) provided this elegant phraseology.

4. Constituencies include: faculty and staff; students; university officers and personnel; alumni; employers; friends and supporters. Often, their needs and perceptions are in conflict.

3. The opportunity to interact with loyal, creative, supportive alumni who buoy one's spirit and deepen one's commitment.⁵
2. The magnificent, incredible privilege of participating in shaping the professional careers of faculty and staff.⁶
1. The incomparable opportunity to craft and develop a vision for one's institution, to take constructive and meaningful steps towards its implementation, and to have a significant impact upon that institution and its multiple constituencies.

II. TOP TEN REASONS TO RESIGN A LAW SCHOOL DEANSHIP

10. Faculty meetings, particularly when faculty colleagues become inordinately loquacious or nasty.
9. Dealing with university administrators, alumni, employers and a host of other constituents upon whom one is dependent for information or assistance and who often are less than timely in returning urgent telephone calls or answering frantic e-mails.
8. The implacable frustration that accompanies the requirement that the dean attend numerous, interminable and largely meaningless meetings and retreats away from the law school, while so many urgent law school matters are left unattended.
7. Lack of time to maintain currency in one's own scholarly fields or to prepare in-depth for class.
6. Persistent attempts to manipulate an always insufficient budget to satisfy the operational and programmatic needs of the institution and the research and development needs of the faculty and staff.
5. The necessity to confront and deal with colleagues whose "difficulty" goes beyond eccentricity, as well as colleagues whose performance, in either professional or personal terms, has been inadequate or inappropriate.
4. Continual commodification of self that is an inexorable part of being a dean.⁷
3. Almost preternatural exertion of effort and will to evade the four ever-present components of a dean's daily schedule: constant interruption, inundation, chaos and absence of control over one's days. No day at the office ever conforms to the meticulously planned schedule, and no day is ever like any other.⁸

5. Every day in the life of a law school dean is not a great day; but every day that one can spend with alumni is truly a great day.

6. For example, to influence previously non-scholarly faculty members to return to writing, to provide assistance in classroom pedagogy that is concrete, constructive and effective, to encourage faculty members to submit their work for awards and other recognition, and to nominate and strongly advocate for awards and other recognition for faculty members is indeed a mitzvah. Moreover, the opportunity to assist each faculty or staff member in maximizing strengths and talents, while minimizing weaknesses, is one of the most gratifying aspects of a dean's job.

7. I am indebted to Toni Massaro (Arizona) for this wonderfully explicit description of an unnerving, yet unavoidable, fact of deanship.

8. A dean's schedule is buffeted about by crises and emergencies of others that quickly and inevitably become the dean's problem.

2. Relentless, escalating and not always constructive competition among law schools—spawned by the *U.S. News & World Report* rankings—that entails the investment of a disproportionate share of resources, valuable personnel and monetary assets that could better be invested in scholarships or programs.
1. Inevitable, crushing burn-out: bone-weary exhaustion; physical, emotional and spiritual inability to bound from bed each morning, eager to confront and conquer whatever challenges the day brings; recurrent loss of patience with persons and situations that demand inordinate and disproportionate amounts the dean's time; increasingly frequent and forceful temptation to handle complex, arduous, difficult and exacting problems with a machete, as opposed to a scalpel.

III. TOP TEN PIECES OF ADVICE FOR A ROOKIE LAW SCHOOL DEAN

10. Take time at the outset to become acquainted with law school staff. Understand the nature of each individual's job. Show support for staff frequently and through creative means.⁹
9. If an "outside" dean, take a minimum of six months to absorb institutional and faculty culture before making any major decisions¹⁰ or undertaking any major restructuring, reformulation or new programs. If an "inside" dean, the learning period can be briefer; however, be certain that your plans are well-grounded in a factual basis before proceeding.
8. Within the first few months, learn the attributes, talents and personalities of the faculty and professional staff. Conduct listening sessions with each individual, and communicate to each that s/he is an integral part of the law school's mission. Listen very thoroughly, but if an "outside" dean, recognize that you have as yet no perspective with which to assess the information you glean. As in "inside" dean, disregard any past difficulties with colleagues or staff; each person deserves a clean slate at the outset of your deanship.
7. Keep your own counsel. Never criticize a faculty member, either in public or in private conversation if another faculty member is present.
6. Develop a few faculty confidantes who are committed to confidentiality, and who can serve as candid critics and "reality checks" for your proposed plans and programs. Cultivate relationships with other law school deans and with deans of other colleges in the university, creating a network of persons from whom you can seek guidance, advice and support, and with whom you can be utterly candid about law school problems, personalities and crises, and vent indignation on occasion.¹¹

9. For example, I give staff members extended lunch periods during the two summer weeks when *The Taste of Chicago* is operating, and host the staff for one fun afternoon activity each spring, such as bowling, arcade games, or a movie.

10. Concededly, the overwhelming majority of deans are not afforded this luxury. One month before I arrived at DePaul, one of the major Centers of the College of Law exploded, with resignations, remonstrations, recriminations abounding. This matter could not wait six days, let alone six months.

11. Thanks to Nell Newton (Connecticut).

5. Recognize the excellent work and accomplishments of faculty, staff, students and alumni. Nominate them for every available university, law school or professional award. Assemble impressive dossiers to support each nomination. Even if the nomination is not successful, the confidence and morale of the nominee will be enhanced immeasurably. A related suggestion: become the "George Bush" of legal education. Write congratulatory, laudatory notes to faculty, staff, students and alumni for every achievement, whether great or small.
4. If difficult corrective action appears to be required, such as removing a program director or disciplining a miscreant faculty or staff member, develop a thorough basis in fact for the necessary action, and act quickly and firmly. Be candid and straightforward, but also sensitive and kind. Take every possible step to preserve the dignity of the faculty or staff members affected.
3. Care for your own physical, emotional and spiritual needs. Take aggressive steps to maintain physical vigor. Eat a salad either prior or subsequent to each of the scores of events a dean must attend each year, and forego the rubber chicken.¹² A few bites will suffice to satisfy the demands of etiquette. Make time each day for a minimum of 30 minutes of physical activity. Take your vacation, every day of it, every year.¹³ Crises will await your return, the institution will survive, and your continued mental and psychological health is abjectly dependent upon sufficient time away from the deanship.
2. Maintain a fruitful, fulfilling life outside the law school. Persist in the struggle to maintain balance in your professional and personal lives. Do not neglect your own intellectual and professional development. Maintain a research agenda. Teach a class, if not every semester, at least once in the academic year. Seize time for your family and friends, and wrench time for at least several pleasurable, non-legal commitments, activities or hobbies.
1. Never show anger, and never take personally the many (and often unfounded and unfair) slights and criticisms that are the lot of a dean. Ever and always, approach each person and situation with sensitivity, judgment, an excess of kindness, patience, the utmost of fairness, humility and paramount consideration for others. And, laugh out loud frequently;¹⁴ in each day there is ample cause to do so.

IV. A TRIBUTE TO 36 OVER 10

In this era, few persons have the stamina, energy, optimism, perseverance, vision, creativity, confidence, cheerfulness, humility and gentleness to remain *as* a dean for more than ten years. Those deans who have remained at their posts for more than

12. Personal attestation is found in the accumulation of 20 decanal pounds in seven years of deaning.

13. This advice, initially offered by Tom Reed at the ABA Baby Dean Workshop I attended at the outset of my first deanship, initially struck me as indolent. It is not. It is imperative.

14. Thanks for this thought to Toni Massaro.

a decade¹⁵ are legendary, each a splendid dean and remarkable person. I proffer a tribute to these “senior” deans, and extend the gratitude of their decanal colleagues for their wisdom, assistance, collegiality, graciousness and extraordinary service.

Roger Abrams (Northeastern)
 Bhishma Agnihotri (Southern)
 Alfred Aman (Indiana-Bloomington)
 Nina Appel (Loyola-Chicago)
 Judy Areen (Georgetown)
 Marty Belsky (Tulsa)
 Ron Cass (Boston)
 Robert Clark (Harvard)
 Jim Concannon (Washburn)
 John Costonis (LSU)
 Jeremy Davis (North Dakota)
 John Feerick (Fordham)
 Howard Glickstein (Touro)
 Reese Hansen (BYU)
 Joe Harbaugh (Nova)
 Tim Heinsz (Missouri-Columbia)
 Bill Hines (Iowa)
 Howard Hunter (Emory)

Jeff Lewis (St. Louis)
 John Montgomery (South Carolina)
 W. Frank Newton (Texas Tech)
 John E. O’Brien (New England)
 Tom Read (South Texas)
 Robert Reinstein (Temple)
 John Sexton (NYU)
 David Shipley (Georgia)
 Steve Smith (Cal Western)
 Rennard Strickland (Oregon)
 E. Thomas Sullivan (Minnesota)
 Leigh Taylor (Southwestern)
 Lee Teitelbaum (Cornell)
 Joe Tomain (Cincinnati)
 Bob Walsh (Wake Forest)
 Frank Walwer (Texas Wesleyan)
 Parham Williams (Chapman)
 Kinvin Wroth (Vermont)

CONCLUSION

It is a profound privilege to serve as dean of a law school. It is an enormously satisfying job, one that provides so much more in terms of intellectual, spiritual and emotional growth and rewards to the person who serves than that person ever gives to the job. It is a job that genuinely matters, is more than worth doing, and worth doing as well as one can.

15. Or served at more than one law school for a total of a decade or more of deaning.