

# THE ABC'S OF LAW SCHOOL ADMINISTRATION: A GUIDE FOR THE NEW DEAN

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**A**S a new dean entering the third academic year of a deanship, I write to pass on some lessons I have learned. A more experienced dean might find some of them too obvious to mention, but having just learned some of them, I believe you will find them helpful.

The first lesson I learned is that, unless you have served as a dean before, you are most likely not prepared. You have no doubt been successful as a lawyer, teacher, scholar and, perhaps, associate dean. It is that success that makes this opportunity available to us. Those roles, however, allowed a higher degree of focus and provided far more accessible means of evaluating success. For example, it is possible, with preparation and enthusiasm, to teach an almost perfect class. It is also possible, with hard work, to write an almost perfect article or treatise. Although it is possible to have a very fulfilling day as a dean, there will always be many things you could have done better.

A deanship presents a tremendous opportunity to make a difference to an institution and to its people. Its difficulty lies in the variety of details you must master, the breadth of responsibility and the variety of very human issues you will confront each day. The following suggestions involve the attitudes and skills that I believe will help you succeed and enjoy the opportunity.

## I. AWE AND AWARENESS

It is important not to lose the feeling of awe that you first experience when you realize the scope of the job. It is also important continually to be aware that you have been placed on a stage and that your actions and words are far more visible than ever before.

### *A. Awe*

Awe is an appropriate reaction to the responsibilities you now have. Even within the framework of reporting to a University President and observing the principles of faculty governance, you have been entrusted with responsibility for a lot. You must balance a budget in the tens of millions of dollars. With an independent

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This short essay is dedicated to the memory of the late John W. Stoepler, former Dean at the University of Toledo. Among his contributions of wisdom, he reminded us at his decanal installation ceremony that deans are "installed like air conditioners and other appliances," rather than inaugurated or invested. One of the things that make the job of law school dean rewarding is the opportunity to work with other deans. I have benefited greatly from the wisdom and advice of many and am particularly grateful to Don Gifford, Tim Heinsz, Bruce Wolk and Larry Dessem in this regard. I also thank Dean Robert Walsh for hosting the helpful New Deans' Workshop. Finally, I thank Professor William Richman of the University of Toledo College of Law for thinking of and organizing this innovative forum.

recommendation on tenure and promotion decisions, you can affect the future quality and tone of the institution and have a dramatic impact on people's lives. With the final word on student appeals and honor code violations and an important voice in admissions policies, you will affect careers. With the ability to influence salary, hiring, curriculum, operations, research efforts, development and the image and direction of the school, you will have a lot to think about and much to appreciate.

You will find that you have the opportunity to work with some very impressive members of the faculty and the administrative staff and be trusted with their confidences. As you continue to learn more about their abilities and character, your sense of awe and commitment will be renewed.

It is that sense of awe and appreciation for the difference you can make that will sustain you through occasional long hours and the disposition of countless details.

### *B. Awareness*

You will become aware that your position provides unique opportunities for you to be involved in outside activities that can affect your school. You will also learn that staff, students and faculty are now more aware of your presence and your actions than you are used to. Finally, you will want continually to be aware that your unique position gives you the opportunity to make a positive difference.

As Dean John Sexton has pointed out, a dean is invited to participate in many things simply because he or she is the dean. (John Sexton, however, might be invited on his own merits.) You will find yourself on panels and at functions with respected judges, bar presidents, university officials and other leaders of the community. It is an opportunity to make your school look and sound good and to gain support, as well as ideas for the future. You will be expected to be a participating and public member of this new club. These events will provide you an opportunity to expand your network of contacts, and you should ensure that you meet several new people at every function. You can never tell when a chance encounter will lead to a scholarship fund, a guest speaker, an adjunct hiring opportunity or an idea for curricular reform. In a world where "who you know" is often important, your school's influence will grow as you expand your contacts. You will also find that you have met many interesting people among the alumni, judges and bar leaders, some of whom will become friends.

You also need to be aware that you are under constant scrutiny as people from within and without the school look for messages from your behavior. Whether intentionally or not, you can help set the institution's tone for the day, the week or the year by your actions. If you are friendly and positive and spend time greeting people, it should make a difference. People want to work at and support a place where the future is positive and the working and learning environment cheerful. If your words or actions set a negative tone, however, or if you complain too much about the University, the faculty or other elements of the community, your negativity will be contagious and will make your school a less comfortable place to work and stay. Your words will be repeated and will have a far broader audience than you intended. Actions can speak as well. If you return from a University budget or policy meeting and put your fist through the wall, for example, staff

members will deduce certain things about the outcome of the meeting. (They will also stay away from you for a few days.)

The fact that people now take you more seriously by reason of your position presents a tremendous opportunity. As Dean Tom Read has pointed out, a dean is uniquely situated to do something good for someone else virtually every day. A timely thank you note or a "well done" can matter a lot when it comes from your office. Personal notes to speakers, alumni leaders, faculty members, staff members and students are a way to tell people that you, and through you the law school community, value their contributions. We all like to feel recognized and valued. You also are uniquely situated to sometimes adjust the bureaucratic rules in a way that makes people's lives better or their dreams easier to achieve. It may be that these little things done for individuals will have a far more long lasting impact than the reforms you lead or the money you raise. A continual awareness of these chances to make a difference for people will keep you vital and interested.

## II. BARGAINING

If you are a former member of a law faculty, it should come as no surprise to you that not everyone will agree with your vision for the future nor with the means you propose to achieve that vision. A University is about checks and balances, and your authority is not unfettered. Some amount of tension and disagreement is inevitable and healthy, and it will be your bargaining and compromising that will keep your school moving forward. It is important not to let your ego get in the way of reaching outcomes that will help the school. If you can keep your overall goals paramount in your mind and be flexible in how you are willing to achieve them, you will be more successful than if you are rigidly wedded to a single solution. If you can resist the urge to take personally any questioning or opposition, you will succeed far more often.

When advocacy is necessary, preparation is vital. If you have tables or charts of important facts or trends and can express your position succinctly and well, you may not need to bargain. There may be agreement with your position because it appears well thought out. If you initially present it in a sloppy or imprecise manner, however, it may incite people to oppose it. These positions of opposition may be difficult to change once taken no matter how solid any follow up presentation.

A major key to successful outcomes in a bargaining environment is good listening skills. If you are the person with the power in a relationship, you can still gain a lot from listening. Listening and asking follow up questions shows respect to the other person and will help build a future cooperative relationship. By staying calm and listening, you can often learn something that will change your mind or find a way to meet some of the person's needs without compromising the needs of the school. If you are unable to grant the request, you can at least explain the basis of your position and ask for ideas on how to meet the person's needs in the future. This will help ensure subsequent productive communications and even a small modification can reassure the person that he or she is respected and valued.

In all situations of potential disagreement, tension or bargaining, listening and asking questions will give you insights into the other party's real needs, needs that you can perhaps meet without losing progress on your important goals. Don't insist

on making all the decisions or finding all the solutions yourself. If you can reach a joint decision, it will be much more broadly supported. If you can sometimes listen without interrupting and resist the temptation to finish others' sentences, you will learn a lot.

### III. COMMUNICATION

The job of law school dean is, at its heart, about communication. Your communication efforts will affect the school's reputation, pace its progress and determine whether you will have a cooperative working environment.

As the school's chief spokesperson, you will be responsible for communicating the vision of the school for the future. You have a unique opportunity to affect how the world views your school. There will be uncountable occasions to stand up and say a few words about the school ranging from admissions and orientation events to graduations, dedications, alumni events and bar functions. As Dean Donald Gifford has recommended, you should give some thought to why you took the job and why the school has a good future, reduce those thoughts into a short theme and insure that you spread this theme as widely as possible. It is imperative that you be positive, friendly and helpful. You should also ensure that you are up-to-date on the recent accomplishments and publications of the faculty, staff and students. One of the most enjoyable parts of the job is telling the world about the talented people with whom you work. These positive messages can be conveyed in private conversations as well as in public talks. Because you will be "on-duty" at many social events, you will find a clear head and non-alcoholic beverages provide a tremendous advantage.

On the interpersonal level, you will want to try to have face-to-face communication with people whenever you make important decisions that affect them. E-mail, memoranda, voice mail, etc. are poor substitutes that can create misunderstandings. If you are unable to give them what they want or must decide something adverse to their interests, face-to-face conversations at least reassure them that they have been heard and are respected. They may not agree with you but are more likely to continue to respect you if you explain and are accountable for your decision. If a face-to-face meeting is impracticable, a telephone conversation is still much better than an impersonal e-mail or memorandum. It allows both parties to exchange ideas and to clarify messages that might lead to misunderstanding. The alternative of relying on others to carry your messages runs a substantial risk of miscommunication and misunderstanding. You will be amazed by what you are alleged to have said once the message has gone through two or three people. Personal communication sends a message of respect as well.

Just as your own words and actions will be misreported, so will the words and actions of others. Do not spend a lot of time or emotion reacting to reports based on hearsay. You may hear that Professor X said something inappropriate or is upset about something or did something unbelievable and later find out it is not true or the report has been altered substantially in the retelling. Wasting emotional capital or time on such reports until you have had a chance to confirm them is something you cannot afford to do.

Often you will be cast in the role of mediator between competing groups or individuals. Where there is disagreement, the best way to resolve it is to get

everyone affected in the same room, listen to everyone, get them to listen to each other and help them reach a resolution. Often e-mails, memoranda, hearsay reports, ill-founded assumptions, etc., have made them think they are more diametrically opposed than they really are. Also, people are often more inflammatory and unreasonable on the phone or in e-mail than in public. In the meeting and in your presence, they may take more reasonable positions. By helping to expose the misunderstandings and reveal the actual facts, you can give both sides the opportunity to save face and reach a reasonable accommodation in light of new information.

Regular faculty meetings and administrative staff meetings will be vital to avoiding misunderstandings as will be regular meetings with student and alumni leaders. If you are able to use them for discussion and input, rather than just for announcements, you will find that they will create a more cooperative working environment and a much more fertile environment for innovation and progress. This will be more likely to occur if you design an agenda to get through simple items efficiently and if you do your best not to interpret suggestions as personal criticism. It will also be important to allow a forum in which people can question your decisions on controversial matters. Dealing openly with an issue, providing your reasons and taking responsibility for your actions may sometimes be uncomfortable but will give the institution an opportunity to reach closure on the matter. Failing to confront an issue out in the open may allow resentments to grow and gaps to widen.

#### IV. CONCLUSION

These are admittedly simple things. Mostly, they are about treating people with respect and trying to be decent in a position where it could be easy to be arbitrary. You cannot do this job by yourself and the cooperation of many people, including co-workers and students, will be vital to any success your institution will enjoy during your term.<sup>1</sup> Working with them and for them will also be what makes the job worthwhile and memorable.

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1. I have been blessed so far with the opportunity to work with a thoughtful and productive faculty, a wise President, a committed and dedicated administrative staff and an involved alumni, bar and judiciary. It is difficult to imagine getting anything done without their help.