

IT'S NOT JUST A JOB, IT'S AN ADVENTURE!

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This essay is presented in two parts. The first part was written by Jon Sylvester who served as Associate Dean for Academic Affairs at Golden Gate University School of Law from 1996 until 2000. The second part was written by Tony Pagano, who served as Dean of the Golden Gate University School of Law from 1988 until 1999

PART ONE: JUST RUNNING THE MAZE (MY TERM AS ASSOCIATE DEAN)

AT most law schools, the job is called Associate Dean for Academic Affairs (ADAA). At some schools it is called Academic Dean or Vice Dean. S/he is second in command; the dean's principal deputy. What it means to be "second in command" varies tremendously from school to school. Notwithstanding these variations in title and content, the ADAA has been referred to as "a mouse in training to be a rat" for so long that it seems no one remembers the source of that affectionate description. The underlying assumption is that an ADAA wants to be the dean—if not at his or her present school, then somewhere else. Otherwise, why would any tenured law professor (one of the best jobs in the world, I think) return to law firm associate hours in exchange, usually, for 50% course relief? An excellent question, but I think there are some good reasons to serve a term as ADAA—even if you don't want to be "the" dean. I must admit, however, that my move into the ADAA job was not a particularly strategic one. Like a lot of things, it just sort of happened.

In 1994, I was a tenured professor at Loyola Law School in Los Angeles, but I needed to get back home to the San Francisco Bay Area because of my parents' health. Gerry McLaughlin, my Dean at Loyola, was kind enough to call his counterparts in the Bay Area to see whether any of them needed a visitor to teach Contracts. A couple of weeks later, I accepted a one-year visit at Golden Gate Law School in San Francisco, and took a one-year leave of absence from Loyola. After a while, I was asked to stay on at Golden Gate, and since my parents' health issues

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During my term as dean, I was very fortunate to have the help of three excellent, albeit very different, Associate Deans for Academic Affairs. Professor Jon Sylvester served as the Associate Dean during my last two and one-half years as dean. Jon then served for an additional year and one-half under our new dean, Peter Keane, who was new to academia. Because Jon served at the end of my deanship and at the beginning of a new dean not familiar with the workings of law schools, I believe he had much more responsibility for the direct supervision of the faculty than many associate deans. I wholeheartedly endorse Jon's remarks, which comprise Part One of this essay

were really age issues, I needed to remain in the Bay Area. I liked the school, but it would be my third or fourth (depending upon how you count) in 11 years, and I was not looking forward to being the “new guy” yet again. It takes a while to learn a new place, and to get to know one’s colleagues and vice versa. In discussing this concern with Golden Gate Dean Tony Pagano, I mentioned that Gerry had asked me whether I would be interested in the ADAA job. I meant only to say that I had “paid my dues” at Loyola. I wasn’t lobbying for the ADAA job at Golden Gate, but Tony immediately said, “You could be the Associate Dean here.” A few minutes later we walked past the then-ADAA, to whom Tony said, “Jon wants your job.” Without a nanosecond of hesitation, she responded, “When can he start?” It seems no one wanted the job—including the person who had it. I suppose that should have been a clue.

A few years later, it was Tony Pagano who suggested that I write these few pages about the ADAA job. Tony had just announced his retirement after 10 years as Dean, and we were discussing strategies (tricks, really) for getting through the administrator’s day. He particularly liked my idea of stacking books in the visitors’ chairs in my office so people would not automatically sit down.¹ “Yes,” he said, “once they sit down, you’re dead!” “Especially if they lean back,” I added. So, that is how this started.

I have enjoyed writing this, so I hope some of it is at least mildly amusing. But the job is also an important one from which I learned a lot. I am glad I did it (emphasis on past tense). So I also hope I can encourage others to take their turns. That’s why some of these observations are written as advice—some for faculty members who might consider doing a term as ADAA, and some for the rest of us who should, at least, not make the job harder for whoever is in it! Please note that some things are best said directly. Others I will present as if theoretical, so as to protect the guilty.²

Some of the problems with the job arise from its title. If you are the “Assistant Dean for Admissions and Financial Aid” or the “Assistant Dean for Alumni Relations” no one should have to ask what you do. But how, exactly, does the word “academic” delimit your role when you work at a school? Okay, maybe it pretty clearly excludes fundraising. But it would also appear to exclude budgetary matters, which are a significant part of some ADAAs’ jobs. And from the students’ perspective, the title is not just unclear; it is affirmatively misleading. Students tend to regard grades, registration, requests for waivers of various deadlines and requirements and, yes, *academic* advising as “academic” matters. Go figure! But

1. Actually, I discovered this by accident one afternoon when my visitors’ chairs were occupied by boxes of bluebooks. Drop-in guests would look at the chairs, then at me, then back at the chairs. If I did not volunteer to move the boxes, even those of my colleagues who *always* seemed to have time on their hands would get the point, and get *to* the point.

2. A dozen deans—John Adler, Doris Brogan, David Burcham, Catherine Carpenter, James Douglas, Greg Egerton, Cynthia Mabry, Christopher May, Ron Micon, Scott Norberg, Tony Pagano and H.G. Prince (all current or former law school administrators)—and Joyce Wood (my mother) read drafts of this and, therefore, are jointly and severally responsible for any mistakes herein. Just kidding. They *did*, however, assure me that no mentally healthy person would be offended by anything I have written here.

those of us in the business know, of course, that these are matters for the Assistant or Associate Dean for *Student Services*.

The second part of the problem with the title is the too-widely-used word "associate." I looked it up in the dictionary and the relevant definition seems to be "having secondary or subordinate status." That is certainly accurate vis-a-vis the dean. In this regard, "associate dean" is more accurate than "assistant professor"—which sounds like someone who helps someone else teach. But, like vice presidents at a bank, some schools have an abundance of associate deans. Sometimes the title is granted to bolster the prestige and credibility of an individual in his or her representational roles outside of the school. Sometimes the title is granted to conform lines of reporting hierarchy after job descriptions have been re-formed around personalities. And sometimes the title is granted in lieu of a salary increase. For whatever reason the title is bestowed, these "associate dean" positions all have the same key word in the title and usually the same formal rank. But the school cannot function in that way—especially if the dean is significantly occupied with university relations, external affairs, and the like. The ADAA winds up being responsible for many, most, or nearly all of the school's day-to-day internal operations. Fortunately, the other associate deans usually "get it." In case they do not, most ADAA job descriptions include phrases like "chief operating officer of the law school" and/or "acts for the dean in the dean's absence." But depending upon the characters, this can work as well and as poorly as the presumptive rule that the eldest kid is in charge when mom and dad are away.³

But let's get back to that endearing cliché that an associate dean is "a mouse in training to be a rat." It had been my observation elsewhere that the ADAA job essentially rotated—typically for about three years—among the mid-senior tenured faculty members who had the temperament for the job and were willing to do it. A handful of long-term exceptions come to mind, but they come to mind (a few are known nationally) because they are conspicuous exceptions. More typically the ADAA comes from the same subset of the faculty that always ends up chairing and serving on that short list of committees that actually have some specific and important work that really must get done. If you are in this pool, a term as ADAA is the citizenly thing to do. Hopefully you can time it so that your (hopefully ascending) maturity curve meets your (probably descending) energy curve in a favorable balance. In a way, it's like chairing the mother of all committees. That is how I had always thought of the job, and that's why I took it. I also wanted to "pay my dues" quickly and accelerate both my learning curve and my graduation from "new guy" status.

To some, however, these motivations apparently are incomprehensible. They will assume and insist you want to be the dean. "Why else would you be the Associate Dean?" one of my colleagues asked. This assumption that you want to be the dean presents two sets of entirely unnecessary problems that can make the job a lot more

3. Using the title "Academic Dean" gets rid of the word "associate," but in order to solve both of the above problems, especially if the ADAA really is going to function significantly as chief operating officer, the title Vice Dean is probably a wiser choice. Ultimately, of course, the shape of the job depends on the strengths, weaknesses and personalities of the dean and the ADAA, more than on title, organizational charts, written job descriptions, or even institutional culture.

burdensome than it needs to be. The first is that some colleagues will spend a lot of time and energy “sizing you up” for something you do not intend to do, and trying to extract concessions in exchange for “helping” you get something you do not want. This can be quite annoying and distracting. Far worse, you are automatically a threat and a challenger to any internal candidate for the deanship. Much of the resultant intrigue will be quite amusing because nearly all of it will be extremely petty. It does, however, make an already tedious job much more so. But enough about that.

I originally agreed to take the ADAA job for a two-year term. Two years became three because the law school was up for its sabbatical ABA inspection and the dean had announced that he would retire after the site visit. I chaired the Dean search committee and then stayed on for a fourth year to assist in the transition because our new dean was not only from outside our school but also had not been full-time in legal education. After four years, however, I’d had all the fun I could stand. By the time I left the job, it was very different from the one I signed on to. The ADAA job is remarkably elastic. Its shape and content depend on the circumstances and needs of the school and on the other players in the administration. I felt fortunate that I had learned enough during the first two years to be helpful during the last two, but I also understood very clearly that the school would have managed to survive without me.

I think this is one of the keys to doing the job. You’ve got to be compulsive enough to give serious attention to an endless stream of detail and minutiae. However, you also have to realize that, in the grand scheme of things, most of it matters very little. Even if you have colleagues who scream and cry (perhaps the same colleague, and perhaps in the same conversation), it is hard to imagine the ADAA mistake that is going to result in loss of life. On the positive side, there are lots of opportunities to do things, usually small things, that make the school a better place or maybe just help someone.

You are also in an excellent position to put some thrust behind worthy new initiatives and your own pet projects. Remarkably, these often turn out to be substantially overlapping lists. But it is best to tackle these ventures early in your term. By the time I was into my fourth year, I didn’t want to hear any new ideas—not even good ones. Okay, I’m kidding, but only a little. There is never a shortage of ideas at a law school, and many of the ideas are good. With leadership it is even possible to get clear majority support behind some of these good ideas. But it is very hard to launch and sustain more than one or two significant new initiatives at a time. This is mainly because you usually wind up relying on the same workhorses to pull the wagon.

Some say “faculty management” (not faculty *governance*, but management of the faculty) is an oxymoron. It is often said that this aspect of the dean’s or ADAA’s job is “like herding cats.” My other favorite description of the job is that it is “like being the caretaker at a cemetery: lots of people under you, but no one paying any attention.” The point is that you end up relying significantly on volunteers. Sure, you’ve got some carrots and sticks, and sometimes they can be used effectively. Often, however, the cajoling process takes more time and energy than it is worth. Most faculties seem to have at least a couple of members who have figured this out. I am sure that some ADAAs do a much better job than I did of delegating work both

to faculty members and to staff. Instead, I arrived at the office earlier and earlier, and stayed later and later, while my “to do” list grew longer and longer.

Once you come to be regarded as the “go-to guy,”⁴ then faculty, students, staff, job applicants, vendors and, yes the general public (high volume and an especially rich mix at a downtown school!) will bring you their issues—large and small. Much of this traffic can be screened by a good staff (except for faculty and, of course, the staff itself), and much of it can be redirected rather than handled personally. But it all takes up lots of time that you cannot control or even schedule. From 9:00 a.m. to 5:00 p.m. Monday through Friday you are, for the most part, playing defense.

There are a few, predictable slow periods in the cycle of the semester and the academic year. And sometimes, the phone is inexplicably quiet (at least relatively) for a day or two. Most weekdays, however, I received at least 25-30 telephone calls and a far greater number of e-mail messages. In retrospect, I should have done a better job training someone(s) to screen incoming calls, but I was always too busy—on the phone! Three or four or five incoming telephone calls per hour is not really that many—unless you are trying to accomplish anything else. Even a memo or letter that could be completed in, say, 20 uninterrupted minutes might stay on my “to do” list for days. So, pretty much from the beginning, I came in to the office by about 7:00 a.m.—including most Saturdays. A few people figured this out and would call during those times. Some would say, “I called now because I knew you wouldn’t be busy.”

Many years before I was in administration, I heard a new dean remark (marvel, really), “This is the damndest job! When I’m here all day, I don’t have a minute to spare. But I can be gone for a week and catch up in an hour!” I guess I did not really understand it when I heard it, but I surely understand it now. He was exaggerating, but not outrageously so. If you are not available, many of the problems brought to your office will somehow solve themselves. Some people will figure out, on their own, what you would have told them to do. Others will realize, in the delay occasioned by your unavailability, that what previously seemed like a crisis simply is not. So you get back to your office, return telephone calls, process your mail, and you are back in business in far less time than you were absent. Of course, you can’t stay away all the time. A big part of the job is simply being available. But in the last few months of my term I worked at home on one weekday during most weeks. It worked well, and I wish I had started doing it earlier. Just remember to check and clear your voice mail and e-mail periodically, or you will come to dread returning to the office the next day.⁵

The volume of student foot traffic through the office fluctuated with a fairly predictable rhythm based on the cycle of the semester. Student services and

4. “Go-to guy” is, of course, a gender-neutral term and concept. You will know you have achieved this status when the new temp on the reception desk/switch board figures out, within his or her first few minutes on the job, that the “safe bet” is to route nearly all calls and visitors to you.

5. I learned to appreciate a clear and complete voice mail message. These are not social calls after all, so isn’t the point simply to deliver or obtain information? Why leave a message that says, “I called” or “give me a call” or, more presumptuously, “call me when you get this message.” I liked the messages that were like memos—or succinct letters. I have always thought that’s why it is called voice mail. Apparently, the name is far too subtle.

academic advising were not part of my job description, but I taught a large first year course. So, half the students in the law school were, or had been, “my” students. I really enjoy teaching in the first year, but there is no question that first year students need more attention than those in the upper division. And since I always made time for “my” students, how could I turn away those who happened to be from “the other” section?

Ultimately, it was the faculty, not the students, who caused me to start stacking books in my visitors’ chairs. I guess I did not previously realize how much time some of us have on our hands. Over the course of my four years as ADAA, I felt my response to the question “Are you busy?” drifting from gracious, to impatient, and beyond. I still think “Yes, but what can I do for you?” is a pretty good answer. It means, “Please get to the point,” but not everyone understands that. Some will reply, “Well, I’ll come back later.” To which the best answer is “I will be busy then, too.” I always kept an “open door” policy and tried to deal with things as they arose, on the theory that requiring everyone to make appointments would be too stiff and formal, add another layer of “process,” and make me less efficient. I was probably wrong about the last point.

The thing is, I was almost always very busy, but the sense of urgency I felt came from the quantity of the work, not its content. What we in legal education do is very important in the “big picture” sense. But we almost never have pressure or emergencies of the sort regularly dealt with by, say, an air traffic controller, a police officer, or an emergency room physician—each of whom I have taught as law students at one time or another. I always kept them in mind when I was feeling especially “busy” on the job.

As for my faculty colleagues, well, you learn a lot more about people when you are sitting across from them trying to *solve* problems than you do when you are sitting beside them just complaining about the problems. The vantage point of the administrator dealing with 20 or 30 or 40 faculty members is just like that of a teacher dealing with 20 or 30 or 40 or 100 students. I use this example only because teachers should be able to relate to it. Sometime during the early weeks of each semester, we start to identify the different “types” of students in our classes: those who are always well prepared, those who are well prepared but never volunteer, those who always volunteer but never seem prepared, those who need to hear themselves repeat the ideas and comments of others, the list goes on. I do not think the students realize how quickly and accurately they are categorized. Do faculty members realize how quickly and accurately they are categorized by any administrator who deals with each of them on basically the same set of issues?

Somewhere above, I mentioned my predecessor—the one who couldn’t wait to get out of the job. Let’s call her “Barbara.” At one of several informal sessions during which she handed various parts of the job over to me, I asked her to run through the list of our faculty and give me some idea what to expect as I tried to schedule courses, fill committees, etc. I was still the new guy after all. Barbara agreed (although somewhat reluctantly), and we went through the list name by name. Tony (then Dean) was also present and frequently added his observations—always after Barbara’s. I remember that Tony’s assessments were put somewhat less diplomatically than Barbara’s. But I also remember that they did not disagree about anyone. The near identity of their conclusions was memorable because no

one would ever mistake Barbara for Tony, or vice versa. I mean, no one is ever going to say, "Well *of course* Tony and Barbara have the same opinion about X or Y or Z." And I still remember what they had to say, because four years later, I would not dispute a word of it.

A couple of basic traits are especially conspicuous and revealing. The first is candor. I always appreciated it when someone would tell me, for example, that s/he would rather not teach on Monday nights in the fall semester because s/he liked to watch Monday night football. Then I could weigh that request for exemption against those involving little league, PTA, board memberships, community organizations, group therapy, kidney dialysis, or whatever. On the other hand, you will find those for whom every personal preference is couched in terms of some elaborate pedagogical theory and tied to the "best interest of the students." It will be far more transparent than these latter colleagues imagine. Of course, candor is also important in other contexts, many of which are vastly more important than the schedule of classes.

A second basic quality that is hard to miss is how people treat each other during periods of disagreement. This is most likely to be a problem when someone has both (1) an inflated sense of his or her own infallibility and (2) an inflated sense of the importance of the typical agenda item at the typical faculty meeting. I think it is fair to say the former is not uncommon in law teaching. The latter often arises when someone sees his or her principles on trial or under attack at every turn. It is more likely to be about political ideology than religion, but the result is the same. Every disagreement becomes a holy war. Please don't misunderstand; I've got some causes I believe in and some issues I think are very important. And I really do think that what individuals do can make a difference. I think, however, that most of this difference has to do with how we treat each other—not what we proclaim.⁶ "Think globally, act locally" is a catchy slogan—and I think I understand it. A law school faculty is not, however, the most obvious or convincing microcosm within which to play out the struggle between the "haves" and the "have-nots."

I also discovered (or was reminded, I suppose) that even without bothering to inject a cause or a principle, some of us simply assume an adversarial posture toward "the administration" of anything.⁷ This is not unique to law schools or to education. If you have ever served on the board of directors of a homeowners association or similar organization, you probably know what I mean (you are also at risk for ADA service because "someone has got to do it"). Many years ago, I worked for a local utility company digging ditches and fixing gas leaks. I still remember the dramatic change in the sociology of the crew when Albert, formerly one of our own, got promoted from welder to field foreman. That's when Albert became one of "them"—*management!*

6. A related point concerns faculty cliques. It is great to have friends, and important to be loyal to them. But if disagreement is considered disloyal, then you probably should not work with your friends. Perhaps it does not matter much in most job situations. But faculty governance requires each member's participation based on good faith and independent judgment. I think this is a quasi-fiduciary responsibility; it is part of what we are paid for.

7. Maybe it is like cafeteria food. Even if the food is good, complaining just seems like the right thing to do (I think this point holds even if the food is good only occasionally and/or by accident).

Since there ought to be a list here somewhere, the following are a few “faculty types” I have observed, heard of, or maybe just imagined. Please note: these types are *not* mutually exclusive. Also, I suspect that these general types exist in any workplace. It’s just that the incredible flexibility of the law professor’s job affords abundant opportunities for exhibition of these tendencies.

The **whiners** are our colleagues who do not seem to understand what great jobs we have. Sure, parts of our jobs are quite challenging and demanding, but the flexibility we enjoy is unbelievable. Most of us only teach, what, a half-dozen hours per week? And we get to choose how we spend the rest of our working week within remarkably broad parameters. Well, for some of us, even this burden apparently is too great. These are our colleagues who talk a lot about how much work any new idea is going to involve. One actually told me s/he thought it “oppressive” that s/he had been asked to teach in the evening division for two consecutive semesters. I laughed out loud and asked my comrade whether s/he meant “like in the ‘struggle against oppression.’” To his (or was it her?) credit, s/he then laughed, too.

The **litigator/accountants** are whiners stuck in the adversarial mode. They are “owed” something for anything and everything they do beyond showing up and teaching their classes. And if they are not assigned the courses they want to teach at the times they want to teach them, they are owed something for that, too. I understand, endorse and employed the concept of credit in the “goodwill bank” for colleagues who consistently carried more than their share of the workload. But these are not the colleagues who are looking to make a withdrawal for their every deposit into the bank. Quite to the contrary, the colleagues who speak explicitly about “cashing in one of [their] chits” usually do not have any. They also waste a lot of time and energy being “clever.”

Yes, “**clever**” is probably a good word—much better than “conniving” or “manipulative.” More than once, after a brief conversation with a colleague in the hallway, I returned to my office to find some version of the following e-mail message waiting: “This is to confirm (or even “to memorialize”!) our agreement regarding my teaching schedule for the next two years ...” or whatever. The obvious aim was to shift the burden, make my silence agreement, etc. My standard e-mail response: “I understand the concerns and preferences you have expressed and, as I said when we spoke about this, I will do my best to accommodate them.” After a while, I started telling people to put every request in writing. Conversations in the hall did not count, because I could not promise I would remember all the details by the time I got back to my office (often a half-dozen such conversations later) at which point I would have to write it all down anyway.

Another clever stunt involved one of my colleague’s request to moonlight at another law school. Moonlighting is fairly common and can be good for both schools. As ADA, I often called my counterparts at local schools to determine who might be available to cover an unexpected, one-course teaching vacancy at my own school. Although I cannot recall a single instance of anyone being denied permission to moonlight, it is clearly stated in each of our faculty contracts that one must obtain the permission of the Dean before engaging in such outside activity. I ended up being the one who worked these situations out, because the administration’s principal concern was the practical matter of scheduling.

Nonetheless, one of my colleagues insisted on "giving *notice*" (always making it a point to use that word) that s/he was going to moonlight. S/he knew enough not to breach his (or was it her?) contract, but s/he was not going to ask for "*permission*." If I could have been sure it was just self-assertion, however childish, I would gladly have let it pass. But these are lawyers. So, sensing an estoppel claim somewhere down the road, I felt constrained to cite the contract language and correct my colleague's word choice each time s/he pulled this particular stunt.

Then, there is the **self-proclaimed "worker bee."** I suppose the point here is that the deans know who can be counted on consistently to carry more than their share of the work, without complaining and without running a tab. Trust me, if you *are* one of the "worker bees" upon whom every collective endeavor depends, the thing speaks for itself.

It is true that lots of our colleagues are very busy, and many are doing some very important things. I hope it is not impolite, however, to point out the big difference between activities undertaken primarily for the benefit of the school, and those that inure primarily to the benefit of the individual. I realize these categories are not mutually exclusive. The line between the two is neither bright nor easily drawn, but the notion is worth keeping in mind. Should scholarship excuse committee service? Good scholarship enhances a school's reputation,⁸ but it also enhances the author's marketability, and if the author moves, does the school that supported the scholarship keep the gain? I don't claim to know the answer to this or to a host of related questions that have to do with distributing and rewarding faculty work.

I do know, however, that law professors are not very good with numbers. Just as we all laugh about "the 20 schools in the top 10," I think most law faculties have several members, each of whom is pretty sure that s/he is the hardest working person on the faculty. One of my colleagues was quite insulted when I accidentally pointed this out. I had asked him (or was it her?) to teach a small section in that particular year's first-year curricular experiment, for which I needed to enlist more than a dozen "volunteers." S/he responded with a long (and, in fact, impressive) list of what s/he was already doing. "Other people are busy too," I said. "Are you saying other people are doing more than I am?" s/he asked incredulously. "Yes, some are," I said honestly but, I realized too late, unnecessarily. It was as if I'd kicked her (or was it him?). S/he has recounted this episode several times, in my presence, as evidence of "the administration's" insensitivity. S/he reports the dialog pretty much as I recall it, apparently still insulted. I still don't get it.

The **selfish/competitors** deserve a brief but separate mention as a subset of the overlapping groups above because in addition to whining, litigating and cleverly accounting while certain they are overworked, they are preoccupied with the question whether anyone is getting "a better deal." The ADAA job convinced me that even if I had been handing out migraine headaches or broken arms, someone would complain that s/he only got one, while somebody else got two.

8. This is generally accepted as a truism in our business. It is difficult, however, to come up with more than a few arguable examples of schools that have leap-frogged their way up the food chain on this basis. The more dependable benefits of promoting scholarship, it seems to me, are in creating a community of teachers who are also committed to being serious students of their respective subject areas, and of scholars seeking new knowledge and new ways of knowing.

Blame-shifters, by definition, are never responsible for anything about which anyone else complains. If students have a complaint about something at the law school, why try to explain factors the students might not have considered? It's much easier to join the students in blaming "the administration." And if the students are not yet blaming the administration, why not help them identify the appropriate target for their criticism? After a few such bonding experiences, they will surely consider you one of the "cool" professors.

A fellow former ADAAs says he once granted a colleague's request to limit enrollment in a certain class. After the class was filled, however, several students who had not been admitted came to the administration saying the professor had told them it was fine with him if they added the class. When the ADAAs asked the teacher about this, the reply was, "Yes, I said they could enroll, but I really cannot accept any more students." "Then why would you tell them they could add the class?" asked the ADAAs. "Because *you* are the administrator. You are *paid* to give them the bad news," said the professor—with a straight face, I am told. Sometimes, you see, "[choose your word] runs *uphill*."

Crazy people⁹ can, of course, be and do all of the above. What they "add" (so to speak) is the lack of any sense of proportion. I think this would cover the faculty member who, I am told, sent an enraged e-mail message to the president of the university because there were no toilet seat covers in one of the stalls in one of the restrooms on one of the floors in one of the buildings (but that story has got to be fictional, right?). Unfortunately, crazy people can also be abusive—which puts them well outside of the idiosyncrasy spectrum that runs from amusing to annoying. Worse yet, the abuse usually runs "downhill" to staff and/or to students. This ceases to be anything remotely like "funny" and really needs to be dealt with. It also needs to be dealt with in another piece of writing. How fortunate there are no crazy people at "my" school!

None of this is intended as a criticism of my faculty colleagues. Really We have an ample complement of good citizens—including those who might think (mistakenly, of course!) that they are identifiable above. I am counting on them to be good sports; they just happen to have provided memorable evidence of traits that exist in many of us. Moreover, I am convinced, from direct and hearsay evidence, that law faculty dynamics are more alike than different from school to school. Otherwise, frankly, I would not have written this.¹⁰ I really like my colleagues and was glad to "rejoin" them. And since one can probably reach most of the above caricatures by extrapolating from bits and pieces of any of us, I am making a special effort not to engage in any of the behaviors I have described above.

One of my colleagues who wanted me to stay in the ADAAs job suggested that "everyone would understand" if I lightened my workload by "not teaching for a year or two." I am sure s/he meant well, but thinking about my job(s) in that way

9. Perhaps using a word like "crazy" will invite accusations of insensitivity and imprecision. As to the former, what is it they say about people who "... can't take a joke"? As to the latter, I confess. I don't know the clinical terminology. Anyway, maybe no one will complain. I'm probably just being paranoid.

10. I was concerned that I might appear to be trashing my own faculty or school, but fellow ADAAs elsewhere assured me they could top any of my anecdotes. Some offered to contribute stories of their own. I declined most of their offers (or did I?), but only in the interest of getting this done.

suddenly made it clear how easily the part that I liked best could be squeezed out altogether. I told him that the one section of Contracts I'd been teaching while ADAA was like an oasis. As for writing while in the ADAA job, some manage it, but I suspect they have been cloned. E-mail messages, memos, contracts and other personnel actions, ABA and AALS correspondence consumed every written word that I produced. I am sure, however, that it was more than enough for a dissertation.

As my ADAA term drew to a close, one of my colleagues asked whether I was looking forward to "getting back into the trenches." My first thought was that, actually I was looking forward to getting *out* of the trenches and back onto the sofa. In fact, however, I immediately found other uses for all the time and energy that was no longer consumed by administrative work. I have a renewed appreciation for the freedom and flexibility—the privilege—of the academic part of the job.

How can I recommend that anyone else step into a position I am glad to have left? Well, although I am glad to be getting back to full-time teaching, I am also very glad to have had the ADAA experience. I learned a lot about my own law school and university, and about other law schools and universities. I learned a great deal about legal education and its structure and administration at levels beyond the individual school. I drew on and developed some skills I did not know I had, and I believe I picked up some skills that will continue to serve me. The job also presented a new set of challenges and a break from what had become the routine of teaching.

Finally I would like simply to make a pitch for plain old "service." Law schools really do not run themselves. If it seems otherwise, it is because several administrators are doing excellent jobs. Some administrative jobs, of course, are "permanent." But I think of the ADAA job like a cross-country drive: everyone who has a license really ought to take her or his turn at the wheel. If you want to be a dean, or think you might want to be a dean, a term as ADAA is an excellent way to prepare for "the big job" even as you decide whether you really want it. But the "mouse" job is worth doing even if you are not in training to be a rat. Just running the maze is good exercise.

PART TWO: NO GOOD DEED GOES UNPUNISHED

As dean you have many constituencies: the students, the central administration of the university, the alumni, your staff, and the faculty. These remarks focus on the faculty, which I believe is the most important of these constituencies. The wonderful thing about faculty is that they have no idea what the dean does. They all have a vague understanding that the dean does what is beneath the dignity of the faculty to do, and believe that his or her chief responsibility is to act as a shop steward, representing the faculty before the central administration. Even though they had little idea of what I was doing on a day-to-day basis, the faculty was the group I most enjoyed dealing with during my ten plus years as dean. In dealing with the faculty, however, the dean must wear many hats and play many roles. At various times the dean must be a little league coach, a publicist, a choirmaster, and sometimes—at least in the eyes of some faculty—a villain in a poor melodrama.

Coach

The job of the little league coach is to find a spot for each kid to play, even if the kid might not be the most talented baseball player. The faculty is a school's greatest resource, but this is not to say that a dean is blessed with many faculty members who might be considered ideal: a productive scholar who teaches large classes well, has great ideas for advancing the mission of the school, and can be counted on to shoulder a more than a fair share of necessary committee work. When I became dean we had not hired any new faculty for quite some time. As a result all fourteen members of the faculty were tenured and, frankly, few fit into the "ideal" category.¹¹ But each faculty member cared about the school and brought something special to the institution.

I knew it would be impossible (and therefore quite frustrating), to try to shape each of my colleagues into that perfect faculty member. So, instead, I did what most smart deans do and played to the strengths of each member. We had some members of the faculty who I knew would never publish again, but who were fine classroom teachers. After discussing the issue which each, I gave these folks very heavy teaching loads and stopped nagging them about publication. On the other hand, those faculty members who enjoyed writing were given lighter teaching loads, more student assistance, and economic incentives to publish. One faculty member devoted an enormous amount of time to tutoring students and preparing them for student competitions, but was less successful in traditional classroom teaching. I assigned him exclusively "skills courses" where he was well received by students. As a result, he found the time to help students win several competitions and he developed a couple of new skills courses, which remain as popular curriculum offerings to this day.

Publicist

Law teaching can be very isolating and one thing that surprised me, particularly when our faculty began to grow, was how little many faculty members knew about what their colleagues were doing. Even the most informed seemed only to have a partial view. I would often hear the refrain "Don't assign me to that committee. What about Professor X? He has lots of time" or "I deserve more [fill in the blank: money/travel/office space] than Professor X because I am so much more productive than he." Often when I would then explain to the disgruntled member what Professor X had recently accomplished, I would get a grudging acceptance that perhaps my decision was not totally arbitrary.

Conversations like this led me to conclude that I was not doing enough to keep the faculty informed of the achievements of their colleagues. So in addition to memos that would come out of the dean's office about every two or three weeks noting who had published what and where and who had presented at what conference, we started little recognition events like book signing parties for those who had published books within the past year and presentations where faculty

11. When I returned to the faculty we had a better mix of tenured and non-tenured faculty—including some who might be considered ideal.

would present their research to the rest of the faculty. These efforts helped a good deal, particularly in letting the older faculty know what their younger non-tenured colleagues were doing, but they were not totally effective. I realized this when one faculty member came to me and said that he had not seen Professor Y for some time. He was a little surprised when I told him she had left the faculty a year ago and returned to private practice.

Choirmaster

I'm an opera buff and I sometimes think being a dean is like trying to get a bunch of gifted opera divas to sing together in a chorus. These prima donnas, who often don't have the best interpersonal skills, are used to being center stage and getting what they want. If you think about it a law faculty it is not so different. It is composed of exceptionally talented people who generally work alone, are used to being listened to, and who often don't have the best interpersonal skills. Getting them to all pull together to advance the mission of the school is sometimes difficult, especially when internecine conflicts break out over how limited resources should be allocated. It sometimes took lots of individual and small group meetings with faculty members to get them ready for faculty meetings at which important issues would be decided.

Villain

Sometimes just doing your job as best you can turns you into a villain in the eyes of some faculty. I think it was Mark Twain who said that the difference between a man and a dog is that if you feed a hungry dog it will never bite you. Unlike dogs, most faculty members have very short memories and no reluctance in biting the hand that once fed them. This was particularly true with faculty who were hired as "skills-track" faculty. Without exception, these new hires were always delighted to become voting members of the faculty and were initially pleased with their long-term contracts. But also without exception within a short time, their delight turned to consternation when they looked around and realized that they would not be eligible for general tenure.¹² I was no longer the person responsible for their being hired. I had become the person responsible for their mistreatment and oppression.

Another illustration that "no good deed goes unpunished" concerned the dean of students, who at our school is an administrative appointment. I had three deans of students during my tenure as dean. All were very well qualified and, after a short time on the job, all wanted to do some classroom teaching. I was happy to accommodate their requests and even supplement their incomes. But in time, some felt that they were being abused. Weren't they working just as hard as the Associate Dean? And shouldn't they receive the same pay? I made little headway when I pointed out that the Associate Dean had come from the tenured faculty and had many more years of teaching experience.

12. The faculty eventually agreed that faculty teaching in clinics and other skills areas should be eligible for general tenure.

Conclusion

Well, it seemed to me that the old adage that “friends may come and friends may go, but enemies you accumulate” could aptly apply to any dean trying to do his or her job. To make sure that I would not accumulate too many enemies and overstay my welcome I devised an exit plan. Two of my colleagues, both of whom I respected a great deal, never seemed to agree on serious issues confronting the school. I went to them and told them that if they both came to me, telling me it was time to resign that I would. Well we never did have that conversation, however, after ten and one-half years as dean, I left administration and returned to the faculty I am happy to say that my colleagues warmly received me. It just goes to show that faculty members don’t hold any grudges!