

SOME THOUGHTS ON STEPPING DOWN AFTER A LONG TERM OF DEANING

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I stepped down (or up)¹ from the deanship at the BYU Law School in June 1, 2004, after fifteen years as dean preceded by fifteen years as associate dean, all at BYU. My time in the deanery spanned all but the first year of the law school's existence. It was a wonderful professional and personal experience to be a part of the building of the law school. The faculty of a law school is, of course, the core around which a law school is built. My association with the faculty was overwhelmingly very rewarding and positive. I found that even when differences of opinion occurred, faculty members were principled in their disagreements and were guided by honestly held views of what was best for the institution. My faculty colleagues are great people and great friends.

Of course, the students with their inexhaustible infusion of eagerness, energy, and optimism add importantly to richness of the experience of being a law school dean. They are not always reasonable. They are young and confident. Most of them are willing to learn and to follow. I have been pleasantly surprised at the very large number of students and graduates who have become dear friends over the years.

I had anticipated stepping down at the conclusion of my third five-year term. It was a good time for a change in leadership and for me personally and for the law school. Continuity is one thing, but 30 years in the deanery at the same school is stretching the point.

I always considered it a privilege to serve as dean of the BYU Law School. In the fifteen years prior to 1989 when I assumed the deanship, I had served as associate dean under three remarkable deans—Rex Lee, Carl Hawkins, and Bruce Hafen—in the establishment and early building years of the law school. Because of those years of tutoring by the three of them, I felt I knew something of what it would be like to be dean of the law school. But I soon learned that I did not adequately anticipate the multitude of personally enriching experiences that would come into my life because of my role as dean.

For me the transition from deanship was gentler than it might have been. The search for a new dean was successful in all respects: an excellent dean was selected with the overwhelming support of the faculty; the faculty, staff, and students had full opportunity to consider the progress of the law school and to identify areas where improvement were needed; and there was a community catharsis in the process, which resulted from the very good work of the search committee.

Much is written and said about the difficulties of being a law dean. Law dean tenures are, generally, too short. The work is, in fact, very challenging. Some days and weeks are really hard. The combination of meeting schedules, traveling,

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1. See David E. Shipley, *Resigning as Dean: Stepping Down or Stepping Up?*, 35 U. TOL. L. REV. 189 (2003).

institutional financial stresses, and dealing with faculty, student, and staff concerns is challenging to say the least. Combining all of that with the multitude of roles the dean plays in representing the school to alums, bar leaders, and others in the profession including the legal academy and the broader university community presents a truly daunting challenge. For me, the relentlessness of the demands felt all-consuming at times. Thus, the welcome anticipation of putting down the load. And so now after a combined 30 years of deaning, I am in the early months of a sabbatical leave working on projects that I hope will assist my transition to full-time teaching—an experience I have never had. Although three or four months away from the dean's office is insufficient time to formulate many strong conclusions about the transition, I can report on some early feelings and comment on a few tentative conclusions regarding the transition to becoming a full-time faculty member.

There are aspects of my new life that I really like:

1. My calendar, on a typical day, has nothing on it.
2. My telephone rarely rings.
3. My e-mail traffic has all but stopped. (I have successfully blocked almost all junk e-mail).
4. Without the hosting responsibilities of the deanship, I can give full attention to BYU home football games and behave more naturally when an official makes a particularly bad call. Given our team's bumpy start this season, this is, frankly, not all that much of a benefit yet.
5. I am not obsessed with obtaining money to finance the law school, and I have not read a single budget report since May.
6. I am not very much concerned at all about next year's *U.S. News & World Report* rankings and what we need to be doing to take advantage of statistical opportunities to improve our rankings.
7. I do not have to attend university dean's council meetings.

There are some things about no longer being dean I know I do not like:

1. I no longer have a reserved parking place near the entrance of the law school. I now better understand the seriousness of the complaints of students and faculty about parking.
2. I have to answer the question, "What are you doing now that you have retired?" or its variant, "How are you enjoying your retirement?" even though I am NOT retired.
3. I do not have a personal secretary.

There are things about no longer being dean that I am not so sure about:

1. I don't know if I like not having the feeling of being in charge. It was my experience that nearly every day of my deanship provided something institutionally significant that needed to be accomplished. The challenge of advancing the institutional ball, even if only a little bit, provided incentive to be at my best every day.

2. Because my calendar has nothing on it, I must decide on my own what to do. This is actually more difficult than it may seem. Much of what a dean has to do is thrust upon him or her by forces beyond the dean's control. Typical days have insufficient time to ponder or to initiate personally interesting projects. Now, without having to meet the demands of others, I have a luxury of time I have not known, and it is a bit puzzling so far.

There are things about no longer being dean that I miss:

1. Participating in the events of the law school, which have taken me and my wife across the globe and have given us opportunities to meet and know people from many countries and cultures that we would never have had the blessing of knowing. These experiences really are an important part of the treasury of memories that resulted from being the dean of an American law school. I understand that opportunities of this type were possible only because of being in the academy. And amazingly, law deans are given more deference in these settings than they deserve.
2. The regular interaction with the associate deans and other administrators. The critical roles of associate deans, administrators, and staff generally are not fully understood and are consequently undervalued by faculty and to a lesser extent by students. So much of what it takes to create and maintain institutional stability and sound constituent relationships is dependent upon the consistent excellent work of these people. The face of the law school to applicants, alumni, donors, employers of students and graduates, bar leaders, and the general public is significantly, if not primarily, the result of what these people do. I have found that there is tremendous institutional commitment among these important colleagues.
3. Being a part of the decision-making processes on the day-to-day operations of the law school. I enjoyed problem solving with my team of associate deans and other colleagues and then implementing our plans. We had success often enough that there were frequent feelings of significant accomplishment.
4. The interaction with external constituencies, including alumni and bar leaders. This is beginning to feel like a substantial loss in my life. A strong alumni association can provide valuable support to students, graduates, and to the law school in a wide variety of ways. Perhaps the greatest challenge to effectively harnessing alumni is in clearly identifying what you would most like them to do. A close second is effectively conveying thanks for their important contributions. That said, alumni can provide a much needed and reliable asset for the law school through the financial and personal contributions of time and expertise, which graduates are generally willing to give if given the opportunity.
5. Opportunities to share the vision of the future for the law school with people who can help make the vision a reality. I realized I was going to have to ask people for money when I agreed to be the dean. I frankly doubted that I would like that part of the job, and I didn't think I would be very good at it. Not everyone understands that a law dean must be busy raising donations.

Several years ago one graduate wrote to me to proclaim that he would not be contributing to the annual fund or to any of our funding projects because he was offended at the specter of the dean of his law school looking for all the world like a street beggar with hand outstretched holding a tin cup. Gratefully, that view is not widely shared and, in fact, some of my most memorable and rewarding experiences have come about as a result of asking people for money, as well as some very dear friendships. My life has been greatly bettered because of this part of my dean's work.

Conclusion

As I look ahead, I am pleased to become a faculty member full time for the first time since I joined the faculty at the BYU Law School. Throughout my deanship, and earlier while associate dean, I taught a course each semester, except for one or two semesters during the busiest time of our capital campaign for the library expansion. Most of the time, I felt somewhat under-prepared for class. I am pleased to have time to delve deeper into my subjects and to have more time for class preparation. I anticipate with some excitement to a rather complete overhaul of one of my courses and to adding a class or two to my teaching repertoire.

There is no doubt that the opportunity to be the dean of the BYU Law School was the most rewarding and important professional experience in my life. I am changed because of those experiences, which have enriched my life, brought literally hundreds of wonderful people into my circle of acquaintances and friends, and shaped a more grateful heart in me.