

FROM WATER CLOSETS TO ALUMNI RELATIONS: A FEW REFLECTIONS ON WHERE THE DEAN'S TIME IS MOST PRODUCTIVELY DEPLOYED

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THE University of Toledo Law Review's annual symposium issue on "Leadership in Legal Education," or less vaingloriously, on "Short Essays from Sitting Law School Deans," has been a creative and useful innovation. Now in its fifth edition, the symposium, under the gentle but persuasive guidance of Professor Bill Richman, has offered a rare glimpse into the life, attitudes, triumphs, and frustrations of law school deans—and, surprisingly, there is actually interest in some quarters in taking a peek. Therefore, I was pleased to be asked to make another contribution for this year's issue, and I set about eagerly to the task.

There was, however, just one problem. After four issues and a hundred essays, give or take, what's left to talk about? Faculty governance? It's been done many times, and often with acerbic wit or exasperating frustration. Law school/central university relations? Several perspectives given, including my own. Advice for the new dean? More than one could absorb in a lifetime. Fundraising, teaching, scholarship, retreats, affirmative action, rankings, community outreach, interdisciplinary studies, budget, leadership styles? All have been addressed, and usually in a thoughtful manner leaving little room for much of anything save repetition.

So I needed something fresh and gave it a great deal of thought. I reflected on what I've done, what I might have done differently, and unexpected aspects of the job. I thought about successes and failures, and there have been a few of the former and plenty of the latter, but, alas, no epiphanies. Surely, there must be some topic critical in importance but unexplored in the pages written heretofore. "You just have to think outside the box," I told myself, "What are some of the weightiest issues you've encountered and been charged to manage?" And then I thought I had it. Something no one has raised or even mentioned in passing before, but which looms large in the day-to-day life of a sitting (no play on words intended here when you see what follows) law dean; namely, should the dean have his or her own private loo, (uh, bathroom)? I do not,¹ and there has been more than one occasion when (for a variety of reasons that are probably best left to the imagination) I would have liked one. But what are the subtle symbolic entailments of that sort of elitism—one stall and no waiting? What kind of message does it send to the students, faculty, central administrators who are forced to walk down the hall, and

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1. I would allow as to how the dean's suite does have its own refrigerator and microwave, but then those accoutrements are also available to faculty and students in their respective lounges; the WC, then, would be quite a different kettle of fish altogether.

even occasional visitors to the dean's suite who inadvertently go through the wrong door?

On reflection, I quickly realized that there's a lot of meat on this particular bone, and it's a topic that to my knowledge has largely gone unexamined not only in this symposium series but in the academic literature generally. But really, is that what people want to hear or read about? The opportunity for scatological humor was tempting, but I finally concluded that the risk of being perceived as superficial, selfish, and undignified was too great. Indeed, my school could even get hurt in the all-important reputational ratings if some prudish, up-tight, narrow-minded opinion-maker perceived my essay as in poor taste. So back to square one. Bill helpfully suggested something along the lines of the dean as a continuing legal scholar, but who would believe that? Hence, I've decided to talk about something a bit more prosaic but certainly no less important. A subject not only less likely to get me into trouble, but also one that I honestly don't think has received adequate attention.

There has been much discussion, in this series as well as in law deans' meetings, about the challenges presented by the fact that the dean has half a dozen or more natural constituencies, each of which thinks it ought to be the dean's first priority, and none of which are preeminent by definition. But I think that last part is not necessarily true. While it may not always have been so, the modern law school dean does, or at least I think should, consider one constituency as uniquely his or her own. That constituency is the school's alumni, and that's what I ultimately want to address in this essay—alumni relations—and not just as a piece of the development picture, which it clearly is, but as the arena where the dean faces unique challenges and is presented with abundant opportunities to make a difference for his or her institution.

As I think about it, I probably spend more time on alumni relations than any other aspect of the job.² Of course every school is different in terms of what it needs from a dean. The needs of public schools are different from private schools, just as newer schools have a different mix of need priorities than established institutions. Some faculties require more of an intellectual leader in the building; others schools need someone with a so-called "vision"; while still other institutions are quite content with a dean who can simply keep the ship on course, push the paper, and interface with the central university. But, I would maintain, no school can afford to ignore good alumni relations, and there is really no one as well suited to handling the task, or capable of carrying it out effectively, as the dean.

Law school deans enjoy a certain cachet relative to their peers elsewhere in the academy. Just as law alumni tend to identify much more closely with the law school than the larger university, so, too, do they tend to respect and idealize the law school dean much more so than can be said for the deans in other disciplines, including other professional schools. This can be heady stuff, and the standard admonition to new deans is to remember that it's positional rather than an artifact of the dean's personal charm or accomplishments. But it exists. And this affinity presents the opportunity for the dean to have the most significant impact in the

2. This assumes one regards development as part of alumni relations. However, in my view, if one has good alumni relations, development follows as a matter of course. Thus, I consider the two as inextricably intertwined.

arena of alumni relations and, in the process, effectively serve his or her other constituencies.

In making this case, I'd like to explain first the important role I believe alumni play with respect to the health and vitality of the institution. I doubt anyone disputes that they play a role, but it's my contention that their role is in fact the most critical. More so than any other constituency, I am convinced that enthusiasm and support from alumni can be the lynchpin that makes the difference between a school elevating its prominence and reputation or sinking into a hopeless miasma of mediocrity. Next, I will examine what I regard as four of the greatest challenges the dean faces in connection with alumni relations and, then, finally, modestly offer some suggestions for maintaining constructive and effective alumni relations.

For better or worse, unlike the sciences, engineering, and even the liberal arts, most of our institutional support comes from alumni, directly or indirectly. We don't live or die on private and governmental grants, sponsored research, and corporate philanthropy. I think, as institutions, law schools are beginning to recognize and take better advantage of these sources of support, but our efforts so far mostly pale by comparison with our colleagues in medicine, business, public health, and engineering. Also, while advances in instructional technology have made law schools much more capital-intensive enterprises than certainly was true in the past, we still don't have to maintain expensive labs or incur huge faculty start-up costs. Moreover, while recent years have seen an encouraging growth in empirical research, most of our research still largely occurs in the library or in front of our computer screens; that is to say, it's cheap to perform.

All of this has meant that our support has been and remains primarily alumni-based. That's undoubtedly one obvious and important reason why alumni relations must be an important component of every dean's job. But it goes much deeper than that, and my primary focus in this essay is on the non-financial contributions alumni can provide, fully recognizing that the more alumni are involved at every level, the more likely they are to give of their money as well as their time.

In today's competitive environment, none of us view our mission as serving the educational needs of aspiring lawyers in our immediate community. We all see ourselves as "national,"³ or certainly regional, in orientation and uniformly aspire to cast our nets even wider. While some may quibble, there's nothing wrong with this. The learning experience is simply much richer when students are able to learn with peers who come not only from different political, cultural, and economic circumstances, but also different geographic environments. So we are all playing on a national stage but, for the most part, doing it with staffs that are no greater in size than they were when our aspirations were far more humble.

This is one arena, beyond financial support, where alumni can play an essential role; namely, as advocates and ambassadors of goodwill for the school in their communities and with their networks of professional and personal contacts. Alumni are, or can be, in effect, your surrogates and your agents, allowing you to reach

3. Even this may be an understatement. At last count, I believe we are now up to 41 "global" law schools.

simultaneously more markets than would ever be possible with your own staff and to penetrate those markets with great efficiency.⁴

To begin with, alumni can “talk up” the school among prospective students with whom they will inevitably come into contact through family, friends, neighbors, business associates, and clients. This kind of endorsement is not only more personal than any glitzy view books and other propaganda disseminated by our Admissions Offices, it’s also more credible. When we hype our own programs, our pitch is taken with just a grain of salt, and rightly so. We’re impeachable on grounds of interest and bias in a way that alumni, despite the connection to the school, simply are not.

For years, the “Ivys” have made a local interview with an alumna/a the first step in the undergraduate admissions process. I don’t know for certain, but I strongly suspect that the results of these interviews have almost no bearing on the ultimate admissions decision. Rather, it’s a way of keeping alumni connected to, and feeling valued by, the institution; alone a good and sufficient justification for such programs. At the law school level, however—or at least for most law schools—alumni “interviews” of prospective students, and particularly admitted students,⁵ can play a vital role in influencing the student’s decision in a manner that is neither possible nor necessary when a high school student has decided to apply, for example, to Princeton. Thus, there can be purposes of both form and substance served by inclusion of alumni in the student recruiting process. Indeed, at the risk of revealing a trade secret, for the past two years as we have held alumni receptions in cities around the country we have started inviting admitted students from those areas to these events. Our impression is that this has had a powerfully positive impact on those students who do attend—and who are lavished with attention by alumni waxing nostalgically and warmly about their own student experiences—as well as those who are unable to be at the function but regard the invitation as a much appreciated personal touch.

Career services is another obvious area where an organized and active alumni network can pay significant dividends for matriculating students and recent graduates. Given the staggering educational debt that so many of our students incur,⁶ placement looms large both as a moral imperative and a practical necessity. More selfishly, no matter how positive a student’s law school experience may have been, if he or she leaves with a sour taste because of dissatisfaction with the

4. Which is to say that alumni are unpaid agents. Doubtless, from a budgetary viewpoint this can be a very good thing indeed, and the adage that you get what you pay for, while true in many other contexts, does not apply here.

5. These meetings do not have to be, and ideally should not be, structured as interviews per se. In fact, it is far more effective when they are casual. Having an alumna invite an admitted student to her office for coffee to talk about the school, or meet with a small group of students in the area for a drink after work, are both preferred to anything resembling a formal job interview. Law alumni are best pressed into service as salespeople, not screeners.

6. At Tulane, about 86% of our students graduate with educational debt, and the average amount of that debt, including undergraduate loans, approaches \$100,000.

services provided by the school in facilitating a job search,⁷ it will be a long time, if ever, before that graduate feels disposed to begin supporting the school.

I believe for both of these reasons most of us are devoting more of our own time and an increasing quantum of our resources to our “placement” operations. Nevertheless, there are finite limits to those resources and, more importantly, finite limits to the ability of career counselors on campus to help guide a student’s job search in a city 1,000 miles away. There is simply no substitute for being on the ground in the local legal culture. Thus, again, our alumni can be, if not our salvation, at least our eyes and ears in their markets. From encouraging their own firms and organizations to recruit in both on and off-campus programs to serving as a general informational and networking resource for students seeking to return or relocate to their communities, alumni involvement in career services can be extraordinarily valuable.

When it works, it works—alumni enjoy the student contact and the sense of purpose, the school appreciates the relationship and assistance, and the real winners are the students. But for it to work, careful coordination and control is needed on the home front to ensure that alumni who volunteer to help are neither overwhelmed with frivolous calls and e-mails nor ignored once they’ve been asked and agreed to be part of the network. Speaking generally, law school alumni are willing to give generously of their time, but they have a very low tolerance for having their time wasted. As with all programs involving alumni inclusion, therefore, meticulous internal preparation, planning, and monitoring in the execution are critical to guaranteeing a positive experience.

The list of additional ways in which alumni can play a pivotal role in the law school’s fortunes includes, among others, serving on the adjunct faculty, opening doors with potential corporate donors, making introductions to key staff at foundations whose philanthropic interests match an opportunity at the school, and running interference when the school is faced with a delicate political situation. In the latter case, whether it’s a program that has evoked controversy⁸ or a critical negotiation with the central university, key alumni can play an important mediating role. By the way, I chose that term—mediating—quite deliberately. In these situations, alumni can help soothe uncontrolled passions and promote understanding and constructive dialogue. They can facilitate and open lines of communication and keep tempers in check. Harboring the fantasy, however, that alumni will go to “battle” for the institution with whomever is the demon du jour is as ill-advised as it is fanciful. While lawyers often tend metaphorically to posture issues in terms

7. The fact of the matter is that any student who graduates without a job is going to be just a little miffed—although judging by the reported U.S. News employment statistics, thankfully, this appears to be a shrinking percentage of most law school classes. Some students, however, are not realistic about their expectations of our career services function. They assume the office is there to “get” them a job, as opposed to assist them in what is, after all, *their* job search. Hence, I use the term “facilitate” to differentiate those students who have legitimate gripes from those who do not. As a practical matter, however, the members of both groups are about equally thrilled to receive their first annual fund solicitation, not making that nuanced distinction about legitimacy. On the other hand, their replies often make colorful, albeit not uplifting, reading.

8. See *infra* note 10. While I was assured that the essays for this symposium are intended to be informal affairs not even requiring footnotes, I did want to slip in at least one *infra*.

of combat and warfare,⁹ as educational institutions we need to be in the business of educating, not chalking up pyrrhic victories. But this does not in any way diminish the value that an influential and supportive group of allies can have in times of unusual challenge that, inevitably, we all have or will face.

Having extolled just some of the ways in which alumni can make huge differences for the school if properly motivated and utilized, it's also fair to point out that alumni relations can sometimes prove extremely ticklish. I'd like to describe what I have found to be the four biggest challenges in dealing with alumni before turning to some suggestions, based on my limited experience, for fostering useful and profitable relationships with alumni. In no particular order, I'd label these challenges as follows:

1. The law school (or someone associated with the school) is doing something I don't like or with which I disagree.
2. I've decided after thirty years of practice that I have a lot to offer and so I've decided I'd like to join the faculty.
3. Please admit Johnny (who doesn't test well) as a personal favor to me.
4. The law school should be teaching [fill in the blank].

Lamentably, it is not atypical for alumni to focus on one aspect of the law school's rich array of curricular and co-curricular programs, or the activities of a particular faculty or staff member, and find fault. It may be a journal devoted to a topic that some alumni view as an anathema, it may be the publicly articulated political or policy views of individual faculty that offends others, or it may be a clinic that certain alumni regard as a "black eye" for the school. Personally, I've had the joy of dealing with all three.¹⁰ It's easy to get mad and defensive at what might be fairly regarded as reactionary or unwarranted opinions on any of these issues, but expression of that anger and pique only hardens attitudes and deepens the rifts. At the risk of venturing somewhat out of my professional domain, I have found that first and foremost one has to acknowledge the concern—something akin I suppose to a combination of active listening and empathy. That does not mean, however, compromising one's institutional values and ideals.

First, it's been my experience that being shown the respect of a personal meeting with, and having the opportunity to vent directly to, the dean has a way alone of defusing the issue—no one likes to feel that his or her concerns are simply being ignored or trivialized. Remember, they wouldn't be so upset if they didn't care, so view the anger as a positive sign. Second, in some instances, the unhappiness with the school's program or activity is the product of fundamental misunderstandings about what that activity is really about or not about. As is often the case, mistrust and misconception are bred in ignorance. This is why it is much more important for

9. Indeed, lawyers frequently use metaphorical entailments of warfare in talking about their cases; e.g., "taking no prisoners," "shedding the first blood," "victories and defeats," etc. It makes you wonder where this comes from, as surely they didn't internalize these values in law school, right?

10. Among the targets of complaints I receive from time to time, our *Journal of Law and Sexuality*, a faculty member who is defending efforts to outlaw cockfighting in Louisiana, and our *Environmental Law Clinic* loom large. Indeed, the last could be the subject of an entire essay on its own, but, first, I want to do the private bathroom thing.

the dean to reach out to the alumnus/a who *doesn't* want to see you because he or she is mad at the school than it is to be seduced into spending time only with the alumnus/a who is happy, content, and flattered that you want to meet. We cannot afford, nor is it our place, to write off some cohort of our graduates who want nothing to do with the school because of their anger over some aspect of our programs—or at least not write them off until every reasonable effort has been made to salvage the relationship. Finally, sometimes alumni just need the reassurance from the dean that a publicly espoused view expressed by somebody affiliated with the school reflects their personal opinion only and not the official policy of the corporate body.

Alas, there are still occasions when, even after full and informed discussion, the disenchantment remains unabated or proves fundamental. It is at these points that we sometimes have to agree to disagree. My own approach to dealing with these situations is to lay down the gauntlet by explaining that, unlike in the private sector where performance is gauged by a single metric, our goals are by definition more multifaceted and open-ended than a bottom line result at the end of the year. Therefore, I explain that “sooner or later we are going to do something or someone will say something that’s going to tick you off. However, when the sun sets in the west,¹¹ you either support us or you don’t; no one gets to pick and choose or control the agenda.” In other words, it’s our job to try to make alumni, and for that matter non-alumni, understand that our institutions need to be neutral fora for experimentation and diversity, where all views can be freely expressed, and the only thing that would be troubling is if any one view felt unwelcome or suppressed. Sometimes this message resonates, and sometimes not, but it never works in the long-run to pretend you’re something other than you are or to make promises you can’t keep.

Speaking of being plain spoken and straight-out when necessary, I have learned the hard way that, in the long-run, any response other than a direct one to the alumnus/a who expresses a desire to join the full-time faculty runs the serious risk of creating exaggerated expectation and false hope. The first several times this came up, never being one to mince words, I’d try to deflect the question by mumbling something incoherent and suggesting I would bring this interest to the attention of the chair of the faculty appointments committee. On more than one of these occasions, what the alumnus/a heard was that it was basically a done deal. Now I take a different tack. Although I acknowledge, first, that I’m sure he or she would be a great teacher and has much to offer—which is usually true—I also make it clear from the get-go that the likelihood of this happening is remote for a variety of reasons, not all which may be fair or rational, but each of which is quite real nonetheless.

It’s important to tell the truth (it’s amazing how universal that admonition is and how infrequently it’s actually expected), which, in the case of appointments, is that the dean is probably the single *least* important person in the process at least until the faculty has authorized the offer. It’s also important to explain what

11. I use this somewhat awkward phrase deliberately only because I’ve become nauseated at how overused the phrase “at the end of the day” has become, although I concede it probably would have sounded better here.

faculty—rightly or wrongly—tend to look for in new appointments, which is not experience necessarily, but individuals with the usually proven potential to make a career out of an academic life. The criticality of scholarship as an essential component of our professional identities cannot be overemphasized, nor can the expectations and rigors of the tenure process. Finally, I'm also upfront about the bias most schools have against hiring their own graduates and the reasons there for—again, always objectively chronicling the process without either defending excessively or decrying hypocritically the fact of the matter. If you're honest, people may be disappointed but they usually appreciate it; which is to say that the message will get across without, in most instances, the messenger taking any shots.

So, you've successfully developed a personal relationship and friendship (see advice below) with a particular alumnus. He is now supporting the school and doing so generously. Then comes the call that he would like you to admit a dear friend's child who is a terrific person and whom he has known since childhood, but who only has an LSAT score of X and an undergraduate grade point average of Y. However, your friend and ardent supporter assures you that this individual is extremely bright. He is certain she will be successful in law school, and that she is "just not a good standardized test-taker." You promise to look into it and, more often than not, discover that the actual LSAT is X minus 5 and the GPA is Y minus five-tenths. Indeed, by dint of objective credentials, this student is in the bottom ten percent of your applicant pool and your current acceptance rate is about one out of five. What do you do?

First, let's be honest, institutional interest, legacy, etc., do play a role in our admissions decisions to one extent or another, but ordinarily as a small "plus" factor and certainly not as an automatic pass. Second, federal privacy laws prevent you from discussing or revealing any of the specifics in the applicant's file without consent. So how do you handle this situation? Again, I would submit the best advice here is a polite but firm and candid one. It is possible, ordinarily, to communicate how far out of your normal range of admissions this applicant is without revealing her to have stretched the truth just a tad and, just as importantly, without violating her protected rights of privacy.

To begin with, one can speak in terms of number of applicants, acceptance rates, quality of the pool expressed in percentage ranges, the issue fairness *inter se* among applicants, and so forth. I normally also point out that we are a very expensive school and, therefore, feel an obligation not to offer admission unless we have a high level of confidence in the student's ability to successfully complete the program. One can then say, and say without it being personal because, after all, you don't know this candidate, that "in our experienced, although admittedly not infallible, judgment, this applicant fits the profile of students for whom we may not be the right program." I typically couple this explanation with an offer to meet with the student to discuss other options (and do so, if requested) and also point out the possibility (although not guarantee) of being able transfer after the first year if the student attends another school and essentially proves us wrong by performing above a certain level—that level tending to vary, quite frankly, based on how realistic I believe it to be that we would ever admit this student.

I have found that most alumni are pretty understanding about this. There are, however, concededly a few who regard their support as having bought them more

influence than you can possibly allow or deliver.¹² In those cases, you will probably lose the support, but the alternative is unacceptable. Moreover, the one conversation I assiduously steer away from is the one that suggests or even implies a quid pro quo for the admission either from the family of the applicant, who would be “extremely grateful” and are “very comfortable,” or the alumnus/a himself or herself.¹³

Turning to the last challenge, we all know that there is a fundamental disconnect between what many in the profession thinks the law schools *ought* to be doing and what most of us believe is our primary role and mission. Thus, it is not at all uncommon for alumni to advise you about how the law school’s curriculum should be reformed, usually by inclusion of more doctrinal and practice-oriented courses.¹⁴ While some of these recommendations may not be “bad” ideas (ok, yes, most are) this can be a real quagmire. Now one could legitimately take the dodge here that curriculum falls squarely in province of faculty governance over which the dean has little control¹⁵—and, indeed, for some faculty the dean is a consistent negative bellwether. But really, how often do you want to put yourself in the position of sounding weak and wimpy?

My approach, therefore, (and offering some comfort I actually believe this to be true) has been not only to point out the enormous growth in the skills-oriented aspects of our curricula over the past twenty years, but also to emphasize the need for and importance of balance. Specifically, after explaining that there are diminishing returns and finite limits to our ability to teach practice skills,¹⁶ I try to

12. I once had a University trustee, whom I had disappointed on an admissions case, ruminate, “What’s the point of being on the Board if I can’t get someone into law school?” Indeed.

13. Note, I said I assiduously avoid the conversation; I didn’t say I’m inattentive to the possibility. On the other hand, when it comes to admissions, I’m much more influenced by consistent, demonstrated support than I am by rainbows promising a pot of gold at the end.

14. These include suggestions for courses in topics such as client development, how to take a deposition, and purchasing malpractice insurance. Not that there’s anything “wrong” with any of these subjects. It’s just the fear that it may be the slippery slope to “Legal Flora”: how to choose plants for your law office. There’s nothing new in any of this. When I was a third year law student, the board of visitors, after careful study, identified what they termed the 22 irrelevant courses being offered at the time by the school. Of course, at that point, I was either currently enrolled or had successfully completed nine of those courses. Even today, the Council of the Section of Legal Education of the ABA is considering an amendment to one of the accrediting standards that would require all students to receive “substantial instruction in professional skills.” It is not yet clear what this means, or whether Legal Flora would satisfy this requirement.

15. Comparisons between a law school dean and the CEO of a private company are woefully off the mark. I frequently find myself voicing a great quote, which I understand but have not verified is attributable to Mahatma Gandhi: “There go my followers, I must lead them.”

16. Other than in live-client clinics, which are extraordinarily expensive to operate, and externship programs that raise serious questions of evenness in the quality of the experience, skills can be taught only through simulation. In my experience, the problem with simulation exercises is that they are not real, and thus do not carry the same sense of immediacy and importance that is true of real client representation. In other words, students, and for that matter faculty, can only willingly suspend their disbelief for so long. Another practical problem is the ability of our faculties to teach skills effectively. I have individual alumni who alone probably have more practice experience than our entire faculty collectively. Finally, it is difficult and of questionable utility to try to teach real world practice skills until students have a firm grounding in legal methods, sources, and analysis. This takes time and in just a three-year program there is precious little of that available for meaningful practical instruction

make the case as to why it is equally if not more important that we also imbue our students with the broader ability to think critically and reason analytically about the law and the resolution legal problems. Not only is that what we can do best, but also it is a “skill” that is timeless. By contrast, the particular “rules” of law as they exist today are often unremarkable and certainly not enduring. Good lawyers appreciate and understand the role of law within the larger fabric of society and are able to think creatively about important issues of social, economic, and political policy as they relate to law. You can also quite fairly make the point that learning occurs progressively over time with many of the purely practice oriented skills best learned after law school in a contextualized environment more suited to the task.

Once more, the point is to undertake to educate and not argue with or pander to divergent views. We have the responsibility and the unique opportunity to make alumni (and others) understand not only what we do but also why we do it. Sometimes we do things in a manner that is not popular with alumni and which they resist or just fail to respect. This is not reason to abandon those didactic methods if we deem them effective or of value any more than we should abandon other important strategic priorities just because they come under external criticism. But our job as deans, in addition to listening to constructive suggestions with an open mind, is to bring the naysayers along through explicative dialogue. As noted earlier, nothing makes alumni madder than being ignored or having their views and concerns treated dismissively. But if you are willing to take the time to educate, they may not always agree, but I have found they will listen—and you may gain some new insights in the process, too. There are precious few more important accomplishments than keeping the lines of communication open.

Assuming I have been at all convincing as to the criticality of good alumni relations and the reasons why this responsibility is uniquely the dean’s, I’d like to suggest what I believe are a number of very practical guidelines for carrying out this role successfully. As a threshold matter, however, no instruction manual will pull you through unless you like people and, particularly, people who are lawyers. I happen to; indeed, I was one for many years. Not everyone does and it can’t be faked. Alumni relations and development—and let’s face it there is a thin line between the two—are highly relationship based and require enormous enthusiasm. If you’re not enjoying it, the likelihood is that it shows, and you’re not going to be successful.

Beyond that preliminary *sine qua non*, you have to visible. By this I mean the mountain has to go to Mohammed. Your alumni have busy personal and professional lives. If you’re not out there trumpeting new accomplishments, sharing goals and aspirations, and generally creating excitement about the school, then for most alumni it’s “out of sight out of mind.” If your alumni are scattered across the country, and even abroad, that means a lot of travel, which these days is decidedly unpleasant but also absolutely necessary. In addition to short trips in-state, I make on average twenty or more out-of-town trips each year, generally consisting of a number of individual, firm, and small group visits, and usually one city or area-wide reception. On these trips, you must be able to promise alumni a consistent presence

unless we are prepared to compromise some of our other, and arguably more essential, pedagogical objectives.

in the community in the future and you must deliver on that promise if you expect to see alumni become actively engaged and involved with the school.¹⁷ Parenthetically, since most of these meetings occur over meals, you must also learn how to push food around a plate and exercise on the road unless you're interested in replacing your entire wardrobe.

Being visible also means you must attend every class reunion—I haven't missed one in three years. Unlike other alumni gatherings, I generally do not plan to speak at reunions—on the theory it's the class members' party and I feel that entitles them to a reprieve from speechmaking—but I'm often asked to make a few remarks nevertheless and I never pass on the chance to extol our students and faculty, as well as thank alumni for their support in helping us meet our goals. Beyond purely alumni parties and receptions, a presence at bar events, awards dinners, major community fundraisers, etc., where lots of alumni are likely to be present, does not go unnoticed and is deeply appreciated.¹⁸ The same can be said for service on bar committees, legislative task forces, and community boards. If you don't send the message that what is important to your alumni is important to you,¹⁹ don't expect them to go the extra mile when you need and ask for their help.

I have also come to appreciate that good alumni relations is a two-way street. After a while, people are just going to stop coming to lavish cocktail receptions (seriously!) to listen to you prattle on about the wonderful accomplishments happening under your watch. It's important to be respectful of people's time, and that means you have to think about ways to make alumni events valuable to alumni, and it doesn't always have to be about you. Two approaches that we have employed with some success are: (1) short faculty talks or lectures on subjects of general or topical interest at the city-wide receptions, and (2) occasionally substituting smaller group dinners for the bigger event, gathering alumni with common professional interests or who are at more-or-less the same point in their careers. The small group events represent particularly good professional networking opportunities. Alumni usually know the members of their class, and perhaps the members of the class a year ahead and a year behind, but generally do not know alumni who graduated even two years earlier or later. Trust me, when a partner in large firm is seated next to the general counsel of a major company in the same city—and they did not know one another before—he or she deeply appreciates the invitation to that dinner.

17. Of course, I am speaking here of the institutional "you." A consistent presence can be achieved by sometimes sending faculty and staff to the area for an event, as discussed below. Even more ideal is the organization of alumni chapters in different cities, which, with the support of your staff, can organize and carry out their own events for area alumni. After all, as the late comedian Myron Cohen once quipped, "Everybody's gotta be someplace."

18. There is, however, one decidedly negative side effect. One of the many unexpected things I've learned about this job is that when you're out there asking people for money of all the time, sooner or later they ask you back for causes they are involved with. Given the radical increase in the level of my charitable deductions in recent years I'm quite amazed that so far I've yet to receive an audit notice from the IRS.

19. In this connection, be aware of subtle, and sometimes not so subtle, differences in the priorities between local and non-local alumni.

If you don't have a Dean's Advisory Council or Dean's Advisory Board, or whatever you choose to call it, form one yesterday. When I became dean more than three years ago, we had not had such a body for nearly ten years. That was a grievous mistake. One of the first steps I took after being appointed (even before my term formally began) was to reconstitute an Advisory Board, and it has been extraordinarily useful. We meet at the law school twice a year. About half of the board members come from out-of-state and a couple even come from overseas. They are flattered to be included and have increased their support of the school as a result. Beyond the purely mercenary motivations, the board can be a valuable source of new ideas, providing perspective and experience and a close network of willing volunteers. More personally, I think I can fairly say that every member of my board has also become a friend, and these are friendships that I truly value and cherish.

Next, find a way to bring alumni back to campus both individually and in small groups to interact with current students. There is almost nothing as effective as bridging the generations at a school. Graduates of twenty, thirty, forty years and more ago get a rush out of meeting with and talking to matriculating students. The students welcome the contact, the advice from "real" lawyers, and the opportunity to network. And, by the way, did I mention this is a fabulous way to keep alumni feeling connected to the school? Institutionalizing programs designed to bring alumni on campus to speak with relevant groups of students; for example, an alumni luncheon series or informational panels organized under the aegis of career services to talk about different kinds of practice opportunities or the practice in particular parts of the country or the world, are extraordinarily effective mechanisms for making alumni, and particularly out-of-state alumni who have less opportunity for contact, feel like a part of the team. More to the point, programs like these help to create a mindset that the alumni's identification with the school is not just the three years spent in residence, but a life-long association that can pay dividends throughout their career.

We have also found that students particularly appreciate hearing from alumni who have pursued non-traditional career paths, and there are many of them. Let's face it, our career services orientation is largely and understandably toward traditional practice opportunities, be they public sector or private sector; big firm or small firm; or government service, public interest, or in-house positions. Yet, we have found a surprisingly large percentage of our graduates are engaged in professions other than law practice, including investment banking, real estate development, law enforcement, journalism, corporate management, etc. I have found that each of these alumni will say that he or she is better off in his or her chosen field because of his or her legal training. They consistently point to the problem-solving and reasoning skills they learned in law school (which are readily transferable to a wide variety of non-legal settings) or the credibility and opportunities for advancement that come with the degree as the value-added benefits of their education. Nevertheless, when we started reaching out to these folks, we discovered that many of them felt detached from or even irrelevant to the school precisely because they were not practicing lawyers. For this reason—as well as the fact that you are likely to find among your non-practicing alumni some of

your most financially successful graduates—it is particularly important to have them participate in whatever type of speakers' program you design and establish.

Finally, recognize that your alumni are a pluralistic lot. They include liberals and conservatives, Democrats and Republicans, patriots and dissenters. Without suggesting that you should be disingenuous about your own political inclinations or ideological leanings, I do think it unwise to wear your politics on your sleeve at the risk of needlessly alienating any one constituency of alumni. It's also terribly unfair to the institution—which is presumably equally pluralistic (or nearly so)—since you can never completely disassociate your expression of personal political belief and conviction from your official position.

For the same reason, I believe it is inappropriate for the dean to accept compensated outside consulting positions—as if you had the time—in matters involving partisan, private disputes. When you do, by definition you are taking sides, and it is not the role of the dean to take sides save for exceptional circumstances when vital institutional interests are at stake.²⁰ I don't mean to imply that you must abandon your own principles, but you do need to be perceived as "above the fray." For example, I take great pains to attend both Federalist Society lectures and ACLU awards dinners. I'll go when possible to the military law society's programs and also be sure to attend the annual LAMBDA-sponsored speaker event that we fund as part of our amelioration response to the Solomon Amendments. However, I tend to stay away from purely political campaign rallies and fundraisers (though there are good independent reasons for avoiding the latter!). It really is all an exercise in judgment and sensitivity to the perceptions created by what you do and where you're seen.²¹

So the law school dean wears many hats, plays many roles, serves many constituencies, or [fill in the metaphoric adage of your choice]. My contention, however, is that if alumni are not the dean's highest priority, surely they represent the constituency that the dean is most uniquely positioned to serve, and a galvanized alumni community is a remarkable resource that can pay enormous dividends for the school. At the same time, an apathetic or hostile alumni body can stand in the way and even undermine your efforts to move the school forward both in terms of the quality of the instructional program and your external reputation. Therefore, attention to alumni—a lot of attention—is paramount. If you expect to enjoy robust support from alumni, you have to make the case; after all, that's what good lawyers do and have every right to expect in return, and you have to do so personally to the fullest extent possible. This point was driven home to me just recently during lunch with an alumnus in another city who asked, quite sincerely, why people should support the law school as opposed to "real" charities, such as organizations that address world hunger, churches and temples, or Jerry's kids.

It was a good question and one that, in three years, had never been put to me quite so straightforwardly. While his inquiry was focused on financial support, I think both the question and the answer apply equally to circumstances when we ask our

20. A good example of such a circumstance, at least in my view, was in the days leading up to the Supreme Court's decisions in the University of Michigan cases.

21. For similar reasons, there are certain well known and I'm sure very interesting establishments on Bourbon Street that I tend to avoid patronizing as well—except in deep disguise.

alumni to volunteer their time and expertise as well as their money. For most people, I believe—including me—there are three key motivations that underscore supporting the law school. First is a recognition that the school played at least some role in your current success and, that being the case, there is now some sense of obligation to “give back.” Second, and somewhat less selflessly, is the fact that to the extent with more resources the school is able to raise its profile and national recognition, this adds luster and value to the degree that hangs on your wall. Finally, some alumni give because they know they are helping a new generation of highly qualified students who might not otherwise be able to attend the school enjoy the benefits of the kind of education they received.²² In effect, while taking nothing away from “cause charities,” those contributions are band-aids; whereas we are, if we do our job right, training tomorrow’s leaders. There’s an important difference.

I have little doubt that there are a myriad of other reasons as well, but I believe they all boil down to the basic fact that alumni get involved, financially and otherwise, with their alma mater, as opposed to or in addition to other worthy causes, because they believe in the quality of the institution’s educational product, they are pleased by what the school has accomplished, and they want to be a meaningful part of seeing the school fulfill its aspirations for the future. I’m not sure anyone can deliver the message of excitement, success, and potential as effectively as the dean, because at some level it’s quite personal—alumni also become involved, frankly, because they believe in you. That’s both a compliment and a responsibility. It’s also why I’d maintain that a powerfully strong case can be made that alumni relations represents a law dean’s most important challenge and most fertile opportunity to make a difference for the institution—even if it means primping in a communal restroom!

22. Vanity, I suppose, is a close fourth motivation, but rarely operates in isolation from one or more of the other three.