

LIFE AS A LAW SCHOOL CHIEF OPERATING OFFICER: HOW MANY HATS DO YOU WEAR?

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I. INTRODUCTION

THERE has been a lot written about the role of law school deans,¹ law school faculty,² and even law school students,³ but one area often taken for granted—both in theory and in practice—is that of the law school’s chief operating officer (“COO”).⁴ This position goes by many names, including assistant or associate dean for: administration; finance; administration and finance; business affairs; budgets; resource management; and operations, just to name a few. Those not holding the rank of assistant or associate dean will often have a title of director or executive director for the same areas listed above.

Law school COOs generally wear more hats than a NASCAR driver in victory lane. Their tasks are made all the more challenging because, more often than not, they reside in that “in between” space—not faculty, but not a typical staff member. Yet, no one in the college, other than the dean, has a role that directly impacts as many people as the school’s COO. While the executive leaders in academic affairs, admissions, career services, development, and the law library all have significant responsibilities, the law school’s COO ultimately answers to every single faculty, staff, student (prospective, current, and former), visitor, accrediting body and, not to mention, the university’s central administration.

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1. See, e.g., Jeffrey O’Connell & Thomas E. O’Connell, *The Five Roles of the Law School Dean: Leader, Manager, Energizer, Envoy, Intellectual*, 29 EMORY L.J. 605 (1980); Janice C. Griffith, *The Dean’s Role as a Member of the University’s Central Administration*, 35 U. TOL. L. REV. 79 (2003).

2. See, e.g., Robert P. Schuwerk, *The Law Professor as Fiduciary: What Duties Do We Owe to Our Students*, 45 S. TEX. L. REV. 753 (2004); Gerald F. Hess, *Heads and Hearts: The Teaching and Learning Environment in Law School*, 52 J. LEGAL EDUC. 75 (2002).

3. E.g., Natalie C. Cotton, *The Competence of Students as Editors of Law Reviews: A Response to Judge Posner*, 154 U. PA. L. REV. 951 (2006).

4. John H. Garvey, *The Business of Running a Law School*, 33 U. TOL. L. REV. 37 (2001). Many articles, such as this one by Garvey describing “running a law school,” primarily focus on the duties of the dean, who has ultimate responsibility and accountability for the law school’s operation. However, most of the day-to-day operational responsibilities lie with the school’s chief operating officer.

The COO's organization is one of complete customer service; but it is not just any customer service. They provide the basic services that everyone takes for granted, such as turning on the light switch or faucet and expecting it to work. When something goes wrong in this area, it affects everybody in the law school. Thus, the COO's role could be considered analogous to that of a referee in a basketball game. If the job is completed effectively and everything runs smoothly, a COO's presence is not noticed. However, if something goes wrong, the COO stands out like a referee that missed a crucial call in the game's final seconds. No pressure!

To function effectively as a law school COO requires one to have a very broad range of skills that allow him or her to effectively handle the myriad tasks he or she will perform in the financial, administrative, technical, and interpersonal areas. One must also have an enormous amount of patience and a very thick skin. It is no easy challenge to perform all of these tasks individually; but, typically the COO is called upon to wear multiple hats at the same time while often changing between hats in midstream. While it may sound complicated, it is just a normal day's work in the life of a law school COO. Thus, this essay will explore an area that has been overlooked in the literature and describe many of the hats worn by the COO in a law school.

II. FINANCIAL HATS

The financial area is the primary area in a law school in which a COO is involved, and it is arguably the most important area to the overall health and operation of the law school.⁵ First, the COO is the *chief bean counter*. It is his or her responsibility to not only develop the annual budgets but to monitor them regularly and then to make sure everything balances at the end of the fiscal year. The ability to delegate fiscal responsibility down to individual departments and units is helpful; however, the ultimate accountability still resides with the COO. In this role, it is critical that the COO and the dean are on the same page fiscally so that the COO does not get blindsided by side agreements that the dean might make with certain faculty members that are discovered at a later time. These actions cause the COO to become a *juggler* and force the COO to move money from one account to another to cover unexpected expenditures in order to make everything balance.

While acting as the chief bean counter, the COO is forced to wear many other hats. He or she must be the *controller*, giving final approval for all expenditures. Towards the end of each fiscal year, this role becomes more critical as one seeks to balance the school's overall budget. While serving in this capacity, it is also necessary to become an *auditor* to make sure all of the expenditures are in compliance with school and university policies and procedures; in addition, the COO must be an *enforcer* when these policies and procedures are not met.

5. Patrick J. Borchers, *Budgets*, 35 U. TOL. L. REV. 19, 19 (2003). While Borchers presents dealing with budget issues as a role of the dean, the dean generally works closely with his or her COO or CFO for daily management and oversight of the school's budget.

The COO is also a *banker* to whom everyone comes when they need more money. Generally, everyone assumes that since the COO is the banker, he or she naturally has more money for any need they might have. Sadly, this is usually NOT the case. When this assumption occurs, which is more and more often and particularly for state-supported law schools, the COO must put on the new hat of *fundraiser*.⁶ An effective COO will work efficiency with his or her dean, director of development, and even individual faculty members to seek out extramural funding from grants, contracts, and gifts. External funding can help to leverage a law school's primary sources of revenue, state appropriations and tuition, so that it can continue to pursue various administrative or programmatic initiatives.

Chief bean counter, juggler, controller, auditor, enforcer, banker and fundraiser; these are each hats a law school COO will wear nearly every day.

III. ADMINISTRATIVE HATS

Another area frequently associated with a law school COO is general administration.⁷ Of course, one of the primary administrative hats the COO wears is that of *manager* or *supervisor*. In this role, the COO will often have employees reporting to him or her directly or indirectly who have the responsibilities for the broad administrative areas under the COO's purview, such as facilities, human resources, technology, finance, and planning. As the supervisor, the COO will become involved with many personnel actions, and it is important for them to manage employees in addition to the job. Most COOs probably would agree that this hat can take a significant amount of time and effort to keep everything running evenly; they probably will also agree that this can sometimes be the least enjoyable hat to wear.

Two other key administrative hats worn by a law school COO are those of *process/rules establisher* and *process/rules enforcer*. While most of the processes and procedures used by law schools are dictated by ABA⁸ or university standards, it is nevertheless important for COOs to make sure that their law school adapts these to their specific institution and that the law school is in compliance with these rules and processes.

From a facilities standpoint, the COO is usually the *space allocator* for the law school. If a law school is fairly static, this hat is not particularly cumbersome. However, if a law school is growing and adding faculty, staff, programs, or clinics, this job becomes quite similar to a tile rearrangement puzzle. The COO has to just keep working at it until everything is aligned properly.

6. Jay Conison, *Financial Management of the Law School: Costs, Resources, and Competition*, 34 U. TOL. L. REV. 37, 46-47 (2002) (describing the need for law school administrators to generate revenue).

7. Garvey, *supra* note 4, at 37.

8. 2006-2007 ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, <http://www.abanet.org/legaled/standards/2006-2007StandardsBookMaster.PDF>.

Likewise, if a law school is adding or modifying its facilities in order to accommodate growth,⁹ the COO will generally pick up the hat of *construction superintendent*. Here, he or she will also become a *project manager* in order to make sure that the work does not impact classes or general law school operations. At the same time, construction or renovation projects can require the COO to become an *interior designer* that picks out furniture, flooring, and wall covering. For those with strengths in the financial or administrative areas described above, this hat can become uncomfortable, especially because those COOs know that these decisions will be put under the microscope by every faculty, staff, and student at the law school.

Another hat that the COO will typically pick up is that of *meeting/event planner*. While many law schools have individuals focused solely on planning events, sometimes the only person around to do it is the COO. Regardless of who actually plans the event, once the setup for the event begins, the COO can also become a *furniture mover*, helping to make sure that rooms are set up in the proper configuration. Likewise, during the event and at its conclusion, the COO can also become a *janitor* that must clean up and empty trash cans to make sure that the law school's appearance is properly maintained.

While interacting with external constituencies such as the community, prospective students, or alumni, the COO becomes an *advocate*, *cheerleader*, or *PR champion* for the law school. With these hats, the COO must be able to quickly recite specific facts regarding the law school's admissions policies, bar passage rates, career placement figures, facility and technology utilization, areas of specialization, and opportunities for giving. When interfacing with the central university administration, these hats are then used to leverage the law schools resources, or lack thereof, to obtain or maintain funding, resources, and support.

Many law school COOs have credentials that include advanced degrees such as MBAs, Ph.D.s, or JDs. In this case, a COO can be viewed as an *academic professional*. In this role, the COO might even conduct some scholarly research, publish scholarly articles, and serve as an adjunct professor.

The administrative hats described above range from the strategic to very labor intensive; however, each is extremely important in the grand scheme of things for the COO to support his or her law school effectively.

9. The ABA Section on Legal Education and Admissions to the Bar Law School Facilities Committee holds its Bricks, Bytes, and Continuous Renovation Conference every three years. The sixth such conference was held in Seattle, Washington on March 23-25, 2006, cohosted by the University of Washington School of Law and Seattle University Law School. See Bricks, Bytes, and Continuous Renovation, <http://www.law.washington.edu/BBDVD/index.html> (last visited Feb. 2, 2007).

IV. TECHNICAL HATS

One area that can be associated with a law school COO is technology;¹⁰ however, this role is sometimes under the domain of the law librarian or a separate executive officer with a specific focus on technology. When the COO has this responsibility, he or she must become a *technologist* that must be able to not only “speak” technically with the technical staff but also “comprehend” the issues and make educated decisions regarding technology that affect the law school.¹¹

Having responsibility for the technology services area within a law school, the COO often becomes by default a *copier repair person*. Faculty, in particular, will often seek out the COO to trouble shoot a “broken” copier. Tasks here could be as simple as pushing “start,” refilling the paper tray, or removing a paper jam embedded somewhere deep inside the copy machine.

As the use of technology becomes more pervasive in law schools, both in the classroom and the boardroom, *A/V specialist* and *PC support person* are two other hats the COO might wear. Unless the COO is extremely skilled in this area, these are two hats that become uncomfortable very quickly. Of course, the most effective law school COO knows who to call when problems arise, and has his or her crack technology team members’ cell phone numbers on speed dial, which reiterates the old adage, “It’s not what you know but who you know.” Applying this rule can help the law school COO’s technology hats to fit a little better.

V. INTERPERSONAL HATS

Arguably the most important set of hats worn by a law school COO, and the hats that impact every other hat he or she might wear, are the interpersonal hats. One of the key interpersonal hats worn by a law school COO is that of a *diplomat*. This person is required to be diplomatic in all instances, not only when seeking to mediate potential conflicts or providing feedback to an employee, but also when representing the law school’s interests to the university and the community at large.

As a manager, and especially as the COO of the law school, this person becomes an *ombudsman*, responsible for mediating disputes and negotiating conflict resolution. As the chief “non-academic” staff person in the law school, the COO also becomes an *advisor*, *sounding board*, and *thoughtful listener* for the law school’s staff and, oftentimes, faculty.

10. CALI (the Center for Computer-Assisted Legal Instruction) is a consortium of law schools that researches and develops computer-mediated legal instruction and supports institutions and individuals using technology and distance learning in legal education. Welcome to CALI, <http://www2.cali.org> (last visited Feb. 2, 2007). In law schools today, technology is prevalent in both the classroom and in the operational infrastructure of the school.

11. Janice C. Griffith, *The Dean’s Role in Managing Technology*, 33 U. TOL. L. REV. 67, 80 (2001) (discussing the importance of technology to law schools and legal education).

These same hats are important when interfacing with the dean, and these hats allow him or her to “think out loud” before making a potentially controversial presentation or decision. When wearing these hats with the dean, the COO also becomes a *confidant* and can even serve as a *conscience* for the dean that keeps him in check and makes sure his ideas and plans are fully thought out, including potential ramifications, prior to taking action.

Due to the nature of the COO’s job responsibilities and his or her classification, he or she typically becomes a *liaison* between departments, between faculty and staff, between staff and the law school administration, and between the law school and the university. In this role, the COO must deftly display many of the interpersonal hats described above in order to be truly effective. Likewise, his or her responsibilities and place within the organization provides him or her with the hat of a *knowledge source*. In this role, the inquiries will range from the mundane to the extremely complex to the impossible. Effectively wearing this hat requires the COO to remember the axiom presented earlier, “It’s not what you know but who you know.” Of course, it goes without saying that each of these interpersonal hats has a built-in tag that states “use discretion wisely,” or possibly “what happens in Vegas stays in Vegas.” This, of course, changes the axiom’s emphasis in terms of importance to it is “what you know.”

VI. SUMMARY

With each of the hats described above, the COO wears one more: *hunter/gatherer*. In this role, the COO is hunting for and trying to gather information, funding, resources, success, and peace and harmony, each of which is critical to the successful operation of a law school. As this essay has presented, the COO of a law school wears many hats. Some of these hats are worn every day while others may be worn only once or twice a year. Many of these hats must be worn at the same time, and these individuals are forced to change from one hat to the next with the agility and seamlessness of a blackjack dealer. There have been many occasions where a faculty or staff member has come up to this law school COO and said, “There is no way I would ever want your job!” While some of these hats can indeed become tiresome and even dreaded, the entire “package,” when executed properly and supported effectively by the dean, the faculty, and the staff of the law school, the COO’s overall intrinsic rewards and satisfaction level can be tremendous.