Session 1: Deciding To Become a Dean

Kevin R. Johnson†

Because I am not a dean or former dean and quite possibly may never be one, I feel somewhat out of place on this panel.

Although I have not been a dean, I have been an associate dean for ten years and have long watched a master dean at work. I also generally know something of the intricacies of the dean selection process, having been through various stages of a number of dean searches as either a participant or an observer. Based on that experience, I want to present you with a handful of questions that may help you decide whether to apply for a law school deanship.

First, why become a dean? This is the million-dollar question. It is a critically important question to ask yourself. To adequately answer that question, you must ask some related ones: What are the rewards and challenges of deaning? When is the right time—professionally and personally—for me to be a dean? These are as much personal as professional queries.

Consider the many duties of the modern law school dean. A law school dean today is a leader (intellectual and otherwise), administrator, fund-raiser, mentor, diplomat, problem-solver, member of the faculty, and much, much more. I think that many faculty members would be shocked at the range of problems that regularly land on the dean’s desk. As an associate dean, I have dealt with an incredibly diverse array of issues, from tenure applications to janitorial trash collection, from teaching course assignments to personality disputes among student editors of the law review. Deans get to deal with an even more diverse and complex set of problems.

† Kevin Johnson is Associate Dean for Academic Affairs and Mabie-Apallas Professor of Public Interest Law and Chacana/o Studies at the University of California at Davis.
Moreover, as Rennard Strickland1 said, it is critically important that we see greater diversity in the deanships across the country. I am deeply committed to that end. Deans have incredible discretion and can do a large amount of good, but they also can do some bad. Several minority deans have stepped down in recent years and we need good people to fill their shoes. At the same time, the dean selection process is something akin to a scary roller coaster ride, definitely not for the faint of heart.

Dean searches are always long and arduous, especially for the candidates. They are, in many respects, the equivalent of a marathon, a true test of endurance. An awful lot happens very quickly. It is an amazingly intense experience, with many stories to tell after the search is complete. Like a marathon, one should not enter a dean search without an extensive amount of preparation.

First and foremost, the dean selection process is an extremely political process. Interviews are as much like a political campaign as anything else. A dean interview most definitely is not like interviewing for any other kind of academic job or, for that matter, any other job that I have ever had. That perhaps is to be expected. There are a great many more skills required to be a good dean (not the best job in the world) than a good faculty member (the best job in the world).

To complicate the politics of the dean selection process, each constituency in a law school has a different fear about a new dean and thus looks for something different in the dean candidates. Faculty members are worried about issues including salaries, research, course assignments, sabbaticals, and the scholarly direction of the school. Clinical professors tend to be worried about the clinics and are often concerned about their status as clinicians in the law school hierarchy.

In contrast, staff members are worried about losing their jobs (recall that they lack the relative safety and security of tenure) and getting overwhelmed with new work from an ambitious new dean who may not, in their view, know how things work at the institution. Students and

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1. Rennard Strickland is a professor at the University of Oregon School of Law and was dean of the law school from 1997–2002. A legal historian of Osage and Cherokee heritage, Professor Strickland is considered a pioneer in introducing Indian law into the university curriculum. He has written and edited more than thirty-five books, and is frequently cited by courts and scholars for his work as Revision Editor in Chief of the *Handbook of Federal Indian Law*. Professor Strickland has been involved in the resolution of a number of significant Indian cases. He was the founding director of the Center for the Study of American Indian Law and Policy at the University of Oklahoma. He is the first person to have served both as president of the Association of American Law Schools and as chair of the Law School Admissions Council. He is also the only person to have received both the Society of American Law Teachers (SALT) Award and the American Bar Association’s Spirit of Excellence Award. Professor Strickland spoke on a panel before Dean Johnson’s presentation.
alumni have their own sets of interests and concerns, which are incredibly important to them, but considerably less important to the faculty and staff. It is next to impossible for a candidate to adequately calm the fears of all the varied law school constituencies.

Also, keep in mind that minorities and women are likely to come under greater, and qualitatively different, scrutiny than other candidates in the dean selection process. I have a friend who once was a dean of graduate studies at a prominent research university. When interviewing for administrative posts, she often is asked—despite years of high-level university experience—whether she is good with budgets. She feels that this question is posed to her not because of any specific knowledge about her skills, but rather because she is a woman and, as the popular stereotype has it, women are not good with numbers.

As a minority candidate, I regularly am asked about my views on “diversity” among students and faculty and whether I can raise money from “conservative” (i.e., white) alumni. The latter question was raised out of the blue by a university president. My sense from talking to dean candidates is that minority candidates are often asked similar questions.

To prevail in the political campaign that is the dean selection process, you must respond carefully and diplomatically to these sorts of queries as well as all others. Recall also that what you say in one room during the interview process will be repeated again in another room during a different part of the process. One misplaced one-liner will be repeated again and again and can ultimately doom a candidacy. It is always important to tell the truth and the whole truth, but in a diplomatic and non-threatening way.

What do law schools want in a law school dean? One thing that every law school wants (you will never make a mistake if you say this) is a dean who will take the school to the “next level.” Every school wants to ascend to the next level. Harvard wants to be a better Harvard. Yale and Stanford are no different. It is hard to convey just how important rankings, with all their flaws, are to many law school constituencies, including campus administrators, faculty, students, and prospective students, alumni, and staff. A dean candidate should emphasize that, if fortunate enough to become dean, he or she will make every effort to take the school to that “next level.” Although I say this tongue-in-cheek, there is much more than a grain of truth to this piece of advice.

Law schools look for deans who are all things to all people. Virtually everyone wants a skilled administrator, a great and proven fundraiser, a super-star scholar (the most frequently sacrificed aspiration in a dean), a leader committed to his or her institution, and much more. But
they also want someone who, among other things, is going to make everybody in the building happy while increasing job placement rates; someone who is going to attract a “better” student body (almost inevitably defined as one with a higher median LSAT score than the current class); and someone who is going to increase the school’s ranking in the much-maligned, yet critically important, *U.S. News & World Report.*

In essence, every school basically wants a dean who can walk on water. As far as I know, there are not many people, dean candidates or otherwise, who can pull that trick off. This should give you an idea about how hard it is to please law school faculties. It also should give you confidence that you can be a dean. After all, every one of you can walk on water just as well as anyone else!

Remember that the selection of a law school dean is a political process and you must figure out whether there is something that you can champion in promoting your candidacy. Ask yourself: What can you do for the law school? To answer this question, know what you are getting into ahead of time. Do your homework before you decide to throw your hat in the ring. Before you formally apply for a deanship, figure out whether you see yourself and the law school as a good “fit.”

Before I suggest how you might go about answering the “fit” question, a cautionary note is in order. It is generally sound advice to carefully think over the pros and cons of a particular deanship before applying for a deanship. Keep in mind that if you do not get a deanship and feel that you have been poorly treated, which can happen to the best of dean candidates, it will affect you personally as well as professionally. The dean selection process can be a very public process. Friends and colleagues will ask about “what happened” in a failed dean search. At the same time, there is a certain melancholy that accompanies the disappointment of a dean search that goes awry (even if you ultimately are offered the job).

You should not—I repeat, not—enter the dean selection process unless you are truly prepared to go for the gold ring and are willing to take a lump or two (or twenty). There are many other ways to have a much better time, with a much less intense set of experiences and less wear and tear on the ego. And remember that, as a faculty member, you currently have the best job in the world.

But back to evaluating whether the school is the right fit for you and your skill set. Make sure to take a very hard look at the school and what it has to offer before you get involved in the dean selection process.

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Know the school’s finances. Know the budget and where the money comes from. Know the school’s job placement rates. Know the student body. Know the alumni base. Armed with that knowledge, figure out what you can contribute to that school to take it to the “next level.”

Pay attention to the *U.S. News & World Report* rankings. Some faculty members almost undoubtedly will inquire into how you as dean might help move the school up in those rankings. This requires in-depth knowledge of how the school fares in various rankings criteria. For many faculties, the school’s ranking is a major and continuing irritant. Few schools believe that they are ranked too highly and many—perhaps most—schools believe that their contribution to legal education is under-valued. Most law faculties believe that their school belongs higher in the rankings. A candidate must have a plan and a thoughtful response to the inevitable questions about the law school rankings.

You will also want to learn about that law school’s recent dean history. Every dean search is in part a reaction to the last dean. If generals fight the last war, law faculties often fight the last dean. Put more neutrally, law schools respond to the last dean. Consequently, it is critically important to know how the faculty perceived the performance of the last dean. Sometimes, they feel the dean was great and want someone just like him or her. More frequently, the faculty feel that the last dean could have improved on one (or more) of a dean’s critical functions, such as fund-raising, promoting faculty scholarship or collegiality, or something else. The perception of the last dean’s performance is a very important piece of information to have before you interview for the deanship of a law school.

One of the most important issues in the dean search process is fund-raising. Most law school constituencies want the law school dean to bring in money like manna from the heavens. Because the average law dean only lasts three or four years in his or her job, the honeymoon period is extraordinarily brief. You are expected to hit the ground running, to raise a lot of loot fast, and to continue to do so throughout the deanship. Accordingly, give serious thought to your desire to be a fundraiser, with the time commitment that it entails, before you think about deanships. Fund-raising unquestionably is not for everybody, but it is one of the huge time commitments of the modern law school dean. The various candidates’ fund-raising potential is a much-discussed issue in virtually every dean search.

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3. *Id.*
Perhaps not surprisingly, scholarship often is secondary to most everything else in the dean searches of many law schools. I have gone through dean searches in which hardly a question was asked about my scholarship, which I personally found disappointing. That omission reveals volumes about a law school, its priorities, and its aspirations. Some law schools, in fact, want a scholar to lead their school. However, many schools are willing to sacrifice a dean who is a respected scholar for one who has other important qualities, such as fund-raising experience.

The last question I will leave you with is one that is very important in virtually any dean search: What is the University administration like? Or, alternatively, what does the university president and campus leadership want in a law school dean? Finalists in a dean search generally meet with the president of the university (or the equivalent), as well as other campus leaders. University administrations have a range of goals in selecting a law dean. It could be, to offer some examples, to maintain the status quo, turn the law school into a scholarly powerhouse, whip the law school faculty into line, obtain a U.S. News & World Report ranking higher than a rival school, or simply not ask for too much from the central campus. It is very important to know if you can (and want to) advance what the administration wants a dean to pursue, because that will give you a better idea of the kind of job you can do in that deanship.

Finally, and related to what the campus administration wants in a dean, a dean candidate must also evaluate the resources that a campus administration is willing to invest in the law school. The available resources will greatly impact what a law dean can hope to accomplish. For example, faculty positions are something that every law faculty wants a new dean to bring to the school. In recent years, some universities made their new deans successful right off the bat by providing them with large numbers of new faculty positions (ten or more in at least two recent dean hires). Such success has set the bar very high for future dean candidates. Therefore, knowing both what the administration wants and what the administration will invest are critical to your evaluation of the position and what kind of success you can expect.

I hope that these questions and bits of advice, assembled from my years as both an applicant and as an associate dean, will be useful to you in deciding whether to pursue a deanship or in preparing for your candidacy.

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4. Id.