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Commentary

Session 6: Accepting the Job and First Key Steps

Linda Crane[†]

At John Marshall, we stand alone as the twelfth largest law school in the country.¹ There is a Board of Trustees. However, everything that happens in the school happens out of the Deans' office. We probably have about 1,600 students, 1,410 of whom are candidates for Juris Doctor degrees.² We have numerous LL.M. degree programs,³ and we even have several non-law masters' degree programs.⁴ So an awful lot of work needs to be done to run John Marshall Law School, and the dean really has to have a large team of associate deans, assistant deans, and directors to help get all of that work done.

The faculty did a lot of self reflecting around 2002 and 2003, sort of on its own steam, and partly because there had been a movement afoot to have John Marshall merge with the University of Illinois law school in Chicago. We had an extremely high quality of life as faculty at John Marshall. If there were a category in *U.S. News and World Report* for faculty quality of life, I think we would be in the first tier. Nevertheless, we were willing to give up some of the quality of life in order to become a part of the state university system.

One of the results of our self-reflecting was that the Faculty Affairs Committee investigated the possibility of some sort of post-tenure review

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1. *America's Best Graduate Schools 2008: Top Law Schools: The Largest Law Schools*, U.S. NEWS & WORLD REP., 2008, <http://grad-schools.usnews.rankingsandreviews.com/grad/law/search/enrollment+1001-1500>.

2. *Id.*

3. John Marshall Law School offers LL.M. degree programs in the following areas: Employee Benefits, Information Technology and Privacy Law, Intellectual Property Law, International Business and Trade Law, Real Estate Law, Tax Law, and Global Legal Studies.

4. M.S. degree programs are offered in the following areas: Employee Benefits Law, Information Technology Law, Intellectual Property Law, and Tax Law.

process. Because we had a very senior faculty, maybe only one, if any, of the faculty was pre-tenure. At that point, we were probably fifty-five strong; now we are about seventy strong with hundreds of adjunct faculty. Based on the survey, we learned that most schools that did post-tenure review did not do it as a peer-review methodology. The faculty recommended that the administration create a new associate dean position titled "Faculty Development" where the peer-review would take place.

Let me say next that I have never conducted a review of the faculty, but that is the history of how the position was created. When the position was created, however, it was the stars aligning to a certain extent. I have been very active nationally doing faculty development work since I first started teaching in 1990. That was when the first People of Color Conference met. We created a movement, and now there are six regional People of Color Conferences encompassing the entire United States. I also ran the Midwestern People of Color Legal Scholarship Conference for about ten to twelve years.

Additionally, one of the conversations that I started about six or seven years ago at that People of Color movement level was about the need to address issues that senior faculty confronted, but that we were not spending time identifying and talking about and solving. As important as I thought (and continue to think) it was to deal with the issues of junior faculty and to help people get hired, promoted, and tenured, I maintained that we actually knew how to do that. I really thought that we needed to focus on the problems that some senior faculty were having, but that nobody was really gathering information on or even discussing.

In my home institution, the issue arose about how to deal with the needs of our senior faculty. At the same time, we hired a black woman dean, whom I told that I would help in any way that I could. There is talking the talk and then there is walking the walk. It came to pass that my home institution grappled with an issue that I have been trying to raise on a national level. Even though I had never aspired to be a dean, I found that I needed to volunteer to do that job for a number of personal as well as professional reasons. That is what I have been doing for the last three and a half years.

Starting out in a role that no one has ever occupied before is something that we have not talked about this weekend. Every school, unless it is a brand new school, has employed a dean at some point. Just about every school has had an Associate Dean for Academic Affairs. But when an institution like John Marshall forms a new organization, it really

has to create something from whole cloth. There was no budget, there was no vision of what it was to look like, and there was certainly no guidance or direction. What did I have to do? I was not really sure what it was going to be like. I spent a lot of time talking to the new dean about what my job duties were going to be. That was key.

Another thing that is important for any associate dean (other than the Associate Dean for Academic Affairs when such a new dean position is created) to know upfront is that everything that you are doing is something that used to be done by the Associate Dean for Academic Affairs. This can create both good and bad feelings. It can create both opportunities and consternation. Bill Mock⁵ has been the Associate Dean for Academic Affairs the entire time that I have been the Associate Dean for Faculty Development, and I joke about the fact that people think that we are at each other's throats all the time. We are actually good friends, and we exchange a lot of information as we both try to navigate these waters.

The need to know what your job duties are becomes that much more important when the administration is taking job duties away from someone else. For example, someone who had aspirations to be Associate Dean for Academic Affairs may have been totally wrapped up in the opportunity to do the very tasks that are now going to be transferred to another position. It may have also been the case that the Associate Dean of Academic Affairs did not have the time to do certain tasks, which can now be addressed more completely and directly by someone specifically assigned those tasks. There are only twenty-four hours in a day, and in a school like John Marshall, there is just too much for even the best Associate Dean for Academic Affairs to complete. My job duties were laid out along the lines of providing resources to the faculty to help them do their job. That pretty much is how the Associate Dean for Faculty Development job description was finalized at John Marshall.

Over the last twenty-five years, I have spent as much time in the business world as I have as a lawyer. I have a strong business background; I went to business school and law school at the same time. I presided over major non-profit boards, and I felt pretty confident about my ability to manage a small department inside of the law school. Because all of us in this room have done a lot of stuff nationally in legal academia, you can probably imagine that I was not that daunted about the idea of managing the department. But again, it was hard not knowing what the job description was or what my resources were actually going to be. Once I got the statement that the job description was to provide resources

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to the faculty, I took that literally and said, “Okay, well if my job is to provide resources to the faculty to help them do their job, then I need to locate the resources.”

John Marshall is a huge institution with resources. Consequently, I started by harvesting the resources that I concluded were already present for the faculty. We pretty much went from a zero budget to a possible \$50,000 budget, to having a budget that was close to \$2 million at one point. This figure is in terms of hard dollars that were in the budget for things like faculty travel and research assistants. At one point, we sort of had a ping-pong thing going with summer research grants. I showed a strong interest in improving teaching effectiveness, in part by providing faculty with the tools to help them teach. In addition, it is really important to sit down with staff and actually have a conversation with them about their needs.

For example, media services provides the equipment and access to resources for the conferences and teaching actually used in the classroom, as opposed to the huge computer services department that manages the network, security, and all those kinds of things. One of the staffers in our media services department is the most stoic human being you could ever imagine meeting. She was almost teary when I sat down in a meeting with her, her director, her manager, and her other co-worker to ask them what ideas they had about how to improve technology in the school.

Because I showed that early interest, I ended up being the manager of the media services department. We just completed a three year purchasing program during which we upgraded the number, type, and quality of equipment that is available for classroom teaching. We thought things through with respect to tools for improving teaching effectiveness. For example, we instituted the new Capture technology. As a result, starting on October 1 of this year we will no longer have to roll in a video camera to tape classes. Rather, the class will upload to the Intranet so that students can view the class online when they need or want to view it. We are just trying to provide more and more for improving teaching effectiveness.

I also harvested human resources. I recognized that along with monetary resources, there were also human resources within the school that the faculty had trouble tapping into. I worked very hard to provide bridges between the faculty and the administrative and staff offices that, for some reason in law schools, sometimes function as though they have lives of their own—like their jobs are kind of disembodied from helping students and faculty. I do not really quite get that, and so, I started pro-

viding some bridges between the faculty and those offices that gave the faculty a feeling of being more empowered. One thing I also did early on in the deans' meetings was to make it clear that I did not want us to snicker every time someone made a reference to the faculty. To a certain extent, I became sort of an ombudsperson for the faculty. As a result, I think the faculty began to feel that they had a friend in the administration, someone who was able to understand their issues, and who believed that it was very important to make sure their issues were incorporated.

Astoundingly, you would think that listening to the voice of the faculty is not something new, but it is. I maintain that you could have a law school without students, but you cannot have a law school without faculty, and yet the faculty does not often have the representation and assistance from an ombudsperson inside of the law school administration. Consequently, we work very hard to provide that ombudsperson presence and functionality. I could design programs, but I know I cannot get faculty to do anything unless they are able to participate in the design. So, I can sit in my office and write a whole list of things that I want to achieve, but that would not be as productive as calling a meeting to ask faculty what they think about technology, teaching effectiveness, scholarship, or service.

I also did a lot of work with our adjunct faculty. As a result, I was able to get twelve adjunct faculty members to attend a lunch meeting after the chairperson of the North Central Administration Team told us at 8:00 a.m. that he would like to meet with some of our adjuncts over lunch that day because he was impressed by the work we had done to work with our adjuncts. At the end of these focus group sessions, which I would hold with self-identifying faculty, the notes I took of what we were going to do as a group often looked exactly like the notes that I had written in my office before we ever invited them to the meeting. Because the faculty participated during the design stage, they were willing to participate in the implementation of the plan. As I tell my faculty, "This is not the office of Linda's development; this is the office of faculty development." I invite them to bring ideas for projects and programs that we can work on together, and I get help from them on projects that I want to get done.

I think that it is important at the very beginning to understand your job responsibilities, to identify your resources, and to identify where you will not go, because that can help you with your exit strategy. As transactional lawyers know, one of the things you have to do at the beginning of the deal is to design the end of the deal. You need an exit strategy, and I think I am pretty much ready to pull the trigger on mine. I intend

to resign next week when I get back. I would have done it on Wednesday, except that I figured, why resign from being an Associate Dean for Faculty Development the day before you go to a deans' workshop in Seattle? So far, no one has talked me out of this since I have been here, so I am going to do it. I have been in a couple of dean searches over the past summer. One of them is what got me involved; it was just an irresistible attraction to apply to a historically African American college, where the challenge to walk the walk was irresistible to me. I am really glad that I did that. I did not get the position, but the person who did was exactly the right person. This caused a lot of new juices to flow because I never had a reason to think about this person as an associate dean. There is a difference between considering being a real dean and doing the job of the associate dean. If you know that you want it, you should get an associate dean title, get money to effectively manage, and, if you can, get it designated as an academic associate dean position.