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DECANAL AND ADMINISTRATIVE OPPORTUNITIES IN THE NEW MILLENNIUM

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Associate Dean Frederic White, Cleveland-Marshall College of Law,
Associate Dean Patricia Mell, Detroit College of Law, and
Professor Veryl Miles, Catholic University School of Law,
were contributing authors to this edited summary.

The final panel for the Sixth Annual Mid-Atlantic People of Color Scholarship Conference was entitled *Decanal and Administrative Opportunities in the New Millennium*.¹

A panel of four acting or former associate deans was called together to discuss the topic on Sunday, February 13, 2000. This diverse panel included Professor H.G. Prince, Associate Dean Frederic White, Associate Dean Patricia Mell, and Professor Veryl Miles. H.G. Prince is the Deputy Director of the Association of American Law Schools (AALS) and served as associate dean at Hastings School of Law from 1991 to 1993. Frederic White has been an associate dean at Cleveland-Marshall College of Law, Cleveland State University for six years and has been a faculty member at Cleveland-Marshall since 1978. Patricia Mell has been associate dean for Academic Affairs at The Detroit College of Law of Michigan State University for two years. Professor Veryl Miles was associate dean for Academic Affairs at Catholic University School of Law from 1997 to 1999. The panel's moderator was Nathaniel C. Nichols, former associate dean of students at Widener University School of Law (Delaware Campus).

This edited summary presents the issues discussed and questions asked involving administrative and decanal opportunities for persons of color in the next millennium. Panel members explored the burdens and benefits that come with "deaning."² A component of that exploration included what

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1. Videotape: The Sixth Annual Mid-Atlantic People of Color Scholarship Conference, Decanal and Administrative Opportunities in the New Millennium (Widener University School of Law, Delaware Campus 2000) (on file with *The Widener Law Symposium Journal*).

2. Law faculty seem to have a congenital penchant for creating new words to give some perverse sort of intellectual cachet to an article or an essay. I apologize to the reader and my colleagues on the panel for my having fallen prey to this penchant, but this word did seem to encompass a genuine feeling of appropriateness when used during the panel

self-assessment one should undertake when considering whether or not to do deaning. During the discussion, the panelists explored the unique demands of deaning today by doing a comparison of deaning in the past. They also examined the unique position associate deans and administrators of color play in the institutional life of the law school. In addition, the panelists explored how deans of color can act as role models for students of color to guide them to become future faculty or administrators in the legal academy.³

Prior to the conference, panel participants were asked to consider, among other things, the following question:

The Census Bureau projects that in the year 2050 women will outnumber men by seven million and Hispanic folks will make up 24.5% of the population (compared to 9% in the '90 census). The black population will go from 11.8% to 13.6% and Asian will go from 2.8% to 8.2%.⁴ Assuming that these demographics will be reflected in the law school population to some significant extent, how will that change the way law school administrations do their "deaning?"⁵

After a brief introduction of all the panelists, Associate Dean White was the first panelist to respond to this question. He thought it appropriate that, before one considers ethnic/racial demographics, anyone who is thinking of deaning should ask this question: "Do you want to do it?"⁶ Associate Dean White suggested that anyone seriously considering becoming an associate dean should realistically assess the demands of that position.⁷

discussion. See also Susan J. Becker, *Thanks, But I'm Just Looking: Or, Why I Don't Want to be a Dean*, Vol. 49, No. 4 J. LEGAL EDUC. 595, 600 (1999) (Professor Becker also used the term "deaning" in her essay about her three years as associate dean at Cleveland Marshall School of Law).

3. See AALS (1998-99), at <http://www.aals.org/statistics/T2B.html> (last visited Apr. 10, 2000) (showing that 16 or 9.0% of deans or administrators are minorities). Eight years prior to that there were 12 or 6.8% who were persons of color. The source for these statistics is the data based on entries in the Directory of Law Teachers, compiled yearly by the AALS available at the AALS website www.aals.org. This information is gathered through self-reporting.

4. Michael Sokolove, *Demography*, PHILADELPHIA INQUIRER MAGAZINE, Dec. 19 & 26, 1999 at 21.

5. E-mail from Nathaniel C. Nichols, Associate Professor of Law, Widener University School of Law, and Panel Moderator to Professor Miles (Feb. 7, 2000), Associate Dean White (Jan. 19, 2000), and Associate Dean Mell (Jan. 12, 2000) (on file with *The Widener Law Symposium Journal*).

6. See videotape, *supra* note 1. Associate Dean White noted that often in legal education and in other venues there is a perceived need to "go to the top." *Id.*

7. See videotape, *supra* note 1. Associate Dean White noted that those demands can be found in the number of relationships that go with deaning, such as the relationships with the dean of the law school, the faculty, the students, and the alumni, all of which expect to

Associate Dean White's response prompted a discussion of matters one should consider before going into deaning. Panelists found it important that anyone thinking of deaning consider the varied constituencies that must be served by an associate dean or an administrator. Those constituencies obviously include the students, faculty, staff, and university or law college administration. In addition, the deans have the responsibility to comply with the rules and regulations established by the American Bar Association (ABA) and the AALS.

It was also suggested that anyone thinking of deaning should be introspective enough to assess the strengths and weaknesses he or she brings to the position. This analysis should include a determination of the tasks for which one is best suited and those which would best be delegated to someone else.⁸

Being a dean is very time intensive. One should consider the increased demands being a dean would place on one's time and be able to accept the increased time spent away from significant others or loved ones. Additionally, one should consider the impact deaning will have on one's future relationship with their colleagues.⁹ Where once the relationship with faculty colleagues may have been casual, but amicable, one should consider how it will be changed once you are perceived as part of the administrative team or the administrative structure of your law school.¹⁰ It is equally important to recognize that whether one is an associate dean or the dean of the law school, the demands are substantial and one should consider the impact deaning can have on one's teaching, if one will continue to teach while deaning.¹¹

Professor Prince had talked to a number of former and acting deans and found they entered deaning in order to make a difference in the life of the law school as well as to render service to the law school. Professor Prince's thoughts about the opening question prompted him to recall how the increase in the number of women attending law schools impacted the way he did his duties as dean of student affairs.¹² Professor Prince referred to the

be satisfied. See videotape, *supra* note 1.

8. See *id.*, comments made by Associate Dean Mell.

9. See Becker, *supra* note 2, at 597 (noting the impact deaning had on her relationship with colleagues).

10. See videotape, *supra* note 1. Associate Dean Mell noted that one would have to learn not to take personally a colleague who screams at you about some problem; she noted it was important to realize that the person was not screaming at you, but rather at the authority you represent and that your colleague is seeking help. See *id.*

11. See videotape, *supra* note 1. Professor Prince noted that even though your teaching load is often reduced to half, one may experience feelings of inadequacy in teaching due to the loss of preparation time. See *id.*

12. See videotape, *supra* note 1. He recalled how a female student, who was also a single

forthcoming article by Dean LeRoy Pernell of Northern Illinois Law School, in which Dean Pernell stated that his approach to the deaning issues may be different due to his experiences on his way into law school teaching, and how those experiences molded the way he now approaches law school deaning.¹³ Associate Dean Mell agreed, stating that she found herself being more creative by virtue of having been forged differently in the legal academy.¹⁴

Despite a number of reasons that may cause one to hesitate before taking such a position, panelists found a number of personal benefits to deaning. Professor Miles found great benefit and satisfaction with the idea of service to the law school and the opportunity to learn how the school operated on a day to day basis. She noted that as a faculty member one may have seen only one aspect of life at the school, but as an associate dean one could have a much broader perspective.¹⁵ Responding specifically to the first set of questions, Professor Miles thought it was important that people of color and women in law school see their faces reflected in the faculty and in the administration. Professor Miles noted that she found that she could more readily "read between the lines" with respect to certain issues, than her colleagues who were neither black nor female.¹⁶

parent, requested to be moved out of one section of a first-year class because of scheduling needs at her children's school. It had always been the policy of the school to deny any request to switch sections among first-year courses. While the rule had never been waived heretofore, Professor Prince, feeling the inherent disadvantage to the students because of the rule, talked to a colleague about it. The colleague said this type of issue was now a concern for attorneys in large firm practice and the question raised, according to his colleague, was whether the firm should alter the rules to recognize that more women were present, or the attorney with the issue should be forced to adapt to the rule? After hearing this he waived the rule and allowed the student to switch sections. This experience served as an example for him of how women administrators and administrators of color will reshape decanal decision making. See videotape, *supra* note 1.

13. See LeRoy Pernell, *Deans of Color Speak Out: Unique Voice in a Unique Role*, 20 B.C. THIRD WORLD L.J. 43, 44 (2000). Dean Pernell's article was presented at the 1999 National People of Color Conference held in March 1999.

14. See videotape, *supra* note 1. Associate Dean Mell added to Professor Prince's comments by noting that administrators of color have had to deal with mostly majority professors who may not have had a comfort level in dealing with persons of color. This experience brings a different perspective that could be helpful in dealing with not just women or persons of color, but foreign students as well. See *id.*

15. See videotape, *supra* note 1. Professor Prince noted that when to enter deaning is also an important decision and he recommended that it be done after receiving tenure or full professorship. See *id.*

16. See videotape, *supra* note 1. Associate Dean White gave a number of possible scenarios that might be faced by a minority dean or woman dean and noted that sometimes being a minority and/or a woman administrator can put oneself in a box, if one lets it. One scenario Associate Dean White used was taken from the October, 1994 AALS Workshop for

Associate Dean Mell's analysis of the first question focused on the assumption made with regard to the projected increase in minority populations. Associate Dean Mell noted that one could not assume that the Census Bureau projections showing an approximate 2% increase in the black population will necessarily translate into an increased black law student population. Associate Dean Mell noted that the 1997-1998 ABA statistics revealed that black students consisted of only 7.2% (9,132) of the 125,886 students enrolled in law schools and that there had only been a 5.4% increase in the number of black students enrolled over the five-year period between 1992 and 1997.¹⁷ While not all black law students are admitted under affirmative action programs, the attack on affirmative action may have the effect of reducing incentives on the part of some law schools to aggressively seek minority applicants. Accordingly, Associate Dean Mell noted that there was no guarantee that an increase in overall African American population would result in an increase in the black law student population.¹⁸ She thought the more important question to be asked was, assuming the number of law students enrolling in law school remains static or declines, do we need to change the way(s) we, as deans of color, mentor students of color?¹⁹

faculty in law administration.

A group of male students come to you to complain about the unfair advantage that they believe a few female students are gaining in the class of a male professor. According to the male students, these female students surround the professor after each class and take up all of his free time before and after class with questions, comments, and discussion. The male students perceive that the professor is enthralled by all the attention and adoration cast his way by the female students [and want to know what you are going to do about it!]

Associate Dean White used these scenarios to point out that being a dean of color or a female dean had the potential to put one in a box, if one allows it. He thought it important to retain one's own identity and to be perceived by students as being fair.

After hearing Associate Dean White's hypotheticals, Professor Prince noted that in his own experience as an associate dean he was faced with a substantial protest by some Jewish students on his law school campus who were opposed to Jessie Jackson as the graduation speaker. See videotape, *supra* note 1.

17. See videotape, *supra* note 1. The figures come from the OFFICIAL ABA GUIDE TO APPROVED LAW SCHOOLS 455-461 (1999).

18. These figures compare to the increase in enrollment of the following other minority groups for the six academic years between 1992-1998; Mexican - 8% increase; Puerto Rican - 7% increase; Other Hispanic - 17% increase; American Indian/Alaskan native - 28% increase; Asian - 23% increase. See OFFICIAL ABA GUIDE TO APPROVED LAW SCHOOLS 455-61.

19. See videotape, *supra* note 1. In contrast to Associate Dean Mell's analysis, Professor Miles has found that undergraduate institutions were looking at the changing demographics as projected by the Census Bureau and predicted seeing a larger percentage of minority students. She noted that for some schools the ability to attract minority students of color will

Panel members were sent a second e-mail message that contained the following question:

When one compares the profile of the law students of today to those of 25 to 30 years ago, one finds significant differences, not just in diversity but also in mind-set, expectations and disposition. Yesterday's student had little interaction with the law school administration, less expectation of the administration, and much less debt to repay. These students were much more accepting of their lot so to speak. Today's student has much more debt, much more expectation of the administration and much more interaction with the administration. How do we as administrators or as those who may seek administrative positions have to alter what we do with today's student?²⁰

This portion of the discussion began with a look back to the experiences several panelists had with law school administration or faculty while in law school and comparing that experience with the panelists' experiences as associate deans. Professor Miles and Associate Dean White first noted that their past experience with the law school administration, while in law school, was fairly limited. Associate Dean White noted that, while in law school, he was not even aware of where the Dean's office was. Professor Miles noted that when she was in law school, it was rare to go to the academic dean if one had issues with a faculty member; rather, one dealt with that faculty member individually to resolve the issue. Moreover, Professor Miles noted that today's students, rather than meeting and discussing their problem with the professor causing the problem, expect the administration to intercede on their behalf.²¹ She noted that one other reason for the greater expectation of services by the administration or dean is that more students have had undergraduate educational experiences where they were provided substantial academic support. With this greater expectation of service comes more interaction, and as a result, a number of

be very critical to the school's survival in term of enrollments. Consequently, she thought law schools also needed to be aware of the need to create an environment to attract these students. She postulated that the wise school would think about these issues and their academic mission. Although she was not sure that law schools generally looked at patterns from a long term perspective. See videotape, *supra* note 1.

20. E-mail from Nathaniel C. Nichols, Associate Professor of Law, Widener University School of Law, and Panel Moderator to Associate Dean Mell and Professor Prince (Feb. 3, 2000) (on file with *The Widener Law Symposium Journal*).

21. See videotape, *supra* note 1. Professor Miles agreed that there was much more of a consumer's attitude on the part of students and this typically arises when a student has an expectation of service on the part of the administration, fully expecting that service because, as the student puts it "I pay a lot of money to go here." Associate Dean White found this consumerism at his school as well, but because his institution is fully state supported, what he heard from students who had an expectation of a high level of service, was a request for that service prefaced by: "[A]s a taxpayer." *Id.*

panelists felt that counseling skills were the skills they needed to possess coming into deaning.²²

The last topic addressed encompassed two parts of the role of an administrator of color. Panelists were asked if they had taken on roles of mentors for others who might want to be administrators and if they felt they had more duties than their majority counter parts, because of their color, while deaning.

Professor Miles addressed the topic of mentoring by noting that one of the more satisfying parts of her role as dean came in the form of the mentoring she did. That satisfaction also came in recognizing women and/or students of color within her law school's student body she thought had the skills and potential to go into teaching and/or administration at a law school. Professor Miles felt that her presence at the law school helped to serve as a role model for students who may have thought of teaching, but more often than not, students were shocked when Professor Miles asked them if they had ever thought of teaching. Associate Dean Mell found her role as a mentor as being pro-active in introducing herself to students of color during her daily encounters. By doing this, Associate Dean Mell found that students were more inclined to talk to her and trust her opinions.

Addressing the question of the additional responsibilities, some panelists did not find that additional duties were placed on them as a dean of color, but found that the demands of the position itself could be such that more than a two-year stint was all anyone could or would want to do. On the other hand, Associate Dean White had been in his position for six years and found that it was not as stressful for him, but did find that the time demands had a direct impact on his scholarly productiveness.

CONCLUSION

This edited summary has attempted to bring the unique perspective deans and administrators of color bring to the academy. While the perspective was forward looking, it was also informed by the rich and diverse experiences shared by the panel members. The panel's comments and insights call upon

22. See videotape, *supra* note 1. Panelists took a number of varied approaches with students who came into their office in crisis or with what appeared to be a major problem. Professor Miles' approach was to remind the student who came in with a somewhat negative attitude, who had just been in a tirade with other support staff, to remember that no matter what the situation she/he found herself/himself in, they were expected to carry themselves as professionals and not let their anger or frustration bleed over onto other persons they encountered. Associate Dean White developed a system where he took an approach of detection, preparation, and containment when dealing with students in crisis. Throughout the process, he tried to get the student to focus on the problem and not just the frustration she or he felt regarding the problem. *See id.*

the legal academy to continue to enrich itself with a more diverse student body and a more diverse administration. By doing this, the next millennium will be better served as will the legal profession.