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Leadership In Legal Education Symposium II

***49 FIELD OF DEANS**

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Introduction

AS I reflect on my first full year as a **dean**, [\[FN1\]](#) I realize how often during that year I drew upon sports analogies to help me through the challenges of the job. While I drove my Associate **Dean** crazy with all of my sports references, I took great comfort in them because they helped me to keep a sense of perspective and gave me a greater understanding of how I approach problem solving and decision-making. In this essay, I humbly share some of the ways in which I analogize participation in various sports to being a **dean**.

I. The **Dean** as Goaltender

Being a **dean** is definitely like being a hockey goalie. No matter how good you are, [\[FN2\]](#) some pucks are going to get past you. A key to success in goaltending and **deaning** is not to dwell on the ones that went into the net. If you are looking behind you and cursing the puck, there is no way you can be ready for the next shot on goal. You have to move on and ready yourself for that next shot, or the next decision, as the case may be.

Furthermore, when I was a goalie, I learned that preparation, being in the proper position and concentration created the greatest probability of success. If I studied the other team's tendencies and knew their players' strengths and weaknesses, I would have a much better chance of knowing what to expect and how to react. I have found that the same principles apply to being a dean as well. Even though some issues still catch me off-guard occasionally, I find that I can prepare for and anticipate most things that happen at my law school. I certainly seem to make better decisions when I have thought about an opportunity, challenge or problem before it arises.

Another thing that being in goal taught me was that it never helps to point your fingers at your teammates when things go wrong. It is especially important not to ***50** do this on the ice in front of the fans. When the puck gets past a goalie, everyone assumes that the goalie is at fault, even if the goal was really the result of a teammate being out of position. For example, there are times you never even see the puck coming, because one of your teammates is blocking your view of the opposing team's player who is taking a shot. You literally do not have a chance, other than pure luck, to block the shot. Rather than criticizing my fellow player in public, I would talk to him after the game about how we can coordinate better in the next game.

The same thing happens to a dean. I make it a point to accept public responsibility for anything that goes wrong at the law school, even if a staff member or faculty member was "out of position." I have found that it is much more constructive to determine how to prevent the same problem from occurring in the future, than it is to assess blame for things that have already taken place. Besides, deans, like goalies, get most of the credit for the excellent work

done by their colleagues, even if we added very little to a particular project or event. There were many [\[FN3\]](#) times when I looked good in goal, because my teammates did such a great job in front of me.

I am blessed to be surrounded by truly wonderful people at my law school. I never forget to praise them, or thank them for their great work, just as I never forgot to thank my hockey teammates for making my job easier.

II. Boos and Cheers

I will never forget one of the most important things I learned at the ABA's excellent Conference for New **Deans**: "Don't take it personally, and don't get even." It has become my mantra. When you are a **dean**, there are people who will test you, challenge you, and sometimes even say unflattering things to you or about you. At the same time, when you are **dean**, you will be praised, quite often well beyond a reasonable amount. In essence, like athletes, **deans** are subject to boos and cheers, neither of which should be taken to heart.

I remember, for example, one fan that came to every one of my hockey team's games. Every time the other team scored a goal, he would yell something about how bad I sucked, and throw in a few expletives for good measure. On the other hand, each time I made a save he would yell something about how I really did not suck at all. The first couple of games, he really angered me. I kept thinking that this was someone who probably never played the game in his life, and yet he felt that somehow he could pass judgment on my abilities (or lack thereof). Then I realized that was precisely the point. He had never played the game, so why should I let his boos or cheers affect me? From that point forward, I chose not to take his comments personally, whether they were positive or negative.

In my life as a dean, this has been an important lesson to remember. [\[FN4\]](#) It is very easy to hear dissent as a personal attack or criticism. Our colleagues, however, are ***51** trained to question and analyze our decisions. Our profession prides itself in the understanding that reasonable people can disagree. Accordingly, even if dissent is voiced stridently or adamantly, it should not be taken personally. By the same token, praise should not be taken personally, either.

Just as when I was playing goalie, I know when I do a respectable job, and I know when I blow it. Accordingly, I do not listen to boos and cheers. Of course, I will always listen to, and seek the counsel of, the members of the faculty and staff I trust and respect.

III. There Is More to Being a **Dean** than Just Playing Goalie

Hockey is not the only sport relevant to **deaning**. Baseball, for example, supplies some great analogies. First, I would never want to **field** a team that only had pitchers, no matter how great those pitchers might be. To **field** a great baseball team, you have to have infielders, outfielders, and a catcher. Likewise, I would not want to build a faculty solely consisting of great scholars. Scholarship is extremely important, and every faculty member should be encouraged to write. Writing and teaching about a subject are the best ways to learn about a subject. Of course, the institution also derives great benefit from the exposure created by its faculty's scholarly production. [\[FN5\]](#) I firmly believe, however, that teaching and service (both internal and external) are essential to the strength of the law school. I have served with faculty members who were incredibly productive scholars, who demanded and deserved lighter teaching loads and reduced committee assignments. These reduced loads in both teaching and service would not be possible unless other faculty members were willing to take on increased duties in the classroom and the conference room. Sometimes this fact is lost on scholars who lament that their colleagues are not producing scholarship at their level. In essence, they want every faculty member to be a pitcher, and this would not be in the best interest of a law school or a baseball team.

Second, baseball is a game in which a manager or coach can have a huge impact on the team's performance. Like a manager, a dean must be able to assess the law school's strengths and weaknesses, including the strengths and weaknesses of its "players." Sometimes a manager can completely change a player's career in a positive way, simply by understanding the player's strengths and weaknesses. A player or faculty member might be a disaster at one position, but a star at another. [FN6] For example, a faculty member who is not a great writer may, nonetheless, be a fantastic moot court or mock trial coach. I think that it is more productive to support that faculty member's strength than it is to force her to do something that is not her strength or her passion.

*52 IV. Football Is Played Here, Too

Football is, in many respects, the classic team sport. On any given play, only two or three players actually get to touch the ball. Yet, the team's success is absolutely dependent upon the effectiveness of the players who will not carry the ball on a given play. If they do not block, the play will not work. Successful faculties understand that concept, and I am blessed to be part of such a faculty. Our faculty members support the efforts of their colleagues and cheer their successes. They are not jealous when one faculty member receives praise for placing an article in a top-25 law review or for receiving a professional honor or award. They appreciate the fact that one faculty member's success inures to the benefit of the entire law school. It is wonderful, indeed, to be at a law school where the faculty members are willing to block for each other.

The football reference also makes me think of Joe Montana, and how he helps me through a bad day. Joe Montana was known as one of the greatest comeback players of all time. [FN7] In fact, he holds the record for the greatest comeback in the history of the NFL. I always laugh when I think about that because you cannot be a great comeback player unless you are losing for most of the game. What this tells me is that even if you stink for three-quarters (or two semesters, if you are on the semester system), you can still be successful if you stay focused on your long-term goals and have a plan to achieve them. Joe Montana always knew what he was going to do, and how he was going to accomplish it. He never panicked. More importantly, his teammates believed in him, and, thus, they trusted in his leadership.

V. One Last Cliché

One of the greatest and perhaps most irritating aspects of using sports analogies is the irresistible call of the cliché. My favorite cliché for deaning is that you have to "play 'em one game at a time." [FN8] When I am overwhelmed by the magnitude and breadth of my "to do" list on a given day, I simply remind myself of that timeless gem. Above all, I also remind myself that, in many respects, this job really is just a game, and I should not do it, if it is not fun!

[FN9]. **Dean** and Professor of Law, Texas Wesleyan University School of Law. B.A., University of Georgia (1979); J.D., University of Tennessee (1982); LL.M. in Taxation, University of Florida (1983).

[FN10]. I served as Interim **Dean** from 1999-2000 before being appointed **Dean** for the 2000-2001 academic year. Being an Interim **Dean** who is a candidate for the deanship is an entirely different experience in many ways, and is probably worthy of an essay in and of itself. The best way to describe being an inside candidate while being an Interim **Dean** is that it is like auditioning for your job every day.

[FN11]. For example, Patrick Roy of the Colorado Avalanche is only three victories away from being the winningest goalie in NHL history. Yet, even though he has stopped 22,714 of the 25,001 shots (90.9%) he has faced in regular season play, he has still allowed 2287 goals in his career. See Colorado Avalanche 2001 Media Guide. I was never really a very good goalie. My nickname was "Swiss Cheese."

[FN3]. Obviously, given my nickname, there could not have been that many times I looked good in goal, but when I did it was always because my teammates played a great game in front of me.

[FN4]. Especially since I am one of those teachers who takes bad evaluations to heart. If I get one bad evaluation out of a class of 70 people, and the other 69 are glowing, I always believe that the person who wrote the bad one was the only person in the class who really knew what she was talking about. I have to fight against this tendency in my role as an administrator.

[FN5]. Scholarship also has an impact on the law school's U.S. News and World Report ranking, a ranking analogous to the college football and basketball rankings by AP and UPI in that coaches and media who have never seen a team play, and cannot name any of its players, are asked to access the strength of its program.

[FN6]. Take, for example, what Joe Torre did for Dale Murphy when Torre was the manager of the Atlanta Braves in the early 1980s. Murphy was a struggling catcher who had a serious problem throwing the ball to second base on attempted steals. Many managers would have given up on Murphy, but Torre recognized his strengths and moved him to center field. Murphy became an outstanding center fielder, winning five Gold Gloves at the position, and twice being named the league's Most Valuable Player. See CBS Sportsline.com.

[FN7]. See Dave Kindred, *The Best There Ever Was* (Joe Montana, the Best Quarterback Ever in the NFL, Not John Elway), *Sporting News*, Jan. 11, 1999.

[FN8]. Actually, the better reference to make this point is a book I keep on my desk as a reminder. That book is *Bird by Bird* by Anne Lamott (Anchor Books, 1994). The title comes from a story about the author's brother and an essay on birds he was assigned to do when he was ten years old. He waited until the last minute to start his report, and the strain reduced him to tears. Noticing his frustration, his father came over to him, put his hand on his shoulder, and said, "Just write it bird by bird, buddy, bird by bird."

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