

The problem with the skills content of so-called 'liberal education' is not with the conception but with the delivery. The claim that a law degree develops general transferable skills is often based on an assumption about what is implicit in being a graduate, rather than being made explicit as part of the definition of a program or communicated to students as an explicit expectation. Second, even though this implicit assumption is now being reinforced sometimes by explicit policies, the general policies seem currently limited in their elaboration and implementation. There is little evidence of formal support for students to improve their skills, even if assessment does focus in part on them. Third, the claim to develop general transferable skills is not matched by evidence that law schools seek to be in touch with the wider range of employers either directly or indirectly through careers services. They are thus not focused on how skills developed in the context of law can be applicable in other contexts and what activities would best promote such relevant skills.

The kind of assessment of skills which is appropriate depends very much on one's objectives in including skills as part of the curriculum. There are at least three different objectives possible, only the first of which requires external verification of outcome. First, we may wish that students should attain a certain level of achievement in a number of specific skills. Second, we may wish students to be exposed to a range of experiences which may enable them to enhance their skills. Third, if skills are a language of talking about achievement, then we might want students to be able to internalise that language in discussing their learning. There can thus be a significant difference between requiring that students undergo a specific process and requiring that they attain a specified level of competence in a particular skill.

Key skills (or more broadly general transferable skills) are integral to higher education in its traditional 'liberal education' objective. But in emphasising this objective, we should not ignore employ-

ability. The idea of skills as a language is central to what students should be able to do to talk about their achievements in higher education holistically. Each subject, like law, will have its own circumstances and agendas. There may be a need to differentiate some specific vocational aspects from general transferable skills. But it is important to maintain the link to show that those who are successful in the specific professions immediately served by a degree program need general transferable skills as much as those who go into other walks of life. Institutions tend to assume that skills develop automatically, rather than as the fruit of explicit cultivation in the curriculum.

TEACHERS

Thanks, but I'm just looking: or, why I don't want to be a dean

S J Becker

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The author recently spent three years serving as associate dean at the law school where he had taught since 1990. His portfolio included helping to coordinate the scheduling of more than 100 classes each semester, managing and supporting some 80 adjuncts, overseeing clinical and externship programs, championing the interests of the one-third of the students who were enrolled in the part-time program, supervising the pro bono/public interest program, serving as a liaison between the administration and a plethora of student organisations and faculty committees, and creating the school's bi-monthly newsletter and supervising its production.

Why would any member of a law faculty trade a comfortable life of teaching, scholarship, and minimal administrative responsibility for a life of administrative drudgery, very little teaching, and virtually no time for scholarship?

A significant amount of culture shock accompanied the author's move from faculty to administration. Perhaps the one that caught him most off guard was the

change in people's reactions to him. Becoming an associate dean was a harsh re-entry into the real world. The parallels between associate deaning and practising law in a big firm were astonishing. The contrasts between being an associate dean and being a regular faculty member were equally profound. Just as in practice, it was necessary to keep track of vacation and sick days and deal with the political realities of never being able to please everyone who came advocating a cause or seeking a remedy for a real or imagined injury.

A primer for the first-time law dean candidate

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Each dean search, of course, has its own unique attributes, and no universal formula charts the path for the first-time candidate. One's performance as dean is in no small measure a product of instinct and judgment, and the same is true for the dean candidate. Also, like a dean, the dean candidate will encounter the unexpected and be evaluated on her handling of the unforeseen question or circumstance. Nevertheless, some things that happen in dean searches can be anticipated, and the candidate can take steps to prepare for the foreseeable ways in which she will be evaluated.

What follows are fourteen principles of which the first-time dean candidate should be mindful. First, it is necessary to know – and be able to explain – why you want to be the dean. It is worth reflecting upon the reasons because one of the first questions put to every candidate is 'Why do you want to be dean?' Not having a good answer to this question—worse yet, appearing not to have thought much about it—is one of the quickest ways to bring a candidacy to an end.

Ultimately the reasons for seeking a deanship are personal, and many good ones are possible. Knowing which reasons apply requires knowing some things

about yourself—your values, your personal aspirations, and the things that motivate you. Presumably you get special pleasure from being engaged in the teaching-research-service trilogy. You presumably enjoy interacting with people. Although you have prospered in the relatively sheltered life of the scholar (if that is your past experience), you would admit that your professional life is not completely fulfilled without the energy that comes from collaborating with others for the shared purpose of helping an institution become better. Perhaps you have already served as an associate or assistant dean; having had experience as part of an administrative team, you are confident that this next step is one you would like to take.

Second, become familiar with the literature on law school deaning. Deans (and some who are not and have never been deans) have written much about the role of the law school dean. Third, become familiar with the literature about legal education specifically and higher education generally. Because the literature is voluminous, this suggestion can only be aspirational. You should strive to remain abreast of recent developments in legal education and the legal profession.

Fourth, learn as much as you can, early on, about the process and about what lies ahead. Even though the ingredients of dean searches vary from school to school, there are many common characteristics. The principal reason to invest time in learning more about the process is that you need to project not only why you are, in the abstract, a good dean candidate but also why you are a good candidate for that particular law school. Ideally, you should be prepared to talk fairly concretely about the directions in which you would seek to lead the school.

Fifth, acquire and understanding of and show respect for the culture of the institution whose deanship you seek. Each institution has its own ways of conducting its business. Over time institutions develop norms that provide the context for decision-making and define the

range of legitimate options from a set of all possible choices or directions. Having made decisions in the past about what is important and valuable, the community will probably make future choices that build on the past logically and incrementally. Even in circumstances where a clear majority of the community profess eagerness for 'new ideas', new initiatives are unlikely to succeed unless implemented with sensitivity to the institution's culture.

Sixth, be ready to explain your views on the importance of teaching relative to other law school missions, and be prepared to explain how the dean can promote good teaching. If you have been a member of the academy for several years, this is familiar terrain. Presumably you have opinions about the relative importance of teaching and you should have little difficulty articulating your ideas in the context of what is appropriate for this particular law school.

Seventh, be ready to explain your views on the importance of research relative to other law school missions, and be prepared to explain how the dean can promote it. During the search process you and the search committee will spend considerable time exploring whether both parties have a shared vision of the nature, role, and importance of scholarship. Eighth, be ready to explain your views on the importance of service relative to other law school missions, and be prepared to explain how the dean can promote it.

Ninth, know where you stand on the question of how the law school should relate to and interact with the legal profession. Prominent alumni will be involved in the dean search at some point; chances are that these will be persons who care deeply about the school and have been intimately involved in one or more of its programs. The nature of their queries to you will depend largely on how well they think the school is doing. They are unlikely to know the details of the school's inner workings, but if there are problems, they are likely to have some sense of them and will ordinarily ask good questions about them.

Tenth, be ready to explain your personal stance on diversity in legal education and the profession. On most issues of great importance, it is impossible to please everyone, and the question of diversity is no exception. Every viable dean candidate must demonstrate that she understands the issues and can speak thoughtfully about them. Likewise, you may be asked to react to the school's admissions policies.

Eleventh, be prepared to demonstrate your understanding of the dean's role as a manager of a complex institution. The Y2K law dean leads an institution far more complex than the law school of the 1960s. This puts a premium on managerial skills; in fact, many search committees place great value on prior administrative experience, reasoning that too much is at stake to endure a period of on-the-job decanal training. If an institution is to prosper, it must know what it is doing; its various constituencies must communicate effectively with each other. Be prepared to state your sense of what makes communication effective among law school constituencies, and what your general practices will be. Because law schools provide many student services and the dean is ultimately accountable for their effectiveness, you should be prepared to discuss them. Be ready to discuss how you would improve, maintain, or perhaps even create an effective student recruiting and admissions operations.

Twelfth, before you meet with the search committee (or make a visit to the campus), find out what problems the law school has recently faced or is now facing. You are certain to be asked what you would do if you encountered these problems. Members of the committee or the faculty will ask you about things that have recently bothered or are now bothering them.

Thirteenth, consider whether you and the central administration have shared goals with respect to the law school's future. An extraordinarily important constituency, of course, is the central administration. During the interviews, the pres-

ident or provost will take the measure of you, but you must do the same of him (or them). No other constituency can do more to help—or impede—the success of your efforts as dean. So it is critical that you share with the central administration a set of common aims and objectives.

Fourteenth, from the first moment of candidacy, act like you want to be the dean, and do not relent. Once you decide you want to be the dean, project the enthusiasm and energy that, if successful, you will be expected to bring to the position. Show interest and excitement at the prospect of being a part of the community of the institution. Deans make decisions, and good deans have the judgment to make good ones. If you have the judgment and skills needed to be a good dean, the odds are high that you will be a good dean candidate. Therefore, during the search, trust yourself and your instincts. Those who interview you will seek to acquire a sense of how you make decisions; if your judgment is good, you will demonstrate it.

Calling professor AAA: how to visit at the school of your choice

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Alphabetic superiority is the key to frequent visitor miles. Working with an existing database of faculty who began tenure-track posts at accredited law schools during the late 1980s, the factors distinguishing those who had spent one or more visiting semesters at another law school from those who had never left their tenure-track home base were examined. Among the 816 individuals in this database, 21.8% had spent at least one semester visiting another law school. Alphabetic placement of the last name emerged as a striking distinction between this group and their stay-at-home counterparts.

Those who had visited other law schools boasted last names that began, on average, with the letters *I*: The group

who had never wandered from their tenure-track turf had last names that began on average, with *K*. This difference of two letters had only a .005 probability of occurring by chance.

Alphabetic placement of the last name remained one of the most significant predictors that a professor had visited another school; the farther down a name fell on the alphabetic roster, the less likely that person was to have visited another school.

Other results of the regression are equally intriguing. Neither teaching awards nor publications correlated significantly with visits to another law school. Nor did prestige of the institution at which a teacher held a permanent position. After controlling for multiple variables, it was found that people at high-ranking institutions were just as likely to visit other schools as were their peers at lower-ranking institutions.

Most pre-teaching credentials also failed to predict the likelihood of a visit. College selectivity, school prestige, four types of clerkships, private practice experience, a history of non-tenure-track teaching before joining the tenure track, possession of an LLM, possession of a nonlaw master's degree—all showed no significant association with visits. People who identified themselves as conservatives were no more or less likely than others to visit another law school. Similarly, stressing economic perspectives in the classroom neither increased nor decreased the likelihood of a visit. But people who emphasised critical race theory in their teaching appeared more likely to visit other schools, and faculty who stressed feminist perspectives seemed less likely.

Older professors were significantly less likely than their younger colleagues to have visited another school, while men of colour were significantly more likely than white men to have visited. Women (regardless of race) did not differ significantly from white men in their propensity to visit, although both minority and white women (like white men) were less likely

than men of colour to have engaged in a visit.

This account represents just a preliminary investigation into the factors influencing professorial visits. The database includes only people appointed to a tenure-track position between 1986 and 1991; different factors might predict visits by more senior or junior faculty. The alphabetic association, however, is strong even in this preliminary analysis—and it seems unlikely to disappear through refinements of the database. The result is intriguing, because schools surely do not intend alphabetic discrimination in their offers to visit. The relationship probably arises from the ubiquitous lists associate deans use to fill visiting positions. If these lists appear in alphabetic order and if weary associate deans work their way from top to bottom, then people with names falling early in the alphabet may receive visiting invitations more often.

The alphabet does not seem to influence other types of career moves in the legal academy. Using the same database of law faculty, no significant association was found in this instance between surname and the prestige of institutions at which professors obtained their permanent tenure-track positions. Similarly, people with names falling near the beginning of the alphabet were no more likely than the alphabetically challenged to publish articles in top law journals or to accumulate a higher number of citations to their articles.

The alphabetic bias in visits seems more curious than disturbing. But the relationship yields both a practical lesson and a prospect for future research. The practical tip is for associate deans struggling to find a visitor to teach that first-year section of 150 students: start at the bottom of the list. The people with laggard last names have been asked less often they may be more likely to say yes.

Sociologists and other scholars of the workplace, meanwhile, might devote more attention to order effects like the alphabet. Few studies examine the impact of alphabetic or other sequences on hiring,