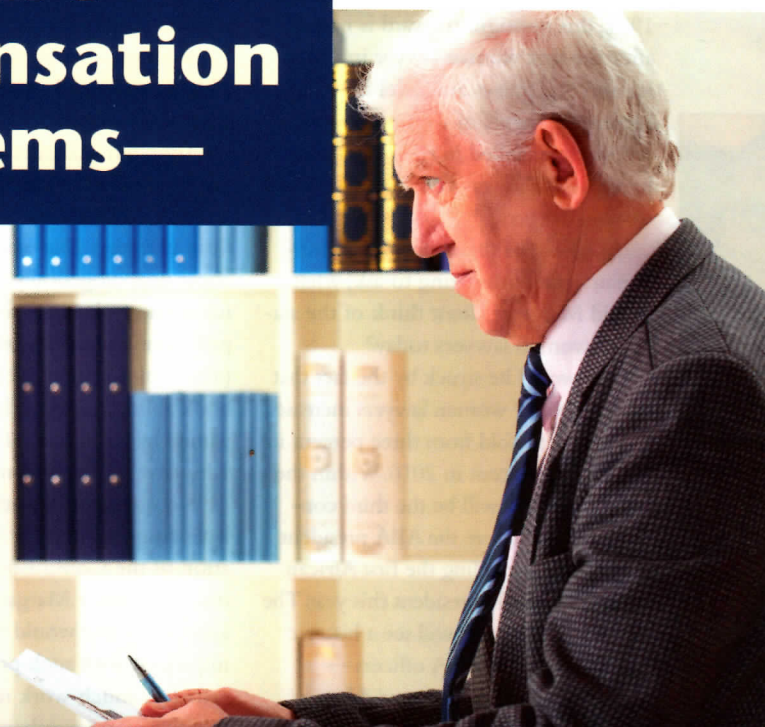


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A Magazine for and about Women Lawyers

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Women Ascend in Deanships as Law Schools Undergo Dramatic Change

By Cynthia L. Cooper

The day before graduation at Lewis & Clark Law School during Jennifer J. Johnson's first year as dean in 2015, word came from the commencement speaker. The keynoter, a U.S. senator, said she would be unable to appear, after all, at the Portland, Oregon, law school—a filibuster at the nation's Capitol preempted her attention.

Taking on the deanship was already presenting Johnson with plenty of turbulence. "We had a crisis in legal education in the sense that applications fell precipitously—for everyone," says Johnson, a business law professor at Lewis & Clark since 1980. "All of a sudden, we experienced a huge management and budget situation that hadn't been the case before."

In an instant, Johnson found herself delivering the convocation speech. She evoked the theme of a rounded life, telling graduates, "You have been working so hard, you need to take time for yourselves, take time off, time to disconnect."

Unfortunately, this is not something that she herself gets much opportunity to practice.

Johnson is one of an increasing number of women who are taking leadership at law schools—sometimes known as "deaning." In September, Johnson will host the first Gathering of Women Law Deans, a day-long event to facilitate conversations on topics of mutual interest. The challenges are especially acute now as the world of legal education undergoes a seismic shift.

In the last five years, the juris doctor applicant pool has dropped by 40 percent, says Judith Areen, executive director of the American Association of Law Schools (AALS) in Washington, D.C., and the former dean of Georgetown University Law Center. "People are generally not aware of how severe the drop has been," she explains. "The drop is steeper than in medical school or business school." AALS is planning a comprehensive study to better understand the sharp drop-off.

In the meantime, women law deans and their male counterparts are restructuring, innovating, and charting essential decisions that will affect the future of legal education. "The

qualities of a good dean are a willingness to consult broadly on the issues that you face, while not bothering the faculty on matters they don't want to be bothered with," says Areen, adding, "it takes judgment."

Rising Number of Women Law Deans

As of July 31, 2016, 61 women—a solid 30 percent—hold the position of law dean in ABA-approved law schools, and the number is likely to increase by the start of the next academic year. Since 2006, the number of women law deans has doubled, and it has more than quadrupled since 1997 when only 14 women held the title of law dean. The first woman dean at an ABA-approved law school, Miriam Theresa Rooney, was appointed in 1951 at the brand new Seton University School of Law in Newark, New Jersey. The percentage of women law deans still lags behind that of full-time women professors, who account for 41 percent of faculty, according to 2013 statistics from the ABA Section of Legal Education and Admission to the

Bar, and even farther behind that of women law students, who constituted 49.3 percent of the 1Ls in 2014–15.

Women law deans sit at institutions throughout the country. Three of the four top-ranked law schools in the most recent *U.S. News and World Report* listing have women deans.

Martha Minow became the second woman dean at Harvard Law School, taking over in 2009 from the former dean and current Supreme Court Justice Elena Kagan (Patricia Ann Lovett also served as acting Harvard Law dean in 2009). In 2015, Gillian Lester became the second woman dean at Columbia Law School; the first woman to hold that position, Barbara Aronstein Black, in 1986, was also the first woman dean at an Ivy League law school.

Stanford Law School is enjoying the tenure of its second woman dean as well. The 11th law dean, serving from 1999 to 2004, was Kathleen M. Sullivan. Currently at the helm is M. Elizabeth Magill, a former law clerk for Justice Ruth Bader Ginsburg and a professor and vice dean at University of Virginia School of Law, who became Stanford Law's 13th dean in September 2012.

But much has changed in the last decade. "Stanford Law School 10 years ago and Stanford Law School today are very different institutions—different curricular opportunities, different styles of teaching," Magill explains. "As a general matter, legal education everywhere has become more immersive, more experiential, more interdisciplinary, and more attentive to the fact that we live in a global world. This is a time of great change in the legal profession."

Insiders and Outsiders Take the Helm

The path to the dean's office often emerges for law faculty who move to the administrative side. Jennifer L. Mnookin is such an "inside dean." In June 2015, she was appointed dean of UCLA School of Law in Los Angeles, having joined the faculty 10 years earlier and served in two different vice dean positions. Law academia goes back much farther for her, too—her

The Progression of Women Law Deans

1898: First woman law dean, Ellen Spencer Mussey, cofounder of the Washington College of Law in Washington, D.C., advocates for educating women as lawyers

1951: Miriam Theresa Rooney is appointed dean at Seton Hall University School of Law, as the first woman dean at an ABA-approved law school

1974: Soya Mentschikoff, first woman to teach law at Harvard University and dean of the University of Miami School of Law, becomes the first woman president of the AALS

1980: At this date, seven women in total have served as deans at ABA-approved law schools.

1986: Barbara Aronstein Black becomes the first woman dean at an Ivy League school, Columbia Law School

1997: With 14 women in deans' positions nationwide, a databank of women candidates is created by Judith Areen, then dean at Georgetown University Law Center

1998: Six new women law deans make a total of 20 women deans nationwide

2002: Twenty-six women deans or interim deans serve at ABA-approved law schools

2003: Elena Kagan, first woman dean at Harvard Law School, becomes the 58th woman nationwide to serve as a law school dean

2006: Thirty women deans lead ABA-approved law schools

2016: Sixty-one women deans currently serve at ABA-approved law schools



Photo of Ellen Spencer Mussey:
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father is a law professor currently teaching at Harvard Law School.

"I don't think being a law dean is something people say in elementary school, 'Gee, I want to be a dean when I grow up.' I did grow up knowing about academia, and legal academia in particular," Mnookin recalls.

Once she started teaching in 1998, Mnookin was drawn to what she calls the "institutional" side of academia. At UCLA, that's a full plate. The school is in the middle of a \$150-million capital campaign, and while seeing its state budget shrink, is the newest law school in the top 20, meaning that its alumni support network is still building. Then, there are the curricular questions that Mnookin returns to constantly. "What is it that future lawyers need to know and understand?" she asks. "How can we best situate them, not just to hit the ground running on day one, but to be thoughtful, passionate, successful lawyers and leaders in year 5, year 10, year 20?"

While law deans in the past were known for scholarly prowess, the tasks of being a dean today go well beyond that. Deanell Reece Tacha accepted the dean's position at Pepperdine University School of Law in Malibu, California, in 2011 after serving 25 years as a judge on the Tenth Circuit

U.S. Court of Appeals. In both positions, "you're working with a collegial group," says Tacha. But a dean's role is far more layered. "Being a dean, one has to pay very close attention to all parts of the legal profession—to the employment market, to admissions, to faculty responsibilities, to alumni, to university administrators, to local and state bars," she explains. "I've found the complexity of it very interesting—and very challenging."

Tacha was among a few women law students in her class in the late 1960s and never had a single woman law professor. "It would be naïve to say that there still aren't challenges the women face, despite the numbers," Tacha points out. "I could say I've been helpful to women students in modeling their own careers and how they react when certain implicit biases or sexist things occur."

In response to the shifts in the market, Dean JoAnne A. Epps of Temple University Beasley School of Law in Philadelphia, Pennsylvania, encourages her faculty to test innovative approaches. The first year now includes elective selections, such as a transactional business practices course in which students make a hypothetical

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WOMEN ASCEND IN DEANSHIPS AS LAW SCHOOLS UNDERGO DRAMATIC CHANGE

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deal and hammer out the details. “As a leadership style, I’ve allowed people the freedom to try new things,” says Epps. “All law schools face the challenges of being timeless and timely.”

Epps was awarded the 2014 Justice Sonia Sotomayor Diversity Award by the Philadelphia Bar Association and has been honored three times by *Lawyers of Color* magazine as one of the 100 most influential black lawyers in the country. Epps and other African American women fill 11 of the positions held by women deans, according to 2013 ABA statistics.

As a law professor for three decades and Beasley dean since 2008, Epps has served on a seemingly endless list of committees and boards, with the ABA, the American Law Institute, Philadelphia’s community police oversight board, the Public Interest Law Center, the Pennsylvania Women’s Forum, and more. “I get asked to do a lot in the service category that a guy might not get asked to do,” says Epps. She adds, “I think it makes the students pleased that they have a woman dean, especially in a world where that might not always be the case.”

Building the Profession

Dean Jennifer Rosato Perea is now in her third deanship and, she says, her “eighth year

of being a dean somewhere.” Rosato Perea began as dean of DePaul University College of Law in Chicago in June 2015. For the six previous years, she served as dean of Northern Illinois University College of Law in DeKalb, Illinois, where she started a health advocacy clinic. She also served as the acting dean at Drexel University Thomas R. Kline School of Law in Philadelphia when it opened its doors in 2006.

“I really wanted to dean,” says Rosato Perea, formerly a professor and assistant dean at Brooklyn Law School. Women deans, she says, broaden the range of management styles and perspectives.

“Being a dean is about getting buy-in, being persuasive. How many can you get on board? When you solve problems, it’s very, very rewarding.”

One of two Latina deans currently at ABA-approved schools, Rosato Perea supports experiential learning and ethical teaching, relishing the role of creating a pipeline for leaders who can address society’s most complex problems. “As a dean, I can make more of an impact,” she declares. “You’re touching more constituencies—within the law school, within the university, within the community, and even nationally when you are asked to speak.”

So many women have ascended so rapidly that Laura M. Padilla, a professor

at California Western School of Law in San Diego, is considering renewing her 2007 study on women law deans, gender, and power, which was published in *Journal of Gender, Social Policy & the Law* (see sidebar, page 9). Since then, Padilla has had a taste of the administrative side, serving as assistant dean and general counsel at her school. She considered applying for a deanship but, with three teenagers at home, opted for more family time. Her research showed that women’s parenting concerns sometimes make deanship a hard road, but she discovered that practice in the multitasking of parenting came in handy, too.

Padilla is also well aware of the job market, enrollment, and budget puzzles that dog law schools. “Is it a coincidence that we have a big jump in women law deans at a time when law schools are struggling?” she proffers. “I won’t answer that—but I’ll ask the question.”

The need for fresh thinking about legal education assures that the law school of the future will look very different from the law school of the past, women deans agree. Adds Areen, “This is a very good time for women law deans.”

Cynthia L. Cooper is an independent journalist in New York with a background as a lawyer.