

Women Law Deans, Gender Sidelining, and Presumptions of Incompetence

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INTRODUCTION

In 2007, I wrote *A Gendered Update on Women Law Deans: Who, Where, Why, and Why Not?* [hereinafter *A Gendered Update*],¹ which examined the number of women law deans, including women of color, their paths to deanships, and what the future might hold for decanal leadership from a gendered and racialized lens. *A Gendered Update* reported that in the 2005-2006 period, thirty-one law deans at the 166 Association of American Law Schools (“AALS”) member schools were women (18.7%).² Only three of the thirty-one women law deans were women of color (1.8%).³

Much new scholarship concerning women in leadership has emerged since I wrote *A Gendered Update*. One book and one article in particular prompted me to return to the topic of women law deans. In 2012, the University Press of Colorado published the groundbreaking book, *Presumed Incompetent: The Intersections of Race and Class for Women in Academia* [hereinafter *Presumed Incompetent*].⁴ *Presumed Incompetent* is a powerful collection of essays that explore presumptions of incompetence that haunt women of color in the Academy.⁵ It noted, “[a]lthough intellectually we understand institutionalized systems of domination, study them, and teach their details and histories, in our hearts and innermost selves we may also—at the same time—somehow internalize the ideas about our presumed incompetence that are so pervasive in our everyday lives.”⁶ The same presumptions of incompetence that accompany women when they enter the Academy often follow them up the career ladder through the tenure process. These presumptions are even present when women

¹ . Laura M. Padilla, *A Gendered Update on Women Law Deans: Who, Where, Why, and Why Not?*, 15 AM. U. J. OF GENDER, SOC. POL’Y & L. 443 (2007).

² . *Id.* at 461. Note that some schools had female interim deans, but I did not include them in the percentage set forth above because of their temporary status. During that same reporting period, 135 of the 166 AALS-member schools (81.3%) had male deans.

³ . *Id.* at 461-64 (especially notes 79-82).

⁴ . PRESUMED INCOMPETENT: THE INTERSECTIONS OF RACE AND CLASS FOR WOMEN IN ACADEMIA (Gabriella Gutiérrez y Muhs, Yolanda Flores Niemann, Carmen G. González & Angela P. Harris eds., 2012).

⁵ . Institutions of Higher Education are commonly referred to as the Academy. *See, e.g.*, Chad Wellmon, *The University is Dead, Long Live the Academy! Reflections on the Future of Knowledge*, ABC NEWS (Nov. 6, 2017), <https://perma.cc/FQU5-C4PJ> (“When I refer to *The Academy*, I mean those activities, practices, goals and norms related to the creation, cultivation and transmission of knowledge.”).

⁶ . *See* PRESUMED INCOMPETENT, *supra* note 4, at xi.

are appointed as deans, sowing seeds of doubt about their competence and undermining what may appear from the outside to be enviable careers.

Professor Jessica Fink wrote *Gender Sidelining and the Problem of Unactionable Discrimination* [hereinafter *Gender Sidelining*], which was published in 2018.⁷ *Gender Sidelining* explores harmful gender-generated behaviors which are neither actionable nor significant enough individually to warrant a comprehensive response, but whose cumulative effect can be devastating:

[W]omen experience . . . adverse treatment at work that the law does not address: [Men] workers often garner more of the limelight than their [women] coworkers, attracting more attention and recognition. Women often lack access to important opportunities or feel subjected to greater scrutiny than their [man] peers. . . None of these slights, in isolation, likely would give rise to a viable antidiscrimination claim. Yet collectively, these incidents— . . . “gender sidelining”—accumulate to create very real obstacles and barriers to advancements for women at work.⁸

Women in law school leadership positions, especially women of color, are intimately familiar with gender sidelining, having experienced it in positions leading up to their deanships, and while running their institutions.

It has been over twelve years since I wrote *A Gendered Update*, about seven years since *Presumed Incompetent* went to press, and just over a year since *Gender Sidelining* was published. Each work has a different thesis, yet their discussions of presumptions of incompetence and gender sidelining all address challenges that women, especially women of color, face in leadership roles. This Article explores these same topics in the context of law deans.

This Article starts with updated data on the number of women law deans, including women of color, and demonstrates increased numbers of both women and women of color in deanships. It then shifts to plausible explanations for this growth: some optimistic and some more skeptical. On the positive side, it is logical that new appointments reflect women’s increased representation in the broader legal population, which serves as the source of most new dean hires.⁹ In addition, there seems to be some recognition that women bring something new and different to leadership: a greater willingness to change, be flexible, and approach old problems in new ways.¹⁰ On the other hand, running a law school has become more challenging because of a decline in applications and credentials since 2011, which has translated into smaller classes and budgets,

⁷ . Jessica Fink, *Gender Sidelining and the Problem of Unactionable Discrimination*, 29 STAN. L. & POL’Y REV. 57 (2018).

⁸ . *Id.*

⁹ . See Jennifer Cheeseman Day, *More Than 1 in 3 Lawyers Are Women*, U.S. CENSUS BUREAU (May 8, 2018), <https://perma.cc/VL67-PBZ2>.

¹⁰ . Joan M. Kern, *Lessons Learned From Women Leaders in Higher Education* 130–32 (2015).

voluntary and involuntary layoffs, more work, and less pay.¹¹ It may be no coincidence that as the job became less desirable, women were appointed in greater numbers.

Next, this Article provides narrative descriptions of women's experiences in leadership, including experiences unique to women of color, such as common stories of presumptions of incompetence, and gender sidelining. The stories are culled from surveys sent to all women law deans.¹² The survey responses reveal challenges in leadership roles, risks taken, and battles won and lost, and display increased obstacles for women of color. This Part also dissects women deans' experiences with presumptions of incompetence and gender sidelining, and explores relationship and family patterns revealed by survey responses. It also compares the answers from these surveys to those conducted for *A Gendered Update*, and suggests potential trends and truths.

The next Part of this Article develops ideas on how to continue increasing the number of women law deans and provide them support for success. It also outlines ideas and tools to prevent, ameliorate, and end gender sidelining and presumptions of incompetence. Even more promising, it also explores how to flip the script on these destructive forces and celebrate the strength, change, and opportunities women bring to law school communities through their leadership. This Article closes with a summary and cautious hope for continued diversification of the decanal ranks.

I. AN UPDATE ON WOMEN LAW DEANS

The percentage of women law deans has steadily increased since the first woman ascended to the position in 1898,¹³ approaching 21% by the end of 2014.¹⁴ By 2015, the percentage hovered between 25–27%.¹⁵ As of August 1, 2019, 31.5% of law deans at the 203 American Bar Association (“ABA”)¹⁶ schools were women (64 women).¹⁷ At the same time, 33.5 % of law deans at the

¹¹ . See, e.g., Laura M. Padilla, *Whoosh - Declining Law School Applications and Entering Credentials: Responding with Pivot Pedagogy*, 3 INT'L J. ARTS & HUMAN. 43 (2017).

¹² . I also sent a slightly modified version of the survey to all male law deans. For more information, see *infra* at 14-15 and Appendix E, *infra* at 174.

¹³ . Mary L. Clark, *The Founding of the Washington College of Law: The First Law School Established by Women for Women*, 47 AM. U. L. REV. 613, 614, 634 (1998).

¹⁴ . Tracy Thomas, *46% of New Law Deans are Women*, GENDER & L. PROF BLOG (June 9, 2015), <https://perma.cc/876V-69FU> (“Before this year’s new hires, women constituted 20.6% of Law Deans.”).

¹⁵ . Tracy Thomas, *New Women Law School Deans*, GENDER & L. PROF BLOG (June 8, 2017), <https://perma.cc/8PRP-4G2D>.

¹⁶ . *ABA-Approved Law Schools*, AM. BAR ASS'N, <https://perma.cc/Z4FR-TFAA> (“The Council has accredited and approved 203 institutions and programs that confer the first degree in law (the J.D. degree); one of these law schools is provisionally approved [UNT Dallas]. Also on the approved list is the U.S. Army Judge Advocate General’s School, which offers only the LL.M. degree.”). Note that three of the 203 schools are on probation and at risk of losing ABA approval (Arizona Summit, Atlanta’s John Marshall Law School, and Thomas Jefferson, the first and last of which are led by women). *Id.*

¹⁷ . See Appendix A, *infra* at 53, for a list of women law deans at ABA schools (note that interim deans are not included in the number of women law deans given their temporary

179 AALS-member schools were women (60 women).¹⁸

While the number and percentage of women law deans of color also grew significantly, their numbers remain small. As of August 1, 2019, women of color represented 9.6% of law deans at ABA schools (19.5 women of color), and 9.2% of law deans at AALS-member schools (16.5 women of color).¹⁹ Nonetheless, this increase represents progress since 2006 when there were only three women law deans of color.²⁰ Five Latina women have been appointed as deans,²¹ as well as the first Native American²² and Asian American women.²³

In recent years, many law schools have appointed women deans,²⁴ with a noticeable uptick in the 2015-2016 academic year when there were fifty-seven women deans at the then 207 ABA law schools,²⁵ representing approximately 27.5% of all law deans. The trend continued: “To date in 2017, 14 of 28 (50%) new deans are women. Two are women of color.”²⁶ The 2019 numbers reveal continued increases in the number of women law deans, ranging from 31.5% at ABA schools, to 33.5% at AALS-member schools. Today’s numbers represent a far cry from the early days of women deans.

The first school to appoint a woman dean, the Washington College of Law, was established “principally for the education of women in the law . . . the first law school established by and for women in the United States.”²⁷ Given its founding mission, it is no surprise that the Washington College of Law was the first law school to appoint a woman dean in the United States, Ellen Spencer Mussey, in 1898.²⁸ The school’s second through fourth deans (all of whom

status, but they are included in Appendix A. Two law schools have co-deans (the other co-dean at each school is a man). I count each co-dean as ½ to reflect 1 dean total per law school); *see also* ABA COMMISSION ON WOMEN IN THE PROFESSION, A CURRENT GLANCE AT WOMEN IN THE LAW (Jan. 2018), <https://perma.cc/9XTM-QZUA> (documenting 32.4% of deans were women, including interim deans as of January 13, 2018).

¹⁸ . “Since 1900, 179 law schools from across the country have become members of the Association of American Law Schools. Additionally, 18 law schools are fee-paid non-members.” *Member Schools*, ASS’N AM. L. SCH., <https://perma.cc/6NR9-YLBK>. *See also* Appendix A, *infra* at 53 (listing women law deans at AALS schools).

¹⁹ . For detailed information on the ABA and AALS schools led by women of color, *see* Appendix B, *infra* at 58. Rutgers has a co-dean, who serves with a male co-dean. For statistical accuracy relative to the total number of ABA and AALS law schools, each co-dean counts as ½ (so each law school is credited with one dean total).

²⁰ . *See* Padilla, *supra* note 2, at 461-62.

²¹ . *See infra* notes 53-60, and accompanying text.

²² . *See infra* notes 61-62, and accompanying text.

²³ . *See infra* notes 50-52, and accompanying text.

²⁴ . *See, e.g.*, Karen Sloan, *If It’s a New Law Dean, it’s Likely a Woman*, LAW.COM (Mar. 30, 2017), <https://perma.cc/NPG8-ULLC> (noting in 2017, that “March has been a good month for women law deans. Six of the eight new law deans appointed this month are women, with a seventh taking on an interim dean role for the coming academic year.”).

²⁵ . John Haskell, *US Law School Industry: Dean Positions 2015-2016*, <https://perma.cc/5VTG-76QE>.

²⁶ . Thomas, *supra* note 15 (listing 2017’s women appointees, their institutions, and their prior positions).

²⁷ . Mary L. Clark, *The Founding of the Washington College of Law: The First Law School Established by Women for Women*, 47 AM. U. L. REV. 613, 614, 634 (1998).

²⁸ . *Id.* at 632.

served before the school received ABA approval) were all women,²⁹ as was the fifth dean, “Helen Arthur Adair, who was named Acting Dean on January 15, 1943, three months before the school received A.B.A. approval. Adair continued to serve as acting dean until 1947, when the school was accepted for membership in the A.A.L.S.”³⁰ Another early pioneer was Miriam Theresa Rooney who served as “the founding dean of Seton Hall University School of Law at the time it received A.B.A. approval in 1951.”³¹ The University of Miami School of Law appointed M. Minnette Massey as Acting Dean from 1962-1965,³² the first of many women to serve as dean of the institution.³³ In those early days, however, women deans were few and far between.

The number of women law deans has grown, with women serving at law schools of all rankings, including several at top law schools. Impressive among the new dean announcements in 2017’s bumper crop was Yale’s appointment of its first woman dean, Heather Gerken.³⁴ When asked whether she felt her appointment as Yale’s first woman law dean was significant, she responded, “I’m proud of it, especially because I have a 14-year old daughter. But I will say there are a lot of firsts that came before me. Kate Smith was our interim dean . . .”³⁵ As of April 2018, in addition to Yale, women have led many of the top ten

²⁹ . *Id.* Mussey served as dean from the law school’s incorporation in 1898 until 1913, and co-founder Gillette then served from 1913-1923. *Id.* at 632 n.125. Elizabeth C. Harris served briefly from 1923-1924, followed by Laura H. Halsey who also served briefly from 1924-1925. *Id.* at 666. She was followed by Grace Hays Riley who served until 1943. *Id.* at 667. Riley was followed by Helen Arthur Adair. *Id.*

³⁰ . Herma Hill Kay, *Women Law School Deans: A Different Breed, Or Just One of the Boys?*, 14 *YALE J. L. & FEMINISM* 219, 221 (2002).

³¹ . *Id.* at 222 (Dean Rooney served until 1961).

³² . Peter Burke, *University of Miami School of Law’s First Female Dean Dies at 89*, WPLG LOC. 10 NEWS (Nov. 18, 2016), <https://perma.cc/E7FR-AC86>.

³³ . For example, Soia Mentschikoff was dean at the University of Miami from 1974-1982. Jason Kelly, *Legal Light*, 111 *U. CHI. MAG.* 42, 43 (Winter 2019), <https://perma.cc/7CZW-NWTH>.

³⁴ . *Heather Gerken Selected as Next Dean of Yale Law School*, *YALE L. SCH. NEWS* (Feb. 21, 2017), <https://perma.cc/9N64-KM7R>.

³⁵ . Karen Sloan, *Meet Heather Gerken, Yale’s First Woman Law Dean*, *NAT’L L. J.* (Feb. 27, 2017), <https://perma.cc/CBU7-UBER>.

law schools,³⁶ including Columbia,³⁷ Berkeley,³⁸ Stanford,³⁹ Harvard,⁴⁰ and Virginia.⁴¹

When writing *A Gendered Update* in 2005, only a handful of women had run elite law schools: Barbara Aronstein Black served as dean of Columbia Law School from 1986–1991,⁴² Kathleen Sullivan was dean at Stanford Law School from 1999–2004,⁴³ and Elena Kagan was dean at Harvard Law School from 2003–2009.⁴⁴ As of this writing, six of the ten top law schools have had at least one woman dean, with Berkeley and Columbia boasting two each, and Stanford three, with the recent appointment of Jenny Martinez,⁴⁵ the first woman of color and first Latina to lead a top ten law school. These appointments represent significant improvement in women’s representation in elite law school leadership.

The 19.5 women of color serving as deans at ABA law schools and 16.5 at AALS-member schools⁴⁶ provide many reasons to celebrate. Since *A Gendered Update*, the first Native American and Asian American deans have been appointed and the number of women of color serving as law deans has quintupled.

Unfortunately, the story of women of color as law deans is a fairly new one. In 1969, Howard Law appointed the first woman law dean of color, Patricia

³⁶ . In the most recent U.S. News rankings, the top 10 law schools were: Yale, Stanford, Harvard, Chicago, Columbia, NYU, Penn, Michigan, Berkeley, Duke, Northwestern, and Virginia. *Best Law Schools*, U.S. NEWS & WORLD REPORT, <https://perma.cc/V29N-CEMV>.

³⁷ . Columbia’s first woman dean, Barbara Aronstein Black, served from 1986–1991. *Barbara Aronstein Black*, COLUMB. L. SCH., <https://perma.cc/KY6U-MFS2>. She was also the first woman dean at any Ivy League law school. *Woman in the News: Barbara Aronstein Black; Incoming Law School Dean with 2 Careers*, N.Y. TIMES, Jan. 2, 1986, at D14, <https://perma.cc/2QS3-D7ET>. Gillian Lester, who started as dean in 2015, is the second woman dean at Columbia. *Gillian Lester*, COLUMB. L. SCH., <https://perma.cc/ECP2-MUGO>.

³⁸ . Herma Hill Kay served as Dean from 1992–2000, Gillian Lester served as Acting Dean from December 2012–May 2013, and Melissa Murray served as Interim Dean from March 2016–June 2017. *Former Deans*, BERKELEY L., U. C., <https://perma.cc/9FFW-5ZAH>.

³⁹ . Kathleen Sullivan served as Stanford Law Dean from 1999–2004. Ann Dethlefsen, *Kathleen Sullivan to Step Down as Dean of Law School*, STAN. NEWS (Oct. 22, 2003), <https://perma.cc/D86U-PHFC>. Mary Elizabeth Magill is serving as the second female dean, starting in 2012 and she will step down in 2019. *Mary Elizabeth Magill Named Dean of Stanford Law School*, STAN. NEWS (July 24, 2012), <https://perma.cc/227G-2RXG>.

⁴⁰ . Harvard appointed its first woman dean, Elena Kagan, in 2003. *Elena Kagan Named Next Dean of Harvard Law School*, HARV. TODAY (Apr. 3, 2003), <https://perma.cc/G52B-8B9V>. She was succeeded by Martha Minow who served as Dean from 2009–2017. *Martha Minow: 300th Anniversary University Professor*, HARV. L. SCH., <https://perma.cc/6KJY-T6E2>.

⁴¹ . Risa L. Goluboff was recently named the first woman dean at University of Virginia, School of Law. *Risa L. Goluboff*, U. VA., <https://perma.cc/98QF-KN53>. Her term started in 2016. *UVA Law School History*, U. VA., <https://perma.cc/X9V5-EA48>.

⁴² . *Supra* note 37.

⁴³ . Dethlefsen, *supra* note 39.

⁴⁴ . *Current Members*, U.S. SUP. CT., <https://perma.cc/MGA6-QUVV>.

⁴⁵ . Brady Hayward, *Professor Jenny S. Martinez Appointed Dean of Stanford Law School*, STAN. NEWS (Feb. 6, 2019), <https://perma.cc/PF8Y-CCPE>; Stephen Danay, *New Dean Wants Stanford to Help Lead Diversity Discussion*, LEADERSHIP CONNECT (Feb. 8, 2019), <https://perma.cc/5Y3K-A5S3>.

⁴⁶ . See Appendix B, *infra* at 58.

Roberts Harris.⁴⁷ From then until 2006, all women law deans of color were Black, as are fourteen of the 19.5 current ABA deans (76%),⁴⁸ and 10.5 of the 16.5 AALS deans (68%).⁴⁹ Effective January 1, 2018, L. Song Richardson became dean at the University of California at Irvine School of Law,⁵⁰ “becoming the only woman of color to serve in this role among *U.S. News & World Report*’s top 30 law schools.”⁵¹ She is also the first woman dean of Asian descent. Since then, Sudha Setty—the second Asian woman and first of South Asian descent—was appointed law dean at Western New England School of Law, where she started her term July 1, 2018.⁵²

There have been other noteworthy milestones. Drexel was the first law school to hire a Latina dean when it appointed Jennifer Rosato as its acting dean from 2006–2007,⁵³ its first year in operation. Dean Rosato is the first serial Latina dean, serving her second deanship at Northern Illinois University College of Law from 2009–2015.⁵⁴ In 2015, DePaul School of Law appointed her as dean, where she continues to preside.⁵⁵ Since Dean Rosato broke through in 2006, five other law schools have appointed Latina deans. Barry University School of Law named Leticia Diaz dean (the first Cuban American woman) effective January 7, 2007, where she continues to serve.⁵⁶ UCLA made a newsworthy appointment in 2010 when it named Rachel F. Moran, the Robert D. and Leslie-Kay Raven Professor of Law at the University of California, Berkeley, School of Law, as the first Latina dean of a top-ranked U.S. law school.⁵⁷ In 2011, the University of Puerto Rico named Vivian Neptune dean, where she continues to serve.⁵⁸ That same year, Loyola University New Orleans College of Law named María Pabón Lopez dean, where she served until the end

⁴⁷ . Linda Charlton, *Patricia Roberts Harris*, N.Y. TIMES, Dec. 22, 1976, at 16.

⁴⁸ . I count Dean Richardson as both Black and Asian American under both the ABA and AALS lists, which explains why the numbers do not add up. I anticipate it will be increasingly difficult to categorize women of color by race as we move towards more mixed-race identities. *See, e.g.*, Susan Saulny, *Counting by Race Can Throw Off Some Numbers*, N.Y. TIMES, Feb. 10, 2011 at A1 (discussing the federal government’s inconsistent categorization of multiracial individuals when keeping racial statistics).

⁴⁹ . *See* Appendix A, *infra* at 53; Appendix B, *infra* at 58. Black women are the only group who can claim a critical mass of women law deans.

⁵⁰ . *L. Song Richardson named dean of UCI School of Law*, UCI NEWS (Dec. 21, 2017), <https://perma.cc/6D2T-E54G>.

⁵¹ . *Id.*

⁵² . *Sudhan N. Setty*, W. NEW ENG. SCH. L., <https://perma.cc/ZPT5-8TY9>.

⁵³ . Kelly Thames, *Getting to Know Jennifer Rosato Perea*, 21.3 CATALYST 12 (2015).

⁵⁴ . Jennifer L. Rosato, *Reflections of a Reluctant Pioneer*, 48 CAL. W. L. REV. 444, 445 (2012).

⁵⁵ . *DePaul University Names Jennifer Rosato Perea Dean for the College of Law*, DEPAUL C. L. (Mar. 25, 2015), <https://perma.cc/V66E-4HW4>; *Jennifer L. Rosato Perea*, DEPAUL C. L., <https://perma.cc/JP4G-ZLBV>.

⁵⁶ . *Leticia M. Diaz*, BARRY U., <https://perma.cc/F2LD-GVHA>.

⁵⁷ . Debra Cassens Weiss, *New UCLA Law Dean Will Be First Latina at Helm of a Top 20 Law School*, ABA J. (June 9, 2010), <https://perma.cc/MW8P-BP5N>.

⁵⁸ . *Vivian I. Neptune Rivera*, ESCUELA DE DERECHO UNIVERSIDAD DE PUERTO RICO, <https://perma.cc/ZC73-YMPA>.

of the 2014–2015 academic year.⁵⁹ Jenny Martinez started her term as dean at Stanford Law School April 1, 2019.⁶⁰ As of August 1, 2019, there were four active Latina law deans at ABA schools and three at AALS-member schools.

In yet another historic first, in 2011, the University of Arkansas School of Law appointed Stacy Leeds—the first Native American woman law dean in the country—where she served until 2018.⁶¹ That same year, 2018, Washburn University School of Law appointed Carla Pratt, a Black woman with Native American roots, dean.⁶²

There is much more race and gender diversity today than in the law school decanal past. Close to 50% of new law dean hires over the past few years have been women.⁶³ From 1950–1980, there was only one woman law dean of color; in 2002, there were two women law deans of color.⁶⁴ Now there are more than nineteen. However, there is still room for improvement as a critical mass of Asian American, Latina, and Native American women law deans has not yet emerged. Even with many appointments of women deans over the past decade, the overall percentage of women law deans has grown gradually and remains lower than the percentage of women in the Academy⁶⁵ and the general population,⁶⁶ leveling out at around 32.5%.⁶⁷ While this is much better than the 18% reported in 2007, some lament the numbers are too low and should better represent the number of women in law school and the general population.⁶⁸

⁵⁹ . Colleen Dulle, *Law Dean Resigns*, MAROON (Dec. 12, 2014), <https://perma.cc/MP5K-L22U>; *María Pabón*, LOYOLA U. NEW ORLEANS, <https://perma.cc/SU7F-ZE94>.

⁶⁰ . Brad Hayward, *Professor Jenny S. Martinez Appointed Dean of Stanford Law School*, STAN. NEWS (Feb. 6, 2019), <https://perma.cc/ZMA4-4RKF>.

⁶¹ . Chase Reavis, *School of Law Dean to Step Down in June, Will Remain as Professor*, ARK. TRAVELLER (Oct. 2, 2017), <https://perma.cc/8935-NTL4>.

⁶² . *Carla D. Pratt named Dean of Law School*, WASHBURN U. SCH. L. (Feb. 2018), <https://perma.cc/KU2R-U7VZ>. Dean Pratt's paternal family are Choctaw freedmen descendants (descendants of slaves owned by Choctaw Indians), but the Choctaw Nation has not recognized Black freedmen as citizens of the Choctaw Nation. To date, only the Cherokee Nation of Oklahoma has recognized their freedmen descendants as citizens.

⁶³ . Thomas, *supra* note 15 (“To date in 2017, 14 of 28 (50%) new deans are women. Two are women of color. In 2015, 46% of new law dean appointments were women.”).

⁶⁴ . Kay, *supra* note 30, at 225, 227 (Respecting the small number of women law deans of color, Dean Kay noted: “Only one—Dean Marilyn Yarbrough of Tennessee—has held office as dean at a majority white law school. Two of the historically black law schools—Howard and North Carolina Central—have had women deans: indeed, both have had two.”).

⁶⁵ . *See infra* notes 75-83, and accompanying text.

⁶⁶ . *See, e.g., 2018 Population Estimates by Age, Sex, Race and Hispanic Origin*, U.S. CENSUS BUREAU, <https://perma.cc/8BF6-KTBT> (providing statistics which show 49.1% males and 50.8% females in the US population).

⁶⁷ . *See supra* notes 16-18, and accompanying text.

⁶⁸ . *See, e.g., Sloan, supra* note 24 (quoting Tracy Thomas: “the current population of law deans is 30 percent women. Our current students are 50 percent women, as are the associate law dean ranks. The leadership needs to be representative of society.”); Haskell, *supra* note 25 (“Law programs and their leadership remain potentially gendered: women make up only about a third of the total number of law school Deans in the United States . . .”).

II. WHY ARE THERE MORE WOMEN LAW DEANS TODAY?

There are many reasons for today's larger percentage of women law deans, with the needle leveling out at approximately 32.5%,⁶⁹ including about 9% of law dean positions held by women of color.⁷⁰ There is more gender parity in law schools which leads to more women law school graduates and professors—the pool from which most deans are selected. Some leaders have developed tools to create pathways to deanships for women and minorities.⁷¹ Perhaps more cynically, law school deanships are no longer the plum positions they once were. This Part will address each of these potential explanations in turn.

Women now represent approximately 50% of law students,⁷² translating into a larger population of women lawyers, judges, and law professors. In 2016, the ABA reported that women comprised 50.7% of first-year law students, 51.3% of the total JD enrollment, and 52.7% of JDs awarded.⁷³ The ABA also reported that women made up 48.7% of summer associates, 45% of associates, 18% of equity partners, and 36% of those in the legal profession.⁷⁴ Given that law school classes routinely include at least 50% women, there are more women in the pipeline to the legal Academy, the source of most deans.

Regardless of gender or race, most newly appointed deans started their academic careers as law professors and many served as associate dean or in some high-level administrative capacity, as interim or acting dean, or as a dean elsewhere.⁷⁵ While some deans are selected from the ranks of judges, politicians, and the business world, most law school deans still emerge from faculty positions or administrative appointments at law schools,⁷⁶ where there are more women now than in the past. According to the ABA's 2013 Annual Questionnaire, 4,410 law professors were men, of whom 3,632 had tenure and 778 were tenure-track.⁷⁷ By comparison, 2,497 law professors were women, of

⁶⁹ . Cf. ABA COMMISSION ON WOMEN, *supra* note 17, at 4 (noting that 31.1% of the deans of AALS-member schools were women, which “represents 183 deans at AALS-member schools, three of which have two co-deans each, and includes permanent and interim deans”).

⁷⁰ . See *supra* note 19, and accompanying text; Appendix B, *infra* at 58.

⁷¹ . See, e.g., Karen Sloan, *More Minority Women Ascend to Law Dean Jobs*, NAT'L L. J. (Jan. 10, 2019), <https://perma.cc/3LU5-HBF5>.

⁷² . See ABA COMMISSION ON WOMEN, *supra* note 17, at 4.

⁷³ . *Id.*

⁷⁴ . *Id.*

⁷⁵ . See Karen Sloan, *Rise in Number of Women Deans at U.S. Law Schools*, NAT'L L. J., June 22, 2015, at 3 (“[M]any of the women assuming deanships this summer (2015) have served as interim, associate or assistant deans, or have chaired faculty committees.”).

⁷⁶ . See, e.g., Kay, *supra* note 30, at 224. Of the current women serving as deans, six previously served as judges (Madeleine M. Landrieu, Elizabeth A. McClanahan, Elaine Mercia O’Neal, Carla D. Pratt, A. Gail Prudenti, and Penny Willrich). See Attachment A, *infra* at 155. Note, however, that of the new deans in 2015, no women came from the bench, bar or law firms, but two of the 15 men appointed were previously in private practice. See Sloan, *supra* note 75.

⁷⁷ . See ABA, LAW SCHOOL FACULTY & STAFF BY ETHNICITY AND GENDER SPREADSHEET (2013), <https://perma.cc/6C5H-FBPJ> (file titled 2013_law_school_staff_gender_ethnicity).

whom 1,766 had tenure and 731 were tenure-track.⁷⁸ Thus, women made up 32.7% of the tenured law faculty compared to men who made up 67.3%. And women constituted 48.4% of the tenure-track law faculty in comparison to men's 51.6%. While the number of tenured and tenure-track women is still below the number of men, there is good news. First, the percentage of tenure-track women is approaching the percentage of tenure-track men. While not quite equal, it is much closer than the percentage of tenured faculty where the gap between men and women is much larger. Second, as of 2013, there were many more tenured and tenure-track women law professors than when I wrote *A Gendered Update*, which reported that women comprised 6.4% of tenured law professors in 2000, 5.9% in 2001, 25.1% in 2003, and 25.3% in 2005.⁷⁹

Just as the number of women in law school went from imperceptible,⁸⁰ to more than a novelty,⁸¹ to roughly equal with men,⁸² the number of women in leadership has increased as well. Clearly there is a much larger number of women lawyers and law professors than at any point in history, which provides a greater pipeline for potential deans. "The subsequent growth in the number of [women] law graduates and faculty has deepened the pool of eligible dean candidates. And successful leadership by women in law schools and the broader profession has opened doors."⁸³ However, it takes time for the increased number of women in law school to trickle up into positions of leadership, suggesting more intentional steps are necessary.

Beyond the starting point of increasing the number of women in the Academy, there have been proactive steps to increase the number of women law deans. One such step helped jump-start a noticeable increase in women law deans in the late 1990s: "[A] list of prospective women deans eventually developed, and Dean Judith Areen of the Georgetown University Law Center, maintained the list from 1997–2001, when the AALS took over responsibility for

⁷⁸ . *Id.*

⁷⁹ . Padilla, *supra* note 1, at 477.

⁸⁰ . See Professor Cunnea [pseudonym of L.S., Esq.], A Timeline of Women's Legal History in the United States and at Georgetown University 4, (1998) <https://perma.cc/B6T4-HZ9C> ("1869 Lemma Barkaloo becomes the first woman law student in the nation. She does not complete her degree at the Law Department of Washington University in St. Louis, but chooses to take the Missouri bar after one year of study. She passes, and begins practicing in 1870, just months before her death at approximately age 22 of typhoid fever . . . 1870 Ada Kepley, the first woman to earn a formal law degree in the U.S., graduates with an LL.B. from Union College of Law in Chicago, now known as Northwestern University . . . 1871 Belva Ann Lockwood matriculates at the new National University Law School after being rejected during the past three years by the law schools at Georgetown University, Howard University, and Columbian College . . . 1898 Women found a law school to accommodate female students rejected from established schools due to their gender.").

⁸¹ . In 1948–1949, 2.8% of law students were women, in 1958–1959, 3.1% were women, in 1968–1969, 6% were women, in 1978–1979, 30.8% were women, in 1988–1989, 42.2% were women, in 1998–1999, 46.1% were women, and in 2008–2009, 46.9% were women. ABA, *First Year and Total J.D. Enrollment by Gender (1947–2011)* (Oct. 2011), <https://perma.cc/9SGU-DVNY>.

⁸² . See Elizabeth Olson, *Women Make up Majority of U.S. Law Students for First Time*, N.Y. TIMES (Dec. 16, 2016), <https://perma.cc/8J2L-QZPS>.

⁸³ . Sloan, *supra* note 75.

the list.”⁸⁴ One year after Dean Areen started the databank, the number of women law deans increased from fourteen to twenty.⁸⁵ While the AALS no longer maintains that databank, others have taken effective steps to continue the progress:

In 2007, Seattle Law and the Society of American Law Teachers hosted the first Promoting Diversity in Law School Leadership program – a two-day conference devoted to preparing women and minorities for the search process . . . every two years 20 or more aspiring deans learn about the interview process; leadership positions available; financial management and budgeting; dealing with constituents including alumni and donors; and paths into associate or assistant deanships. Attendees develop relationships with sitting deans.⁸⁶

Seattle University School of Law convened the most recent conference in 2018.⁸⁷ In a similar vein, the University of Georgia School of Law hosted a Women’s Leadership in Academia Conference in 2018.⁸⁸ The University of Virginia hosted the follow-up Women’s Leadership in Academia Conference in 2019,⁸⁹ and there are plans for conferences to rotate among sponsoring schools in upcoming years, with BYU hosting in 2020.

Dean Areen and Dean Testy’s path-breaking work (supported by the AALS and the Society of American Law Teachers (“SALT”)), and the recent collaborative women’s leadership in academia initiative have removed some of the mystery of landing a deanship and created a way forward for women and minorities to pursue law deanships—resulting in increased numbers of both. The more women there are in powerful positions, the easier it will be for even more women, including women of color, to emerge as leaders. “At the point where there is a critical mass, there is less pressure to constantly prove oneself as the exception by meeting standards twice as high as those in the status quo.”⁹⁰

The current number of women law deans moves us towards a significant tipping point of “normalizing” women deans. This, in turn, makes it more acceptable and less risky for law schools to appoint women to deanships. As of

⁸⁴ . Padilla, *supra* note 1, at 457 (citations omitted).

⁸⁵ . *Id.* at 457-458.

⁸⁶ . Sloan, *supra* note 75.

⁸⁷ . See *Promoting Diversity in Law School Leadership*, SEATTLE U. SCH. L. (September 21–22, 2018), <https://perma.cc/S9ZA-CUFZ>.

⁸⁸ . Georgia, BYU, Michigan State, UCLA, the University of Tennessee, the University of Virginia and Yale commenced a multi-year initiative that will “feature regional leadership conferences aimed at preparing women in legal education for leadership opportunities and advancement.” *Women’s Leadership Initiative*, U. GA. SCH. L., <https://perma.cc/PSR2-QRDA>. For conference information, see *Women’s Leadership in Academia Conference*, U. GA. SCH. L. (July 19–20, 2018), <https://perma.cc/Y5H6-VMFK>. For a more detailed description of conference content, which is designed to promote women to positions of leadership in higher education, see *infra* notes 226–227, and accompanying text.

⁸⁹ . For details on the schedule, panels and speakers, see *Women’s Leadership in Legal Academia 2019 Conference*, U. VA. SCH. L., <https://perma.cc/T8AD-CBUC>.

⁹⁰ . Padilla, *supra* note 1, at 493–94.

April 17, 2018, of the dean vacancies then covered in the Faculty Lounge,⁹¹ four schools listed their finalists. Of those, Texas A&M had three men⁹² the University of Washington had three men and one woman,⁹³ Florida International University had two men and one woman,⁹⁴ and the University of Arkansas had three women and one man.⁹⁵ Of the deans appointed during this same period, there were three men and two women.⁹⁶ Compared to when I wrote *A Gendered Update*, it is now more commonplace to see women on lists of dean finalists and as newly appointed deans.

Through a more cynical lens, it is possible there are more women deans now because the position is less desirable. Starting around 2011, law school applications dropped as did applicants' entering credentials.⁹⁷ From 2010 to 2015, the number of law school applicants declined from 87,900 to 54,500.⁹⁸ The dip in applicants translated into smaller entering law school classes throughout the country.⁹⁹ The declines created several challenges from how to maintain bar passage rates and respectable employment statistics for law school graduates to how to balance law school budgets and other pressing financial issues. "We had a crisis in legal education in the sense that applications fell precipitously—for everyone. . . . All of a sudden, we experienced a huge management and budget situation that hadn't been the case before."¹⁰⁰ Many law schools do not have deep endowments and are heavily tuition-dependent.¹⁰¹ With such a dramatic decline in the number of students, there was a deep cut in tuition revenues. As a result, law schools had to slash budgets, create voluntary retirement programs, and—as a last alternative—institute layoffs.¹⁰² Perhaps it is a coincidence that the

⁹¹ . The Faculty Lounge is an online resource that reports on "Conversations about law, culture, and academia," which includes a tab that tracks news on law deans. FAC. LOUNGE, <https://perma.cc/AB2K-R54J>.

⁹² . *Texas A&M Law Announces Dean Finalists*, FAC. LOUNGE (Feb. 28, 2018), <https://perma.cc/D9TE-8R8Y>.

⁹³ . *University of Washington Law Announces Dean Finalists*, FAC. LOUNGE (Mar. 5, 2018), <https://perma.cc/LL9L-3VNP>.

⁹⁴ . *FIU Law Names Dean Finalists*, FAC. LOUNGE (Apr. 12, 2018), <https://perma.cc/6Q3L-ZFZL>.

⁹⁵ . *Arkansas Law Dean Finalists*, FAC. LOUNGE (Mar. 1, 2018), <https://perma.cc/CJG8-KGGS>.

⁹⁶ . The University of Pittsburgh Law School appointed Amy Wildermuth (Mar. 21, 2018), <https://perma.cc/UYB2-CDTZ>; Iowa Law appointed Kevin Washburn (Mar. 22, 2018), <https://perma.cc/9K66-WWE3>; the University of Washington Law School appointed Mario Barnes (Mar. 28, 2018), <https://perma.cc/W2CR-JK4G>; UNT Dallas Law appointed Felecia Epps (Apr. 3, 2018), <https://perma.cc/2NYE-W6HA>; and Gonzaga Law appointed Jacob Rooksby (Apr. 14, 2018), <https://perma.cc/9MH5-32VP>.

⁹⁷ . See, e.g., Padilla, *Whoosh*, *supra* note 11, at 45.

⁹⁸ . *Id.*

⁹⁹ . *Id.*

¹⁰⁰ . Cynthia L. Cooper, *Women Ascend in Deanships as Law Schools Undergo Dramatic Change*, 24 PERSPECTIVES 8 (Summer 2016), <https://perma.cc/E2U2-J27Q> (interviewing Jennifer J. Johnson, Dean of Lewis & Clark Law School).

¹⁰¹ . See, e.g., Frank H. Wu, *Where Law Schools Get Their Money*, ABOVE THE LAW (Oct. 3, 2013), <https://perma.cc/7U8K-G2YN>.

¹⁰² . See, e.g., Staci Zaretsky, *Law School Will Slash Faculty By 25 Percent To Free Up Funds for Recruiting Better Students* (Mar. 12, 2018), <https://perma.cc/H62S-KVS4>; Ashby Jones

percentage of women law deans rose during this period to approximately 32.5%: the highest percentage to date. Or perhaps it is because the job was less rewarding financially and more challenging overall. One dean feared this might be the case, expressing “concern that women may be getting more opportunities to lead because traditional dean candidates are waiting for legal education’s problems to subside. ‘It’s not a good time to be a dean. It’s very difficult. The goal is housekeeping, rather than growth . . . I’m going to be keeping an eye on whether, as things stabilize, opportunities for women decline.’”¹⁰³

A phenomenon coined as the “glass cliff” lends credence to this hypothesis. The term was developed by Dr. Michelle Ryan and Professor Alex Haslam when they conducted research into what occurs when women (and other populations that have been pushed to the margins) ascend to leadership roles. Ryan and Haslam found that such leaders are more likely to be appointed when a position carries a greater risk of failure and criticism.¹⁰⁴

To summarize, there are many reasons for the rise in women law deans’ numbers. There are more women law students, professors, and high-level administrators. Thus, there is a more robust pipeline of potential candidates, more mentors to guide them along the path to a deanship, and more role models. With this burgeoning critical mass, there is less scrutiny of women and women of color, and less resistance to the idea of their leadership, making it a more hospitable climate. At the same time, being a law dean is now more challenging than ever and perhaps less prestigious.

III. NARRATIVES FROM WOMEN AT THE TOP

Many women have risen to the pinnacle of law school leadership, each with a unique path and story. Yet similarities emerge in many of their experiences. This Part explores common challenges women face in leadership positions, culled from surveys sent in two waves in 2018. Many are expressed through the lens of women’s narratives describing experiences such as rocky paths to deanships, glass cliffs, and stories of triumph.

A. Methodology and Introducing the Data

In Spring 2018, I sent surveys to the 14 current women law deans of color¹⁰⁵ and four former women deans.¹⁰⁶ Seven women completed the survey

& Jennifer Smith, *Amid Falling Enrollment, Law Schools Are Cutting Faculty*, WALL STREET J. (Jul. 15, 2013) <https://perma.cc/6TBY-JT4U>; James Huffman, *Law Schools: Reform or Go Bust*, NEWSWEEK (Feb. 20, 2015), <https://perma.cc/6RQT-L3LQ>; Marilyn Odendahl, *Valparaiso Law School reduces faculty, class size to prepare for a different future*, IND. LAWYER (Jun. 28, 2016), <https://perma.cc/VJ38-MW98>.

¹⁰³ . See Sloan, *supra* note 75. See also Cooper, *supra* note 100

¹⁰⁴ . Kathy Caprino, *The ‘Glass Cliff’ Phenomenon That Senior Female Leaders Face Today and How to Avoid It*, FORBES (Oct. 20, 2015), <https://perma.cc/U8YG-JYEG>.

¹⁰⁵ . A copy of the spring survey is at the end of this paper as Appendix C, *infra* at 60.

¹⁰⁶ . I also sent the survey to former women deans of color, Maria Pabón Lopez and Rachel Moran, and to Judith Areen and Kellye Testy, both of whom were instrumental in working to

(approximately 39% response rate) with some preferring to answer more personal parts through a telephone interview. A chapter in *Presumed Incompetent II*¹⁰⁷ focuses on the results of the Spring survey which is also woven into this Part. In Fall 2018, I sent an updated version of the survey to the 52 remaining women law deans.¹⁰⁸ Twenty-four women responded to the survey (approximately 46% response rate). In Fall 2018, I also sent a slightly modified version of the survey to 137 men deans,¹⁰⁹ including 108 white men and 29 men of color. Twenty-nine of the 108 white men responded to the survey (approximately 27% response rate), and one of the 29 men of color responded to the survey (approximately 3% response rate).

Survey Recipients	Number of Recipients	Number who Responded	Response Rate
Women of Color	18	7	39%
White Women	52	24	46%
Men of Color	29	1	3.4%
White Men	108	29	27%

Many women who responded to the survey, and some men, asked that their responses to questions about personal experiences be reported anonymously.¹¹⁰ That request has been respected. I appreciate the time deans took to respond to the survey along with their candor, honesty, and willingness to share their experiences, including some deeply personal ones.

Regardless of whether they had time to answer the survey, several women expressed gratitude for this project and how important it is to gather and share women's responses and their leadership stories. For many women, especially women of color, the stories are set within a framework of micro-aggressions that remain part of the fabric cloaking professional women in the Academy and beyond. A Catalyst study described negative impacts of micro-aggressions or "emotional taxes," and how common they remain for people of color:

For Asian, Black, Latinx, and multiracial employees, decades of research tell us that exclusion, discrimination, and bias can be daily experiences. These experiences occur both inside and outside the workplace, and they can be sharply painful. Taken together, they impose an Emotional Tax with heavy personal consequences. This Emotional Tax can also harm businesses by preventing employees from being able to thrive at work.¹¹¹

increase the diversity and number of women law deans.

¹⁰⁷ . PRESUMED INCOMPETENT II: RACE, CLASS, POWER, AND RESISTANCE OF WOMEN IN ACADEMIA (Yolanda Flores Niemann, Gabriella Gutiérrez y Muhs & Carmen G. González eds. 2020).

¹⁰⁸ . A copy of the fall survey sent to white women law deans is at the end of this paper as Appendix D, *infra* at 65.

¹⁰⁹ . A copy of the fall survey sent to all men law deans is at the end of this paper as Appendix E, *infra* at 67.

¹¹⁰ . However, I have attributions for each quote and the original survey responses on file.

¹¹¹ . DNIKA J. TRAVIS & JENNIFER THORPE-MOSCON, DAY-TO-DAY EXPERIENCES OF EMOTIONAL TAX AMONG WOMEN AND MEN OF COLOR IN THE WORKPLACE 2 (2018)

Women deans of color frequently pay emotional taxes, costs typically not incurred by traditional deans. Emotional taxes make challenging work even harder and wound these women's spirits, as the experiences in this Part reveal.

This Part of the Article is longer than the other parts because it contains many stories, each of which is worth telling. Communicating women's leadership experiences and struggles may help offset and perhaps eliminate the emotional tax that women law deans pay. Moreover, it is therapeutic: "[t]here is no greater agony than bearing an untold story inside you."¹¹² The stories in this Part acknowledge the truth of those who live(d) them; emphasize that barriers remain for women in the Academy, especially women of color, even when they are leaders; provide guidance for the next generation of leaders; and share kernels of knowledge and moments of gratification. "[P]ersonal stories may bridge the epistemological gap that frequently appears between the lives of people with a particular privilege and those who lack that privilege Storytelling by individuals, when done well, packs an emotional punch and provides the psychological detail necessary to understand a person with very different life experiences."¹¹³ Doubts about ability can have deep and long-lasting impacts, but sharing stories about those experiences can be cathartic:

The women who tell their stories . . . individually and collectively experience physiological and psychic effects from being presumed incompetent. Mounting public health evidence suggests that chronic stress—like the pressure of being continually misperceived or belittled or having to fight off microaggressions—can result in higher levels of hypertension, cardiovascular disease, and coronary heart disease.¹¹⁴

The battles are real and the impacts can be devastating, but they can also lead to greater strength, resilience, and satisfaction.

B. Presumed Incompetent

The survey asked law deans whether they had experiences where they were presumed incompetent. While some women indicated they had no such experiences, the overwhelming majority did, as did the man of color who responded to the survey and some white men. One woman of color bluntly responded, "All the time. By colleagues, students, when I was on the bench—it's ingrained in many until you have the opportunity to demonstrate your expertise."¹¹⁵ Her experience was consistent with stereotypes about racial minorities: "Latinos and African-Americans of working-class backgrounds are particularly vulnerable to being stereotyped as unqualified, undeserving, and

(footnotes omitted).

¹¹² . MAYA ANGELOU, I KNOW WHY THE CAGED BIRD SINGS 74 (1968).

¹¹³ . Harris & González, *supra* note 4, at 3 (citations omitted).

¹¹⁴ . *Id.* at 7 (citations omitted).

¹¹⁵ . Survey of Dean Penny Willrich, Arizona Summit School of Law.

uncollegial.”¹¹⁶ One academic leader described the burden presumptions of incompetence placed on her and other women leaders:

Among the many challenges associated with being a [woman] college leader, perhaps the greatest is the additional effort required to demonstrate competence and engender the support and confidence of the campus and community. While qualified by virtue of our credentials, experiences, and achievements, few women are fortunate enough to come into office with the presumption that they are highly skilled and competent to lead in the complex environment that is a college or university. Women often have to prove themselves in multiple ways before the scrutiny subsides.¹¹⁷

It is remarkable that women with top qualifications which equal or outdo men’s qualifications still endure prove-it-again bias,¹¹⁸ are questioned about their competency, and are rarely recognized as capable until they prove otherwise.

Presumptions of incompetence arise in myriad ways and, perhaps counterintuitively, can be more pronounced the further up the leadership ranks one rises. One white woman wrote how her competency was not a problem as a professor or even Associate Dean, but when she applied for the top leadership position—the law school Dean—things changed:

I rarely encountered anything I would consider sexist in nature when I was an associate dean. I think everyone is happy if anyone does the thankless work. It was not until I was in the running to be the dean with the promise of real power that several of my male colleagues openly campaigned against me in surprising ways. Despite my history of leading and accomplishing significant initiatives at the school and 17 years of good relationships, a handful of older male colleagues challenged my competency, collegiality and attacked me personally. They also tried to shut down the non-tenure track vote, which primarily is comprised of women who supported me. A significant number of my female colleagues told me later that they were disappointed and disheartened by the nature of the attacks, which they felt were clearly sexist. I set a collaborative tone from the beginning of my deanship and things have been fine since I took over, but the aggressive attacks on the front end truly surprised me. I absolutely believe that a man with my track record and developed relationships would have been viewed by these same men as the

¹¹⁶ . Carmen G. González, *Women of Color in Legal Education: Challenging the Presumption of Incompetence*, FED. LAWYER 48, 53 (2014).

¹¹⁷ . See *What Are the Biggest Challenges You’ve Faced as a Female Leader?* [hereinafter *Biggest Challenges*], THE CHRONICLE OF HIGHER EDUCATION (Nov. 25, 2018), <https://perma.cc/2WDB-P2MV> (quoting Roslyn Artis, President, Benedict College).

¹¹⁸ . Prove-it-again bias means women have to work harder even if they are more accomplished every step along the way. See Joan C. Williams, *The 5 Biases Pushing Women out of STEM*, HARV. BUS. REV. (Mar. 25, 2015), <https://perma.cc/R5NS-DPXN> (“Black women were considerably more likely than other women to report having to deal with this type of bias.”).

obvious successor to the dean and welcomed with open arms.¹¹⁹

This experience reveals how a woman can be perceived as a competent professional while moving up the leadership ladder, but when reaching for the top rung, she may face resistance and even worse—intentional undermining and character slurs.

Although she did not have specific examples of presumptions of incompetence, one woman of color said she felt dismissed and talked over,¹²⁰ which is common in practice and the Academy. Another woman of color said when she started her deanship it was common for her to enter a room where she was not necessarily presumed incompetent but was basically invisible. However, once she was introduced as the law school dean, she was treated with deference and practically crowned with a presumption of competence.¹²¹

A white woman noted that she had many experiences where she was presumed incompetent: “Individuals showing surprise when I tell them I’m the dean or when I’m introduced . . . , assumptions made that the man standing next to me must be the dean, being present when a person described someone else as looking like a dean—’you know, he’s tall, balding, has a beard and wears glasses—he looks like a dean.’”¹²² The Dean continued “I’m often made to feel that I’m not enough or don’t belong, and many older, white male alumni have literally no idea how to interact with me.”¹²³ Another white woman was overlooked as the leader and publicly undermined by faculty: “three male colleagues . . . often challenged me in emails to entire faculty. If they did not agree with my decisions they would write emails that challenged my competency. I have had alums ask me if I am the new dean’s wife. Or tell me I don’t look like a dean.”¹²⁴

Women of color reported frequent challenges to their authority that was often race *and* gender based. One college president said:

Women presidents of color sometimes face challenges to their leadership that may not be so apparent to others. Some people still hold fixed ideas about leaders and how they should look and sound. Currently, only about 30 percent of our nation’s college and university presidents are women. For women presidents of color, the percentage is even lower. And, for Asian-American women presidents, the percentage is minuscule.¹²⁵

This same woman with impeccable credentials, was subjected to unacceptable overt bias:

¹¹⁹ . Survey of Dean Wendy Hensel, Georgia State University School of Law.

¹²⁰ . Survey of Dean Verna Williams, University of Cincinnati College of Law.

¹²¹ . Interview by Laura Padilla with Dean Danielle Conway, then Dean of University Maine School of Law (May 9, 2018) (notes from conversation and completed survey on file with the author).

¹²² . Dean preferred to answer anonymously.

¹²³ . Dean preferred to answer anonymously.

¹²⁴ . Dean preferred to answer anonymously.

¹²⁵ . *Biggest Challenges*, *supra* note 117 (quoting Judy Sakai, President, Sonoma State University).

Years after I earned a Ph.D. from the University of California at Berkeley and held senior cabinet level positions, I still had colleagues question my qualifications. Perhaps even more shocking were the racist and sexist statements that some work peers felt entitled to say, some directly to me. Since my appointment as president, I have been called many things, including a “genetically inferior weed.” I also was told that “No J-p from an internment camp will ever be my president.”¹²⁶

Given that women of color face aggressive and demeaning behavior, it is intriguing to consider how much more productive women leaders would be if they could just focus on their work without dodging so many unnecessary challenges.

There is an interesting dynamic when women, especially women of color, are met with initial presumptions of incompetence based on race and gender. While such presumptions may diminish once these women ascend to leadership, they still have to earn the perception of competence. For example, one woman of color said she had experiences where she was presumed incompetent but “so far when I take action that demonstrates competence people seem pleasantly surprised.”¹²⁷ The essence of privilege is that we default to presumptions of competence for white men, until they prove otherwise. But for women, “prove-it-again” is the norm. “Women of color, white women, and men of color reported that they have to go ‘above and beyond’ to get the same recognition and respect as their colleagues.”¹²⁸

When asked whether he experienced presumptions of incompetence, one man of color wrote, “The assumption is that persons of color are not as competent as white men. I have dealt with that often.”¹²⁹

Twenty-six white men responded to the survey question about presumptions of incompetence, and the majority of them (twenty) said they had not really experienced presumptions of incompetence. A few of the remaining respondents did not have direct experiences but wrote about some indirect ones. For example, one man wrote:

This probably doesn’t answer your question as intended, but I think all professional academic leaders presume that academics who assume deanships and other leadership positions are incompetent in budget and other management areas. It may be that women and minorities face even greater hurdles in that realm. (I would not know personally as a white male).¹³⁰

Two men wrote of religion or class-based presumptions of incompetence. One

¹²⁶ . *Id.*

¹²⁷ . Dean preferred to answer anonymously.

¹²⁸ . ABA Commission on Women in the Profession, *You Can’t Change What You Can’t See, Interrupting Racial & Gender Bias in the Legal Profession* 7 (2018), <https://perma.cc/F2H6-4SWN>.

¹²⁹ . Dean preferred to answer anonymously.

¹³⁰ . Dean preferred to answer anonymously.

said,

First, I have often been treated differently because I am a faithful member of the Church of Jesus Christ of Latter-day Saints (sometimes called the Mormons). . . . My sense is that some people believe anyone who is fatuous enough to believe in God must not be a rigorous thinker. Second, I am a first-generation college student. This issue is less visible to people than my religion (which manifests publicly not only by my affiliation with BYU, but also by my refusal to drink alcohol, coffee, etc. and in other choices). Nevertheless, most members of the legal academy at elite institutions come from fairly privileged backgrounds, and I sometimes have the sense that people are dismissive of the insights of those who do not have similar backgrounds.¹³¹

Another man wrote,

I grew up in poverty on a family farm. As a child, my teachers sometimes behaved as if they were doing me a favor when placing me in the advanced classes or acted surprised when I excelled. As a child on a farm in a poverty-stricken township, my imagination regarding my own future was quite limited. That lack of imagination has continued into my career, causing me (for example) never to even consider applying for the deanship until after numerous colleagues encouraged me to do so. Yet, it seems I have had some success in my career. Why? Because I had teachers, mentors and others who believed in me and encouraged me. And I have never experienced the fear that a Black man would certainly feel when lights have flashed behind me on a dark highway at night. I have also not had men explain things to me that I already well understood, simply because of my gender. I have not been presumed dangerous or someone to be hated because I choose to wear a head covering. So while the answer to the question is “yes,” it is an affirmative response that is complicated because of the other privileges I have so clearly benefited from.¹³²

These responses from white men confirm that when people in power are “other,” they are likelier to experience presumptions of incompetence, regardless of the source of “other.”

Some deans responded to the question about presumptions of incompetence by blending it with mansplaining. One woman of color said from her first deanship through her third, and present, deanship, people still tell her what to do or ask, “have you thought of [insert something germane to an issue which she had considered extensively]?”. Or they may ask whether she understands an issue or assume she does not and proceed to “mansplain” it to her. A white woman wrote:

¹³¹ . Survey of Dean Gordon Smith, BYU Law School.

¹³² . Survey of Dean William P. Johnson, Saint Louis University School of Law.

I was tested when I first arrived (I was new to the faculty when I began as dean) and had to prove myself in terms of both competency and a certain kind of mettle—can she make thoughtful contributions in appointments committee meetings, can she raise money, will she be able to stand her ground in the face of certain faculty members who are used to having their way? A few colleagues (particularly older males) offered me an excess of advice on matters of recruitment and retention of individual candidates—presumably fearing that I would not exercise sound judgment without their advice—and fussed over whether I was listening to the “right people” on the faculty (I think they meant the more traditional people whose views had historically carried the most weight with deans). Now, 3.5 years into the job, such phenomena have largely faded. I do not know whether a male dean would have had these experiences, but there were times when I wondered.¹³³

Given that most surveyed women experienced presumptions of incompetence and twenty of twenty-six surveyed men did not, I expect colleagues and students view most new women law deans as incompetent more often than they view new men law deans as incompetent. But when women law deans are given an opportunity to prove themselves, presumptions of incompetence and attempts to undermine them decline.

C. Gender Sidelineing

The surveys also asked about experiences with gender sidelineing. Not surprisingly, there is “a long line of research showing that when it comes to the workplace, women speak less, are interrupted more, and have their ideas more harshly scrutinized.”¹³⁴ Some common forms of gender sidelineing include “maninterrupting,” “bropropriating,” and “mansplaining”:

Maninterrupting: Unnecessary interruption of a woman by a man.

Bropropriating: Taking a woman’s idea and taking credit for it.

Mansplaining: When a man explains something to a woman in a patronizing way and it often begins with a man completely disregarding a woman’s opinions by interrupting her mid-sentence.¹³⁵

Gender sidelineing also occurs when men are presumed to be in charge, and conversely, when women are not presumed to be leaders. This happens to women in all professions, including law. The ABA recently reported that “81

¹³³ . Dean preferred to answer anonymously.

¹³⁴ . See Jessica Bennett, *How not to be “Maninterrupted” in Meetings*, TIME (Jan. 20, 2015), <https://perma.cc/6SZV-QEZK> (noting that a result of “maninterruption” is “[w]omen hold back. That, or we relinquish credit altogether. Our ideas get co-opted (bro-opted), re-appropriated (bro-propriated) – or they simply fizzle out. We shut down, become less creative, less engaged. We revert into ourselves, wondering if it’s actually our fault. Enter spirals of self-doubt.”).

¹³⁵ . See JJ. DiGeronimo, *Maninterrupting – Bropropriating – Mansplaining Ways Men Undermine Women*, , <https://perma.cc/5FKR-7SLU>.

percent of women say they were mistaken for a lower-level employee.”¹³⁶ This experience is especially common for women lawyers of color, who “reported that they had been mistaken for administrative staff, court personnel, or janitorial staff at a level 50 percentage points higher than white men. This was the largest reported difference.”¹³⁷ As noted in the survey responses about presumptions of incompetence, many women indicated that because of stereotypes of what law deans should look like, they were rarely assumed to be the dean.

Most women who responded to the survey had stories of gender sidelining. One woman of color said when she was in a leadership capacity (for example, running a faculty, department head, or board meeting or hosting a fundraising event), there was not much gender sidelining.¹³⁸ However, when she attended big events where she was not in a leadership role (for example, an ABA Deans’ meeting), she noticed some patterns with gender sidelining. At the large group events, gender sidelining increased, especially “maninterrupting,” which some senior white women deans also engaged in. In smaller breakout groups, gender sidelining decreased. Other women noted similar experiences, with one white woman writing:

I have experienced it [gender sidelining] frequently at deans’ conferences, in senior leadership meetings at universities, etc. I continue to try to build professional and personal relationships with people until they learn to respect and listen to me. If they clearly aren’t willing to do that after some effort on my part, I move on without them.¹³⁹

When respect is offered but not reciprocated, the self-preservation mechanism of letting go and moving forward is more productive than the Sisyphean task of perpetually pushing a boulder up a hill.

A Black woman who served in a state with a small population where 94.8% of the residents are white¹⁴⁰ said she experienced resistance from the Foundation Board when she arrived. In conversations, board members often “mansplained” why she did not really get it: “well, you are from away,” or “you’re not from around here.”¹⁴¹ Those statements may have been a pretext for something like “how would an African American woman who is not from here

¹³⁶ . Liane Jackson, *Women’s Experiences Differ from Men’s—and Affect Their Longevity in Law*, ABA J. (Oct. 1, 2018), <https://perma.cc/LGG4-AHGK> (describing challenges women in law face and why experienced women lawyers who have practiced more than 20 years are leaving the profession).

¹³⁷ . ABA COMMISSION ON WOMEN, *supra* note 128, at 7.

¹³⁸ . Interview by Laura Padilla with Jennifer Rosato Perea, Dean of DePaul University College of Law (Apr. 20, 2018) (notes from conversation and completed survey on file with the author).

¹³⁹ . Survey of Dean Lisa Kloppenberg, Santa Clara School of Law.

¹⁴⁰ . The state of Maine has a population of 1,335,907, and almost 95% of the residents are White. *Quick Facts: Maine*, U.S. CENSUS BUREAU (Jul. 1, 2018), <https://perma.cc/P428-RBES>.

¹⁴¹ . Interview by Laura Padilla with Danielle Conway, then Dean of University Maine School of Law, (May 9, 2018) (notes from conversation and completed survey on file with the author).

have any idea how to run this law school.” As this dean laid out her vision, she was not directly met with mansplaining or presumptions of incompetence, but the prove-it-again bias was clearly present and she did not receive much support. Common responses included “I just don’t understand your vision,” and “you have not made your case.” This dean has a military background where she worked up through the ranks and acquired leadership training along the way, making it unlikely she would present a vision to the board unless she was prepared and had an achievable plan to actualize her vision. Thus, immediate reactions to her vision likely arose as variations on sidelining behavior. After a few years in her deanship, she noted she had more widespread support and there were significant changes in how she was perceived.¹⁴²

A white woman described a situation where initial resistance gave way to eventual support, but only after mansplaining, rudeness, and unnecessary obstructions to the solution that was present all along. She wrote:

Since becoming dean, I have had encounters with a powerful [alumnus] who repeatedly told me ‘you don’t know what you’re talking about’ when I informed him that the College’s relationship with his organization was not sustainable. After 9 months of refusing to accept my conclusion, he finally agreed that I was correct and ‘came up with’ the solution that I offered at the beginning of our discussions.¹⁴³

Many women shared stories of lukewarm or inconsistent support early in their deanships, but for many, that changed as the deans proved themselves. Enduring “prove-it-again” bias is draining, but for many women deans, it is part of the package that comes with leadership. A white woman responded to the question of whether she had any experiences with gender sidelining by writing:

So many I don’t even notice. The most flagrant was when the University President told me he was going to ask one of our top donors to play a round of golf with him and two others. By implication, I was not included. Finally I said, I don’t play golf (he knew that) but I would love to join you for lunch or dinner. The event never happened but I was stunned at the ease with which he excluded me. He would not have done that to a man.¹⁴⁴

Women law deans’ experiences are common among women leaders in higher education. A college president wrote:

It’s safe to say that there is still a proverbial boys’ club lurking in each of America’s cities and towns. Sometimes, they exist through connections, networks, and an unofficial shorthand. Other times, the boys’ clubs present

¹⁴² . *Id.* Danielle Conway was named dean at Dickinson Law, Penn State, effective July 1, 2019. *Conway named dean of Dickinson Law*, PENN STATE NEWS (Jan. 21, 2019), <https://perma.cc/B3GY-GDU9>.

¹⁴³ . Survey of Dean Wendy Hensel, Georgia State University School of Law.

¹⁴⁴ . Dean preferred to answer anonymously.

themselves in physical form as places where a small number of mostly white businessmen golf together, drink together, and do business together, often all at the same time.¹⁴⁵

These not so subtle ways of excluding women leaders, whether from interacting with powerful donors or alumni, or otherwise conducting business where women are rare, are reminders that some men are still uncomfortable with women in leadership.

A woman of color responded to the gender sidelining question by noting, “It happens—if I let it happen—sometimes you have to know when to pick your battles.”¹⁴⁶ This telling statement suggests the potential for gender sidelining is omnipresent. Women have to be on the offensive to minimize gender sidelining but cannot be consumed by it and often succeed in spite of it. Women who completed the survey made it clear through their stories that they have experienced gender sidelining but persevered. While these deans ultimately have done well and made a difference, it took significant extra work to obtain a vote of confidence that privileged deans likely get on arrival. As grueling as it may be to stay the course, their dedication pays off when their leadership and competence are eventually recognized, allowing them to model professionalism and success and show that women can effectively run law schools. Their mere presence can neutralize gender sidelining, make it less likely and certainly less acceptable, and help reduce emotional taxes for themselves and other women.

The survey sent to men modified the sidelining question to read: “Some people, especially from underrepresented groups, have professional experiences with sidelining (e.g., being silenced, marginalized, etc.). Have you had any such experiences and if you have, can you elaborate, or would you prefer to discuss by telephone interview?”¹⁴⁷ The man of color who responded said he often has such experiences, in particular at campus leadership meetings.¹⁴⁸ Of the twenty-five white men who responded to this question, the majority (twenty-two), said they did not have sidelining experiences. One response was not on point and one man said he experienced a small amount of sidelining. The remaining dean said, “As a gay male I had early employers in my career encourage me to keep that aspect of my life secret, as if that advice was actually intended to make my path easier. It is perhaps the opposite effect.”¹⁴⁹ This white man experienced sidelining not in the traditional sense, but by being discouraged from revealing an integral part of himself. Another man wrote that he had not really experienced sidelining, “because I have always preferred to play a background role (at least until this current role). But I have certainly seen colleagues sidelined—

¹⁴⁵ . *Biggest Challenges*, *supra* note 117 (quoting Elizabeth Meade, President, Cedar Crest College).

¹⁴⁶ . Survey of Dean Penny Willrich, Arizona Summit School of Law.

¹⁴⁷ . See Appendix E, *infra* at 67.

¹⁴⁸ . Dean preferred to answer anonymously.

¹⁴⁹ . Dean preferred to answer anonymously.

disproportionately women.”¹⁵⁰ This affirms many women’s experiences with sidelining.

Gender sidelining includes many behaviors beyond mansplaining and bropropriating, including being subject to greater scrutiny. “[Women] faculty of color[‘s] . . . teaching, scholarship, and service is generally subjected to extra scrutiny (the double standard), and they encounter constant pressure to prove themselves and overcome the resentment of their colleagues by making extraordinary efforts to ‘fit in’ and put others at ease.”¹⁵¹ One dean said expectations for women of color, herself included, were higher and people expected results overnight. She thought there was more patience for white men who were subject to less scrutiny. Another angle, she explained, is she seemed to be judged not just for herself, but for her race, so she represented a demographic in a way that privileged deans did not. Thus, if she was not successful, there would be behind-closed-doors talk about whether they should have taken a risk on a [fill in the race] woman. Professor Wing described this common experience:

It is the plight of minorities to know that their whole subgroups may be judged by their individual behavior. If I failed, it might mean that no other black woman would be hired in the future. ‘We tried a black woman once. It didn’t work out’ might be the refrain. Yet the administration would never say that the failure of one white male meant that another should never be hired again.¹⁵²

Another dimension to the enhanced scrutiny problem involves assessments or evaluations. “[W]omen’s mistakes tend to be noticed with greater frequency and are remembered for longer; they tend to be judged more rigorously than men by their superiors; and they tend to receive more polarized evaluations.”¹⁵³ One woman of color said people constantly looked over her shoulder and there was always someone who wanted to push her out, complaining that she was not good enough.¹⁵⁴ Moreover, there was an expectation she would solve pervasive law school problems, such as reversing the application decline and improving yield and matriculants’ entering credentials.

Another woman of color commented on a different aspect of this idea. She said she was not only subject to early and frequent scrutiny respecting her law school leadership, but also in terms of what she was doing for people of color, including faculty, staff, and students. There was ongoing vigilance over whether she struck the right balance between doing too much and too little for people of color.

¹⁵⁰ . Survey of Dean William P. Johnson, Saint Louis University School of Law.

¹⁵¹ . González, *supra* note 116, at 51.

¹⁵² . Adrien Katherine Wing, *Lessons from a Portrait: Keep Calm and Carry on*, in PRESUMED INCOMPETENT, *supra* note 4, at 356.

¹⁵³ . Fink, *supra* note 7, at 81–82.

¹⁵⁴ . Dean preferred to discuss this part anonymously in a phone interview.

D. The Impact of Gender and/or Race on Leadership

The surveys asked how gender and/or race impacted deans' leadership. A common response among women deans involved adaptation, "a slow, usually unconscious modification of individual and social activity in adjustment to cultural surroundings."¹⁵⁵ All deans must adapt, but women, especially women of color, have to adapt in more ways and in more circumstances to reduce challenges to their authority and to make their constituents more comfortable.¹⁵⁶ One dean said gender and race impact her leadership because she is a woman of color who wants to be authentic, but authenticity is constrained by expectations. This experience has been succinctly described as follows:

When an academic woman's behavior thwarts expectations, she may be punished for her transgression in subtle and not-so-subtle ways, including negative student evaluations, patronizing and insulting comments from colleagues, and blatantly racist and sexist remarks from students, faculty, and staff. Indeed, these macro- and micro- aggressions may actually increase as a woman of color is promoted from assistant to associate and finally to full professor, assumes administrative responsibilities, and enters environments that are even less diverse than the ranks of junior faculty.¹⁵⁷

One dean said some roles are easier to adapt because they are more consistent with who she is as a woman of color. But at times, she has to force a "nice response" (even if a different one is called for), think about how she dresses and presents herself, remember to bring cookies occasionally, and not be too assertive for fear of offending. Prof. Flores Niemann wrote about this experience saying:

Faculty, staff, and students may have particularly adverse reactions—conscious and unconscious—toward women of color who are not perceived as adequately nurturing or feminine. The stereotype of the mammy and motherly Latina are particularly strong. Women who do not meet stereotypical expectations that they will nurture students arouse anger, distrust, and feelings of betrayal.¹⁵⁸

A woman of color wrote about pressure placed on her appearance: "I am expected to have high emotional intelligence and I am expected to wear heels

¹⁵⁵ . *Adaptation*, DICTIONARY.COM, <https://perma.cc/CL7A-UACE> (I selected the definition associated with sociology).

¹⁵⁶ . Prof. Yolanda Flores Niemann cautioned that "Women of color cannot—and should not—reasonably be expected to change their culture because they have entered a white academic world. However, cultural differences may be misperceived, misinterpreted, and/or translated as not belonging to academia or noncollegial by their white colleagues and/or students." Yolanda Flores Niemann, *Lessons from the Experiences of Women of Color Working in Academia*, in PRESUMED INCOMPETENT, *supra* note 4, at 472. Women of color take a risk being themselves, if those "selves" are noticeably different than the norm.

¹⁵⁷ . González, *supra* note 116, at 51.

¹⁵⁸ . Flores Niemann, *supra* note 156, at 469.

and skirts or dresses and to appear feminine.”¹⁵⁹ Expectations about roles and appearances add a layer to the tightrope women walk beyond overseeing their law schools. A report published by the ABA explained the “tightrope bias,” saying “[w]omen of all races reported pressure to behave in feminine ways, including backlash for masculine behaviors and higher loads of non-career-enhancing ‘office housework.’”¹⁶⁰ One white woman described the tightrope bias she experienced:

I have been called out by male colleagues as not collegial when I challenge their conclusions or approach to issues. Typically, these male colleagues are widely viewed as the least collegial and most aggressive on the faculty. I have never received this criticism from female colleagues, and the context in which these comments are made is incredibly trivial. This charge would not have been thrown at any of my male colleagues for the identical behavior at issue.¹⁶¹

Other women wrote that they also thought carefully about their assertiveness. One white woman said:

Over time I have seen value in assessing the context so I can determine whether the situation calls for me to establish my authority in more assertive ways. Sometimes it is important, e.g., if I am in the company of someone who interrupts me or makes eye contact with the men in the room but not me. I do think that women tend much more than men to open an intervention in a discussion with a self-effacing qualifier (“I’m not an expert, but . . . “ or “I don’t know if others feel this way, but . . . “). I have very deliberately worked to eliminate from emails and verbal interventions reflexive apologies or self-deprecation, and working to do so has made me realize how habitually I did it before.¹⁶²

Another white woman wrote of a different aspect of adapting to make others more comfortable:

My greatest challenge has been the lack of leadership skills and vision in university leaders and their feeling threatened by ambitious goals and vision—with very rare exception, I always found that I had to ‘play small’ to make them comfortable . . . very confining and limits progress.¹⁶³

Women’s survey results indicated that they expend considerable effort thinking about how they are perceived or how to navigate the tightrope, which can be depleting. For women of color, the tightrope is more challenging given the intersection of race and gender:

¹⁵⁹ . Dean preferred to answer anonymously.

¹⁶⁰ . ABA COMMISSION ON WOMEN, *supra* note 128, at 8.

¹⁶¹ . Survey of Dean Wendy Hensel, Georgia State University School of Law.

¹⁶² . Dean preferred to answer anonymously.

¹⁶³ . Survey of former Dean, now LSAC President and CEO, Kellye Testy.

Women of color may feel compelled to conceal or mute aspects of their identities to make their students and colleagues feel comfortable—to mask the very diversity that makes their presence in legal academia so valuable. They may sidestep controversial topics. . . , shun ethnic hairstyles or attire, and behave in an exaggeratedly lady-like manner to avoid triggering stereotypes, such as “the angry black woman,” or the “working-class Chicana militant.”¹⁶⁴

Serving as dean is daunting enough when you can bring your best and most complete self to the job; when you have to leave a significant part behind to make others more comfortable, everyone loses.

When white men were asked whether gender impacted their leadership style, twenty-five responded, including eleven who responded no, not really or it’s hard to say. Many responded with examples of positive impacts gender had on their leadership, whether deserved or not: “I know I get the benefit of the doubt, or a default favorable impression, from multiple constituencies.”¹⁶⁵ Another wrote that gender impacted him, “in fortunate and unfortunate ways. Fortunate ways associated with white male privilege, authority automatically accorded to a tall, white, older male wearing a tie. Unfortunate in the way some constituencies make assumptions about me based on these characteristics.”¹⁶⁶ Echoing that view, another dean said, “As a tall white male in my 60’s people make assumptions about me. I have to take extra steps to avoid reinforcing stereotypes about me. Also, throughout my professional career people took me seriously and afforded credibility to me. I often subconsciously proceed with that expectation.”¹⁶⁷ One man elaborated, writing:

Although I am not a typical male in many ways, I nevertheless have the privilege of white skin, my gender, my sexual orientation and gender identity. It is important to be mindful of that. My own implicit bias is real, and it would be silly and dangerous not to recognize that. My privileges undoubtedly affect who I am and, therefore, my leadership style. That makes it critically important to be conscious and intentional in my decision-making.¹⁶⁸

Women expressed more challenges associated with gender and power, including some associated with remaining authentic as a “token” law dean.¹⁶⁹ Nonetheless, authenticity in deanships that often carries a price, also has many positive impacts. One dean said she can be more influential as the Latina voice at the table, bringing legitimacy to her perspective.¹⁷⁰ Others said they can represent

¹⁶⁴ . González, *supra* note 116, at 51.

¹⁶⁵ . Dean preferred to answer anonymously.

¹⁶⁶ . Dean preferred to answer anonymously.

¹⁶⁷ . Dean preferred to answer anonymously.

¹⁶⁸ . Survey of Dean William P. Johnson, Saint Louis University School of Law.

¹⁶⁹ . “Tokens are seen stereotypically. For people of color, the stereotypes are largely negative, racist, and sexist, and there are damaging consequences of these perceptions. Tokenized persons feel isolated and lonely, not only on their campus, but sometimes in their predominantly white communities-at-large.” See Flores Niemann, *supra* note 156, at 473.

¹⁷⁰ . For example, she noted that she can legitimately state, “from my experience,” and then

perspectives that are frequently missing or underrepresented. One dean noted that she could use her role as a Black woman to genuinely address the need to diversify her law school. She was able to bring in twenty-five students of color from rural and poverty-stricken areas despite tremendous resistance from her faculty to adopt a program which would diversify and improve the law school's reputation.¹⁷¹

Another dean said "My experience as a black woman marks how I treat colleagues, students and faculty members. I do not dismiss personal experiences and I listen to all my constituents."¹⁷² She went on to note that many prior deans ("white middle age Latino men") were very dismissive of women's voices and people of color. One dean wrote that while her gender and race did not impact her leadership style, the unique intersectionality of her gender and race added value to the goal of diversifying the least diverse profession.¹⁷³ While she may not have to adapt as much as others, she recognized that her presence made a difference in the legal profession where women of color are severely underrepresented.

Many deans expressed disappointment at the inconsistency of law school and university support. While there was much fanfare on their hiring and warm welcomes following their introduction, many were soon left on their own. A recent study touched on this experience, revealing an unexpected negative impact when women and people of color are appointed as leaders. It found "white [men] managers on average experienced a 'lower sense of identity with their company' after the appointment of a [woman] and/or racial minority CEO."¹⁷⁴ It also reported "that white [men] executives working under a [woman] and/or racial minority were also less likely to provide help to fellow colleagues, with an especially negative effect on help provided to minority status colleagues."¹⁷⁵

This trend is especially troubling for women law deans as it can create serious morale and productivity problems while also making it difficult for team-building and collaboration. When administrations and peers already set high expectations of women deans' performance and heavily scrutinize their actions, women deans' jobs become even more difficult if white men who work under them identify less with the law school because of their appointment and become less inclined to help their colleagues, especially colleagues of color.¹⁷⁶

share stories from her lived experience as a Latina. Survey of Dean Jennifer Rosato Perea, DePaul University College of Law.

¹⁷¹ . Interview by Laura Padilla with Danielle Conway, then Dean of University Maine School of Law, (May 9, 2018) (notes from conversation and completed survey on file with the author).

¹⁷² . Survey of Dean Vivian Neptune, University of Puerto Rico School of Law.

¹⁷³ . Survey of Dean Penny Willrich, Arizona Summit School of Law.

¹⁷⁴ . Chantal da Silva, *White Male Workers Respond Poorly to Women and Racial Minorities in Power and Take it Out on Colleagues*, NEWSWEEK (Mar. 11, 2018), <https://perma.cc/7C73-QNT4>.

¹⁷⁵ . *Id.*

¹⁷⁶ . I read this study after I sent out the dean's survey, so I did not include a question about the

Along with the pressure of high expectations, the small margin for error, and the worry about being a poor representative for your gender and/or race, some women lamented the occasional debilitating loneliness they experienced. As a sole woman in leadership, a dean may suffer from the impact of “high visibility, . . . loneliness, . . . stereotyping and racism . . . Tokens are highly visible, living in a glass house; their actions, words, demeanor, dress—virtually everything about them—is noticed in these environments.”¹⁷⁷ Women’s isolation, coupled with higher expectations and the pressures of “prove-it-again” bias, can make it hard to connect genuinely with others. A white woman candidly wrote:

In other aspects of my life, friendships have always sustained me but I find as dean that they are harder to come by. Faculty for the most part do not seek me out for deeper friendship even though they are, with rare exception, extremely warm and cordial and I think they genuinely like me. But I don’t get invited to many dinner parties. It’s for me to issue the invitations. My counterpart deans are very busy and it’s hard to get on one another’s calendars. I depend on my family for basic companionship and have fewer friends I can rely on for company and conversation over walks, coffee, going for a drink, etc., than I had before I was a dean. I find that aspect of the job quite difficult.¹⁷⁸

As more women are appointed law deans, the pool of women allies, mentors, and support network members will expand. This group can provide more resources than previously available to counter the isolation of being a woman in a deanship. This may be happening already as one white woman wrote that the support of women deans “has been very important to my development. They call me back when I have a question and they have suggested leadership paths for me in AALS. The annual women dean dinner at our dean’s meeting is one of my favorite events.”¹⁷⁹

IV. PATTERNS IN THE SURVEY RESULTS

A. The Greatest Barriers to Becoming Dean

Survey responses made it clear that work/professional life balance is challenging for all law deans, yet it seems to be more challenging for women law deans. It is no secret that professional women face a range of disparate challenges that are less common for men, and work-life balance may be the most pressing. This issue has been well documented in law, with the ABA reporting:

- 60% of women said they left firms because of caretaking commitments, compared to 46% of men;

phenomenon described in the study. However, I will follow up on it in the future.

¹⁷⁷ . Flores Niemann, *supra* note 156, at 473 (citations omitted).

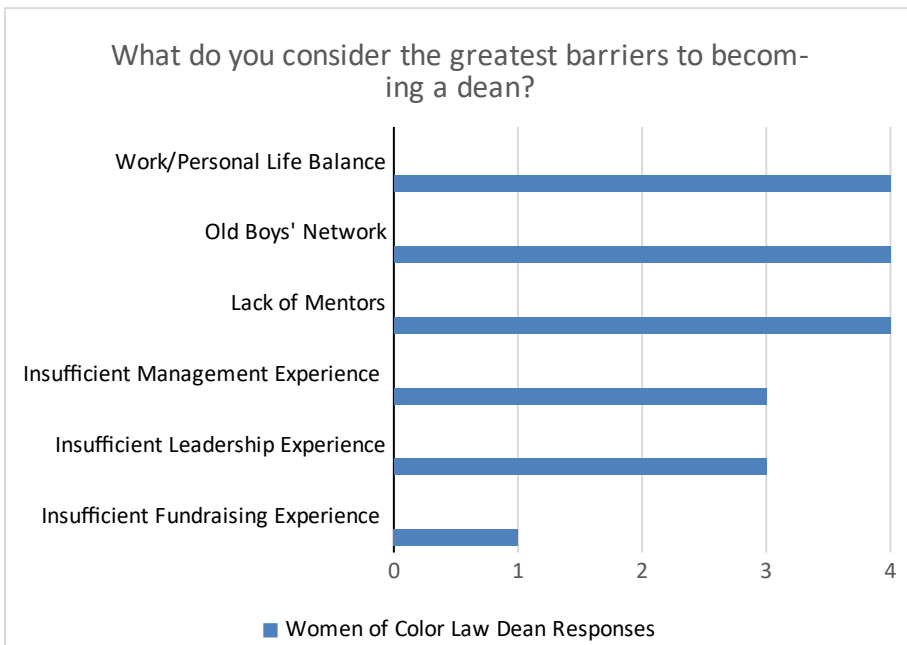
¹⁷⁸ . Dean preferred to answer anonymously.

¹⁷⁹ . Dean preferred to answer anonymously.

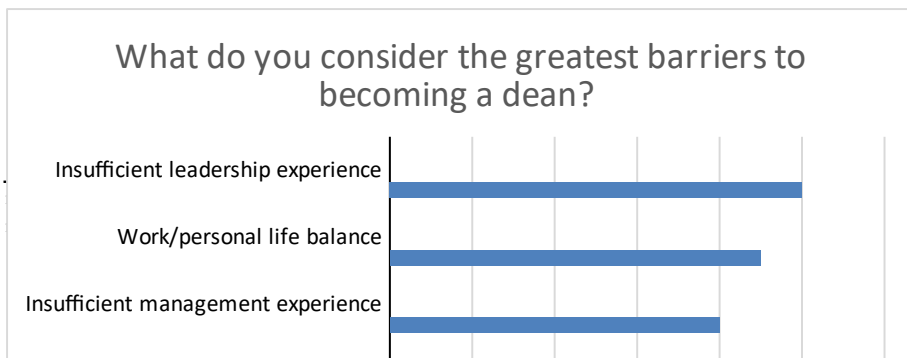
- 54% of women said they were responsible for arranging child care, as opposed to 1% of men;
- 39% of women said the task of cooking meals fell on their shoulders, compared to 11% of men; and
- 34% of women say they leave work for children’s needs, versus 5% of men.¹⁸⁰

Not only do women who are mothers often bear a disproportionate share of family responsibilities, they also endure maternal bias on the work front. The ABA reported on the maternal wall, finding that “[w]omen of all races reported that they were treated worse after they had children[.] Women also observed a double standard between male and female parents.”¹⁸¹

Women of color who responded to the Spring 2018 survey answered the question about the greatest barriers to becoming a dean with a three-way tie between work/personal life balance, the old boys’ network, and lack of mentors. That was followed by a two-way tie between insufficient management and leadership experience.

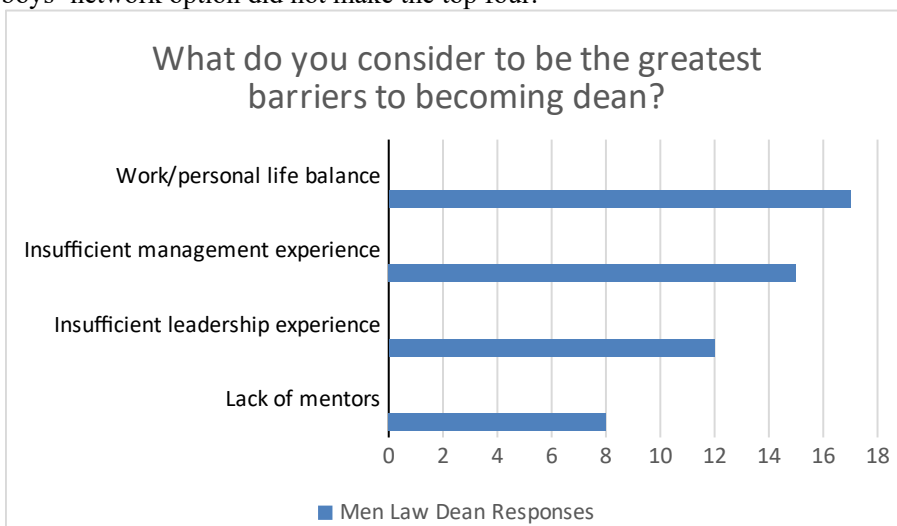


White women who responded to the Fall 2018 survey indicated that



insufficient leadership experience was the greatest barrier to becoming a dean, followed by work/personal life balance, insufficient management experience, and the old boys' network.

The man of color who responded to the survey selected, but did not prioritize, work/personal life balance, the old boys' network, and lack of mentors as the greatest barriers to becoming a dean.¹⁸² White men who responded to the Fall 2018 survey also struggled with work/personal life balance, selecting it as the greatest barrier to becoming a dean, followed by insufficient management experience, insufficient leadership experience, and lack of mentors. The old boys' network option did not make the top four.



In summary, the women and man of color, and the white men selected work/personal life balance as the greatest barrier to becoming a dean, or as tied for first place as the greatest barrier. White women selected it as the second greatest barrier. Given the demands of running a law school, it is not surprising that work/personal life balance is a struggle regardless of gender or race. With that said, it is worth further investigation as to why white women did not select it as their first choice.

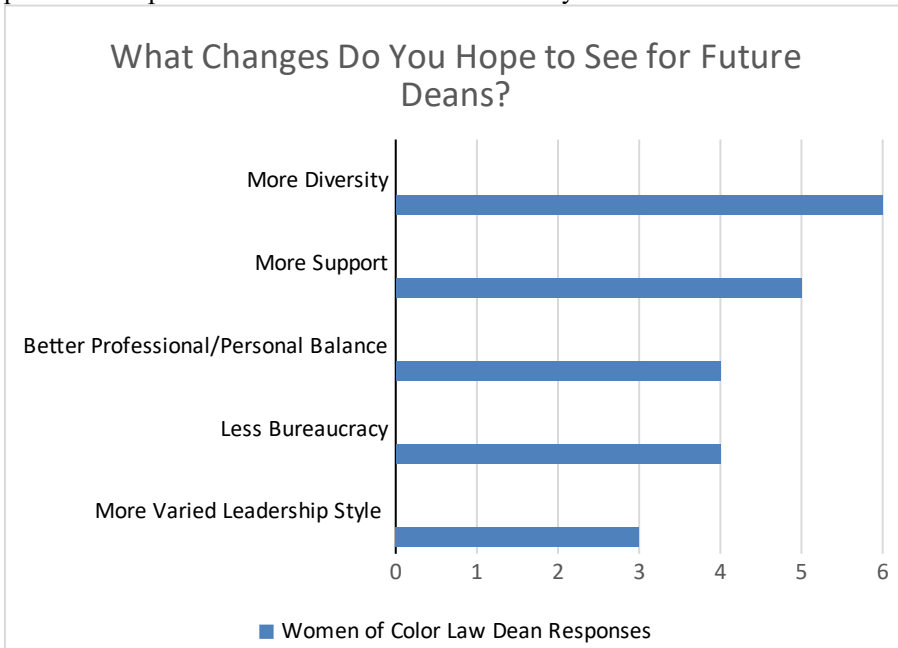
B. Hope for Change

Regardless of gender or race, law deans who responded to the survey agreed on the need for more diversity in decanal ranks. This consensus affirms the importance of studying and reporting on the composition of law deans and advocating for more diversity, while outlining steps to achieve the same.

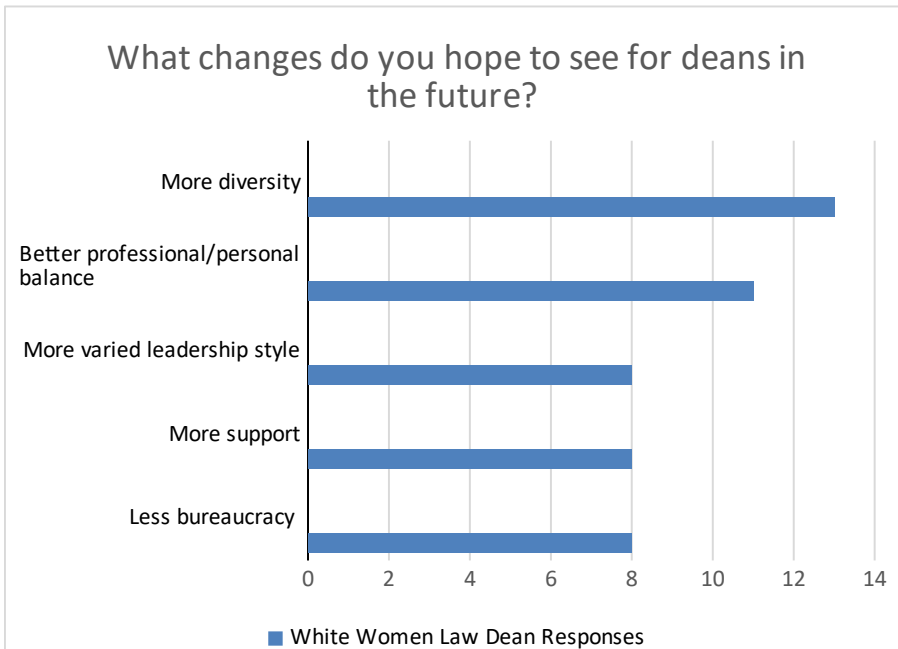
In response to the survey question on what changes they hoped to see for deans in the future, the top choice for women of color in the Spring 2018 survey was more diversity, followed by more support and a tie between better

¹⁸² . Dean preferred to answer anonymously.

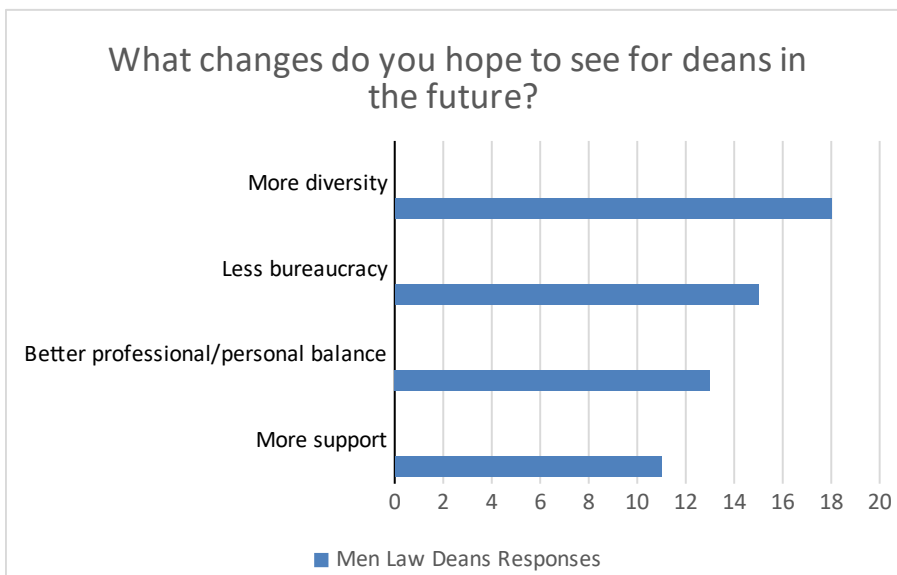
professional/personal balance and less bureaucracy.



The top choice for white women was for more diversity (61.9%), followed by better professional/personal balance (52.4%), then a three-way tie between more varied leadership style, more support, and less bureaucracy (8% each).



The one man of color also selected diversity as the top change he hoped to see for deans in the future (it was the only option he selected).¹⁸³ White men also selected diversity as their first choice (66.7%), followed by less bureaucracy (55.6%), better professional/personal balance (48.1%), and more support (40.7%).



C. Relationship Status

The surveys asked deans about their relationship status, and the responses are similar to what *A Gendered Update* reported in 2005–2006:

A majority of the women who completed the surveys, and all but one of the men, were either married or in partnerships. Not one survey respondent was single, and only 7.7% of the men and 14.3% of the women were divorced. None of the men were widowed, and 9.5% of the women were widowed.¹⁸⁴

Here is a summary of the survey information from *A Gendered Update*:

	Married or in Partnerships	Divorced	Single	Widowed
Men	92.3%	7.7%	0	0
Women	76%	14.3%	0	9.5%

All seven women of color who completed the Spring 2018 survey answered the question about relationship status. Six of these women were married or in a partnership and one was divorced. Anecdotally, the divorced

¹⁸³ . Dean preferred to answer anonymously.

¹⁸⁴ . Padilla, *supra* note 1, at 525.

woman said the divorce ended her deanship.¹⁸⁵ All twenty-four women who completed the Fall 2018 survey responded to the question about relationship status. Nineteen were married or in a partnership, one was single and four were divorced.

The man of color who completed the Fall 2018 survey responded that he was married.¹⁸⁶ Of the 30 white men who completed the survey, twenty-nine responded to the question about relationship status. Twenty-six were married or in a partnership, two were single, and one was divorced. Here is a summary of the information from the Spring and Fall 2018 surveys:

	Married or in Partnerships	Divorced	Single	Widowed
Women of Color	6 (86%)	1 (14%)	0	0
White Women	19 (79.2%)	4 (16.6%)	1 (4.2%)	0
Men of Color	1 (100%)	0	0	0
White Men	26 (89.6%)	1 (3.5%)	2 (6.9%)	0

Although the survey results from *A Gendered Update* did not differentiate deans based on race, comparing the 2007 results to the current survey is informative. Compared to that cumulative group, the current percentage of women of color who are married or in a partnership is about 10% higher (86% now compared to 76.2%), and the percentage of white women is slightly higher (79.2% now compared to 76.2%). Women of color are divorced at about the same rate (14% now compared to 14.3%), and the percentage of white women is slightly higher (16.6% now compared to 14.3%). A small percentage was widowed (9.5%) and none currently are. White men are slightly less likely to be married or in a partnership now (89.6% compared to 92.3%). A smaller percentage are divorced now (3.5% compared to 7.7%) and likelier to be single (6.9% compared to 0).¹⁸⁷

D. Parenthood

With respect to deans' parental status, at the time I wrote *A Gendered Update*, over 92% of men had children and approximately 71% of women had children. *A Gendered Update* reported:

Over ninety percent of the men had children. Not one man answered that he did not have children; however, one declined to answer. . . . Just over seventy percent of the women had children, and close to thirty percent did not have children. That means women deans are nearly thirty percent as likely as men

¹⁸⁵ . Dean preferred to answer anonymously. She reported her ex-husband threatened to file for sole custody because she spent too much time at work.

¹⁸⁶ . Dean preferred to answer anonymously.

¹⁸⁷ . White men law deans may be the only group in the US population with a declining divorce rate!

not to have children.¹⁸⁸

Below is a summary of the survey information from *A Gendered Update*:¹⁸⁹

	Have children	Do not have children	Declined to Answer
Men	92.3%	0	7.7%
Women	71.4%	28.6%	0

All seven women of color who completed the Spring 2018 survey answered the question about parental status and all seven had children. Four women had one child and three had two children. Women of color on average had 1.4 children.¹⁹⁰

Twenty-four white women completed the Fall 2018 survey and twenty-three responded to the question about children. Eighteen women had children (twelve had two children each, five had three children each, and one had four children). Five women did not have children (one had no children but had stepchildren). In addition, two women with children also had stepchildren (one had two stepchildren in addition to her two children, and one had four stepchildren in addition to her three children). White women on average had 1.9 children (not including stepchildren).

The man of color who completed the Fall 2018 survey answered the question about parental status, stating that he had children but did not specify how many. Thirty white men completed the survey and twenty-nine responded to the question about parental status. Twenty-seven men had children (two men had five children each, three men had four children each, eleven men had three children each, nine men had two children each, and one man had one child). Two men did not have children. White men on average had 2.6 children (not including stepchildren).

Here is a summary of the survey information from the Spring and Fall 2018 surveys:

	Deans with Children (+ number)	Average Number of Children	Deans Without Children
Women of Color	Total = 7 (100%) 3: 2 children 4: 1 child	1.4	0
White women	Total = 18 (78.3%) 1: 4 children 5: 3 children 12: 2 children	1.9	5 (21.7%)

¹⁸⁸ . Padilla, *supra* note 1, at 526.

¹⁸⁹ . *Id.*

¹⁹⁰ . While one cannot have a fraction of a child, for comparison purposes the average is helpful.

Men of Color	1 (100%) (number not specified)	?	0
White Men	Total = 27 (93.1%) 2: 5 children 3: 4 children 11: 3 children 10: 2 children 1: 1 child	2.6	2 (6.9%)

Based on the survey results, all deans are likelier to have children now than they were when I wrote *A Gendered Update*, with a slight bump for men from 92.3% to 93.1%. Approximately 71.4% of women had children when I wrote *A Gendered Update*, compared to 100% of women of color now and 78.3% of white women.

During all relevant periods, men were more likely to have children than women. While I do not have data on the number of children deans had when I wrote *A Gendered Update*, currently men are likelier to have more children than women (2.6 children compared to 1.9 for white women and 1.4 for women of color). Women are three times as likely not to have children as men (21.7% compared to 6.9%). While the gap is shrinking, women deans have fewer children than men and are likelier to be childless than men. This may be simple choice or a result of the ongoing gender imbalance in the domestic sphere,¹⁹¹ which makes balancing dean's work with family life more challenging for women than men.

V. GENDER SIDELINING, PRESUMPTIONS OF COMPETENCE, AND OTHER HURDLES: GETTING AROUND THEM, OVER THEM, AND RID OF THEM

A. What We Have Learned

For all the extra hurdles women face in deanships, they also have many unique opportunities to touch lives, shape policies and make a positive difference. L. Song Richardson is one of only two women of color currently leading one of the top thirty law schools in the United States and notes that she would like to encourage others.¹⁹² “Through my life I have been inspired by other women and the incredible work they’ve done, and I hope with me in this position it will potentially inspire other women to dream big and work hard to achieve their dreams.”¹⁹³ Many women noted that they valued the opportunity to serve, and to be a voice for the underserved. There is a unique place for women

¹⁹¹ . See generally Joan Williams, *Unbending Gender: Why Family and Work Conflict and What To Do About It* (2001).

¹⁹² . Although I did not receive a completed survey from Dean Richardson, she has commented on her appointment.

¹⁹³ . See Angela Morris, *UC Irvine School of Law Gets New Dean*, LAW.COM (Dec. 21, 2017), <https://perma.cc/J6LG-VWJR>.

to provide hope, leadership, and guidance for those who aspire to leadership. Many of the women respondents wrote that such a role is important to them.

The stories from the survey revealed that even if you reach your career goal of becoming a law school dean, a privileged position which commands respect and opens doors, if you are a woman, especially from an under-represented group, the position typically comes with more hurdles and challenges than it does for other deans. While the stories include many victories, they are tempered by ongoing presumptions of incompetence and gender sidelining.

Numerous columnists and commentators have written about the tendency for women to be ‘maninterrupted’ at work, to have their ideas ‘bropropriated’ or ‘bro-opted’ by [men] colleagues’), and to face additional obstacles that are rarer for privileged members of the Academy.¹⁹⁴ “Not only the demographics but the culture of academia is distinctly white, heterosexual, and middle- and upper-middle-class. Those who differ from this norm find themselves, to a greater or lesser degree, ‘presumed incompetent’ by students, colleagues, and administrators.”¹⁹⁵ Sadly, that is often the default or starting position for women, including many of the deans who responded to my survey. However, these women do not give up easily as evidenced by their current positions. Thus, it is no surprise that many persisted, succeeded, and eventually neutralized the presumptions that accompanied them when they arrived. However, their strength is not always enough: this Part will detail some steps to ameliorate or reduce the hurdles described in the previous Part.

B. Solutions

From the manner in which men and women conduct themselves in meetings, to the manner in which they receive mentoring and guidance, to the manner in which they receive credit (or not) for their workplace contributions, men and women tend to experience the workplace in profoundly different ways.¹⁹⁶

Whether in the context of the corporate world or the Academy, women experience professional life in radically different ways than their more privileged colleagues. Difference by itself is not bad. However, when difference is a proxy for discrimination or bias it is a problem which is likelier to persist as long as women are underrepresented as law deans. This Part thus touches on how to increase the number of women law deans, but mostly it focuses on improving retention and women’s experiences by reducing and preventing gender sidelining, presumptions of incompetence, and other microaggressions women face as law deans. The retention portion shares deans’ ideas on what sustains them. Woven throughout are thoughts about flipping the script on gender

¹⁹⁴ . See, e.g., DiGeronimo, *supra* note 135; Bennett, *supra* note 134.

¹⁹⁵ . Harris & González, *supra* note 4, at 3.

¹⁹⁶ . See Fink, *supra* note 7, at 79.

sidelining and presumptions of incompetence, moving towards assumptions of competence, and laying the foundation for success for women in leadership in the Academy.

1. Acknowledge the Problem and Support it With Data

An essential starting point is acknowledging ongoing problems: women are underrepresented as law deans and those who serve experience presumptions of incompetence, gender sidelining, and relentless microaggressions. Some will argue these problems are going away on their own and do not require attention.¹⁹⁷ However, many women's experiences, like those described in this Article, contradict naïve assertions that the problems are made up, solved, or will effortlessly disappear.

One logical step towards convincing naysayers that the problem exists is to present data. Raw data speaks volumes, and there are reams of it on men and women's numbers in the general population, higher education, law partnerships, deanships, and presidencies. Tracking from the beginning, there are roughly equal numbers of girls and boys at birth.¹⁹⁸ These statistics continue through college, and into law school.¹⁹⁹ However, when proceeding to tenure-track positions and then into leadership and power roles, the data reveal a decline in women's representation.²⁰⁰ Even if data falls on deaf ears or some deny the statistics, it demonstrates that chronic issues remain with women's underrepresentation.

Research suggests that disseminating accurate data may not be enough. It may be more effective to couple it with statements that disparities persist even when people want to overcome biases (the types of biases, for example, that lead to women of color's underrepresentation in leadership roles). "When we communicate that a vast majority of people hold some biases, we need to make sure that we're not legitimating prejudice. By reinforcing the idea that people want to conquer their biases and that there are benefits to doing so, we send a more effective message: Most people don't want to discriminate, and you

¹⁹⁷ . See John F. Dovidio, *Part II: Introduction*, in *PRESUMED INCOMPETENT*, *supra* note 4, at 113 ("The psychological evidence suggests that readers—both men and women—will be inclined to dismiss the events described as exaggerations or illustrations of 'oversensitivity.'").

¹⁹⁸ . In the United States, approximately 105 boys are born for each 100 girls. *Sex Ratios at Birth, Worldwide*, PEW RESEARCH CENTER (Nov. 19, 2015) <https://perma.cc/B82A-46RM>. I do not mean to diminish other gender or non-gendered identities. However, this Article reports on the status of male/female and men/women due to its focus on women and women of color in deanships and because most available data is limited to the binary.

¹⁹⁹ . See, e.g., Nancy Cantor, *Part III: Introduction*, in *PRESUMED INCOMPETENT*, *supra* note 4, at 221 ("women have become the majority population on campus, earning 60 percent of the undergraduate and half the PhDs and professional degrees awarded each year.").

²⁰⁰ . *Id.* ("Between 1989 and 1997, the proportion of tenured minority women went down."). See also Harris & González, *supra* note 4, at 2 ("In 2007, women of color held only 7.5 percent of full-time faculty positions. Moreover, the percentage of women of color declined steadily with rising academic rank.").

shouldn't either."²⁰¹ Quantitative data should be supplemented with qualitative data—chronicles of women's experiences such as those outlined in this Article—to emphasize that change starts with numbers but it does not end there. The numbers become more tangible and resonate more when they are attached to stories.

Disseminating quantitative and qualitative information about women's underrepresentation can highlight the problem and create more impetus to increase women's numbers. Struggle, bias, and sidelining should diminish when women are not such a novelty in leadership roles. "Critical mass may not be a panacea for the ills of the academic workplace, but it can relieve the soul-crushing isolation, the painful stigma, and the exhausting service requirements."²⁰²

2. Continue to Increase Women in Leadership

One struggle for women who aspire to leadership is getting in the door. A college leader said "the biggest challenge I face as a woman college president is needing to wrench open doors that might open automatically for my male counterparts. But I do this, and I make progress—as I lead, make myself heard, and assert myself in pursuing my goals."²⁰³ More women in leadership makes it easier for doors to open, even if just an inch. But women still have to push the door wide open to make room at the table for themselves and other outsiders. Even when women arrive, once in, the mine-filled path can lead to a steep drop-off. "Women and people of color are already more likely to be promoted to high leadership levels within companies during times of crisis, a phenomenon known as the 'glass cliff.' If they are unable to lead their companies out of a crisis, they are quickly replaced by white men, according to a 2014 study on the phenomenon."²⁰⁴

While proportionality is not a cure-all, increasing the number of women deans can reduce tokenism and emotional taxes; allow women to demonstrate competence, leading to presumptions of the same; and deter sidelining behaviors. Change will not occur spontaneously, especially when powerful people are convinced there is no problem,²⁰⁵ or worse, who fear change and remain invested in preserving the status quo.²⁰⁶ "The culture of academia, ultimately, is

²⁰¹ . Adam Grant & Sheryl Sandberg, *When Talking About Bias Backfires*, N.Y. TIMES (Dec. 6, 2014), <https://perma.cc/BD2R-HRBE>.

²⁰² . González, *supra* note 116, at 53.

²⁰³ . *Biggest Challenges*, *supra* note 117 (quoting Elizabeth Meade, President, Cedar Crest College).

²⁰⁴ . da Silva, *supra* note 174.

²⁰⁵ . See, e.g., Bettina Apotheker, *Foreword*, in PRESUMED INCOMPETENT, *supra* note 4, at xiii (noting "the repeated efforts by contemporary white academics, lawyers, and politicians to manipulate statistics and feign liberal intentions while denouncing affirmative action, claiming 'reverse discrimination' . . . and blaming students of color and women for their presumed 'failures.'").

²⁰⁶ . See, e.g., Karen Grigsby Bates, *When Civility is Used as a Cudgel against People of Color*, NPR (Mar. 14, 2019), <https://perma.cc/K3KE-SN27>; CAROL GILLIAN & NAOMI

impervious to change because its power structure is designed to reproduce itself When the people in power receive a mandate to search out excellence, the first place they look is to people like themselves, and too often that is also where the search ends.”²⁰⁷

3. Take Proactive Steps to Diversify Deanships

In order to achieve progress, legal education institutions must actively pursue diversity with concrete actions, not merely vague goals. As González noted, “[t]o ensure that commitments to diversity are not just aspirational, academic leaders should establish promotion of diversity as one of the criteria for evaluating deans and department chairs, devise concrete performance standards to measure progress, and reward successful schools and departments with additional resources.”²⁰⁸ In other words, search committees should themselves be diverse and make diversity a priority.

To achieve their goals, search committees can take several steps such as: (1) hiring an executive search firm with both a record of, and commitment to, seeking a diverse candidate pool; (2) preparing a job description that stresses the law school’s commitment to diversity and highlights concrete examples of that commitment; (3) using creative and targeted approaches to establish a broad candidate pool with members of traditionally underrepresented groups; (4) engaging in training on best hiring practices that enhance diversity and minimize unconscious bias, gender sidelining, and presumptions of incompetence; and (5) asking candidates to submit a statement on diversity and inclusion so they can describe how they would personally contribute to or support diversity. One college president who has been subject to overt and implicit bias emphasized that “it’s critical for higher-education leaders to appoint diverse search committees, to commit to having periodic implicit bias training, and to have diverse voices and perspectives around leadership tables.”²⁰⁹

4. Promote a Broader Range of Leadership Styles

In order to open the door wider for women to obtain deanships and succeed as leaders, higher education institutions must move away from long-standing preferences for male leadership styles and towards a broader range of leadership styles.²¹⁰ This shift benefits law schools in the same way that teaching to a variety of learning styles benefits students:²¹¹ it leads to educators reaching more

SNIDER, WHY DOES PATRIARCHY PERSIST? (2018) (exploring the psychology that keeps men in positions of power).

²⁰⁷ . Harris & González, *supra* note 4, at 7. *See also* Padilla, *supra* note 1, at 531.

²⁰⁸ . González, *supra* note 116, at 55.

²⁰⁹ . *Biggest Challenges*, *supra* note 117 (quoting Judy K. Sakai, President, Sonoma State University).

²¹⁰ . *See* Padilla, *supra* note 1, at 503, 534.

²¹¹ . *See, e.g.*, M.H. Sam Jacobsen, *A Primer on Learning Styles: Reaching Every Student*, 25 SEATTLE U. L. REV. 139 (2001) (discussing how knowledge of learning styles helps professors achieve their pedagogical goals and how professors can most effectively help their

students, resonates with a broader cross-section, and creates more diversity in how issues are framed and resolved. Diverse leadership can draw from experience to right equity imbalances such as women’s disproportionate service obligations,²¹² the “prove-it-again” bias they are subject to,²¹³ and lower average salaries.²¹⁴ In addition, a shift away from predominantly male leadership towards more inclusive leadership can reduce sidelining, promote confidence, allow more voices to be heard, and lead to success by different paths.

Institutions and decisionmakers alike must take deliberate steps to support a broader range of leadership styles. Sheryl Sandberg and Adam Grant described concrete steps and benefits of such support:

To motivate women at work, we need to be explicit about our disapproval of the leadership imbalance as well as our support for female leaders. When more women lead, performance improves. Start-ups led by women are more likely to succeed; innovative firms with more women in top management are more profitable; and companies with more gender diversity have more revenue, customers, market share and profits. A comprehensive analysis of 95 studies on gender differences showed that when it comes to leadership skills, although men are more confident, women are more competent.²¹⁵

5. Acknowledge the Benefits of More Diverse Leadership

Institutions of higher education shortchange themselves and their

students grow).

²¹² . See KERRY ANN O’MEARA, GUDRUN NYUNT & COURTNEY LENNARTZ, RESEARCH BRIEF #1: GENDER AND WORKLOAD, <https://perma.cc/9YE7-APR3> (finding that women faculty “engage in more campus service and teaching-mentoring related activities than their male colleagues[,] . . . that these differences become more pronounced as faculty move along in their careers[,]” and that “[w]omen of color face particular demands for unrewarded work as they are called upon to represent faculty of color and women” in the form of “more mentoring and advising work and being asked to serve on more faculty searches and diversity-related committees than white faculty and male faculty of color.”).

²¹³ . See Williams, *supra* note 118.

²¹⁴ . Although I have no data on deans’ salaries, it is widely reported that women lawyers earn less than men. An ABA report found that “[w]omen of color agreed that their pay is comparable to their colleagues of similar experience and seniority at a level 31 percentage points lower than white men; white women agreed at a level 24 percentage points lower than white men.” ABA COMMISSION ON WOMEN, *supra* note 128, at 7. Women law professors are alleged to earn less than their male peers, and at least one law school settled a gender-pay gap lawsuit for \$2.7 million. See Elizabeth Hernandez, *DU Law School’s “Fix” for Its Gender-pay Gap Revealed a Female makes \$30,000 Less Than Her Peers*, THE DENVER POST (Jun. 5, 2019), <https://perma.cc/8VAU-3WTC>.

²¹⁵ . Adam Grant & Sheryl Sandberg, *When Talking About Bias Backfires*, N.Y. TIMES (DEC. 6, 2014), <https://perma.cc/BD2R-HRBE>. See also Tiffany Pham, *Think You’re Not Biased Against Women At Work? Read This*, FORBES (Dec. 20, 2016), <https://perma.cc/GE93-LV2W> (“[S]tudy after study shows that female leaders tend to be better leaders than their male counterparts. At every single level of the corporate ladder, women are rated as better overall leaders than men by peers, bosses, direct reports and colleagues. What is even more interesting is that when such findings are shared with women, they believe what makes them great leaders is that they are not complacent and continuously try to outdo themselves and prove themselves and are therefore more keen to take feedback to heart”).

constituents when there are few women leaders, thus, one recommended step is for educational institutions to acknowledge the positive consequences of leadership diversity. Although identifying traits as “female” risks oversimplifying and essentializing gender characteristics, many women deans were very forthright about common experiences of how gender impacted their leadership. One dean said “My leadership style is relationship-driven, which comes from how women are acculturated. I have a high EQ, which is more common in women, and I use my emotional intelligence constantly in working with constituencies and in problem solving.”²¹⁶ Several other women mentioned emotional intelligence and related traits like being collaborative, team-based, and community builders. Another shared some of these traits but then contrasted them with traits less stereotypically feminine: “I am highly collaborative and efficient, which I attribute to a more feminine management style. I communicate in a transparent and straightforward way even when delivering negative news, which is less of a typically feminine style.”²¹⁷

Many deans also wrote that their gender roles as mothers influenced their leadership style. “I am a nurturer by nature and that helps empower me. I think as a female and mother I know how to multitask.”²¹⁸

Law schools are often risk-averse and wed to precedent, so they tend to conduct business the same way they always have. I challenge them to disrupt that model with fresher leadership which can enhance problem-solving and team-building, both of which benefit the law school and those involved with it. Making room for many voices and women’s leadership helps undo the damage of decades of silencing, normalizes women as leaders, and boosts morale. With better morale and workplace satisfaction, greater productivity often follows. Morale always matters, even more so for the success of women who arrive with high expectations about what they can accomplish, but do not get consistent support and whose mistakes are often magnified. As institutions welcome more leadership styles, women will find it easier to lead authentically and bring their unique strengths to their deanships. Acceptance of diverse leadership improves law schools and retention while enhancing the likelihood of a dean’s success.

6. Fill the Toolbox

Institutions must provide diverse leaders with ongoing support. Although institutions might celebrate hiring women and have good intentions with respect to diversity, they can derail deans’ success by failing to provide adequate support. Support can range from establishing a point person at the university, on the university board, and other key bodies who can share information, introductions, and an overview of that body, to providing an orientation and training, and setting up initial meetings with influential persons who might not be obvious.

²¹⁶ . Dean preferred to answer anonymously.

²¹⁷ . Survey of Dean Wendy Hensel, Georgia State University School of Law.

²¹⁸ . Dean preferred to answer survey anonymously.

By giving new outsider deans more support, law schools stand to benefit more from their presence as “the extent to which women’s efforts and accomplishments are (or are not) recognized in the workplace can create a self-fulfilling prophecy, either reinforcing achievement or worthlessness.”²¹⁹ In turn, women who feel their efforts appreciated and recognized will work harder; those “who feel overlooked and ignored may see their drive and ambition diminish.”²²⁰ When women leaders make room for all voices, including women who are likelier to have been silenced, sidelined and presumed incompetent, they create an opportunity for inclusiveness and contributions that would have otherwise been missed. Many of us have shared the experience of hearing students say that they never or rarely spoke up before our class, but having a professor who also was “other,” who looked like them or shared some of their life story, made them feel competent and more welcome to contribute. If that is the effect of diverse leadership in a law school classroom, imagine the potential that could be unleashed by having the “other” as the law school leader? When women lead, staff and students, especially members of underrepresented groups, feel affirmed and inspired, thus improving law school satisfaction and outputs.

Women can better position themselves as competitive candidates by acquiring leadership training.²²¹ Many academics have little experience with budgets, management, conflict-resolution and other skills which are required to competently carry out a dean’s daily duties,²²² and as already noted in this Article, those are some of the main entry barriers to becoming a dean.²²³ The University of Georgia School of Law hosted a Women’s Leadership in Academia Conference in July 2018,²²⁴ which addressed many of these topics through informative and thought-provoking panels, breakout sessions, and workshops. Topics included: “Exploring the Value of Female Mentoring Relationships to Cultivate Law School Leadership;” “Outside the Four Walls of the Law School: Law Faculty and Staff as Campus and University Service Leaders;” “Strategies for Conflict Management and Dialogue;” “Engendering Equality Within Your Institution: Establishing a Women’s Committee to Achieve Meaningful Change;” “Addressing Gender Disparities in Institutional

²¹⁹ . Fink, *supra* note 7, at 92.

²²⁰ . *Id.*

²²¹ . See, e.g., THE COURAGE & RENEWAL ACADEMY FOR LEADERS, <https://perma.cc/W5GY-SBVM> (modeling Parker Palmer’s leadership beliefs); THE CHAIR ACADEMY, <https://perma.cc/3JQ5-DHAB> (focusing on leadership in higher education); CENTER FOR CREATIVE LEADERSHIP, <https://perma.cc/923T-C7U9> (providing executive education and leadership development).

²²² . See Jagdeep S. Bhandari, Nicholas P. Cafardi, & Matthew Martin, *Who Are These People? An Empirical Profile of the Nation’s Law School Deans*, 48 J. LEGAL EDUC. 329, 343 (1998) (observing that according to one study, in 1996-1997, 27.6% of all deans had prior decanal experience and 57.1% of deans had prior administrative experience). *But see* Kay, *supra* note 30, at 219 (alleging that “[a]lmost none of them [women law deans] has had prior administrative experience, although some of them have previously been Associate Deans or Interim Deans”).

²²³ . See *supra*, Part IV A–B.

²²⁴ . *Women’s Leadership in Academia Conference*, *supra* note 88.

Service Workloads;” the “Academic Search Process;” “Negotiation Strategies;” and “Leadership Challenges and Solutions over the Course of a Career.”²²⁵ Participants also had the opportunity to consult with executive search firm leaders and obtain individualized feedback on their CVs. Education and training like that provided by the Women’s Leadership in Academia and the University of Seattle/SALT conferences position women to present themselves as viable candidates for deanship openings and to get to know potential mentors, sponsors, and executive search firm principals.

Women can also situate themselves for advancement by seeking and accepting stretch assignments which are “challenging projects in which an employee must develop new skills and improve their capabilities in order to be successful.”²²⁶ Stretch assignments are important because they “not only prepare employees for future managerial roles, [but they also] highlight high potentials and put them on the map for leadership consideration.”²²⁷ Stretch assignments undoubtedly help those moving up the career ladder, but they still go to men much more frequently than women.²²⁸ Thus, part of the strategy for increasing women in leadership is to ensure that women receive as many stretch assignments as their men counterparts, or even more to make up for lost time. “For companies striving to close persistent gender gaps, allocating critical assignments . . . to high-potential women in more intentional and strategic ways can make a dramatic difference [in diversifying the pipeline and moving more women into leadership roles].”²²⁹

Mentoring is another tool to both create a bigger pool of women for deanships and retain existing deans.²³⁰ It is especially invaluable to have mentors who have been in your shoes. More women law deans have this opportunity now than ever because of the increase in number of diverse law deans working today. Compare the situation in 2006, when there were only three women deans of color to today, when there are 19.5 women of color, many of whom were mentored by their predecessors.

Having more women leaders in the future will make an even bigger difference, but increasing the number of women law deans requires intentional steps given the historical absence of women law deans.²³¹ On a positive note, there are now more available mentors than ever from underrepresented groups as well as countless powerful mentors who are happy to help and who make a bigger difference than previously recognized. “Mentoring was recently found to be the most impactful activity for increasing diversity and inclusion at work,

²²⁵ . *Schedule at a Glance*, U. GA. SCH. L., <https://perma.cc/VMG6-XB8L>.

²²⁶ . See Kayla Turo, *Stretch Roles: Why They Benefit Your Career and Why Women Aren't Taking Them*, THE GLASS HAMMER, <https://perma.cc/N27C-25WV>.

²²⁷ . *Id.*

²²⁸ . *Id.*

²²⁹ . See Christine Silva, Nancy M. Carter & Anna Beninger, *Good Intentions, Imperfect Execution? Women get Fewer of the “Hot Jobs” Needed to Advance 1* (2012), <https://perma.cc/8XAU-FC6H>.

²³⁰ . See, e.g., Flores Niemann, *supra* note 156, at 496.

²³¹ . See Padilla, *supra* note 1, at 510.

compared to diversity training and a variety of other diversity initiatives. Receiving mentorship from senior [men] can increase compensation and career progress satisfaction for women, particularly for those working in [men]-dominated industries.”²³²

Women—especially underrepresented women—may still be reluctant to seek out busy, powerful people as mentors,²³³ but should not hesitate given that mentoring benefits mentors and mentees alike. “[A] mentor relationship can provide the mentee valuable lessons from the mentor’s story, insights about an industry or company, and key opportunities and introductions’ . . . Sharing your experiences helps you, too. ‘We teach what we need to learn, so it’s an opportunity to reflect on the lessons you want to apply in your own career.’”²³⁴

The power of an effective mentor cannot be understated. When I saw an advertisement in the San Diego Daily Transcript for a law professor position at California Western School of Law in 1991,²³⁵ I immediately reached out to one of my law school mentors: Professor Miguel Méndez.²³⁶ He introduced me to Professor Frank Valdes,²³⁷ who had recently joined the California Western faculty. Professor Valdes’ mentoring was instrumental in helping me obtain the coveted job. He explained the process, including the initial interview and—in case I passed that test—the full day interview. Not only did he moot my job talk and provide constructive feedback, he also patiently shared background information on everyone I was scheduled to meet. This included telling me who might be challenging or supportive, what the school was looking for, and other information that better equipped me for the interview. An effective mentor will do that and much more. Formal and informal mentoring are both crucial for women in leadership and yield positive outcomes for mentors and mentees. While it will not eliminate the hurdles, having a mentor who knows where the hurdles are and how high they are, and has strategies to get over them can be pivotal in a dean’s success.

Finding effective sponsors is equally crucial. As one dean puts it, “[t]he academic landscape is littered with landmines and unwritten rules that may torpedo the careers of those who do not receive proper guidance and support. In

²³² . Anna Marie Valerio and Katina Sawyer, *The Men Who Mentor Women*, HARV. BUS. REV. (Dec. 7, 2018), <https://www.perma.cc/F7QV-PQYX>.

²³³ . “Women tend to be less comfortable making a formal request for help . . . so one of the best things you can do as a mentor is offer help when you see an opportunity.” Emily Hite, *Not Your Mother’s Mentor*, MEDIUM: STAN. ALUMNI (Jun. 25, 2018), <https://perma.cc/F69X-NPM8>.

²³⁴ . *Id.*

²³⁵ . I did not use the traditional AALS Faculty Recruitment Conference to obtain my position. *See Faculty Recruitment Conference*, ASS’N AM. L. SCH., <https://perma.cc/KF7Z-K2EL>. Rather, I responded to an advertisement. That would be very rare today.

²³⁶ . I am heartbroken to report that Prof. Mendez, Stanford Law School’s first Latino professor, passed away May 25, 2017. *See* Carla Spain, *Evidence Legal Scholar and Stanford Law’s First Latino Professor, Miguel A. Méndez, Dies*, STAN. NEWS (Jun. 8, 2017), <https://perma.cc/VW85-5FHL>.

²³⁷ . Frank Valdes made a lateral move to the University of Miami School of Law in 1996, where he remains. *See Francisco Valdes*, U. MIAMI SCH. L., <https://perma.cc/X9SC-M2CM>.

addition to mentors, women of color also need sponsors—highly respected senior faculty who will advocate for them in faculty meetings and behind closed doors when they are being reviewed for tenure and promotion.”²³⁸ While it makes sense to have senior faculty as sponsors when going through the tenure process, women in positions of power should also seek other influential sponsors such as provosts, deans, board members, and community leaders. Trustworthy sponsors can introduce decision-makers and influencers; provide information about advancement opportunities in the Academy; secure invitations to important events; acknowledge your presence; elevate your ideas and initiatives; and otherwise present you as impressive, accomplished, and worthy of respect. According to a women’s career coaching company, “The best sponsor is a member of leadership who not only provides you with valuable information to increase your skills but works as an advocate for your advancement in meetings and other situations where you are not present.”²³⁹

In addition to cultivating effective sponsors, women deans should also sponsor others who aspire to deanships—promoting them to influential people, making introductions, and being part of their wisdom council. “‘Critical sponsorship’ and ‘one-off instances of support at the right moments’ are how programmer Tracy Chou describes the professional backing she finds most helpful to give and receive.”²⁴⁰ If you have made it to a position of power, you have access to many others in similar positions and should use those relationships to pay it forward.

7. Call Out Biases and Be an Ally

To address the impact of negative gender-based expectations, one tool is to stand with women deans, support their leadership, and remind critics who unfairly demean women that their dean is simply exhibiting leadership on behalf of the institution. In the absence of such alliances, the “silencing that women experience in the workplace often becomes part of a vicious circle: The more women feel silenced or ‘man-terruted’ or as if their ideas have been “‘bro-opted’ by male peers, the more they may doubt their real value in the workplace.”²⁴¹ Although women deans are less likely to have issues with silencing given how far they have made it in the leadership realm, the problem persists, as does tightrope bias. “When a woman speaks in a professional setting, she walks a tightrope. Either she’s barely heard or she’s judged as too aggressive. When a man says virtually the same thing, heads nod in appreciation for his fine idea. As a result, women often decide that saying less is more.”²⁴² One college president said, “Anecdotally, I do think that [women] leaders can

²³⁸ . González, *supra* note 116, at 52.

²³⁹ . Turo, *supra* note 226.

²⁴⁰ . Hite, *supra* note 231.

²⁴¹ . Fink, *supra* note 7, at 89.

²⁴² . Sheryl Sandberg & Adam Grant, *Speaking While Female*, N.Y. TIMES (Jan. 12, 2015), <https://perma.cc/GHG8-LUHP>.

sometimes face a ‘double bind’ because of gender: meaning when [men] leaders are aggressive, hard-charging, and exacting, they are often perceived as being ‘strong.’ When [women] leaders exhibit the same qualities, it can generate a negative reaction because, for some, those characteristics are not seen as being stereotypically [feminine].”²⁴³ These cycles and biases cannot be combated unless people in the room begin to acknowledge them and call them out.

Strategic alliances are essential in even seemingly insignificant moments because challenges abound for women leaders. Even the choice of words matters, depending on whether those words are attributed to a man or woman. “Research has shown that the manner in which listeners break down information when both a [man] and [woman] speaker are saying the same thing may differ significantly according to the gender of the speaker.”²⁴⁴ Not only are words viewed differently depending on whether a man or woman says them, but traits are viewed differently depending on whether they are associated with a man or woman. A Pew study found that “Americans are much more likely to use powerful in a positive way to describe men (67% positive) than women (92% negative).”²⁴⁵ It also found that “Americans saw leadership and ambition as traits that society values more in men than in women.”²⁴⁶ Fighting stereotypes and conscious as well as unconscious bias and expectations is an ongoing battle, but an essential one.

One college president suggested that “[w]hen women leaders resist the pressure to acquiesce to such cultural expectations, we grant permission to our colleagues (and students) to forge a path that is defined by their abilities. We create learning environments that are more just and conducive to success.”²⁴⁷ As we get more accustomed to women leading, it will become the new normal so we should be less inclined to discount what they say or constrain them with outdated expectations. When there is a normative shift and women routinely lead their institutions, not only will we be less likely to disregard their voices, devalue them or assess them negatively if they do not match our unconscious biases, but gender sidelining should also decline. We can even shift to considering women’s positive leadership traits or—more radically—we may not consider gender at all.

Setting up a network of allies and being an ally can help combat multiple problems, including “manterruption.” For example, if a woman colleague is “maninterrupted,” she can utilize suggestions from a Newsweek article: “Verbal

²⁴³ . *Biggest Challenges*, *supra* note 117 (quoting Susan Herbst, President, University of Connecticut).

²⁴⁴ . Fink, *supra* note 7, at 88. It gets worse. “[G]ender can impact the extent to which others find a speaker to be dependable, intelligent or reliable. Research indicates that even when a female voice generally is deemed trustworthy, clear, and comprehensible, her voice still will receive lower ratings when compared with a man’s voice.” *Id.*

²⁴⁵ . Kristi Walker, Kristen Bialik & Patrick van Kessel, *Strong Men, Caring Women: How Americans Describe what Society Values (and doesn’t) in Each Gender*, PEW RESEARCH CENTER (July 24, 2018), <https://perma.cc/U34C-UJTA>.

²⁴⁶ . *Id.*

²⁴⁷ . *Biggest Challenges*, *supra* note 117 (quoting Mariko Silver, President, Bennington College).

Chicken” (keep talking until the interrupter stops);²⁴⁸ “Lean in (Literally),” because “if you put your elbows on the table, research has shown that you’re less likely to be interrupted;”²⁴⁹ and “Womanterrupt” (“Find a wingman or wingwoman who will interrupt the interrupter when you get interrupted”).²⁵⁰ Women leaders can also subtly intervene to allow a woman to finish her thought, call on other women, re-claim control when men take over the conversation, pause to make room for other voices, and give credit to women for their ideas. One college president provided more suggestions:

I have to consciously interject myself into their conversations at public events, and find ways to get time with them one-on-one to achieve what the male presidents in my area can usually achieve with less effort. I must often work twice as hard to overcome the natural marginalization not just of women in leadership positions, but also of my institution, a small women’s college, in its place amid larger co-ed institutions and some of the sports-powerhouse universities throughout my region.²⁵¹

These tools provide ways to minimize gender sidelining and may be effective enough over time to eliminate the problems.

“Bropropriation,” is another problem that can be mitigated through teamwork. Almost every dean who responded to the survey and every professional woman with whom I have discussed “bropropriation” has had her ideas “bropropriated.” One article suggested responding to “bropropriation” with either a “Thank ‘n’ Yank” or a “Wingman (or Wingwoman)” approach.²⁵² “Thank ‘n’ Yank” means thanking the “bropropriator” for picking up your idea and supporting it but making clear it is *your* idea.²⁵³ The wingman or wingwoman approach involves having your wing either publicly support your idea when you propose it or running interference when a colleague tries to “broappropriate” your idea by giving you credit for the idea which the bropropriator was trying to hijack.²⁵⁴ One dean wrote that these types of sidelining behaviors occur, but she developed strategies to prevent them:

It has not been easy but my faculty meetings and even Academic Senate meetings run smoothly when I run them, providing each participant an opportunity to express themselves. Especially women of color. Humor also works to demonstrate that ‘the female professors just said that,’ or was the

²⁴⁸ . See *Seven Practical Ways to Combat Workplace Sexism*, NEWSWEEK (Sept. 15, 2016), <https://perma.cc/9N8U-4Z4B>.

²⁴⁹ . *Id.*

²⁵⁰ . *Id.*

²⁵¹ . *Biggest Challenges*, *supra* note 117 (quoting Elizabeth Meade, President, Cedar Crest College)

²⁵² . *Seven Practical Ways to Combat Workplace Sexism*, *supra* note 246.

²⁵³ . *Id.*

²⁵⁴ . *Id.*

author of the idea and the men are trying to take credit.²⁵⁵

When the leader is a woman who looks out for others—especially those from other underrepresented groups—and uses humor to point out sidelining and defuse tension, it is a more hospitable environment for everyone.

8. Practices That Sustain

One way to improve retention for outsider deans like women is to encourage them to take adequate care of themselves. In that vein, the survey asked deans what sustained them, and this Part closes with some of their suggestions. One woman in her third deanship said she is sustained by an “optimistic attitude, family, running, [and] knowing I am doing the right things for the right reasons.”²⁵⁶ How you view the world often becomes a self-fulfilling prophesy, so establishing a setpoint of optimism can get you through the challenges of deaning. Healthy habits are also important given the stress, long hours, and demands of a law school deanship.

Many women wrote that exercise, including running and yoga, and meditation were important. Faith and family were also common sources of sustainability. One dean said her son sustains her: she does everything for him.²⁵⁷ Another said her faith, family, and friends sustained her.²⁵⁸ Given the loneliness mentioned earlier and job demands including much work done in isolation and constant battles, it is vital to have a personal support network—family and friends who you can be yourself with and who can provide kindness, laughter, and a shoulder to lean on. Another dean echoed the importance of faith, noting that meditation and prayer, a happy home life, and diversity of opportunity sustained her.²⁵⁹ Each dean should have her own well that she can dip into to refresh, recharge, and renew.

Another dean said her trust in the excellent education provided at her school and in the new generation of lawyers sustained her.²⁶⁰ A former dean said her commitment to equal justice sustains her,²⁶¹ and others wrote that serving and making a difference kept them going. One woman wrote that she is sustained by her “desire to be a positive role model for young women and people of color and help more of them enter the legal profession and succeed.”²⁶² These responses stem from the idea that it is important to believe strongly enough in what you do that it will sustain you when you face sidelining, competence questions, micro-aggressions, and other challenges due to being a leader who is “other.”

²⁵⁵ . Survey of Dean Vivian Neptune, University of Puerto Rico School of Law.

²⁵⁶ . Survey of Dean Jennifer Rosato Perea, DePaul University College of Law.

²⁵⁷ . Survey of Dean Danielle Conway, University of Maine School of Law.

²⁵⁸ . Survey of Prof. Maria Pabón, former dean at Loyola University New Orleans College of Law.

²⁵⁹ . Survey of Dean Penny Willrich, Arizona Summit College of Law.

²⁶⁰ . Survey of Dean Vivian Neptune, University of Puerto Rico School of Law.

²⁶¹ . Survey of Kellye Testy, former dean, now President/CEO of LSAC.

²⁶² . Survey of Dean Carla Pratt, Washburn University School of Law.

Women who make it to a law school deanship have much to be proud of and many have a broad base of support, but they also walk a hazard-filled path. This Part discussed ways to make the path to a deanship a bit less rocky and, once in a dean's position, how to reduce sidelining and presumptions of incompetence both for women deans and other underrepresented leaders. It also incorporated deans' suggestions for sustainability, with an eye towards making the job more welcoming and improving retention.

CONCLUSION

This Article started with data on women law deans, reporting on changes in the numbers and explaining why the numbers have increased in the past decade. Even with these gains, the percentage of women, especially women of color who are law deans, remain below their representation in the general population. Gender sidelining and presumptions of incompetence play a role in hindering entry to law deanships as well as retention as described by many women's survey answers. Their responses were disheartening and encouraging in turn, and revealed the depth of strength and resilience their experiences have honed. The Article provided some ideas to ameliorate or eradicate gender sidelining and presumptions of incompetence as well as ways to broaden entry opportunities and improve retention for women law deans. I hope that if I write an update on the status of women and women of color as law deans in ten years, women will have achieved parity in the ranks of law deans and extra challenges women face will have diminished.

APPENDIX A
LAW SCHOOLS WITH WOMEN DEANS

ABA Law Schools	AALS Schools	Dean	Woman Of Color	Term
1. Albany Law Sch.	X	Alicia Ouellette		10/1/14 – present
2. Am. Univ. Wash. Coll. of Law	X	Camille Nelson	Black	7/25/16 – present
3. Appalachian Sch. of Law		Elizabeth A. McClanahan#		9/2/19 – present
4. Ariz. Summit Law Sch. ^{^263}		Penny Willrich# ²⁶⁴	Black	1/1/17 – present
5. Univ. of Ark., Fayetteville Robert A. Leflar Law Ctr.	X	Margaret Sova McCabe		7/1/18 – present
6. Univ. of Ark. at Little Rock, William H. Bowen Sch. of Law	X	Theresa M. Beiner		7/1/18 – present
7. Barry Univ. Sch. of Law		Leticia M. Diaz	LatinX (Cuban)	1/7/07 – present
8. Bos. Univ. Sch. of Law	X	Angela Onwuachi-Willig	Black	8/15/18 – present
9. Univ. at Buffalo Sch. of Law, State Univ. of N.Y.	X	Aviva Abramovsky		1/7/17 – present
10. Univ. of Cal. Irvine Sch. of Law	X	L. Song Richardson	Asian (Korean) & Black	1/1/18 – present
11. Univ. of Cal., L.A. Sch. of Law	X	Jennifer Mnookin		8/1/15 – present
12. Capital Univ.	X	Rachel M.		6/1/14 –

²⁶³ . A ^ mark denotes that the school is currently on probation.

²⁶⁴ . A hashtag denotes the dean was a judge before being appointed dean.

Law Sch.		Janutis		present
13. Benjamin N. Cardozo Sch. of Law	X	Melanie Leslie		7/1/15 – present
14. Case W. Reserve Univ. Sch. of Law	X	Jessica W. Berg, Co-Dean ²⁶⁵		11/8/13 – present
15. Chi.-Kent Coll. of Law, Ill. Inst. of Tech.	X	Anita Krug		8/1/19 – present
16. Univ. of Cincinnati Coll. of Law	X	Verna L. Williams	Black	5/8/17 – 3/30/19 Interim; 4/1/19 – present
17. City Univ. of N.Y. Sch. of Law	X	Mary Lu Bilek		8/15/16 – present
18. Columbia Law Sch.	X	Gillian Lester		1/1/15 – present
19. DePaul Univ. Coll. of Law	X	Jennifer L. Rosato Perea	LatinX (Nicaraguan)	7/1/15 – present
20. Univ. of Detroit Mercy Sch. of Law	X	Phyllis L. Crocker		7/1/14 – present
21. Univ. of DC Sch. of Law		Renée McDonald Hutchins	Black	4/17/19 – present
22. Duke Univ. Sch. of Law	X	Kerry Abrams		7/1/18 – present
23. Duquesne Univ. Sch. of Law	X	April Barton		7/1/19 – present
24. Emory Univ. Sch. of Law	X	Mary Anne Bobinski		8/1/19 – present
25. Fla. A&M Univ. Sch. of Law		Nicola Boothe Perry* ²⁶⁶	Black	4/1/19 – present
26. Univ. of Fla. Fredric G.	X	Laura Ann Rosenbury		7/1/15 – present

²⁶⁵ . Case Western and Rutgers each have co-deans, who serve along male co-deans. For statistical accuracy relative to the total number of ABA and AALS law schools, each co-dean counts as ½ (so each law school is credited with one dean total).

²⁶⁶ . One asterisk denotes the dean is an Interim Dean.

Levin Coll. of Law				
27. Fla. State Univ. Coll. of Law	X	Erin O'Hara O'Connor		7/1/16 – present
28. Ga. State Univ. Coll. of Law	X	Leslie Wolf* ²⁶⁷		7/1/19 – present
29. Maurice A. Deane Sch. of Law at Hofstra Univ.	X	A. Gail Prudenti#		5/1/17 – present
30. Howard Univ. Sch. of Law	X	Danielle R. Holley-Walker	Black	7/14/14 – present
31. Univ. Ill. John Marshall Law Sch.	X	Darby Dickerson		1/1/17 – present
32. Univ. of Ky. Coll. of Law	X	Mary J. Davis*		7/1/19 – present
33. Lewis and Clark Law Sch.	X	Jennifer Johnson		6/1/14 – present
34. Loyola Univ. New Orleans Coll. of Law	X	Madeleine M. Landrieu#		7/1/17 – present
35. The Univ. of Memphis Cecil C. Humphreys Sch. of Law	X	Katharine Traylor Schaffzin		5/22/18 – 7/5/19 Interim; 7/5/19 - present
36. Mercer Univ. Law Sch.	X	Cathy Cox		7/1/17 – present
37. Miss. Coll. Sch. of Law	X	Patricia Bennett (followed Wendy Scott, Black)	Black	12/1/16 – present
38. Univ. of Miss. Sch. of Law	X	Susan Hanley Duncan		8/1/17 – present
39. Univ. of Mo.,	X	Lyrissa Barnett		7/1/17 –

²⁶⁷

. Wendy Hensel is serving as interim provost and senior vice president for academic affairs at Georgia State University, effective July 1, but is expected to return as Dean of the law school, which explains why Leslie Wolf is serving as Interim Dean.

	Columbia, Sch. of Law		Lidsky		present
40.	Univ. of Mo., Kan. City, Sch. of Law	X	Barbara Glesner Fines		3/1/17 – present
41.	Univ. of N.H. Sch. of Law	X	Megan Carpenter		7/1/17 – present
42.	N.C. Cent. Univ. Sch. of Law	X	Elaine Mercia O’Neal*#	Black	7/16/18 – present
43.	N. Ill. Univ. Coll. of Law	X	Laurel A. Rigertas*		7/1/19 – present
44.	N. Ky. Univ. Sch. of Law	X	Judith Daar		7/1/19 – present
45.	Northwestern Univ.	X	Kimberly A. Yuracko		9/1/18 – present
46.	Univ. of Or. Sch. of Law	X	Marcilynn A. Burke	Black	7/1/17 – present
47.	Pa. State Univ. Dickinson Law	X	Danielle Conway	Black	7/1//19 – present
48.	Pa. State Univ., Penn State Law	X	Hari M. Osofsky		7/1/17 – present
49.	Univ. of Pittsburgh, Sch. of Law	X	Amy J. Wildermuth		7/1/18 – present
50.	Univ. of P.R., Sch. of Law	X	Vivian I. Neptune Rivera	LatinX (Puerto Rican)	2/1/11 – present
51.	Univ. of Richmond Sch. of Law	X	Wendy Collins Perdue		7/1/11 – present
52.	Rutgers Law Sch.	X	Kimberly Mutcherson, Co-Dean ²⁶⁸	Black	1/1/19 – present
53.	St. Thomas Univ. Sch. of Law	X	Tamara F. Lawson	Black	6/1/18 – 10/31/18 Interim; 11/1/18 – present

²⁶⁸

. Case Western and Rutgers each have co-deans, who serve along male co-deans. For statistical accuracy relative to the total number of ABA and AALS law schools, each co-dean counts as ½ (so each law school is credited with one dean total).

54. Univ. of S.F. Sch. of Law	X	Susan Freiwald		7/1/18 – 6/30/19 Interim; 7/1/19 – present
55. Santa Clara Univ. Sch. of Law	X	Anna M. Han* ²⁶⁹	Asian (Chinese)	6/1/19 – present
56. Seattle Univ. Sch. of Law	X	Annette E. Clark		7/1/13 – present
57. Seton Hall Univ. Sch. of Law	X	Kathleen A. Boozang		7/1/15 – present
58. S. Ill. Univ. Sch. of Law, Carbondale	X	Cindy Buys*		7/23/18 – present
59. S. Methodist Univ. Dedman Sch. of Law	X	Jennifer M. Collins		7/1/14 – present
60. Southwestern Law Sch.	X	Susan Westerberg Prager		8/1/13 – present
61. Stanford Law Sch.	X	Jenny Martinez	LatinX	4/1/19 – present
62. Stetson Univ. Coll. of Law	X	Michèle Alexandre	Black	6/17/19 – present
63. Univ. of Tenn. Coll. of Law	X	Melanie D. Wilson		7/1/15 – present
64. Thomas Jefferson Sch. of Law [^]	X	Linda Keller*		10/14/18 – present
65. Touro Coll. Law Ctr.	X	Elena Langan		8/1/19 – present
66. Univ. of Tulsa Coll. of Law	X	Lyn Entzeroth		7/1/15 – present
67. Univ. of Utah Coll. of Law	X	Elizabeth Kronk Warner	Native American (Sault Tribe of Chippewa Indians)	7/1/19 - present

²⁶⁹

. Lisa Kloppenberg is serving as interim provost at Santa Clara University but is expected to return as Dean of the law school, which explains why Anna Han is serving as Interim Dean.

68. Univ. of Va. Sch. of Law	X	Risa L. Goluboff		7/1/16 – present
69. Wake Forest Univ. Sch. of Law	X	Jane Aiken		7/1/19 – present
70. Washburn Univ. Sch. of Law	X	Carla D. Pratt	Black ²⁷⁰	6/30/18 – present
71. Wash. Univ. in St. Louis Sch. of Law	X	Nancy Staudt		5/15/14 – present
72. W. New England Univ. Sch. of Law	X	Sudha N. Setty	Asian (Indian)	7/1/18 – present
73. Univ. of Wis. Law Sch.	X	Margaret Raymond		7/1/11 – present
74. Yale Law Sch.	X	Heather K. Gerken		7/1/17 – present

APPENDIX B
LAW SCHOOLS WITH WOMEN DEANS OF COLOR

ABA Law Schools	AALS Schools	Dean	Race	Term
1. Am. Univ. Wash. Coll. of Law	X	Camille Nelson	Black	7/25/16 – present
2. Ariz. Summit Law Sch. ²⁷¹		Penny Willrich ^{#272}	Black	1/1/17 – present
3. Barry Univ. Sch. of Law		Leticia M. Diaz	LatinX (Cuban)	1/7/07 – present
4. Bos. Univ. Sch. of Law	X	Angela Onwuachi-Willig	Black	8/15/18 – present
5. Univ. of Cal. Irvine Sch. of Law	X	L. Song Richardson	Asian (Korean) & Black	1/1/18 – present
6. Univ. of Cincinnati Coll. of Law	X	Verna L. Williams	Black	5/8/17 – 3/30/19 Interim; 4/1/19 –

²⁷⁰ . See *supra* note 62.

²⁷¹ . A ^ mark denotes that the school is currently on probation.

²⁷² . A hashtag denotes the dean was a judge before being appointed dean.

				present
7. DePaul Univ. Coll. of Law	X	Jennifer L. Rosato Perea	LatinX (Nicaraguan)	7/1/15 – present
8. Univ. of DC Sch. of Law ^{~273}		Renée McDonald Hutchins	Black	4/17/19 – present
9. Florida A&M Univ. Sch. of Law ~		Nicola Boothe Perry ^{*274}	Black	4/1/19 – present
10. Howard Univ. Sch. of Law ~	X	Danielle R. Holley-Walker	Black	7/14/14 – present
11. Miss. Coll. Sch. of Law	X	Patricia Bennett (followed Wendy Scott, Black)	Black	12/1/16 – present
12. N.C. Cent. Univ. Sch. of Law ~	X	Elaine Mercia O'Neal*	Black	7/16/18 – present
13. Univ. of Or. Sch. of Law	X	Marcilynn Burke	Black	7/1/17 – present
14. Pa. State Univ. Dickinson Law	X	Danielle Conway	Black	7/1/19 – present
15. Univ. of P.R., Sch. of Law	X	Vivian I. Neptune Rivera	LatinX (Puerto Rican)	2/1/11 – present
16. Rutgers Law Sch.	X	Kimberly Mutcherson, Co-Dean ²⁷⁵	Black	1/1/19 – present
17. St. Thomas Univ. Sch. of Law	X	Tamara F. Lawson	Black	6/1/18 – 10/31/18 Interim; 11/1/18 – present
18. Santa Clara Univ. Sch. of Law	X	Anna M. Han ^{*276}	Asian (Chinese)	6/1/19 – present
19. Stanford Law Sch.	X	Jenny Martinez	LatinX	4/1/19 – present
20. Stetson Univ.	X	Michèle	Black	6/17/19 –

²⁷³ . A ~ mark denotes the school is recognized as a Historically Black College/University.

²⁷⁴ . One asterisk denotes the dean is an Interim Dean.

²⁷⁵ . Rutgers has a co-dean, who serves along a male co-dean. For statistical accuracy relative to the total number of ABA and AALS law schools, each co-dean counts as ½ (so each law school is credited with one dean total).

²⁷⁶ . Lisa Kloppenberg is serving as interim provost at Santa Clara University but is expected to return as Dean of the law school, which explains why Anna Han is serving as Interim Dean.

Coll. of Law		Alexandre		present
21. Univ. of Utah Coll. of Law	X	Elizabeth Kronk Warner	Native American (Sault Tribe of Chippewa Indians)	7/1/19 – present
22. Washburn Univ. Sch. of Law	X	Carla D. Pratt	Native American	6/30/18 – present
23. W. New England Univ. Sch. of Law	X	Sudha N. Setty	Asian (Indian)	7/1/18 – present

Numerical Breakdown	ABA (including interim deans)	ABA (excluding interim deans)	AALS (including interim deans)	AALS (excluding interim deans)
Total Number of Women	22.5	19.5	18.5	16.5
Black ²⁷⁷	14.5	12.5	11.5	10.5
Latinx	4	4	4	3
Asian ²⁷⁸	3	2	3	2
Native American	1	1	1	1
Mixed ²⁷⁹	1	1	1	1

APPENDIX C

DEAN'S SURVEY SENT TO WOMEN OF COLOR SPRING 2018

- Where are you presently serving as dean and when did your term start?
School: _____
Term: _____
- Have you worked as a dean at any other law school(s)? Yes No If
yes, where and when?
School: _____
Term: _____

Education:

- Undergraduate school, major, year of graduation and degree(s):

- Did you go to graduate school? Yes No If yes, where, year of
graduation, and degree(s):

- Law school and year of graduation: _____

²⁷⁷ . One person counted as Black, Asian, and Mixed.

²⁷⁸ . One person counted as Black, Asian, and Mixed.

²⁷⁹ . One person counted as Black, Asian, and Mixed.

6. If you were involved in extracurricular activities during law school, please list them here: _____
7. Were you on law review? Yes No If yes, what position?

8. What motivated you to attend law school? (check all that apply)
 Interest in public policy Public service
 Prestige
 More career options Good income
 Other: _____
9. Who was the law dean where you received your JD?

10. Were there any women deans while you were in law school? Yes
 No If yes, who? _____
11. Were there any women professors while you were in law school? Yes
 No If yes, do you recall who? _____

Work Experience:

12. Did you clerk after law school? Yes No If yes, where?

13. If you practiced law before becoming a law professor, please answer the following:
- Where did you work, how long, and in what practice area?

 - Did you have any mentors? Yes No If yes, how did they impact you?
 Taught professional skills Provided professional support
 Provided personal support Taught management skills
 Offered career advice Share networking opportunities
 Other: _____
 - Is your leadership style influenced by your work as an attorney?
 Yes No If yes, how?
 Better negotiator Better communicator
 More comfortable with conflict Other: _____
14. Were you a professor before becoming a dean? Yes No If yes, please answer the following:
- Where and how many years? _____
 - While teaching, what did you consider deans' most prominent qualities? (check all that apply)
 Ambitious
 Approachable
 Assertive
 Authoritative
 Autonomous

- Collaborative
- Confident
- Confrontational
- Creative
- Decisive
- Emotionally Intelligent
- Empathetic
- Empowered Others
- Relationship Oriented
- Risk Taker
- Supportive
- Task Oriented
- Motivator

Other: _____ If you were not a professor before becoming a dean, what did you do before being appointed dean?

15. What was the process to obtaining your 1st deanship (if this is not your 1st), and your current deanship?

16. What motivated you to apply for a deanship? (check all that apply)

- Professionally enriching
- Provide needed/different leadership
- Prestige
 - Next logical career step
- Growth opportunity
- Opportunity to serve
- Other: _____

17. Which of the following dean's roles do you enjoy the most? (rank, with 1 the most enjoyable)

- Leadership
- Prestige
- Working with students
- Working with faculty and staff
- Fundraising
- Working with alumni
- Planning
- Being part of a team
- Problem-solving
- Other _____

18. What have your greatest challenges been as a dean? (rank, with 1 the most challenging)

- Accreditation Issues
- Balancing work/personal time
- Budget & Finances
- Faculty Issues

- Staff Issues
 - Student Issues
 - Fundraising
 - University Demands
 - Human Resources
 - Lack of Support
 - Authority Being Challenged
 - Other: _____
19. What changes do you hope to see for future deans? (check all that apply)
- More varied leadership style
 - Less bureaucracy
 - More diversity
 - Better professional/personal balance
 - More support
 - Other: _____
20. What skills do you consider important for those who aspire to a deanship? (rank, with 1 the most important)
- Ability to effectively confront
 - Communicate well
 - Compromise wisely
 - Ability to lead multiple constituencies
 - Negotiate well
 - Patience
 - Risk-taker
 - Management experience
 - Budget experience
 - Fundraising experience
 - Emotional intelligence
 - Other: _____
- What are the most important qualities of a good dean? (check all that apply)
- Ambitious
 - Approachable
 - Assertive
 - Authoritative
 - Autonomous
 - Collaborative
 - Confident
 - Confrontational
 - Creative
 - Decisive
 - Emotionally Intelligent
 - Empathetic
 - Empowered Others
 - Relationship Oriented
 - Risk Taker
 - Supportive
 - Task Oriented

Motivator

Other: _____

21. What are the greatest barriers to becoming a dean? (check all that apply)

- Insufficient leadership experience
- Insufficient management experience
- Insufficient fundraising experience
- Lack of mentors to guide the process
- Old Boys' Network
- Work/personal life balance
- Other: _____

22. What advice do you have for people considering a deanship?

23. Is there any specific advice for women or women of color considering a deanship?

24. *Do you prefer to answer the remaining questions anonymously?*

Yes No

25. Do you think your gender and/or race impact your leadership style, and if so, how?

26. Many women, especially women of color, have professional experiences where they are presumed incompetent. Have you had any such experiences and if you have, can you elaborate, or would you prefer to discuss by telephone interview?

27. Many women, especially women of color, have professional experiences with gender sidelining (e.g., being “maninterrupted,” “bro-proprated,” silenced, marginalized or ignored with their contributions devalued, or subject to greater scrutiny, or having something “mansplained” or ideas ignored, or observing men demanding more attention and receiving more credit/respect etc.). Have you experienced gender sidelining and if you have, can you elaborate, or would you prefer to discuss by telephone interview?

28. What is your marital status?

- Married or Partnership Single Divorced Widowed
 Prefer not to answer Other: _____

29. If you are married or in a partnership, please answer the following:

- a. What does your spouse or partner do?

- b. How does your spouse or partner support your deanship?

30. Do you have any children? Yes No If yes, how many and what years were they born?

31. What sustains you?

32. Are there any former deans or others you believe I should reach out to in connection with my research? Yes No If yes, who?

33. Is there anything else you want to share?

34. Would you be willing to be interviewed by phone? Yes No. If yes, please indicate the best way to reach you:

APPENDIX D

DEAN'S SURVEY SENT TO WHITE WOMEN FALL 2018

1. Name, current deanship & term:
2. Were you on law review? Yes No If yes, what position?
3. What motivated you to attend law school? (check all that apply)
 - Interest in public policy - Public service - Prestige
 - More career options - Good income - Media (i.e., LA Law)
 - Other: _____
4. Were there any woman law dean(s) at your law school? Yes No If yes, who?
5. Did you clerk after law school? Yes No If yes, where?

6. If you practiced law before becoming a law professor/dean, please answer the

following:

- a. Where did you work, how long, and in what practice area?
- b. Did you have any mentors? Yes No If yes, how did they impact you?
 - Taught professional skills - Provided professional support
 - Provided personal support - Taught management skills
 - Offered career advice - Shared networking opportunities
 - Other: _____
- c. Is your leadership style influenced by your work as a lawyer? Yes No If yes, how?
 - Better negotiator - Better communicator - More comfortable with conflict -
 - Other: _____

7. If you were a professor before becoming a dean, please answer the following:

- a. Where did you teach and how long?
- b. While teaching, what did you consider your dean's most prominent qualities? (check all that apply)
 - Ambitious - Approachable
 - Assertive
 - Authoritative - Autonomous -
 - Collaborative
 - Confident - Confrontational
 - Creative
 - Decisive - Emotionally Intelligent -
 - Empathetic
 - Empowered Others - Relationship Oriented -
 - Risk Taker
 - Supportive - Task Oriented
 - Motivator
 - Other: _____

8. If you were not a professor before becoming a dean, what did you do before being appointed dean?

9. What was the process to obtaining your 1st deanship (if this is not your 1st), and your current deanship?

10. What motivated you to apply for a deanship? (check all that apply)
 - Professionally enriching - Provide needed/different leadership
 - Prestige - Next logical career step
 - Growth opportunity - Opportunity to serve
 - Other: _____

11. Which of the following dean's roles do you enjoy the most? (rank, with 1 as best)

__Leadership with students __Prestige __Working

16. What are the greatest barriers to becoming a dean? (check all that apply)
- Insufficient leadership experience - Insufficient management experience
 - Insufficient fundraising experience - Lack of mentors
 - Old Boys' Network - Work/personal life balance
 - Other: _____
17. What advice do you have for women considering a deanship?
Do you prefer to answer the remaining questions anonymously? Yes No
18. Do you think your gender impacts your leadership style, and if so, how?
19. Many women have professional experiences where they are presumed incompetent. Have you had any such experiences and if you have, can you elaborate, or would you prefer to discuss by telephone interview?
20. Many women have professional experiences with gender sidelining (e.g., being “maninterrupted,” “bro-propriated,” silenced, marginalized or ignored with their contributions devalued, or subject to greater scrutiny, or having something “mansplained” or ideas ignored, or observing men demanding more attention and receiving more credit/respect etc.). Have you experienced gender sidelining and if you have, can you elaborate, or would you prefer to discuss by telephone interview?
21. What is your marital status?
- Married or Partnership - Single - Divorced - Widowed
 - Prefer not to answer - Other: _____
22. If you are married or in a partnership, please answer the following:
- a. What does your spouse or partner do?
 - b. How does your spouse or partner support your deanship?
23. Do you have any children? If yes, how many and what years were they born?
24. What sustains you?
25. Are there any former deans or others you believe I should reach out to in connection with my research and if yes, who?
26. Is there anything else you want to share?
27. If you prefer to be interviewed by phone, please indicate the best way to reach you.

APPENDIX E

DEAN'S SURVEY SENT TO MEN FALL 2018

1. Name, current deanship & term:
2. Were you on law review? Yes No If yes, what position?
3. What motivated you to attend law school? (check all that apply)

Interest in public policy

Public service Prestige

More career options Good income Media (i.e., LA Law)

Other: _____

4. Did you clerk after law school? Yes No If yes, where?
5. If you practiced law before becoming a law professor/dean, please answer the following:
- a. Where did you work, how long, and in what practice area?
 - b. Did you have any mentors? Yes No If yes, how did they impact you?
 - Taught professional skills Provided professional support
 - Provided personal support Taught management skills
 - Offered career advice Shared networking opportunities
 - Other: _____
6. If your leadership style is influenced by your work as a lawyer, how? (check all that apply)
- Better communicator
 - Better negotiator
 - More comfortable with conflict
 - Other: _____
7. If you were a professor before becoming a dean, please answer the following:
- a. Where did you teach and how long?
 - b. While teaching, what did you consider your dean's most prominent qualities? (check all that apply)
 - Ambitious Approachable Assertive
 - Authoritative Autonomous
 - Collaborative
 - Confident Confrontational
 - Creative
 - Decisive Emotionally Intelligent
 - Empathetic
 - Empowered Others Relationship Oriented
 - Risk Taker
 - Supportive Task Oriented
 - Motivator
 - Other: _____

- c. Were there any women law dean(s) at your law school? Yes No
 If yes, who?
8. If you were not a professor before becoming a dean, what did you do before being appointed dean?
9. What was the process to obtaining your 1st deanship (if this is not your 1st), and your current deanship?
10. What motivated you to apply for a deanship? (check all that apply)
 Professionally enriching Provide needed/different leadership
 Prestige Next logical career step
 Growth opportunity Opportunity to serve
 Other: _____
11. Which of the following dean's roles do you enjoy the most? (rank, with 1 the most enjoyable)
 ___ Leadership ___ Prestige ___ Working with students
 ___ Working with faculty & staff ___ Fundraising ___ Working with alumni
 ___ Being part of a team ___ Planning ___ Problem-solving
 Other: _____
12. What have your greatest challenges been as a dean? (rank, with 1 the most challenging)
 ___ Accreditation Issues ___ Balancing work/personal time ___ Budget & Finances
 ___ Faculty Issues ___ Staff Issues ___ Student Issues
 ___ Fundraising ___ University Demands ___ Human Resources
 ___ Lack of Support ___ Authority Being Challenged
 Other: _____
13. What skills do you consider important for those who aspire to a deanship? (rank, with 1 the most important)
 Effectively confront challenges Communicate well
 Compromise wisely Effectively lead multiple constituencies
 Negotiate well Patience
 Risk-taker Management experience
 Budget experience Fundraising experience
 Emotional intelligence Other: _____
14. What do you consider the most important qualities of a good dean? (check all that apply)
 Ambitious Approachable
 Assertive Authoritative
 Autonomous Collaborative Confident
 Confrontational
 Creative Decisive
 Emotionally Intelligent Empathetic
 Empowered Others Relationship Oriented
 Risk Taker

- Supportive Task Oriented Motivator
 Other: _____
15. What do you consider the greatest barriers to becoming a dean? (check all that apply)
- Insufficient leadership experience Insufficient management experience
 Insufficient fundraising experience Lack of mentors
 Old Boys' Network Work/personal life balance
 Other: _____
16. What changes do you hope to see for deans in the future? (check all that apply)
- More varied leadership style Less bureaucracy More diversity
 Better professional/personal balance More support
 Other: _____
17. What advice do you have for those considering a deanship?
Do you prefer to answer the remaining questions anonymously? Yes No
18. Do you think your gender impacts your leadership style, and if yes, how?
19. Some people, especially from underrepresented groups, have professional experiences where they are presumed incompetent. Have you had any such experiences and if you have, can you elaborate, or would you prefer to discuss by telephone interview?
20. Some people, especially from underrepresented groups, have professional experiences with sidelining (e.g., being silenced, marginalized, etc.). Have you had any such experiences and if you have, can you elaborate, or would you prefer to discuss by telephone interview?
21. What is your marital status?
- Married or Partnership Single Divorced Widowed
 Prefer not to answer Other: _____
22. If you are married or in a partnership, please answer the following:
- a. What does your spouse or partner do?
- b. How does your spouse or partner support your deanship?
23. Do you have any children? If yes, how many and what years were they born?
24. What sustains you?
25. If you prefer to be interviewed by phone, please indicate the best way to reach you.