

Five Women Law School Deans Tell the Truth

Harvard's recent appointment of Elena Kagan as dean of the law school marked a milestone for women in the legal profession and an occasion to consider the difference that women can make in this critical role. *Perspectives* conducted a roundtable discussion with five women deans. **J. Cunyon Gordon**, a member of the ABA's Commission on Racial & Ethnic Diversity and the *Perspectives* editorial board, moderated the discussion. Gordon practices law at Eimer Stahl Klevorn & Solberg in Chicago. She has been a visiting professor at various law schools.

The distinguished roundtable panelists include the following:

- **Judith C. Areen** has been dean of the Georgetown University Law Center and executive vice president for law affairs for Georgetown University since 1989. She has also held various positions in government, including director of the Federal Legal Representation Project in the Office of Management and Budget and general counsel to President Carter's Reorganization Project.
- **Herma Hill Kay** has been a member of the faculty of the University of California at Berkeley School of Law since 1960 and served as its first woman dean from 1992 to 2000. She was president of the AALS in 1989 and currently is a member of the ALI Council. In 1992 she received the ABA Commission on Women's Margaret Brent Women Lawyers of Achievement Award.
- **Kristin Booth Glen** has been dean of the City University of New York since 1993. Prior to this appointment, she served as a civil court judge for six years before being elected to the New York State Supreme Court in 1986 and appointed an associate justice of the Appellate Term, First Judicial Department, in 1990. A founder of the Women's Law Clinic at New York University, she has been a legal educator for more than 30 years.
- **Katharine Bartlett** is in her fourth year as dean of Duke University School of Law in Durham, N.C. A member of the Duke faculty since 1979, Bartlett was co-reporter for the American Law Institute's *Principles of the Law of Family Dissolution* and is co-author of a leading casebook, *Gender and Law: Theory, Doctrine, Commentary* (3d ed. 2002).
- **Colleen A. Khoury** became dean of the University of Maine Law School in 1998. Co-author of a treatise on federal tax elections, she served as chair of the Maine Commission on Gender, Justice, and the Courts. She is a recipient of the ABA's Commission on Women in the Profession's Margaret Brent Women Lawyers of Achievement Award.

J. Cunyon Gordon: Dean Kay, you've just published a fascinating article in the *Yale Journal of Law and Feminism* called "Women Law School Deans: A Different Breed or Just One of the Boys?" Could you tell us about it?

Herma Hill Kay: One of the most interesting facts was that there have been 57 women deans at ABA-approved law schools, starting with Miriam Theresa Rooney, who was the founding dean of Seton Hall Law School in 1951, all the way to Suellen Scarnecchia,

who became dean of the University of New Mexico's Law School in January 2003. Number 58 is Elena Kagan at Harvard. (*Editor's Note:* In addition to the existing 58, Patricia Mell became dean of John Marshall Law School in Chicago in June of this year.)

JCG: How many active women deans are there right now?

HHK: At the time I wrote the article, there were 29—the most we've ever had.

JCG: Is 29 enough, given that law school faculties are usually 22 percent to 27 percent female?

Judith Areen: Both percentages are too low. At many schools women make up 50 percent of the student body. We need more women faculty and, clearly, more women deans.

Kristin Booth Glen: About four years ago, I was on a program about women becoming deans. I was struck that the pathway for women was within their own institution, often as academic deans. They became dean because the institution really needed them to do that. It wasn't a job to which they aspired. The cadre of professional deans that we see in men didn't exist. That's really changed in the past couple of years. There are women who are much more mobile and interested in seeking positions as deans around the country.

HHK: I found it interesting that of the 57, the number of women recruited from the outside was slightly larger than the number of women promoted from within.

Katharine Bartlett: As the numbers increase, it's also the case that the position of dean is evolving. The job is getting less desirable. Schools are struggling more to find deans, which opens up opportunities for women.

JA: I'm not sure that I'd agree that it's less desirable, but the understanding and nature of the tasks have evolved. There's increasing emphasis on relationships with alumni and the university.

KB: It was previously an intellectual leadership position. Now there are so many obligations that have diluted that role. There's a lot more dirty work.

Colleen Khoury: The job of dean has evolved just as the job of university president has evolved. College presidents used to be intellectual leaders, and now their jobs are just as complicated and as removed from academic pursuits.

JCG: Dean Kay's article brings out the point that many men see deanships as a stepping stone to a provost or president's position. Do women see it that way as well?

HHK: I think it's going to happen more and more, particularly because these leadership positions in education have become so heavily imbued with legal issues as well as fundraising.

JCG: What effect would you say your tenure as a dean has had on women students?

JA: I think it's hard for any of us to assess that. I imagine it would have opened possibilities for me if it had been true when I was a law student.

CK: I just had a conversation with an older woman student at graduation rehearsal. She told me that she had done a moot court at a law school in New York. At one point, one of the people at the school looked out and said to her, "Oh, our dean's here." Our student turned around and said, "Where is she?" That was the first time I really had a sense how it mattered to students. She assumed the dean was going to be a woman.

KBG: My school had more than 50 percent tenured women faculty and women students when I became dean, so I don't think I've made any difference to the climate. I do read applications and a not-insubstantial number say "I was encouraged to apply because there was a woman dean."

HHK: When I became dean, the percentage of women students was 50 percent, and when I left, it was 64 percent. That's really astonishing. I see quite a difference in the classroom based on that overwhelming number of [women] students.

JCG: Do you think the dean's role has been feminized?

JA: Not when only 16 percent of the deans are women.