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The Crises of Legal Education: A Wake-Up Call for Faculty

Donald J. Weidner

This essay is based on a presentation made at the annual meeting of the Southeastern Association of American Law Schools in Destin, Florida, on July 20, 1996. I was assigned the task of making a twenty-minute report on challenges facing U.S. law schools at the end of the twentieth century. And I was asked to err on the side of being provocative.

My basic message is that we are all in the same fleet if not in the same boat—and that law teachers as a group should recognize and respond to the fact that law schools are being buffeted by cross-currents of crises in confidence.

We are a part of the higher education industry and share in its challenges. Colleges and universities today face what is in my experience an unprecedented crisis in public confidence. Universities are being pressured to devote more of their resources to undergraduates rather than to graduate and professional students. Those of us who teach in public institutions also live within the wake of the current crisis in confidence in government institutions. As law teachers, we also are part of the legal profession, which continues to flounder in significant public unpopularity. Within the legal profession, particularly within the organized bar, many believe that the law schools are not doing their best to prepare students for the practice of law.

The crisis in confidence from within the organized bar is serious and needs to be addressed. There are legitimate and important questions about the preparedness of many of our graduates.[1] There are equally important questions about the appropriate admixture of faculty scholarship, and whether too much of it is directed only toward other academics.[2] Perhaps more important, there are too many arenas of continuing legal education, of law reform, and of

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1. See American Bar Association Section of Legal Education and Admissions to the Bar, Legal Education and Professional Development—An Educational Continuum, Report of the Task Force on Law Schools and the Profession: Narrowing the Gap (Chicago, 1992).

2. See Graham C. Lilly, Law Schools Without Lawyers? Winds of Change in Legal Education, 81 Va. L. Rev. 1421 (1995); Harry T. Edwards, The Growing Disjunction Between Legal Education and the Legal Profession, 91 Mich. L. Rev. 34 (1992).

public service into which law professors seldom venture. And there are too many law teachers who have given the impression to too many students, practitioners, and judges that they have nothing but disdain for the practice of law. We are reaping the disdain we have been sowing.

Despite the importance and urgency of the challenges we face from within the legal profession, my thesis in this essay is that the crises that affect higher education in general—the challenges we face that we share with other institutions of higher education—are at least as significant for law schools as are the narrower issues that are peculiar to legal education. Both must be considered at the same time. At the very least, the larger context must inform our response to the narrower issues.

The Hot Issues as Seen by the Higher Education Establishment

The higher education establishment is consumed by the reality that the management of educational resources is currently a matter of great local, state, and national concern. The Association of Governing Boards of Universities and Colleges has identified key public policy issues ranging from cost containment and productivity initiatives to accountability and regulatory reform.[3] Most of these issues raise fundamental questions about the financing and management of colleges and universities. Ultimately they raise the most sensitive issues of faculty productivity and university governance.

Illustrations of governance and productivity issues abound. National attention has been focused on the battle for control over Florida's public universities, particularly the control over tuition.[4] In California, privatization of at least one of the state's law schools is high on the agenda.[5] And in Ohio officials have made clear that the state will no longer spend as much to subsidize legal education.[6]

The Cost of Higher Education

The single most important fact animating unprecedented concern with university management is that the costs of higher education have been increasing much more rapidly than the costs of other goods and services. More than thirty members of Congress have asked the General Accounting Office to study why college tuition continues to climb faster than inflation.[7] It seems

3. See Association of Governing Boards of Universities and Colleges, Ten Public Policy Issues for Higher Education in 1996, at 5 (Washington, 1996) [hereinafter AGB Report].

4. See Peter Schmidt, Florida Is Urged to Relinquish Control of Public-University System, Chron. Higher Educ., May 10, 1996, at A40.

5. Governor Pete Wilson has asked the University of California Board of Regents to report to him by February 1997 on which of the four state law schools should be sold. Steven A. Capps, Wilson Wants State to Scrap a Law School, S.F. Examiner, Apr. 12, 1996, at A1.

6. On July 11, 1996, the Ohio Board of Regents adopted a plan that will reduce the number of law students receiving state money and save the taxpayers $1.9 million a year. The plan ties subsidies to the grades and test scores of incoming students. See Doug Caruso, Law Student Subsidies Face Cuts at 5 Schools—State Money to Be Tied to Achievement, Columbus Dispatch, July 12, 1996, at 3B.

7. AGB Report, *supra* note 3, at 7.

that everyone has joined the debate over faculty productivity. Leaders in many states are either requiring or persuading boards and institutions to study the productivity of college faculty. By 1995, nearly half the states required reports on faculty workloads.[8] Increasingly, states will study and compare notes on this subject.

The crisis in public confidence is clear. An influential report published by the American Council on Education, *Corporate Lessons for American Higher Education,* reports widespread concern both about the affordability of higher education and about the skills of recent graduates. The report concludes: "If there is not a crisis in American higher education, there is surely enough evidence at hand to conclude that its leaders need to act—and act now—to restore public confidence."[9]

The public is concerned because the public is paying most of the bill for educational inefficiency. Overall,

Students and their families pay 35%
States and localities pay 30%
Ancillary activities (e.g., hospitals) pay 15%
The federal government pays more than 10%
Philanthropy pays 5 to 10%[10]

The New Concern for Undergraduate Education

Concern about today's undergraduate student population—particularly about their progress through the system, the training they receive, and the indebtedness they incur—has led many policy makers to relegate legal education, and much of graduate education, to a burner way, way back on a very large and overcrowded stove. The recent drastic cuts in the state support of legal education in Ohio, for example, have been explained in terms of the priority of undergraduate education.[11]

The New Undergraduate Population

Fewer of today's students match the traditional image of a college undergraduate—a white male from a relatively affluent family, about twenty years old, attending college full time, and graduating in four years. Women students have outnumbered men every year since 1979. Fewer students are affluent: six of ten full-time undergraduates receive financial assistance that averages more than $3,800 per year. More than 40 percent are older than twenty-five; nearly 20 percent are over thirty-five. Nearly half of undergraduate and graduate students attend school part time. About one in five is a member of a minority group, and about one in ten reports a disability.[12]

8. *Id.* at 8.

9. American Council on Education, Corporate Lessons for American Higher Education 34 (Washington, 1994) [hereinafter Corporate Lessons].

10. *Id.* at 7–8.

11. Caruso, *supra* note 6.

12. Corporate Lessons, *supra* note 9, at 9.

Only about half of the students enrolled full time in four-year institutions receive a bachelor's degree within the traditional four years. Nontraditional students have a tougher time graduating within four years than traditional students. And many college graduates are striking potential employers as unprepared in basic reading, writing, critical thinking, problem-solving, and communication skills.

Legislative and other leaders are asking—and pressuring—university administrators and faculty to tend more to undergraduates and less to graduate and professional students. Often they are also asking faculty to spend less time on research and more time on teaching. For example, Florida's Teaching Incentive Program earmarks a significant proportion of legislatively appropriated salary-increase dollars for $5,000 additions to the base salaries of faculty who are selected as outstanding teachers. Scholarly productivity is not a criterion. Nor is public service. The system is clearly designed to draw a bright line between winners and losers. The first year the program was in effect, law and other postgraduate faculty were ineligible.

Other Impacts on Law Schools

What has happened to the undergraduate student population has had an obvious impact on law school applications. As the economic recession hit, students found themselves in an educational experience that was taking too long, putting them deeply in debt, and offering them little in the way of enhanced employment opportunities. When the word got out to these students—and to people who were thinking of applying to law school after being out of college several years—that a legal education would take more time, require them to proceed at an academic pace faster than they were used to, and put them deeper in debt without offering them any promise of enhanced employment opportunities, many elected to pursue other avenues. Law school applications have declined by almost thirty percent in the last five years.

Our ability to provide access to the legal profession for students who are not affluent is a grave concern. In particular, our ability to continue to diversify our student bodies and hence the legal profession is in question. Within just the past year, Congress eliminated funding for the Council on Legal Educational Opportunity,[13] Ohio officials decided to cut funding for legal education for students with lower academic credentials,[14] and the Supreme Court denied certiorari in *Hopwood v. Texas.*[15]

There are other significant consequences of the changing applicant population. First, some law schools have become ferociously, even ludicrously competitive for students. A recent article in the *National Law Journal* describes one relatively new school's attempts to attract applicants by assuring them that there will be a pot of employment at the end of their law school's rainbow.[16]

13. See Law School Admission Council, Elimination of CLEO Funding, Memorandum 96-42 (May 8, 1996).

14. Caruso, *supra* note 6; Chris Klein, Downsizing Meets Resistance at 3 Ohio Public Law Schools, Nat'l L.J., July 29, 1996, at A20.

15. 78 F.3d 932 (5th Cir.), *reh'g en banc denied,* 84 F.3d 720 (5th Cir.), *cert. denied,* 116 S. Ct. 2580 (1996).

Such efforts invite intervention by the organized bar and by consumer protection agencies if not by the educational establishment.

Second, some of the law schools at the bottom of the pecking order, including some ABA-accredited schools, are finding themselves perilously close to open admissions. Will some of these law schools, because of the low academic abilities of their students, be tempted to avoid programs that emphasize traditional academic excellence? Will they, instead, be tempted to offer "practical" skills and "real lawyering" to students whose strength has never included academic performance? Will students be told that they will get better jobs if they learn to be "real lawyers" as opposed to pointy-heads? Will the bar be told that "real lawyer" programs, rather than more traditional law school programs, should be mandated for bar admission?

Almost all of us need to recognize that today's unprepared college students will be tomorrow's unprepared law students. I submit that the changing student population means that rigorous, university-based academic education is more important for us to deliver than ever. We have applicants who are in desperate need of training in critical reading, critical thinking, problem-solving, and communication skills, and who need to be informed by a sense of history and of philosophy. In short, there is as much a need as there ever was for law schools to engage their students in the rigors of traditional academic excellence.

On the other hand, academic institutions must reform. We must prepare our students in the midst of a revolution in technology. We must teach them more of a global understanding. We must teach them to work better in teams. We must better prepare them for the practice of law. And we must do so more cost-effectively because we as educators are forced to compete with other social institutions for scarce resources.

The Corporate Analogy

My basic message for law faculty is that the rest of the world—i.e., everyone except college or university faculty—sees higher education as having failed to reform itself the way business has. Everyone sees corporate America as having undergone radical restructuring.[17] Some of that restructuring has been painful, some of it has been perceived as cruel or unfair, but on the whole it has been seen as a process that was and is necessary to modernize and maintain competitiveness.

Business leaders and legislators see colleges and universities as institutions that have steadfastly refused to attempt the kind of progress that has been made in corporate America. The corporate analogy calls attention to the

16. "In an unprecedented new advertising campaign, Touro College's Jacob D. Fuchsberg Law Center assures prospective students that they'll be able to find work after graduation." Chris Klein, Faced with a Drop in Applicants, Some Schools Resort to Hard Sell, Nat'l L.J., July 1, 1996, at A19.

17. There is no magic to the term *restructuring* as I use it. *Reinventing, rethinking, reordering, reconfiguring,* and many other words could be used to make my point: we in the academy need to take a hard look at the identification and productivity of tenure-track faculty.

chasm between the academy and the outside world. Many faculty are immediately offended by the very suggestion of a corporate analogy. Some are hostile to the corporate world as they see it. Some say that the corporate world has gotten worse, not better. Some say that the corporate world is not the world they choose to live in. Some say that universities should not be compared with for-profit organizations. And some say simply that faculty productivity is hard to define.

Nevertheless, there are many of us within colleges and universities who believe that we in higher education are paying a heavy price for our failure to persuade leaders in business and in government that we are effectively managing our resources. We need to do a better job, and we need to persuade people we are doing a better job. We will not be able to do either if we take the position that we need not measure up to any standards but our own.

The *Corporate Lessons* report that I mentioned earlier makes the point that colleges and universities in the 1990s reflect the situation that existed in hundreds of major American corporations a decade ago. In many of those corporations:

- a well-entrenched bureaucracy existed;
- employees enjoyed unwritten guarantees of lifetime employment;
- some were paid essentially for just showing up;
- customers were viewed more often as irritants than as the reason for the organization's existence;
- new technologies and new competitors were changing markets, products and manufacturing methods;
- innovation was smothered under layers of bureaucracy; and
- some things were done because they had always been done, and some things were being done superbly that should not have been done at all.[18]

Throughout the country, the analogy has been heard, and it has resonated.

Where to Go from Here?

I certainly do not mean to suggest that higher education has made no response to the crises in confidence or to the increased scarcity of resources. The first line of response has been an attempt to increase revenues. Recent years have seen more lobbying for increased public funding for higher education, intensified efforts at private fundraising, the development of profit centers, and, perhaps most significantly, increased tuition. The second line of response has been retrenchment, but it has been retrenchment without the sort of restructuring that has taken place in American business.

Corporate Lessons makes the point that higher education's response to financial pressures has been limited to the administrative side of operations, avoiding those with tenure. In the eyes of corporate managers, universities have not engaged in true restructuring:

18. Corporate Lessons, *supra* note 9, at 2–3.

> For corporations, restructuring means two things. It means developing or acquiring new business lines. And it means dropping existing products and services—because the corporation provides them inefficiently, it should never have been providing them in the first place, or they do not fit into the corporation's new statement of philosophy and goals.
>
> In higher education, restructuring might entail introducing new instructional technologies, reorganizing departments into interdisciplinary units, or changing how academic progress is measured from credits earned to outcomes assessment.[19]

There is a widespread consensus among outsiders that the academy should employ, to a far greater extent than it has, some of the techniques that were used to "reinvent" corporations in the 1980s: defining missions, focusing on quality, flattening hierarchies and giving employees more authority, examining bureaucratic fat, and contracting for noncritical services. This consensus is shared by many university administrators, who are caught between outsiders pressing for change and faculty resisting it.

The corporate experience suggests the following steps for law schools.

1. Define your core mission.

Take a hard look at what you are doing and why you are doing it. Deemphasize or dispose of programs that are not a part of your core mission. Concentrate on what you do best. Richard J. Mahoney, chairman and chief executive officer of Monsanto Company, has suggested that the following questions might be asked in the reexamination:

- What is the essence of this institution? What are our core functions and departments?
- What is our primary goal? Which programmatic priorities are non-negotiable?
- If we had to choose between research and teaching as our main emphasis, which would we choose?
- If teaching is the emphasis, how much teaching is being done by senior faculty members?
- Are 90 percent of our discretionary funds targeted on priority activities? If not, why not?[20]

No one model can or should apply to all law schools. There are five basic types of postsecondary institutions: public research universities, private research universities, public four-year colleges, private four-year colleges, and community colleges. Similarly, there are differences among law schools, based in part on whether they are affiliated with a university, the kind of university, and the nature of the affiliation; whether they are urban or rural; whether they have a night program, a large endowment, a technological infrastructure, a student body with a strong academic background, an affluent student body, and so forth.

19. *Id.* at 31.

20. *Id.* at 36.

2. Examine your internal bureaucracy.

With your priorities in mind, ask how you can cut costs. Avoid across-the-board cuts and fight for your core mission. Large organizations cut costs by "zero-based" budgeting, contracting for some services, encouraging early retirements, and simplifying bureaucratic structures.[21]

If we don't take these steps, one of two things will happen. Either others will impose them on us, or others will simply turn away from us and leave us to sink or swim on our own.

Whether we like it or not, there are several patterns we are likely to see with increasing frequency:

- More discussion of cutting law schools off from their host universities and leaving the law schools to their own financial devices. This is likely to be especially true in graduate research universities that are being pressured to turn their attention and their resources toward better preparing undergraduate students. More and more provosts will ask more and more deans at public institutions why they can't be left to their own resources.
- More merit-based compensation, including incentives for tenured full professors. Some merit money will be broadly available with great discretion in individual units on how to allocate them. Other merit money will be awarded only to a limited number of "truly outstanding" faculty on a competitive basis. Narrowly targeted incentives will produce clear winners and clear losers. Merit will be guiding salary increases even when the increases are small. Law schools that develop a reputation for merit regimes may fare better in persuading presidents and provosts to allocate scarce resources to them. Faculty who teach and write more and who do more public service will get paid more. Faculty who teach relatively few students and who produce little scholarship will feel the pinch.
- More mandated accountability at all levels. Faculty and administrators will be held accountable for increased productivity, and administrators will be accountable as fundraisers and managers.
- More differential teaching assignments for faculty who fail to produce scholarship or extraordinary service. Our provost at Florida State is urging all deans on campus to adopt the approach that he took when he was dean of our College of Arts and Sciences: increase the teaching load of nonpublishing faculty by fifty percent.
- More part-time faculty. I commend for your reading the Recommendation to Amend Interpretation 402-1 of the American Bar Association Standards for Approval of Law Schools filed by the Illinois State Bar Association. It provides that adjunct faculty may constitute "up to 40 percent of the full-time equivalent faculty for purposes of calculating the student/faculty ratio" for ABA Accredi-

21. *Id.*

tation purposes.[22] Two things are going on here. First, schools are cutting costs, and adjunct faculty are less expensive than full-time faculty. Second, the organized bar is questioning the value of the education being delivered by full-time faculty.

- More use of technology to cherry-pick faculty from other law schools to perform selected tasks, at low cost. Faculty from other schools (or adjunct faculty) will be hired to teach using interactive video technology at a much lower cost than visiting professors or new faculty members. Just as prestigious law firms are being asked to respond to requests for proposals to get work that in the past automatically came to them, so, too, will individual faculty members be bargaining over specific assignments.
- More libraries denied the space and funds to warehouse paper publications. They will be forced instead to provide electronic access to information.[23]
- More placement offices forced to return to their core mission of helping their students get jobs. Too many placement offices have become "career services" offices that do far too much counseling and not enough job placement. Many law schools are struggling to get things back on track. I know of more than one law school that has actually struggled for a name for these offices that will reinstate the word *placement* and respect the concept of broader counseling services. "Placement Services" is one solution for the name, but the culture of the office may be more difficult to change.
- More discussion of the kinds of people who should be academic administrators and the kind of influence the faculty should have over them. More president, provost, and dean searches will involve discussions about the need for someone who can "get things under control." To nonacademics who serve on search committees or have appointing authority, this often means looking for someone who will not be "a stooge for the faculty." In one recent university presidential search that I followed, one of the candidates was a provost who had great support from faculty of all disciplines. It was clear that his strong faculty support was considered as at least two strikes against him by the people who actually appointed the president (as opposed to the faculty members on the search committee). He was not selected, and the faculty were surprised. They could not comprehend the extent to which their support had hurt, not helped, his candidacy. With respect to law schools in particular, consider the Proposed Amendments to Proposed Standards 205 and 206 filed by the Mississippi State Bar Association. These amendments are designed "to provide that the appointment or

22. Office of the Consultant on Legal Education to the American Bar Association, Memorandum D9596-75 (June 2, 1996).

23. Jennifer B. Lucas, Study Sees Library of Congress' Mission as Information Broker, Not Collector, 1 Electronic Info. Pol'y & L. Rep. (BNA) 150 (May 17, 1996).

reappointment of a university law school dean by a university governing board may not be 'vetoed' by a faculty majority vote, in the belief that a dean should ultimately be answerable to the governing board of the institution, and not to the faculty."[24]

- Pressures in different directions. At the same time that corporate leaders are asking universities to cut costs, streamline their bureaucracies, and contract out specific tasks, the American Bar Association, through the accreditation process, is exerting opposite pressures. For example, it is pressuring law schools to expand extremely expensive clinical programs and to expand rather than contract the tenure system. Instead of encouraging universities to contract out for the supervision of clinics, the ABA is pressuring them to give tenure or its equivalent to a broader range of faculty. ABA standards also do more to require libraries to warehouse books than to provide electronic access to information.

3. Form alliances with other institutions.

Nationally, there will be increased discussion of the cross-listing of courses among colleges and universities and the aggregation of courses from different institutions to generate certification.[25] Large corporations may become competing or supplemental providers. In short, degrees and academic institutions will be disaggregated, and students will be offered more opportunities for distance learning.

Libraries can get especially creative here in sharing resources to provide diversified portfolios of information. Like placement offices, libraries are in the midst of an identity crisis that includes name changes. Libraries may become information centers, and librarians may become cybrarians. Unlike placement offices, however, libraries are likely to have a future that is different from their historic core mission. Indeed, with all the changes going on, law librarians have seen more radical restructuring than most faculty have even begun to contemplate.

4. Involve the faculty and other stakeholders in the process where that is possible.

At Florida State, the law faculty recently imposed upon itself an increased scholarly expectation: every faculty member is expected to produce a major manuscript every two years. That rule would not be as powerful if it were simply imposed from above. On the other hand, presidents, provosts, and deans will be expected to play an active role, especially when external constituencies demand productivity increases and faculty support is lacking.

5. Move fast and stay the course.

One message has come through loud and clear from corporate leaders to their academic counterparts: "Engage your organization to the process and then move fast and commit yourself for the long term. Results will not be

24. Comments by the Mississippi Bar to Proposed Standard 205. Office of the Consultant on Legal Education to the American Bar Association, Memorandum D9596-80 (July 9, 1996).

25. See Goldie Blumenstyk, Western Governors Continue to Plan "Virtual" College, Chron. Higher Educ., June 14, 1996, at A30.

apparent at the end of the first semester or the first year—but two or more years down the road you should begin to see the results."[26]

In addition to adapting lessons from the corporate world, I would add some further points.

6. Establish meaningful minimum expectations for faculty presence on campus.

Faculty in graduate research universities have come under attack as being disdainful of teaching undergraduates. Law is somewhat different in this regard, and better off, because teaching core discipline courses is still seen as a plum assignment. But accessibility is an issue for us as well.

There is a cancer that has begun to metastasize throughout higher education, including the law schools: working at home. Please understand that there are many faculty for whom I have enormous respect who feel that they need to spend some time at home during the normal workday to get their research done. Nevertheless, I believe there are too many who spend far too few hours in their offices, accessible to their students and to their colleagues. And technology is facilitating this dysfunctional behavior by enabling faculty to put out brushfires from a distance—by checking their voice mail and their e-mail—and by allowing them to persuade themselves that they are actually in much closer and more dynamic electronic communication with their students and colleagues.

We are losing the benefit of much of the student learning that goes on outside the classroom, in the halls, and in faculty offices, and we are losing collegial environment. Often junior faculty seem to be the worst offenders. In particular, junior faculty who are graduates of schools with absentee faculty are shocked by the suggestion that they should spend three or four hours a day in their offices outside class.

Apart from the fact that we are all the poorer for a more anemic academic environment, there is the inescapable political fact that students see that teachers do not want to spend time with them. When in subsequent years we turn to them for help, when they are legislators or alumni from whom we are seeking support, their memory may be long. Our provost one day addressed our Council of Deans after a particularly difficult day with legislators and legislative staff. When he outlined the accountability measures the legislators were proposing, one of the deans suggested: "We need to do a better job of letting the legislators know what the faculty are all about." The response: "They know what we're about—they're our graduates."

As one of my colleagues in physics put it at our university's new-faculty orientation last year: "If you don't want to come to work at the university, you shouldn't take a job at the university." If law libraries can no longer afford to warehouse collections that are available electronically, can law schools afford to provide offices for faculty who work at home?[27] Why hire full-time faculty at all? With these questions in mind, I would add a more modest question for

26. Corporate Lessons, *supra* note 9, at 39.

27. See Kirk Johnson, In New Jersey, I.B.M. Cuts Space, Frills and Private Desks, N.Y. Times, Mar. 7, 1994, at B1.

faculties as they reexamine their goals and priorities: what is the default rule on the minimum amount of time faculty should be expected to spend each week in their offices?

7. Establish performance standards for faculty to interact with the legal profession.

The crisis in confidence from within the legal profession is real and is upon us. I believe that much of the criticism of legal education is warranted but much is not. I also believe that there is too little communication between legal academics and members of the practicing bar, particularly the organized bar. I think it is imperative that more faculty interact more with the bench and bar.

Because of the tremendous gap between academic lawyers and practicing lawyers, an affirmative action program to integrate law faculties into the profession will be required. Most schools bring in a significant number of judges and practicing attorneys as adjunct teachers, guest lecturers, and advisers to students. The problem at many schools is that the faculty don't get out enough. Schools should work with the bench, the bar, and government agencies to have professors in residence, faculty as speakers, faculty team-teaching with the bench and bar, and so forth. I believe it can be done to the enrichment of the bench, the bar, and the academy. There are plenty of law reform activities, continuing educational activities and public service activities, in which law teachers can serve with great distinction. More faculty need to be encouraged to do so; I believe that the invitations will be accepted if they are extended. Service will create a public good, enrich the teaching and scholarship of faculty who participate, position faculty to better assist their students as they begin their careers, and enhance our stature within the legal profession and within the community.

Accordingly, my reexamination would consider appropriate default rules for faculty members concerning:

- the number of continuing legal education or continuing judicial education speeches one should deliver each year;
- the appropriate service each year on bar or other professional committees;
- the number of hours per year that one should devote to law reform activity; and
- the number of hours that one should devote to other public service.

Great vigor and creativity can be expected as faculty consider the specialized default and mandatory rules to be applied to deans who raise these kinds of suggestions.

8. Maintain a sense of gratitude for the position of law professor—surely one of the greatest jobs in the world.

Failing that, maintain a sense of humor.