

Leadership Behavior of Law School Deans: Implications for Law School Administration

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INTRODUCTION

Appointment as dean of a law school is often regarded as a great honor and as the climax of an academic legal career. Despite the prestige of being a law school dean, there seems to be considerable frustration associated with the job.

Former Dean Theodore J. St. Antoine of the University of Michigan Law School believes that academic administrators are increasingly being overwhelmed by routine trivia, including an abundance of paperwork, which results in decanal disenchantment. There is evidence that many law school deans become disenchanted with their positions in a relatively short time. Decanal frustration mounted to the point where the average tenure of a law school dean in the late 1970s was only three and one-half years.

Deans of almost every type of academic discipline, including the field of law, are faced with immense challenges during the decade of the 1980s. In particular, the leadership function of law school deans, in dealing with the faculty as well as other members of the legal community, has become increasingly important.

Upon surveying the literature, the researcher discovered a large amount of research concerning leader behavior. A variety of managerial and leadership positions were subjects in this research. However, no leader behavior studies in the field of legal education were found. In fact, relatively little published research has been completed on law schools, law school deans, and law school professors. Given the paucity of research in the area and the fact that many observers think that a current leadership problem besets law schools, the researcher believes that a leadership study of law school deans was warranted.

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PURPOSE OF THE STUDY

It was the purpose of this study to: (a) determine how differently law school deans and their faculties perceive the leader behavior of the deans and (b) determine what degree age, sex, academic rank, extent of formal education, years of teaching experience, years of non-education legal work experience, and social distance relate to law school deans' leader behavior as perceived by themselves and by their faculties.

It was the intent of this study to discover information which would be helpful in closing the gaps in perceptions of deans and their faculties, thereby making the perceptions more congruent. Furthermore, it was the researcher's hope that the information would assist deans in their leadership roles with their faculties and would give them insight as to what kind of leadership the faculties need or expect at a given time. Of course, the researcher hopes that the end result of this project will be more effective leadership and administration in our nation's law schools.

PROCEDURE

A total of 168 A.B.A.-approved law schools were invited to participate in the study by means of a personal letter to the deans. Eighty-one deans indicated a willingness to participate. All full-time faculty members with an academic rank of instructor or higher in those eighty-one schools were invited to participate in the study. The final sample included eighty-one deans and 1,001 faculty members from eighty-one law schools in forty states and the District of Columbia. Data for this study were collected from 1981 to 1983.

The eighty-one law schools that participated in the study were:

Samford University	Southern Illinois University
Golden Gate University	Indiana University at Bloomington
Southwestern University	University of Kansas
University of Santa Clara	Northern Kentucky University
University of Denver	Loyola University of New Orleans
University of Connecticut	University of Maryland
Catholic University of America	Boston University
University of Miami	Northeastern University
Mercer University	University of Mississippi
Illinois Institute of Technology	University of Missouri at
Loyola University of Chicago	Columbia

University of Montana	University of Illinois
Franklin Pierce Law Center	Indiana University at Indianapolis
University of New Mexico	Washburn University
Columbia University	Louisiana State University
Campbell University	University of Baltimore
Cleveland State University	Boston College
Ohio State University	New England School of Law
University of Toledo	William Mitchell College of Law
Lewis and Clark College	St. Louis University
Dickinson School of Law	University of Missouri at Kansas City
University of South Carolina	University of Nebraska
Memphis State University	Seton Hall University
Vanderbilt University	Brooklyn Law School
St. Mary's University	SUNY at Buffalo
South Texas College of Law	Capital University Law School
Texas Tech University	Ohio Northern University
Brigham Young University	University of Cincinnati
Gonzaga University	University of Oklahoma
West Virginia University	University of Oregon
University of Wyoming	University of Pittsburgh
University of Arizona	University of South Dakota
Pepperdine University	University of Tennessee
University of San Diego	Baylor University
University of Southern California	Southern Methodist University
University of Bridgeport	Texas Southern University
Delaware Law School	University of Houston
Florida State University	University of Richmond
Emory University	University of Puget Sound
University of Hawaii	University of Wisconsin
Northern Illinois University	
Northwestern University	

The Leadership Behavior Description Questionnaire, developed at Ohio State University and referred to as the LBDQ, was used to collect the data in this study. The LBDQ identifies two dimensions of leader behavior: Consideration and Initiating Structure. Consideration refers to the extent to which an individual is likely to have job relationships characterized by mutual trust, respect for subordinates' ideas, and consideration of their feelings. Initiating Structure refers to the extent to which an individual is likely to define and structure his/her role and those of his/her subordinates toward goal attainment.

Another instrument used in this study was the Social Distance Scale as developed in 1959 by O.N. Hunter, a graduate student at

Washington University in St. Louis. This instrument measures two factors of social distance: Frequency of Contact and Intimacy of Contact.

As already indicated, the independent variables in this study included Frequency of Contact and Intimacy of Contact which faculty members had with their deans, as well as the age, sex, academic rank, extent of formal education, years of teaching experience, and years of non-education legal work experience of the faculty members.

There were categories within each of the independent variables. The categories of Frequency of Contact were seeing the dean to talk alone with him/her: (1) 3-5 times a week, (2) 1-2 times a week, (3) 1-2 times a month, (4) every one or two months, (5) 3-5 times a year, (6) only once or twice a year, and (7) have not seen him/her to talk alone.

The categories of Intimacy of Contact were: (1) I have never talked with him/her alone about legal education; (2) Our contact was little more than a greeting; (3) We have discussed, informally, normal institutional affairs concerning legal education; (4) We have discussed confidential institutional matters relative to legal education; (5) We have discussed affairs concerning legal education rather formally; (6) We have talked about his/her personal problems concerning legal education; and (7) We often visit each other socially.

The categories of age were: (1) 20-29, (2) 30-39, (3) 40-49, (4) 50-59, (5) 60-69, and (6) 70+.

The categories of sex were: (1) male and (2) female.

The categories of academic rank were: (1) instructor, (2) assistant professor, (3) associate professor, (4) professor, and (5) other.

The category of extent of formal education were: (1) J.D. or LL.B., (2) LL.M. or other Master's degree, and (3) S.J.D. or other Doctor's degree.

The categories of years of teaching experience were: (1) 1-5, (2) 6-10, (3) 11-15, (4) 16-20, (5) 21-29, and (6) 30+.

The categories of years of non-education legal work experience were: (1) 0, (2) 1-5, (3) 6-10, (4) 11-15, (5) 16-20, (6) 21-29, and (7) 30+.

Various statistical techniques were utilized in analyzing the data. A test for independent means was used to determine if there was a statistically significant difference between the deans' leader behavior as self-perceived and as perceived by their faculties. A

one-way analysis of variance, a Newman-Keuls post hoc multiple comparison test, and Duncan's new multiple range test were used to determine what degree the selected biographical characteristics and social distance factors related to the deans' leader behavior as self-perceived and as perceived by their faculties. The level of significance for all statistical tests was set at 0.05, although, in fact, many tests yielded significance at much higher levels.

FINDINGS SUMMARY

Based upon the results of the statistical tests indicated, the following findings were noted:

1. There was a significant difference between the considerate and structuring behaviors of the deans as self-perceived and as perceived by their faculties (both at $p < .01$).
2. The following accounted for discrepancies between perceptions of the considerate behavior of the deans as self-perceived and as perceived by their faculties: (a) Frequency of Contact ($p < .001$); (b) Intimacy of Contact ($p < .001$); (c) age ($p < .001$); (d) sex ($p < .001$); (e) academic rank ($p < .003$); (f) extent of formal education ($p < .04$); and (g) years of teaching experience of the faculties ($p < .001$).
3. The following accounted for discrepancies between perceptions of the structuring behavior of the deans as self-perceived and as perceived by their faculties: (a) Frequency of Contact ($p < .001$); (b) Intimacy of Contact ($p < .001$); (c) age ($p < .001$); (d) sex ($p < .03$); (e) academic rank ($p < .04$); (f) extent of formal education ($p < .02$); and (g) years of teaching experience of the faculties ($p < .02$).
4. Years of non-education legal work experience did not account for discrepancies on either the considerate dimension ($p < .10$) or the structuring dimension ($p < .058$).

CONCLUSIONS

Based upon the findings of this study and within its limits, the following conclusions are offered. While the conclusions are derived from the sample surveyed, the researcher believes that the eighty-one schools participating in this study, from forty states and the District of Columbia, are representative of the entire population of A.B.A.-approved law schools in the United States.

The faculties perceived the deans to be exhibiting less considerate and structuring behaviors than the deans perceived of them-

selves, although both groups perceived more considerate behavior than structuring behavior. In short, the deans, as leaders, were not appearing to their faculty members, as followers, in a manner as they had thought. This finding suggested a possible role conflict and implied a need for the deans to become more aware of how their faculty members actually perceive their leader behavior. This finding also indicated the importance of interpersonal relations between the deans and their faculties. Furthermore, this finding indicated that the deans should consider exhibiting more leader behavior on both dimensions toward their faculty members, particularly structuring behavior.

As Frequency of Contact increased, the deans' and faculties' perceptions of the deans' considerate behavior became more congruent, the only exception being the faculty members who saw their deans to talk alone three to five times a week. A trend appeared, with only one exception, that as Frequency of Contact increased, the deans' and faculties' perceptions of the deans' structuring behavior became more congruent, with the most congruence occurring when faculty members saw their deans to talk alone three to five times a week. These findings emphasized the need for the dean to increase the amount of contact between himself/herself and his/her faculty.

A trend appeared, with few exceptions, that as Intimacy of Contact increased, the deans' and faculties' perceptions of the deans' considerate behavior became more congruent, with the most congruence occurring when the faculty members talked with their deans about his/her personal problems concerning legal education. As Intimacy of Contact increased, the deans and faculties' perceptions of the deans' structuring behavior became more congruent without exception, with the most congruence occurring when the faculty members often visited their deans socially. These findings emphasized the need for the dean to develop meaningful and comfortable relationships with his/her faculty members.

Age was a factor in achieving congruency between the deans' considerate and structuring behaviors as self-perceived and as perceived by their faculties. The deans were most congruent with older faculty members, particularly the sixty to sixty-nine year olds, in perceptions of both considerate and structuring behaviors. It appeared that the deans should devote attention to developing more congruency in perceptions of leader behavior on both dimensions with their youngest faculty members, especially in view of

the fact that nearly three-fourths of the faculty members were in their thirties or forties.

Sex was a factor in achieving congruency between the deans' considerate and structuring behaviors as self-perceived and as perceived by their faculties. It appeared that the deans should increase their structuring behavior with their male faculty members, while increasing their considerate behavior with their female faculty members.

Academic rank was a factor in achieving congruency between the deans' considerate and structuring behaviors as self-perceived and as perceived by their faculties. It appeared that the deans should devote attention to developing more congruency in perceptions of leader behavior on both dimensions with their assistant and associate professors who comprise nearly 40 percent of all faculty members.

Although formal education of the faculties accounted for discrepancies between perceptions of the considerate and structuring behaviors of the deans as self-perceived and as perceived by their faculties, the findings did not indicate that the deans should make special effort with regard to any categories of formal education.

Years of teaching experience was a factor in achieving congruency between the deans' considerate and structuring behaviors as self-perceived and as perceived by their faculties. It appeared that the deans should devote attention to developing more congruency in perceptions of leader behavior on both dimensions with those faculty members who have teaching experience of ten years or less and comprise over 60 percent of the total faculties.

Years of non-education legal work experience was not a factor in achieving congruency between the deans' considerate and structuring behaviors as self-perceived and as perceived by their faculties. Therefore, there was no indication that the deans should make special effort with regard to any categories of non-education legal work experience.

IMPLICATIONS

Although it has not been within the scope of this study to explore the exact nature of the causes of current decanal disenchantment, it exists and creates no small problem for those persons accepting deanships and also for those dean search committees. Moreover, it creates problems for those persons whom the deans are supposed to lead, particularly the faculty members. In view of

the discrepancies in perception between deans and faculties regarding the dean's leadership role as found in this study, it is perhaps logical to observe that the relationship between deans and faculties is a factor in the current leadership dilemma besetting law schools.

This study is by no means exhaustive in either discovering the causes of law school leadership problems nor in offering solutions to those problems. It is, however, an attempt to show that the relationship between deans and their faculties is an important part of effective administration of law schools. Furthermore, the study indicates that the relationship is indeed seldom what the deans perceive it to be and suggests a need for deans to change their relationship with their faculties.

At this point, the researcher wishes to offer some concepts and suggestions, emerging from the findings of this study, to future law school deans as well as to those persons already occupying that position, with the sincere hope that law school administration will benefit.

The dean, though most often coming from the ranks of law teachers, should realize that he/she is now in a leader/manager role. Although perhaps strongly identifying with his/her former group, he/she must now realize that the position of dean requires him/her to lead and to manage faculty members. This leadership position does not mandate authoritarian practices, but it certainly commands an obligation on the part of the dean to exercise initiative, ingenuity, and power in achieving the law school's objectives.

The dean should have some idea about the nature of leadership—that it necessarily involves responsibility, the ability to influence other persons' behaviors, and the capacity to structure human relationships for a given purpose. The dean should develop strategies for exercising his/her myriad and often contradictory methods. Among those methods are: anticipating, planning, organizing, staffing, conducting meetings, listening, questioning, directing, mediating, advising, and controlling.

The dean should develop an awareness of himself/herself before attempting to lead a highly-educated cadre of professional persons. He/she should seek a sense of personal identity and self-confidence.

In turn, the dean should seek to become aware of his/her faculty, their need for a feeling of self-worth, as well as their role in an effectively functioning law school. He/she should realize that

his/her faculty are motivated by many social and psychological satisfactions, *inter alia*, a need to feel achievement, professional growth, and recognition. To feel thusly, faculty need to experience challenge and scope in their jobs. Moreover, the dean must devote some meaningful time to his/her faculty, demonstrating an awareness of their importance to the law school.

Participative management, that is, allowing subordinates to share in the decision-making of an organization, has been shown to be effective in a setting where the subordinates are highly motivated and mature individuals. In most productive organizations, such interaction usually occurs, and an accurate flow of communication from above and below takes place. Candid questioning is also a hallmark of participative management. Deans should consider ways to enhance participative management in their schools, sharing power with their faculty, as opposed to exercising power over them. Participative management, with an atmosphere of involvement, would be a positive factor in overcoming faculty apathy and in stimulating faculty creativity. In addition, a dean who properly utilizes participative management would likely be seen as exercising a suitable balance of considerate and structuring leader behaviors.

Another aspect of participative management in the law school setting would be what is called "bottom up management" or, simply, a managerial atmosphere which encourages initiative of all those down from bottom up and free exchange of ideas at all levels. As part of the "bottom up" concept, the dean should, in certain instances, consider group discussions and rely on consensus decision-making as means for facilitating needed changes in the law school. It is only common sense to recognize that the faculty would be more open to change if they perceive they have a voice in calling for the change.

Situational leadership is another concept with which a dean should become thoroughly familiar. Situational leadership theory teaches that there is no one best way to lead, that it depends on the complexities of cause and effect in every managerial situation. Adopting this approach, the dean should adapt his/her style of leader behavior to meet the particular situation. Factors for the dean to consider in adapting his/her style of leadership include: expectations of the faculty, personality characteristics of persons involved in a particular situation, time constraints in achieving objectives, interpersonal relationships within the group, priority

among goals, and organizational needs and expectations.

If a dean becomes aware of the value of situational leadership methods, he/she should become better able to discern when it would be more effective to use Initiating Structure behavior as opposed to Consideration behavior and vice versa. When structuring behavior is called for, he/she should play a more active role in directing faculty activities through planning, communicating information, and trying out new ideas. When considerate behavior is called for, he/she should emphasize good rapport with his/her faculty members. Practicing situational leadership, the dean becomes aware that Initiating Structure and Consideration are not mutually exclusive; in fact, many times, he/she is likely to combine a high-task-oriented approach with a high interpersonal relations approach. Exercising considerate and structuring behaviors according to situational leadership theory should result in the benefits of more congruency between the dean and the faculty in perception of the dean's leader behavior.

Today's law school dean needs many skills in attracting superior students and faculty, in relating to those students and faculty, in securing adequate financing for his/her institution, in getting the most out of existing facilities and resources, and in maintaining good public relations with superiors, alumni, and the local legal community. He/she needs superior professional skills, human and motivation skills, and conceptual and visionary skills in order to see a changing situation, to adapt well to change, and to evaluate the abilities of his/her faculty. The dean, with the aid of his/her faculty, should be able to concentrate on long-range planning by means of management by objectives and other managerial principles. Long-range planning is an imperative for deans facing future declining enrollments because of an overabundance of lawyers, possible cutbacks in financial support, and potential faculty and staff reductions.

More specifically, the findings of this study showed that a significant discrepancy existed between the deans and faculties' perceptions of the deans' leader behavior. There was more discrepancy on Consideration than there was on Initiating Structuring. The deans perceived that they were exhibiting more leader behavior in both dimensions than did the faculties.

The question then becomes: Does this discrepancy cause the faculties to feel frustrated, thereby hampering the overall effectiveness of administration in the law schools? To put it another way,

do the faculties wish the deans would show more considerate and structuring behavior? These questions are not easily answered.

It does appear, however, from the breakdowns in the various biographical categories, that many faculty members do desire more involvement from their deans, both in a human relations sense and in an organizational/task-oriented sense. In essence, many faculty members wish the deans would be more open, friendlier, and more caring toward them, as well as providing them with direction, organization, and well-defined methods of doing things. This was particularly true for younger faculty members, assistant and associate professors, and those faculty members who have been teaching for ten years or less.

The conclusions pertaining to social distance supported the above findings. It was shown that as deans interrelated more frequently in a meaningful way with their faculties, the faculties were more likely to view their deans as exhibiting more leader behavior. In short, both quantity and quality of contact with the faculties proved essential.

A dean should recognize the importance of the faculty to his/her school. Prestige of the school, to a large extent, depends on the caliber of the faculty. The stimulation and training students receive and the type of lawyers they eventually become can often be traced back to the faculty. Hence, it is in the dean's interest to develop an outstanding faculty.

Doing his/her part to motivate a superior faculty, the dean must have a genuine interest in the faculty, sincerely exploring their needs and expectations. He/she should make them feel secure by being open, up-front, and well-organized. Instead of constantly being inundated by administrative trivia and paperwork, the dean must take time to become involved with his/her faculty, making sure that the faculty feel involved with decision-making in the law school.

Law school faculty are obviously serious-minded professionals who are intensely interested in their careers. They have different needs as individuals. It is incumbent upon the dean, through genuine involvement with his/her faculty, to discern those needs. Once those needs are discovered, the dean will be in better position to motivate his/her faculty by means of individualized or one-on-one leadership.

A dean should be better able to administer his/her law school if his/her faculty perceive him/her to be competent as a leader. Al-

though the findings of this study did not indicate deans were performing poorly, they did indicate that more leadership from the deans is needed.

In summary, the researcher has identified the following ways for deans to enhance their leadership: (a) become more aware of the leadership function and what it means to exercise it, (b) utilize participative management to get the faculty involved in decision-making, (c) utilize situational leadership theory, (d) utilize long-range planning, (e) discern needs and expectations of the faculty and ways to motivate them, and (f) initiate more genuine involvement with the faculty on an individual basis.