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Law School Deans Panel: Leadership Programing in Law Schools

In recognition of the need for law schools to better prepare students for future leadership opportunities, the number of leadership development programs in law schools has skyrocketed over the past decade. Currently, more than 80 law schools have some form of leadership development programming for students. These programs provide significant opportunities for students to grow and hone skills that not only will enable them to make a positive difference for their clients and communities, but also to advance their careers. Leadership development programs also offer exciting opportunities for alumni and employers to get involved and share their leadership lessons and insights with students. Legal employers appreciate these efforts that add value in the employment relationship.

Moderated by:

Bradley J.B. Toben

Dean and M.C. & Mattie Caston Chair of Law, Baylor Law

Panelists:

Robert B. Ahdieh

Dean and Anthony G. Buzbee Endowed Dean's Chair, Texas A&M University School of Law

April M. Barton

Dean and Professor of Law, Duquesne University School of Law

Martin H. Brinkley

Dean and Arch T. Allen Distinguished Professor of Law, University of North Carolina School of Law

Lee Fisher

Dean and Joseph C. Hostetler-BakerHostetler Chair in Law, Cleveland Marshall College of Law

D. Gordon Smith

Dean and Woodruff J. Deem Professor of Law, Brigham Young University School of Law

Brad Toben:

Today we start with the first panel. It is on leadership programming in law schools and as Steven indicated, we are keeping our introductions very minimal. They, of course, in full can be seen on the website. The panel today consists of Bobby Ahdieh. My colleague here in Texas. Bobby is the dean and the holder of the Anthony G. Busby endowed chairs at Texas A&M University. April Barton, Dean [00:00:30] Barton joins us. Dean Barton is the dean and professor of law at Duquesne University School of Law.

Dean Brinkley, Martin Brinkley. Dean Brinkley is the dean in the Arch T. Allen Distinguished Professor of Law at the University of North Carolina School of Law. Lee Fisher is the dean and the holder of the Joseph C. Baker Hostetler chair-in-law and he comes, of course, to us from Cleveland Marshall College of Law at Cleveland State University. [00:01:00] Finally, Gordon Smith is the dean in Woodruff Dean Professor of Law at Brigham Young University and the law school there.

The purpose of our panel today is to take a look at what has already been referenced by Darby and by Deborah and that is the place of leadership development programming in law school curriculum and beyond. We have several perspectives that we will be presenting upon the topic. [00:01:30] I'm going to start by posing a question to Dean Barton. April, we all have as part of the human condition and need to, if you will, have a purpose, a need to sense that we have a deeper impact upon the world.

We need to have that sense of ethic, if you will. How does leadership program play into that fundamental human need?

April Barton:

Well, thank [00:02:00] you so much, Dean Toben, and just give me a moment. I'm going to share my screen and share my presentation with all of you and we can get started. Let's see. There we go. Give me a moment here. Okay. Can you all see my screen? Give me a thumbs up. All right. Excellent.

Well, thank you so much. I really appreciate you inviting me to speak. I do want to echo the thanks of [00:02:30] everybody at Baylor Law. You, Dean Toben. Certainly, Lee and Stephen, I'm so grateful to both of you for making this conference happen. Also, do want to thank the tech people behind the scenes that are making sure that this runs so smoothly.

I will say I think we first have to start by acknowledging that students are not going to develop completely as leaders in three years. Law schools can vastly accelerate leadership development... Let me [00:03:00] move this out of the way. I realize that this might be in the way here. Here. Hold on a second. I just want to make sure that you can see my PowerPoint and not

the Zoom camera. There we go. There we go. How's that? Is that better?
Thanks.

I think that I think law schools can really accelerate leadership development by creating this awareness around leadership [00:03:30] during law school and that our graduates can then take that with them into practice as they continue on their leadership journey. Dean Toben, you know our panel, we spoke ahead of time and we talked about leadership really as a mindset. It's not a fancy title or a prestigious position. Really we're talking about the type of leadership that's raising others up and helping others to feel a part of something bigger than themselves. Leadership that creates unity and serves [00:04:00] the calling for a higher good.

That's really the type of leadership that we are talking about here. I can move into the remainder of my presentation or Dean Toben, did you want to start with different questions for the different panelists?

Brad Toben: Well, I think I will pose a question to the panel really but the same question in terms of our longing, as part of the human condition, we want to sense that we do have a purpose that goes beyond the ordinary and given [00:04:30] that, why would investment in leadership development be an optimal use of the skills and aptitudes of our law students?

Robert Ahdieh: Maybe I'd say very briefly that sort of we know that from all the data and historic data and current data, lawyers whether within the profession in their communities, frankly even in other industries, they will be in these [00:05:00] leadership positions. I think there's tremendous merit in as lawyers instilling in our students the skills and awareness of good leadership, but I think particularly given that we know how many lawyers will play this broader leadership role, it's almost a prerequisite to graduating a JD student for us to do that.

Gordon Smith: Dean Toben and one thing that I wanted to say a little bit and later in this, but I'll just sort of [00:05:30] foreshadow here is that one of the things we've noticed about leadership training is that it can help to overcome some of the grade hierarchy that gets created in law school. Most schools grade along a mandated curve and that produces a lot of disappointment and some shattered dreams among the law students as they find out that they're not always in the top 1% or 10% of their class.

[00:06:00] One of the things we've noticed about leadership is that it's something that can apply to everybody in the class and that this is something that will bring out other capabilities that aren't necessarily tested on law school exams.

Brad Toben: April, I'm going to come back to you. Could you share with us some thoughts on various models of leadership development in law schools? Lee had mentioned earlier that about [00:06:30] 80 law schools now of the 203 have some form of leadership development. It's been my observation approaches to leadership development take a number of different pathways, if you will. If you might expound on that thought.

April Barton: Oh sure. I think a number of law schools have standalone leadership programs where you may tap the leaders of different student organizations, you may have deans, fellows, you may have students that are nominated by faculty and there are standalone [00:07:00] leadership programs. We have one here at Duquesne.

I'll show you a slide here. We actually use a framework and the acronym happens to be lead and where we talk about in this program, we have the students meeting every two weeks approximately. We bring in guest speakers, but there's a lot of discussion and dialogue and reflection, discussion around leadership skills, decision making, crisis management, influence, what is vision?

Then, also, [00:07:30] being sure to talk about ethics and integrity and value-centered leadership and the importance of that. Making sure that we're always thinking about awareness. We know the importance of emotional intelligence, thinking about self-awareness, social awareness, and cultural awareness. Then, finally, making sure that we are stressing how important it is to always be champions of diversity and be 100% dedicated to equity and inclusion in our organizations.

There are the standalone [00:08:00] programs that we have. We also have different courses in leadership development at law schools. I've taught one. Previously, I taught one at Villanova and we're going to be having one here at Duquesne. But another area, if I may talk about at some point. Thinking a lot about why are we not integrating leadership development into our professional responsibility courses?

It seems like a natural progression. It's a way that we can touch all [00:08:30] the different law students at the law school, because we know these are required courses and it seems, especially building upon Professor Rohde's work and her book that it seems like a natural area that we should be really reframing the way we teach professional responsibility and really taking it from a leadership perspective.

Brad Toben: April, integrating it into professional responsibility curricula, of course, would be a means of making sure and going back to Gordon's comment that everybody is involved. Apart [00:09:00] from that, are the law schools

facing any difficulties in reaching more than a smaller cohort of their enrollment in leadership development studies?

April Barton: I think that's exactly the issue that many of us are facing is that you have these cohorts and they're wonderful, but you may be only reaching a certain portion of your student population. I think that our goal is to at least introduce leadership studies, [00:09:30] introduce an awareness around leadership for our students and their graduates to then take with them into practice.

We had this conversation earlier when we met last week, it's you can lead from any position within an organization. You don't necessarily have to be at the head of an organization. Bobby was saying, "Yeah. Lawyers find themselves in leadership positions whether we like it or not." But the fact of the matter is if we're talking about leadership in terms of [00:10:00] raising others up and creating unity and leading with compassion and treating others with dignity and mutual respect, I think that teaching these concepts in law school for everybody is critically important.

Brad Toben: April, I'm looking at your PowerPoint and the point about ethics and integrity, do you encounter in your programming any type of disagreement or different perspectives about the ethical foundation of leadership?

April Barton: [00:10:30] I think ethics is just one of the cornerstones of leadership. I think that there's a difference between ethics and integrity. Ethics in my mind is doing the right thing, because the rules of professional conduct tell us to do that. Integrity is what we do, because you have that internal moral compass.

I think Darby was mentioning how Risa talked to the deans about you're always looking [00:11:00] at your core values and letting those core values guide your decisions and your actions every single day. I do make the distinction between ethics and integrity, but I think value-centric leadership is really a core piece of that framework.

Brad Toben: Okay. We may return to that. I want to direct the question to Bobby. Bobby, leadership development among law school students, of course, is one venue in which it can be considered. In [00:11:30] higher education there is a good deal of impetus over the last couple decades, the collaboration of our law schools with other units and schools of the university. I believe that you have experience in that venue. Bobby, you are muted. Bobby, you're muted.

Robert Ahdieh: I was saying good things about you too, Brad. So I'm going to repeat them. I [00:12:00] was saying thanks to Brad and to Lee and really Baylor for the years of hosting this wonderful conference with its very important

theme from my vantage. Yes. Now, I do think, again, as we think about what law schools are doing in this regard? In a number of ways, it is useful to think about the intersections with the university.

The ways in which what we are doing might add to and benefit from intersections with the university. At least, sort of two aspects of that that I would highlight. First is sort of a focus on values and culture. [00:12:30] In many ways, we naturally should as, again, April's presentation highlights, understand and teach leadership to lawyers within the framework of values and the framework of what is the culture of our law schools? Frankly, what is the culture of the institutions that they will be part of, whether as leaders or otherwise?

That very much sort of is of a piece with what are the values and what is the culture of the university, the broader universities that we're part of? I'm at Texas A&M, [00:13:00] which sort of wears this on its sleeve very much with these six core values that they place great emphasis on, including leadership being one of those. But really every university in important respects does have a mission and does have a set of values and does have a culture and a vision of itself. If we can connect what we are doing within the law school with those broader values and culture and the like of the university, I think the impact it has for our students is greater, our [00:13:30] ability to have an impact more broadly across the university is greater.

Frankly, the visibility and depth that we are able to accomplish is much greater. I've seen in leadership programs where we are able to bring together students from across multiple disciplines, faculty from across multiple disciplines. The impact we have is that much greater. We are working, again, an example at A&M is on a program on leadership in the Hispanic community.

Part of that is law, but obviously it's much, much broader. [00:14:00] That gives us an opportunity and it gives our students the opportunity to collaborate in that way. Again, I do think the law has a great deal to add to that dialogue and that discourse for the reasons that April highlighted and I mentioned as well. So many lawyers are going to be in these leadership positions or even for the non-lawyer to understand the law school, the law, legal perspective on leadership is hugely valuable.

Brad Toben: Bobby, could you give us an example of a model in which a law school can reach [00:14:30] out to a non-law community or constituency? How would you develop that or how have you developed it?

Robert Ahdieh: Great. Yeah. Again, so one of the things that we have been focused on here and have begun to develop is engaging. Let me talk about it sort of

external law community, and then the external non-law community. First, the external law community. Because traditionally there was not a strong focus on teaching leadership in law schools.

We have really a gap. [00:15:00] I mean notwithstanding the datum that we've, again, mentioned now a few times of how often lawyers go into leadership positions. That's not based on training and expertise, right? It's based on where they are and relative the comparative advantage they enjoy. If we can do a better job with our law students, we will situate them for success in that regard, but what about all the lawyers who already out there?

We have been talking to, we have engaged at A&M with a lot of sort of law firms [00:15:30] and other sort of legal shops of gatherings of lawyers, offices, public lawyers to talk about what are the leadership skills that the mid-career folks or maybe early mid-career folks don't have that we can help develop programs and those programs could take the form of executive education type things. It's a one-off one-day or two-day or three-day program.

It can take the form of certificates that might be offered and we're exploring all of those. But really, I think there's a huge opportunity there for law schools [00:16:00] given our systematic thinking about this and our expertise in education and training to add value to legal practice. But then that extends very readily elsewhere. If you think about all the folks in leadership positions in heavily regulated industries whose skills of leadership do have a legal regulatory, et cetera, component to it.

We as law schools I think are distinctly well situated to be able to engage and offer value via to those institutions as they think about the leadership training they want to [00:16:30] provide. We may not provide at all. I mean they may want to look elsewhere to business schools and other sources for training in terms of the broader sort of leadership on, but there are significant elements of it that I think we as law schools are distinctly situated to provide. So similarly, we have engaged sort of a number of local member of the big Fortune 500 companies within close proximity to us to talk about the opportunities for the law school to be able to provide those kinds of programs.

Brad Toben: Are you finding a generally [00:17:00] receptive voice in the business community?

Robert Ahdieh: I think there is. It's worthwhile, again, so we should acknowledge sort of the limit, not the limitations, but the frictions. Too often, and I do think this is element of leadership as well. The folks in the business community think of lawyers as the people whose job it is to tell them what they can't

do, right? As lawyers our job is to tell, "You can't do that. You shouldn't do that and if you do that, you will definitely go to jail."

Now, there is a place, I mean [00:17:30] that is part of the value add that we bring as attorneys to the table, however, it seems to me all of our law schools today, because it's the culture of legal education today, are in the business of thinking how do our graduates add value, right? How do they contribute to more robust, broader, more comprehensive thinking?

So if there's any resistance, it's not to the idea that law schools don't have the opportunity, don't have something to contribute, it's this often they will have a visceral [00:18:00] instinct of what it is that lawyers do and they don't want more of that, right? The extent to which we convey, this is what we are doing with our law students.

I talk about we have a 1L Program in leadership. A required 1L Program in leadership in A&M. I talk about that. I now have their attention and they get the idea that we are trying to do something different there, and then it becomes that much easier to engage them about the opportunities to offer training and education to their non-law folks as well.

Brad Toben: Bobby and [00:18:30] April, speaking of models for leadership development, are you aware of any significant movement in any other disciplinary area that would be akin to that we're seeing within the context of legal education?

April Barton: I'll just say that leadership is interdisciplinary. I think law is a little bit late to the game if I may say so. I think [00:19:00] it's imperative that we get to the game. I'm sure my fellow deans have had the experience, you go out to law firms, you talk to employers and we keep, trying to keep ourselves current and asking them, what more do we need to be teaching in law school?

You consistently hear that they are hiring, when they're hiring our graduates, they're sending them through things like boot camps and things like that where they're teaching leadership skills and the different [00:19:30] metacognitive competencies that I think we've been talking about how important those skills are, importance of self-awareness and emotional intelligence and resilience and all that good work. We want to make sure that we're being responsive to that.

Robert Ahdieh: I would echo that, April's point. The one thing I might add is that I do think in being behind, we have something valuable to add. So we can catch up, but it's worth noting that, again, others are also... We think of business schools oftentimes as sort of having been on the bleeding edge of [00:20:00] this 20 and 30 and 40 years ago. It's not that they've perfected

the science, but they've just been doing it longer. But actually if you look at med school curriculums, these days medical education increasingly if you look at least the more innovative medical schools, they're integrating in education and training and leadership into their curriculum, right?

It's not in professional education, generally, I think there is an awareness of the importance of this. I would say that, look, we have a contribution to make, obviously, to our students, but likewise to the business students [00:20:30] and to the medical students and to the engineers and so on and so forth.

Brad Toben: Thank you. Martin, I'm going to turn to you. I posed the question, what do you do when there's pushback? We're all deans, we have all experienced instances in which we have an idea or we have a point that we want to push and there's disagreement on the faculty, which, of course, I want to be quick to add is healthy, but how do we deal with that type of [00:21:00] reticence that we may find among colleagues in integrating leadership development into our curricula?

Martin Brinkley: Well, I think first of all and thank you so much, Brad, and everyone for letting me be a part of this. It's a real honor. I thought what I would do first maybe is just reflect a little bit on why the pushback exists, because I think if you understand its basis, you may have [00:21:30] some sense of what to do about it.

Let me say this is still something that I'm working through actively. I wouldn't say that I'm any kind of, I don't have any track record of winning over my faculty necessarily on this concept, we're still getting through it. But I think fundamentally as you reflected on this over the weekend. Yeah. I think there are basically two reasons why there is [00:22:00] pushback to leadership training in law schools.

The first one is that the best leaders are whole human beings. They are people who have deep emotional intelligence, they have wisdom and judgment that is derived from a combination of intellect, heart, and experience. The second is that isn't what law schools historically in, at least, in America [00:22:30] were set up to produce. If you look at law schools and their history beginning in the 1870s with Dean Langdale at Harvard. They really weren't set up to even produce whole lawyers, much less whole human beings.

They were basically set up to train people in a relatively limited set of analytical and communication skills that could turn out people for the profession who could reason, [00:23:00] write, and argue effectively. That's essentially what law school was for. Until the clinical education movement started to really get legs in the 1970s, law schools weren't

really concerned with student's ability to deal with complexity and ambiguity of facts, as Dean Dickerson was alluding to in her opening remarks in the last hour.

They certainly weren't interested in teaching students how to plumb the depths of the human heart, [00:23:30] which is at the very heart of leadership, at the core of leadership. So law schools never thought it was their job to do this. We thought if we did our part in inculcating a very limited set of analytical tools that the real world would supply everything else. I would say that that's overwhelmingly the experience. It's my personal experience having spent a long time in practice before I became dean and it's the experience of the alumni [00:24:00] and others that I talked to as well.

I also think a factor in the second piece that it isn't what law schools were set up to do has really got to be confronted. That is that the people who teach on law school faculties are overwhelmingly people who succeeded in that traditional form of law school themselves. Faculties hire faculties, at least, in the model of faculty governance that I'm familiar with [00:24:30] and the more traditional and candidly the more prestigious the school is the more likely it is that those who are doing the hiring are going to be motivated by the need to self-validate to some degree.

The skills that were alluded to I think by Dean Dickerson grades law review Coif clerkships all that sort of thing go very much into the sorts of people that we want to hire, because that is what we looked like to begin with. [00:25:00] What do you do about it when you encounter this kind of pushback? The pushback comes in a couple of forms.

The first is we don't have time to do this because we only have three years and we're already trying to do too much in the three years to begin with. That's the same sort of response that clinical education received in the '70s and the '80s and the '90s, and then, of course, the ABA said, "We simply have got to offer more of it." We have found [00:25:30] ways to do that.

I think the same thing is going to be true of leadership education. The pushback that I think is the easiest to counter, which I have encountered is, "This leadership stuff is just a bunch of soft skills. It's not hardcore intellectually rigorous content." That is just simply not true. The active study of leaders [00:26:00] and leadership was what education was from the time of Plato, really into the early 20th Century. There is a boatload of extraordinary literature going back centuries on this topic and plenty of examples as our presenters in the last hour were bringing to us from the present day.

One could almost spend three whole years studying nothing but this. That's fairly easy [00:26:30] I think to counter, particularly if you can get someone like Deborah to come in and help you candidly, because her stature is such that your faculties will respect that when you bring her in quite honestly. I have done that very deliberately. Giving copies of her books to every member of my faculty. That is something that I did last year.

The third thing that you get is an argument that, " [00:27:00] Well, we don't have the money or even if we do have the money, it would be better to use the money in hiring more faculty like me," or in some other of the dozen priorities that you might encounter from the school. I had an interesting experience myself, which is that I received a very nice gift to the school of unrestricted money a couple of years ago and had a dream of turning this into a leadership [00:27:30] program that would be woven throughout our curriculum for three years.

We have a couple of leadership courses, but they are taught largely, they're taught entirely by adjuncts and students do not have to take them. We actually had a faculty group that was working on planning this when COVID hit. Then, there was the murder of George Floyd and one of the things I heard in listening to various webinars [00:28:00] about diversity equity inclusion issues that I was taking lots of, as I bet lots of us have over the past several months was leaders need to be prepared to put real resources on the table to work on these issues.

So I went to our diversity equity and inclusion committee and said, "I'm going to give you a million dollars out of this gift and I'm not going to tell you what it needs to be used for, but [00:28:30] I'm just going to... I'll be one voice in the community, but if you see ways that this community needs to improve in DEI, here's the money to do it with." I hope that is a form of contributing to leadership education over time. At least, that's how I see it. That may be more than you wanted to ask, Brad, but I hope it's a little bit helpful.

Brad Toben:

No. Spot on. Spot on, Martin. In fact, I want to go back to your comment about the objection concerning this is a soft skill. [00:29:00] One of the themes that is commonly encountered in a context in which leadership development is being presented as a necessary tool set, as a necessary skill for lawyers and non-lawyers is that lawyers, or excuse me, leaders are either made or not.

You come with all the equipment by virtue of your personality, your natural aptitude, et cetera. [00:29:30] How does that play into the soft skills argument that may be put forth to deter the development of leadership training programs?

Martin Brinkley: Well, I'm not sure if this is a direct answer, Brad, but what I will say is this is what students desperately want in my experience. When I welcome our first year class, I do something every year. I hand out a 9x6 note [00:30:00] card and a pencil to everyone, and I say, "I'm going to give you one minute of silence to look down into your heart and ask yourself, why you are here? Then, I'm going to give you two timed minutes to write the answer. Do not put your name on the card. When you're done, hand the card to the end of the row and the cards will be collected and I will read every single card."

I have in my office stacks of these cards for every [00:30:30] class that has entered the school since I have been dean. I can tell you, this is what these students are absolutely desperate for. They want to make a difference in the world. It's the best way to put your dean's talks together for alumni. I just pull a stack of these cards up and there is the talk. This is absolutely why they are becoming lawyers in the first place.

Brad Toben: Thank you. Thank you, Martin. [00:31:00] So agreed. Martin, one more question for you. You had a long and distinguished career before the academy in the practice, how have your perceptions of leadership development programs and the need for the same changed, if at all, as you made that shift from the practice to the academy?

Martin Brinkley: Well, Deborah probably won't remember this, but I reached out to her by email a couple of years ago [00:31:30] to say that I felt it had taken me 20 years of active practice to acquire some basic modicum of these sort of emotional and skills of judgment that are the essence of leadership. It happened by serving in various roles in my church, by being president of the North Carolina Bar at one point and various other roles of the kind that lawyers play.

I found myself [00:32:00] thinking, "How much better would we all be if I could have learned certain basic skills while I was in law school?" It's a reason why I tell the students when I'm welcoming them in the first year. I said, "I have news for you. Only 10% of you are going to be in the top 10% of the class, but wherever you wind up, don't let our judgments of you in that narrow set of skills determine one single thing about your [00:32:30] belief in what you can accomplish down the road, because you have personal gifts that the world is going to value vastly, which we simply are not particularly well set up to value here."

I say, "If you're ever feeling unvalued, I beg you to make an appointment directly with me." That happens at times.

Brad Toben: I so agree with you, Martin. [00:33:00] There's a sort of caste system that develops in law schools in any particular class, you can see the cast system

developing usually over the first year, but with that, Gordon, I'm going to turn to you. You have many insights on how that can be countered through the use of leadership development and training. Let us know, Gordon.

Gordon Smith: Thank you, Brad. Thanks to everybody on this panel. Really honored to be part of the dean's panel and [00:33:30] I'm really grateful to Baylor Law for hosting this conference and I'd be remiss if I didn't thank Leah Teague for her leadership. Thank you for doing this.

I'm going to share a set of PowerPoint slides and see if we can talk through this a little bit. [00:34:00] Okay. That's not the screen I wanted to share. There's the screen I wanted to share. Okay. I've titled this Listening for a Change, but there's a few things in here I think might be helpful to advancing the discussion we've already had, which has been terrific. Love listening to all the deans talk about this.

[00:34:30] So most of my adult life, I have been known by the title of professor. One of the things that I realized about that recently is that a professor is somebody who dispenses wisdom, is a source of knowledge, original ideas, but the professor seems to be the one who's talking all the time, right? The professor is the one who's in front of the, [00:35:00] at least, our normal conception of this is the professor's the one who's in front of the class, sometimes I was asked to make predictions about things in my role as expert in corporate law about cases or deals or regulations or statutes.

I realized recently that this description of my job as a professor was a lot like popular conceptions of leadership, where leaders are expected to dispense some wisdom, be a source of knowledge, maybe make some predictions about the future. [00:35:30] People usually call that vision in the leadership context, but there seemed to be a lot of overlap. I've been thinking a lot about what is a leader?

So, of course, I did the natural thing. I went on to Google and I searched for leadership. I did an image search and this is the first image that came up in Google. I just wanted to ask you to look at this image and think who's the leader in this image? Oh. I'm sorry. I am sharing the wrong [00:36:00] screen. Got it. Hang on. Let me get back to my thing here. So you're seeing all my notes.

Yeah. Did I stop sharing? I thought I stopped sharing there and now it's not... There we go. Well, that's [00:36:30] not what I'm... I'm sure why I've lost control of the sharing function now.

Brad Toben: Gordon, actually the notes can be quite helpful.

Gordon Smith:

But I didn't want you to see it all. This is what happens behind the curtain. Yeah. Here we go. I think this is the screen I wanted. All right. When you see [00:37:00] this picture and, yes, who's the leader? My reflexive answer was that the leader is the person on the far left. The one pointing upward. It could be like a professor teaching the rest of the group something that they're seeing and pointing to that thing.

Alternatively, it occurred to me that the person who's pointing could be a student, maybe demonstrating that they can distinguish between Venus and Sirius in the early evening sky. [00:37:30] In this scenario, maybe the person on the far right is the leader and they're allowing all the students in front of them to take turns identifying celestial bodies or maybe the person is pointing to distract the group from its main purpose, maybe they're standing on the fringe of the conversation and they were diverting everyone's attention to a flock of Starlinks or a train of SpaceX Starlink satellites.

It's possible the whole pointing thing is just a ruse like made you look, but in this scenario, [00:38:00] perhaps the person in the middle is the leader. They've gathered everybody around for discussion and training, and now looking a little bit irritated that this person has drawn their attention away. My point is that you can't always tell who the leader is by looking at their position or even the person who's doing the most talking. That may not be what leadership is.

By the way, why am I assuming there's only one leader here? Why isn't it possible that each person in this photo [00:38:30] is a leader? For many years, we've been saying at BYU Law School that law is a leadership degree, but many of our students haven't been graduating with that mindset. So over the past few years, we've been trying to be a little bit more intentional about our leadership training and we've coalesced around a concept that we call inspiring leadership.

Under this concept, every member of the faculty, every member of the administration and staff has a leadership [00:39:00] role in helping our students to become inspired leaders. They are expected in turn to inspire others. We call this the whole building approach. Over the last few years, I've realized that becoming an effective leader isn't necessarily about talking all the time. In fact, I maybe need to change my job description and rather... Excuse me. Rather than being a professor, I need to be a listener.

[00:39:30] As a listener, I've tried to develop a new set of skills and here's a very different set of skills than the ones I usually practice as a professor. The primary goal as a listener is to see and feel as another, which is another way to describe a concept we often call empathy. When I do this

well, it makes sense, every aspect of my performance as a dean better. I hope to share just a [00:40:00] couple of thoughts about listening there.

I think most of you will recognize this as Bryan Stevenson, who is the author of the book *Just Mercy*. If you haven't read the book, I hope you will take my recommendation and take the time to read it. If you haven't, I hope you have at least seen the movie, which is terrific and portrays some of Mr. Stevenson's work on behalf of death row inmates.

When I read the book several years ago, I was moved by his description of the importance of getting proximate with [00:40:30] his clients. He wrote, "Proximity to the condemned and incarcerated made the question of each person's humanity more urgent and meaningful. Proximity has taught me some basic and humbling truths including this vital lesson that each of us is more than the worst thing that we have ever done."

So our inspiring leadership program is actually based on this very core principle that Mr. Stevenson articulates, which is that every person is [00:41:00] a value and worthy of respect. We strive to be a community that respects the entire range of human difference. This is a hard thing to do, in some communities harder than others. But just as this has motivated everything that Mr. Stevenson did as a law student and a lawyer, it's become the starting point for all of my thoughts about leadership.

Now, just a quick story about [00:41:30] how that might play out. From my own experience as dean, on March 11th of this year, I was sitting in a conference room in Sacramento, California. I was part of an ABA site team that was evaluating McGeorge School of Law and as part of that team we were concerned about getting home. I mentioned it was March 11th. Our itineraries were changing pretty rapidly and concerns over the novel coronavirus [00:42:00] were escalating, both at the school and in our homes. We were worried about getting there.

On the day we departed, in fact, I remember it was as I was boarding my ride to the airport, McGeorge announced that it would be suspending face-to-face classes for the remainder of the semester. They basically got through the site visit said, "Whoa. Okay. We're done doing face-to-face for the rest of the semester."

Fortunately, I made my way back to Utah. The next day I found myself in another conference room [00:42:30] where our law school dean's council was planning our, what then seemed inevitable transition to online teaching and later in the afternoon, we get the message from the university that the classes will be canceled for the next three days and the university would be going online the following week.

That afternoon, same afternoon that I got the email from the university, I got my first email from a student saying, "I'm worried about the effect of these changes [00:43:00] on my grades. Maybe we should go to pass/fail grading?" Well, I was worried about a lot of things. That wasn't really one of the things that first sprang to mind for me. I responded to the student that we didn't have any plans in that way, but obviously things were changing quickly.

The next day one of my associate deans reported to me that she had been stopped in a stairwell and told or asked if they could petition to have her course be graded pass/fail. We [00:43:30] could see this sort of rising interest in past fail grading and we decided, being the leaders that we were, that we were going to nip this in the bud. The following day, Saturday, we sent out an email to the law school saying, "We don't see any reason to make an exception. We're two-thirds of the way through the semester. We're going to go with our existing grading rules. We think it'd be unfair to people to change those rules midstream."

There you go. Solve that issue and on to [00:44:00] the next thing. Well, that was Saturday. By Monday, we were already deeply considering whether that was the right decision. We were hearing from all sorts of people, not just in our own community, but from other law schools that were thinking about this issue. By Tuesday, my associate dean was reporting that "the pass/fail movement is growing from a trickle to a wave, so we decided to pull our faculty."

What are they thinking about this? Of course, the faculty hadn't [00:44:30] been thinking at all about this or very little about this. At this point, and so we got all sorts of views on it and really no consensus among the faculty. We quickly formed an ad hoc committee of faculty with disparate views and I announced that appointment of that committee the next day in a faculty meeting. We had a town hall with the students and announced the appointment of the committee and said, "If you have views that you want us to hear, [00:45:00] let us hear those views."

The faculty committee worked on Friday, and then over the weekend and made a recommendation on Monday to go to mandatory pass/fail grading. On Tuesday, the faculty, we had an emergency meeting to consider it and we voted overwhelmingly in favor of the committee's recommendation.

Now, the thing that was so impressive to me about this is that we decided we needed to explain this to our [00:45:30] community. One of my faculty colleagues wrote the memo that we used to explain it. I was just so impressed and have come back time and again to this memo, which goes back to this, the idea articulated earlier that every person in the community is of value and worthy of respect.

He wrote this, I'll just read a couple paragraphs from his memo. "Our core beliefs enjoin us to love our neighbors as well as we love ourselves. They even [00:46:00] command us to love our enemies. They demand special solicitude for the least of these, the disadvantaged, the dislocated, the marginalized, the vulnerable. Those teachings sit uneasily in a world of competitive grading and class rankings. In most circumstances, however, we tolerate competition as a necessary preparation for the harshness of the legal market and the rigors of practicing law. We use grades to signal to prospective employers some of the things those employers would like to know, but [00:46:30] with respect to this semester, and in the circumstances of this crisis, we are confident neither that the signals are accurate nor that they are worth sending.

In ordinary times the kind thing to do is to prepare our students for the rough realities of an unforgiving world, but these are not ordinary times. We have concluded that this extraordinary crisis calls for a different approach. That approach departs from the utilitarian calculus. That is what will bring the most benefits [00:47:00] offset by the fewest costs to the most students, in favor of a narrower inquiry. How can we protect the least of these from unnecessary and unmerited harm?

We believe that mandatory pass/fail grading offers the best among imperfect answers to that narrower question. We realize that this requires sacrifices on the part of other deserving students and we are painfully aware of the negative impact today's decision might have on students who had hoped to improve their grades [00:47:30] this semester and who had worked hard to do so. Included in this group are students who faced personal and health challenges in previous semesters and whose grades suffered as a result of those challenges.

We deeply regret depriving these students of a chance to improve their grades or class standing. At the same time, they too are susceptible to the unforeseen impact of COVID-19, although today's decision deprives them of an opportunity, it also protects them against significant risks. We are not confident that our traditional grading [00:48:00] rules would serve even those students well and we are certain that traditional grading would not serve our most vulnerable students well."

Well, this has become sort of a touchstone for the last six months in our community as we've talked about decisions we need to make. We think about, "Well, what would the most vulnerable need us to do in this circumstance?" That I think is a form, an important form of listening. We've tried to implement this whole building [00:48:30] approach, not just by training people to be leaders, but by trying as leaders to model the sort of leadership we would hope our students would exhibit when they leave the law school.

What we do is we integrate all of these law school employees in a unified effort to mentor the students. We hold all employee retreats, at least, once a year. We train the employees of the law school in leadership skills. We also train our students at orientation, [00:49:00] and then throughout their three years at the law school.

Let me just say one last thing about listening. Our greatest challenge here has been to really make our aspiration to unite the community in a shared vision to make that a reality. I mean even the pass/fail grading had some dissenters and, of course, that was expected, although [00:49:30] I think that went down pretty well. I think just a last word, Brad, if I may. But we need to overcome, at least, in our community and I think in probably all our communities. Our natural tendency to exclude people who are different, particularly when difference is based on race, ethnicity, LGBTQ status or other really terrible problems in [00:50:00] our current society.

Over the past few years, we've done training of faculty staff and students on these issues like the other schools, other deans have mentioned. We have a diversity equity and belonging council and a director who's working with the administration to implement some programs along that line. We had a wonderful orientation this year for our 1Ls and for our 2Ls and 3Ls where we talked about collaborating across differences.

Later [00:50:30] this week, I'm going to do our kickoff session in a program we're calling Listen Together, which is where we are reading a series of works by black authors to just try to listen to the voices of black authors and better understand so that we can be better leaders. I hope that this will be something that we can build [00:51:00] on as a community and just wanted to put a plug-in since we all tend to think about, I think reflexively think about leaders as those who profess to think about leaders as those who listen.

Brad Toben:

Thank you, Gordon. Gordon, I appreciate your vulnerability in sharing your journey in regard to pass/fail grading. I think everybody went through that and I know I can speak for myself that my initial thoughts were very much redeveloped as [00:51:30] a result of the students and listening to their perspectives. I appreciate it. It was a rough road I think for every dean in every school across the country.

The statement by your colleague that you read, so cogent, so articulate. I'm going to go back just for a moment. BYU, like Baylor is a faith mission school. How has that played into your work leadership development? [00:52:00] In large sense, you've given us an insight into that, but I want to put the question to you more directly.

Gordon Smith: Yeah. I think it has really helped in terms of the notion that we emphasize, we often call it human dignity here. The idea that every person is of value and worthy of respect. I think one of the concerns we've had this summer is that we don't turn that teaching, which is foundational to our [00:52:30] faith and something that we have taught for a long time that it doesn't become a message that is sort of an all lives matter message, right? That it's not, and of course they do, but we've tried to refocus our community during this last time on the special problems confronting blacks in America and that's why our Listen Together [00:53:00] series is focused on black authors, not on other groups.

But we will eventually expand that in future years and already have plans to expand that to other groups, because the point is ultimately, to value every person in the community. I think it's a really challenging thing to do personally and as a community.

Brad Toben: Thank you, Gordon. Much appreciated. Lee, [00:53:30] you have had a distinguished career in the public sector and in the private sector and I could not help, but note from your biography that you have your priorities straight with regard to what public offices are more important than others. You list and explain your work as attorney general, and then almost as a reference note that you were also the lieutenant governor.

You see, of course, the importance of [00:54:00] lawyering. You come from the public square and without belaboring it, I'll note what we all know is that our country is suffering right now from a very deep divide. We do not see any clear path forward. We see only in inertia and deepening of the different perspectives that we have on a whole array of public policy issue.

I don't want to leave the law school environment and what [00:54:30] we've been talking about here directly, but then how can we bring to the table in our leadership development training and education of our law students perspectives on the public policy divide that we're experiencing in our nation right now?

Lee Fisher: Well, Brad, I want to begin by joining my colleagues in thanking you and Leah Teague and Stephen Rispol. I don't think anybody's mentioned yet, Ricky Lovecky. We see a picture of him and he's the tech guru. [00:55:00] Thank you behind the scenes for all the work you're doing. I want to say how much I admire and respect and appreciate my colleagues April and Bobby and Martin and Gordon, all of whom either directly or indirectly I've already learned from, not just today but in the past in developing our leadership program.

Answer to your question, Brad, a number of years ago I was moderating a panel at the Clinton Global Initiative and the subject [00:55:30] matter was the role of the public square in changing the world. Small question, right? Sitting next to me was the president of Iceland, Olafur Grimsson. He said something that got everyone's attention.

He pointed his finger at the audience of about 500 people and said, "The problem with you, Americans, as you spend too much time waiting for Washington." He [00:56:00] was prophetic and he's right. We spend far too much time as a society waiting for Washington, and although Washington is probably at its height of its dysfunction, I would argue that regardless of party, even regardless of who wins the November election. I think it's fair to say that Washington will continue to operate at a high degree of dysfunction.

What does that mean? It means that change happens from the bottom up. [00:56:30] The most effective change happens in the public square, the local public square, the community public square. That's where lawyers can actually make a huge, huge difference. When I talk about leadership, I begin by quoting John Legend who said that the future started yesterday and we're already late. If you think about it, that's exactly what's happening.

This is to me the compelling reason why we need to be doing everything we can [00:57:00] to teach our students, not just to be lawyers, but to be lawyer leaders. If you take all the information from the beginning of civilization until the early 2000s, and then you compare all that information, we generate the same amount of information today about every 48 hours, Monday to Wednesday, then we get from the beginning of civilization to the early 2000s.

When my son, Jason, graduated from college not [00:57:30] long ago, my wife, Peggy and I said to him, "What do you want to do with your life?" That seminal moment where we ask our kids, "Okay. What's next?" He said something to us that I would never have said to my children. I'm sorry to my parents in a million years. He said, "Dad, mom, what I want to do hasn't been invented yet." It's a new way of thinking.

I thought he was a genius, but then I realized that's all, this is all generation thinks that way too. In a way that's what we need to be thinking like. We're teaching law [00:58:00] students and training them for jobs that do not yet exist using technologies that have not yet been invented to solve problems that even the smartest people in this conference today don't even know our problems.

Now, we can look at that as a challenge, but I view it as an opportunity, but it means we need leaders who could look around corners, who can actually do what Wayne Gretzky said in that escape where the puck is going, not where the puck is. That's not something you learn in a typical law school class. It demands the kind [00:58:30] of skills that as April and others have said employers are telling us they desperately need. Study after study after study is showing that technical mastery as important as it is is not nearly as important as collaboration and critical thinking and decision making and scenario planning and all the kinds of things that we're seeing that Deborah Rhodey talked about that either been done well or not so well just in the last six to nine months.

That [00:59:00] brings us to law school. You asked the question earlier, Brad, can this be taught? I think one of the foremost leaders on leadership who's been studying this for a long time was Warren Bennis. I'll quote him he said the most dangerous leadership myth is that leaders are born. That there's a genetic factor to leadership.

That's nonsense he said. In fact, the opposite is true. Leaders are made rather than born. It seems to me we have an obligation [00:59:30] as professors, as deans, as lawyers to do everything we can to help our students see the future, to see the forest and not just the trees. I think it's fair to say that there, you may, some of you already know about this, but there's actually a new model of legal education that some of our faculty colleagues that five or six different schools have developed, which I can wholeheartedly endorse.

It's called the delta model 2.0. Some of you probably heard about [01:00:00] it. Basically, a new 21st Century legal professional competency model that says envision a triangle. For hundreds of years, we've been teaching on one side of that triangle and that is the law, the mastery of the law. Absolutely essential to legal education and being a good lawyer, but there are two other sides of that triangle that we have not done very well on.

One, of course, is big business and technology and big data and operations. [01:00:30] But the one that we're focusing on today has been the least neglected. That's leadership and personal effectiveness. That is the new delta model of legal education and all deserve, if not equal attention, significantly more attention than they had had up to now.

I would argue that in the public square, we have an obligation to produce leaders who can actually see the future, can predict the future, and even if they're wrong have [01:01:00] a number of different scenarios and contingency plans. That they can move and pivot no matter what's happening. Some call it adaptive leadership. I would argue that if we can

somehow view the public square as the place where we can change the world as lawyers, it's a model worth talking to to our students and to our faculty.

Brad Toben: Lee, oftentimes we look back over the last 15, 20 years, one thing that is cited as a reason [01:01:30] for law schools to look into developing leadership, education training programs is the fact that the presence of lawyers in the public square in Congress, for instance, in state legislatures across the nation has waned considerably. Why has that happened? Why are we in a situation which we look at the last couple of decades and in essence the legal profession has been more marginalized, whereas [01:02:00] if you go to earlier decades, if you go to the early part of our nation, in fact, the lawyers were the main movers.

Lee Fisher: Well, you're right. The majority of the directors of the constitution were not dentists or doctors or engineers. They were, in fact, lawyers with who had the same kind of legal education that we're focusing on today, perhaps a little bit different. I actually think that it's not necessarily waning, I just think it has to be viewed with the same kind [01:02:30] of equal prestige and working with a large law firm or viewing as part of the public interest imperative that when you're talking about being in the public interest and working legal aid or ACLU, also think about it actually going into the arena and either being appointed or running for elective office.

Actually, being in there because you, at that point, you're the closest to the levers of change you'll ever get. We all have a choice we can make in our lives. [01:03:00] We can either make change that is deep, but not particularly wide or we can talk about a change that is shallow and wide. The one thing you can do in public office is do both. You can make change that is both wide and deep. That's a unique opportunity to have. It doesn't happen too often in society, but really the only time you can do that unless you're a Nobel Peace Prize winner is to do it in the public sphere [01:03:30] and in the public arena.

Brad Toben: Certainly, it's doing well. Thank you, Lee. I would like at this point before we go to Q&A to invite any of our panelists to comment upon any of the issues or matters that we have thus far covered with gust.

Lee Fisher: Brad, may I just have one more thing before I, then I'll stop talking? That is I think each of us have referred, if we haven't I think we should, to some [01:04:00] of the components of our own programs. I want to begin by saying that I've learned a lot from Gordon Smith in his program, which I think is phenomenal. I've taken a look at April Barton's syllabus and the leadership course that I've taught for the last two years.

We have basically three components of our program. One is a leadership course that I've taught for the last two years. This year, I'm teaching a different kind of leadership course. I'm calling it How to be a Jedi Practitioner on the Star Wars analogy, and Jedi, [01:04:30] of course, refers to justice, equity, diversity and inclusion. Back to slide that April put up talking about the fact that the D in lead is diversity.

It's not talking about something separate from leadership as April said when you're talking about diversity. That's the focus of the course I'm teaching now, because I'm not an expert in any of those areas. I have brought in 23 faculty throughout our university, 10 of whom are in the law school and the rest are from all [01:05:00] throughout the university but truly interdisciplinary course. We're teaching not only law students, but also undergraduates and graduate students in colleges around the university as well.

We have a dean's fellows program as a number of schools do. I think that is a phenomenal program, but I want to go back to something that Bobby said, because to me our real challenge is to do what Bobby's doing. That is not just to have a dean's fellows program, but to have a required course that everyone must take, because we have an obligation [01:05:30] to all our students not just those who have been privileged to be selected as dean's fellows.

We also have a leader in residence program, where we ask community leaders who are in a different stage of their careers and can afford to spend some time, we give them an office. These days a virtual office, but before a physical office at our law school, they serve as leadership coaches to our students, they get us lecture, they spend three or four times as much time as your average active alumnus.

Then, finally, we also have [01:06:00] a program that in many ways I think is key and that I should... I'm sorry. I should argue, I should have mentioned we also have a donor like Martin said that Kelly Tompkins, who has donated a significant amount of money to make sure that this program happens. The three elements are the leadership course, the dean's fellows program, and the leader in residence program.

Martin Brinkley: May I say one thing?

Brad Toben: Yes, Martin.

Martin Brinkley: [01:06:30] This is really, I was listening to Gordon with great interest in his remarks about the past/fail decision, which I certainly dealt with as well. You were commenting I think, Brad, that both Baylor and at your school and Gordon school are faith-based institutions. In explaining my

decision to go to pass/fail grading, I wrote [01:07:00] a letter to our community that meditated on something that has been important to me in my life recently, which is the subject of unearned grace or unmerited grace.

What I wrote to my students, I said, "If you are angered or frustrated by this decision, because you believe that it has deprived you of the ability to achieve in the way that you would like, [01:07:30] remember that the classmate who benefits today from this decision may wind up being the judge who grants you a continuance when you have a family member who has died or you have a new child, you're welcoming a new child perhaps this will be the law partner who sustains your income when your own practice is rocky, you just don't know what life is going to [01:08:00] bring to you and while we're a public institution, obviously, with no overtly religious purpose, this subject of grace and looking at life as a long trajectory I think was something I was trying to get across to our students around that decision and Gordon's comments just made me reflect on that again.

Brad Toben: So agreed [01:08:30] and very apt observation. I'm not at all trivializing what you just said, but Forrest Gump, we know from the movie, life is like a box of chocolates and yes, and we're all in need of grace at various junctures and most junctures are so often unanticipated and the grace comes from quarters that we never would have suspected. Well said.

Gordon Smith: Can I jump in on the tail end of that? First of all, thank [01:09:00] you, Martin. That was great. I'll just say that immediately on the heels of that decision we, of course, I think all of us who were deans at that time and the audience and all of you, of course, it was like one thing after another, right? We're just like, I mean you sort of go online and you've got to deal with online exams and you've got this question of the grading rules, and then, of course, your third year students are wondering about the bar examination and second years are wondering about their summer internships.

It was [01:09:30] just a whole bunch of things happening all seemingly simultaneously. One of the things that came up right on the heels of that pass/fail grading decision was the discussion of the diploma privilege for the bar and our Supreme Court had expressed an interest in the diploma privilege even before COVID-19, which was surprising to me. I am from Wisconsin, I taught at the University of Wisconsin. [01:10:00] I'm a fan of diploma privilege.

I was surprised that there were fans outside of Wisconsin, so when we resolved the pass/fail grading, we went immediately into that other thing and this discussion we had about the most vulnerable students, about the

students who were struggling during this initial phase of the pandemic became sort of the centerpiece of that discussion about the diploma privilege. The court really responded to that and said, "We need [01:10:30] to do something." It's not that every student needs the following privilege or that becomes the focus for everyone, but we need to help these students who are struggling.

Then, on the flip side they were worried, of course, about the public interest. There were so many problems coming left and right from people in the public and worried about that. As part of Utah's order, they required, [01:11:00] the Supreme Court required 360 hours of supervised practice and many of our students spent some of those hours in some cases all of those hours doing pro bono work in Utah and we're now sort of cataloging that, but this was born out of this desire to just make sure that the most vulnerable members of the community were looked after.

I think it was really a perspective changer for a lot of people around more than [01:11:30] just a grade issue. It came up in that issue as well.

Brad Toben: Gordon, I must say the Utah solution to the bar exam problem was a wonderful example of thinking creatively and creating a benefit for untold numbers of folks who as you indicate, because they fall within the pro bono range that would not otherwise receive services. A good win all around.

Robert Ahdieh: Can I just talk on to that quickly? [01:12:00] That's again to me when we think about the content and that will be some of the discussion over the coming sessions we have at the conference. I do think this element of what does leadership mean in the sense of promoting creative solutions, getting people outside of their, this is the way we do things.

Frankly, we see both. Oftentimes, it's easiest to learn from the bad examples, right? We've seen that, right? Sort of amidst this pandemic, in this crisis, in legal institutions of all sorts, we have seen examples of bad [01:12:30] leadership. Sometimes in the form of rudimentary bad leadership, but oftentimes in the form of rigidity and oftentimes in the form of lack of empathy and all of the values really that we know to be part and parcel.

So when we think about the content of these programs, whether for our own students or others, I think that comprehensive take makes it clearer and clearer why these are essential. They should be part of our core curriculum as law schools rather than luxuries or add-ons.

Brad Toben: [01:13:00] Thank you, Bobby. We have a question from the audience. The question here acknowledges that this topic has already been touched upon,

but specifically would like to know if you received, as a dean, pushback from leadership training initiatives and putting them in place, if you had one single talking point that you would use to counter the negative perception of [01:13:30] leadership training programs, what would it be? One single bullet point. Now, I'll kind of go around the circle here. I'm going to begin with you, April.

April Barton: Well, I don't know if I would keep it to one single bullet point, but I think just emphasizing we find ourselves in leadership positions. I think one of the other things that we haven't talked about is frankly, lawyers we make decisions that affect others every single day. I mean [01:14:00] just if you sort of let that sink in, we better understand leadership when our decisions are affecting not only our clients, but policy and regulation. It's incumbent. We have a duty to understand leadership, and so that's one of the areas.

Then, certainly when we talk about employers and just knowledge of doctrine and those traditional skills like courtroom skills and writing skills, it's just not enough these days in terms of competency and promotion decisions, and so [01:14:30] my single talking point would be leadership makes us better lawyers.

Brad Toben: Thank you, April. Lee?

Lee Fisher: I would say it's what our profession wants and what our society needs and we ought to be listening to them because they are our ultimate consumers in addition, of course, to our students.

Brad Toben: Thank you, Lee. Bobby?

Gordon Smith: Mute Bobby.

Brad Toben: Bobby?

Robert Ahdieh: I would just tag [01:15:00] on to exactly those, to Lee's phrasing of it. I would say if we fundamentally think about our mandate as institutions of higher education, law schools, in particular, but more broadly the universities we are part of fundamentally it is part of our duty to society, right? This is at the core of what it is that we are adding value on is training I think in civic education or even a liberal arts education broadly defined, we are training the leaders of future of our society for the future.

Brad Toben: Thank you, Bobby. [01:15:30] Martin?

Martin Brinkley: If I were answering the question from a member of the general public or a faculty member at another law school, I would give Lee's answer. If I were answering it to one of my own faculty members, I would say this. I would

frame it in terms of my own school and say this law school, the University of North Carolina School of Law has trained [01:16:00] 13 of the last 25 governors of the State of North Carolina. That's all the governors we've had since 1900.

This is simply who we are as an institution and it's critical to our identity. We furnish the leadership class of this state traditionally and it's what we have to keep on doing.

Brad Toben: Thank you, Martin. Gordon?

Gordon Smith: I'm going to confess that my first thought [01:16:30] when you asked that question, Brad, was here's a million dollars, but I don't have a million dollars to this, but if I did that would be a convincing argument to many in my community. I think what I would say is that when this law school was founded almost 50 years ago that the aspiration of the founders of the law school was that we would be a place of influence.

What is influence after all but leadership [01:17:00] and the difference between what we're talking about today and the law schools of a decade ago or two decades ago is that we're being more intentional about it. We're being more explicit about it, which I think is an important feature of any training program that you actually tell the people what you're training them to do, right? So that they can sort of get in the mindset that they're leaders.

When I graduated from law school [01:17:30] I felt like I was graduating to become a line worker in a law factory. I was going to be a really diligent worker bee in a very big law firm and that was sort of what I felt I had been prepared to do. I want our students to come out with some different vision of what they are prepared to do with their lives than I had when I graduated from law school. That's why I like [01:18:00] to teach leadership training.

Brad Toben: Thank you, Gordon. I have another question here. It is as a dean, have you made a concerted effort to develop funding. Have you requested in your philanthropic duties any type of support from alumni and what has been their reaction? I think that Martin and Lee, [01:18:30] Gordon's the million-dollar question, I think we've both gotten the million dollars, so I'm going to start with April.

April Barton: Absolutely. Very quickly at the beginning of my deanship, did a listening tour. We articulated three pillars. The second pillar of our vision here is leadership development. I think all the deans will share the experience that when you talk to alums, all of our alums they say, " [01:19:00] Oh my

goodness. 20 years into my journey in practice, I finally started getting my, reading a different literature and exposing myself."

By and large, alums get very enthusiastic and excited about the potential of integrating leadership studies into law school. So I think it's a very, and have started, I've started raising money in that area, so that we can do the types of things that we're doing.

Brad Toben: April, that's interesting. In my development work, I have noticed [01:19:30] over the years that when folks understandably get to that sixth or seventh decade of life they generally are looking to make an impact in something other than their billing timesheet. They look to have a broader and deeper impact.

April Barton: That's absolutely right. I think that they understand, we all understand leadership is a journey and it's a lifelong journey, but to instill these principles while [01:20:00] students are in law schools and that graduates can take with them into practice rather than sort of stumbling upon some of the literature and things like that. It's just such a valuable lesson, and then being able to...

We never get there. It's a lifelong journey and we never say, "Oh, I'm a leader." Prop my feet up on my desk and say, "Okay. I've gotten there." It's more of, it's an action verb, right? It's about leading and all the things we do to lead our organizations. Again, it's not just because you've hit a certain status in life.

Brad Toben: [01:20:30] Good point. There's no arrival point to the destination. Bobby and Martin, you had a comment.

Robert Ahdieh: Just very briefly I would say two quick things. First, I've never seen an area where peer-to-peer fundraising was more effective. So once one person is interested, I don't even tell them to do it, an hour later five others are interested. That's one thing I'd say. The other observation is that I know maybe this isn't number one for this, but it is one of the areas where I found the easiest [01:21:00] to go to someone with no affiliation with the university or let alone the law school, non-lawyer who is not a graduate of A&M and yet I can entice them about here's... Oftentimes in the community, here's the value we can add to the community by dint of building in this respect.

Brad Toben: Excellent point. Martin?

Martin Brinkley: To Bobby's point, the gift that I received was not from an alumnus or alum of the school, nor was it from [01:21:30] a lawyer. It was from a business person who felt that he had been well served by the relationship with the

lawyer that he and his company had enjoyed for many years. I couldn't agree more with April. This is an absolute win with alumni.

What I wanted to just suggest is if you're looking for ways to interest certain alumni in this, what I have found [01:22:00] is if you give them rather particular outcomes that you're trying to achieve, they sort of grab on to that. You give them a toe hold on the tree and here's what I mean. What I tell alums is I want my students to graduate prepared to serve on the board of a non-profit corporation by knowing enough about how to run meetings, read basic financial statements, understand the fundamentals of [01:22:30] nonprofit organization law that they can go out and serve immediately and effectively in that capacity.

Every lawyer is called upon constantly to play that role in his or her community. When you start talking about things like that, I remember I did a survey of my alumni. What is the course that you most wish you had taken in law school? The answer invariably was basic accounting.

Brad Toben: [01:23:00] Gordon, I believe you had a comment.

Gordon Smith: Well, I thought Lee had his hand up. I'm happy to defer if-

Lee Fisher: I'll go after Gordon. That's fine.

Gordon Smith: Okay. Well, on the fundraising question, by the way, Martin, I was an accounting major so I'm really happy to hear that, but I didn't take accounting in law school. On the fundraising question, we have what we call the council of inspiring leaders. I know we have an aspiring leadership program [01:23:30] and that's a donor council and our donors contribute.

Then, one of the things we said to them is that we want your time, not just your money. It's partly become a vehicle for mentoring the leadership fellows and other students in the law school. I think our alumni and friends of the law school, because they're not all alumni who participate in this are really excited about the chance [01:24:00] to interact with law students, have some influence over the law students. We invite them to participate in our annual leadership conference. We've invited some of them to speak in our annual leadership colloquium, and then we have an annual... Well, at least, we did before COVID-19.

We have an annual leadership study tour where the donors and the students and faculty go together and actually travel and study a great [01:24:30] leader in law. So two years ago, this last year we had one planned around women's suffrage. Two years ago we went to Washington DC and Baltimore and studied the life of Thurgood Marshall. These were

opportunities to sort of do a case study, if you will, with the alumni and the students and the faculty together.

Brad Toben: Wonderful. Wonderful idea, Gordon. That just underscores the fact that we learn from one another and [01:25:00] I want to compliment Leah for putting together a remarkable panel. April, Lee, Bobby, Martin and Gordon, you have blessed us mightily today with your perspectives on leadership. Leadership is what lawyering is and we, of course, add value not only to our students, but perhaps most importantly we add value to our students in leadership development so they in turn can add value to the many venues which they will serve as lawyers.

Thank [01:25:30] you each for being part of our panel today. I thank our audience for your engagement, and with that, we will adjourn for a brief break in the conference. Thank you so much.

Gordon Smith: Thank you, Brad.

Robert Ahdieh: Thanks, everybody.