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A MENTOR OF HER OWN

Lisa A. Kloppenberg

I have been a law school dean for only six weeks as I write this essay, so I cannot offer extensive wisdom from the decanal trenches. Nevertheless, as one of a small number of women deans at ABA-approved law schools and one of the youngest law deans, I can speak to the significant role mentors played in my choice to become a dean. I would not be Dean of the University of Dayton School of Law if it were not for the mentoring and support of numerous leaders in legal education. Many people have reached out to provide information and encouragement when I expressed an interest in becoming a dean. This group cut across generations. It included men and women who served as deans, former deans, associate and assistant deans, faculty members, ABA accreditation team members, AALS presenters, and organizations like the Women Deans Databank at Georgetown Law Center. I am grateful for all such support, but in this essay I seek to honor a particular mentor, Dorothy Wright Nelson.

Dean Nelson's story is important. She was one of the early female law deans and she demonstrated that a woman with a collaborative style could be a successful dean. Additionally, she shaped a vision of legal education that was quite prescient and continues to be appropriate for many law schools in the twenty-first century. I hope this modest contribution of a fledgling dean might inspire others, particularly women and people of color, to reach out and seek mentors, and to explore possible strengths they can bring to academic leadership roles, even if they do not fit a traditional model. I also hope this essay might inspire law deans and others in legal education to continue to shepherd newcomers, to share information about leadership opportunities with colleagues, and to provide leadership opportunities for them when possible.

A recent study of corporate leadership in the United States, Canada, and the United Kingdom highlights the importance of a role model or mentor for women executives. Women of color reported that having a mentor or role model was of primary importance in their success.¹ Mentors model successful behavior, share their positive and negative experiences, and provide important contacts or social capital needed for professional advancement. The *AALS Deanship Manual* lists over twenty-five tasks a modern dean must sometimes perform, such as mediator, fundraiser, or administrator. These tasks vary widely and sometimes conflict. Not surprisingly, there are many ways of achieving success as a dean. People bring a variety of personalities, skills and experiences to the job, offering combinations of strengths that might match the needs and visions of various institutions.

People say that Chief Justice Warren Burger looked like he had been chosen from central casting. Given his stature and distinguished countenance, he just looked like a Supreme Court justice was expected to look. I am certain that when she was

* Dean and Professor of Law, University of Dayton School of Law.

1. See generally SHEILA W. WELLINGTON, *BE YOUR OWN MENTOR: STRATEGIES FROM TOP WOMEN ON THE SECRETS OF SUCCESS* (2001).

named Interim Dean at the University of Southern California (USC) Law Center in 1967, Dorothy Wright Nelson did not look or act like a dean drawn from central casting. First, she was young—less than forty at the time. She had graduated from UCLA School of Law in the mid-1950s, worked with Dean Roscoe Pound on law reform, and had been a law professor at USC for only ten years at the time of this appointment. She was among a group that Dean Herma Hill Kay has termed the “Early Women Law Professors,” comprised of fourteen women who were full-time, tenure or tenure-track law professors (not including law librarians or adjunct faculty) between 1900-1959.² Like most of the early women law deans, she was an internal candidate. Until recently, few opportunities arose for women to be hired as external candidates. Nevertheless, a small group did prove themselves valuable leaders within their own faculties and became deans at their own institutions. Additionally, remaining at their own institutions is preferable for some women who are less mobile due to spousal employment or childrearing issues. The story of these early law deans is fascinating given the demographics of law schools three decades ago. While female students now comprise nearly half of incoming law classes, women in law schools and in the legal academy were more scarce in the late 1960s.

Dean Nelson was also different in that she was the mother of two young children and placed a high priority on her family. Her husband, James Nelson, was a lawyer and for many years served as a state court judge in Los Angeles. Together, they reared their children, practiced their faith, and were active in the local community.

Moreover, Dean Nelson’s style was quite unique. She was not authoritarian. Indeed, at first glance, she might not appear sufficiently tough to be a dean. She was extremely friendly, approachable, kind and solicitous of others’ opinions. She was inclined to serve and honor others, rather than be served or honored. She emphasized collaboration and teamwork, forging alliances between people with common interests. She was able to help faculty formulate a vision and then she worked tirelessly to engage prominent judges and lawyers with the possibilities and problems of the institution. Dean Nelson reached out to many constituencies, encouraging student involvement and spearheading new legal research centers which served students and the local community. I think I once heard Teddy Roosevelt described as a “locomotive in pants.” If that is correct, then Dorothy Nelson was a “locomotive in a dress.”

Dean Nelson worked during a turbulent period of civil rights struggles. The Watts riots were centered not far from the USC campus during her tenure. She was a spiritual person, an active Baha’i who brought her values to life in her daily work, actively promoting diversity, equality and respect for each person. She listened carefully and brought other people along on her initiatives, forming coalitions among diverse groups. People soon saw that she was tough in a less authoritarian way—she was ambitious, purposeful, persistent, optimistic and full of energy. For staff, it must have been quite a challenge to keep up with her ideas and initiatives.

Two years after her appointment as interim dean, Nelson was named Dean of the USC Law Center in 1969. She served in that capacity until President Carter

2. See Herma Hill Kay, *The Future of Women Law Professors*, 77 IOWA L. REV. 5, 8 (1991). See generally Herma Hill Kay, *Governing Justice, Locally and Nationally* (Yale Law School Conference on Women, Justice & Authority, April 2000) (unpublished manuscript).

appointed her to the U.S. Court of Appeals for the Ninth Circuit in 1980. She is currently a Senior Judge on that court. Nelson was an extremely successful dean and accomplished traditional tasks well. On the development front, she organized alumni and friends of the law school and encouraged varied rewards based on varied levels of giving. The law school's endowment grew from approximately \$500,000 in the late 1960s to more than \$6,000,000 by 1980. Annual giving increased from \$200,000 to \$850,000 per year in the same period. The national visibility of the law school greatly increased in her decade at the helm. The faculty grew from about a dozen to thirty-two full-time professors during this period. Faculty scholarship increased and more professors began to address inter-disciplinary issues. As Dean Nelson described it, they went from writing about cases to writing about broader social issues. USC recruited faculty members from prestigious law schools and within a decade, USC's faculty members were being regularly recruited by top tier law schools. Applications rose, from nearly 725 at the beginning of her tenure to 2,500 applicants by 1980. The pool's LSAT and GPA medians soared while diversity increased. Bar passage rates improved and by the end of her tenure, 80% of USC students passed. Thus, by many established measures, Nelson was an astounding success.

During her time as dean, Nelson continued to produce scholarship, authoring a casebook on judicial administration that focused on Alternative Dispute Resolution (ADR).³ She was active in the leadership of the American Judicature Society, worked with the Judicial Conference, chaired ABA and AALS committees, and acted as arbitrator in a disputed gubernatorial election. Nelson served on commissions for four presidents and undertook numerous community service activities. In 2000, she was honored by the American Bar Association for her lifelong work in promoting ADR.

But Dean Nelson is remarkable not just for being one of the first women deans of a major law school or for her collaborative style. It is her vision of legal education and the mission of a law school that is still worth thinking about. Given the issues we face today in the legal academy, she seems quite prescient. Under her leadership, USC formulated and implemented a vision of the "law center," an educational enterprise that served not only future lawyers, but many audiences. USC enhanced its CLE programs and 5,000 attorneys per year attended them by 1980. The ABA accredited USC's new paralegal certificate program, which trained 300 people per year by 1980. Jointly with the USC School of Public Administration, the law school established a program for Court executives leading to a master's degree in judicial administration. Other joint degree programs flourished—in social work, engineering and business. An LL.M. was offered and a joint Ph.D./J.D. program with CalTech was started. USC's emphasis on outreach and lifelong learning has kept it closely connected with many alumni and friends.

Nelson also championed clinical legal education, which USC had pioneered in the 1920s. Research and service centers were established, dealing with Dispute Resolution, Poverty Law and Legal Services for USC students. Like her innovative judicial administration course, in which law students went to courts, debriefed with

3. See DOROTHY W NELSON, *CASES AND MATERIALS ON JUDICIAL ADMINISTRATION AND THE ADMINISTRATION OF JUSTICE* (1974).

judges and visited prisons, through clinical education Nelson promoted student understanding of the broader context in which law was applied. She also took student concerns on campus seriously, hiring a Dean of Student Affairs and engaging in frequent dialogue with students.

In its scholarly initiatives, the Law Center was interdisciplinary. Nelson was extremely proud of faculty work in the areas of biotechnology and law social science research, environmental law, and law and economics. She started a visiting faculty exchange with foreign law schools and continually emphasized increasing integration of international issues into U.S. legal education.

Obviously, I am not a detached and impartial observer on the topic of Dorothy Wright Nelson. She has been an inspiration, a role model, and a source of strength for me. I met her as a student at the USC Law Center, in her course on judicial administration. I was fortunate to clerk for her on the Ninth Circuit, and she has continued to serve as one of my closest advisors on career choices. She has mentored many of us, particularly former students or former clerks in law practice, academia and the judiciary. She was among the first to nudge me into thinking about being a dean at a relatively young age. She not only bolstered my confidence in my ability to raise funds and make tough decisions; her example proved that a woman with a collaborative style and devotion to family could be a successful dean. Her vision of the "law center" with its collaborative emphasis on outreach, interdisciplinary scholarship, clinical and skills education is still compelling. The breadth of the "law center" venture, from its social policy concerns to its integration of international perspectives, is inspiring and will yield students who better understand the context in which the law operates.

I hope those of you who are deans make time in your busy schedules to mentor others. I hope some readers will be inspired to go find mentors like Judge Nelson and learn about leadership opportunities in the legal academy. The only drawback to having a mentor like Judge Nelson is that along with the inspiration and support come heightened performance expectations. If she could do this back in the 1960s and 1970s, what should we be able to accomplish today? I know I won't fill Judge Nelson's shoes, but I am honored to walk in them for a while. On tough days or with difficult decisions, it is comforting to remember Dean Nelson's bustling image and ask how she would approach a particular dilemma. And I know, if needed, I can always call on her for advice and perspective.

Thank you, Judge Nelson. So many of us are indebted to your vision, your accomplishments and your path-breaking example.