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Dean's Column

BY NANCY B. RAPOPORT, INTERIM DEAN AND GORDON SILVER PROFESSOR OF LAW

MONEYBOYD

In 2003, Michael Lewis published *Moneyball: The Art of Winning an Unfair Game*. *Moneyball* worked as a book, a movie, and an actual idea (with the Oakland As and, later, with other teams) because it focused on what was important. For baseball, it's winning. To win, a team has to get the most runs. To get the most runs, a team has to have the better "on base" performance. For a team with a very limited budget, the general manager has to pick a single metric and focus on it. Billy Beane, the General Manager of the Oakland As, didn't have the luxury of spending money on all fronts. To make the most of his budget, he had to focus on those undervalued players who had the highest probability of getting on base. His idea worked. And I believe that *Moneyball's* principles go far beyond the baseball diamond.

Moneyball is about thinking strategically and choosing the right focus. Our first two deans, John White and Dick Morgan, both did superb jobs, making the right strategic decisions throughout. Dick and our founding faculty got us from being a "twinkle in the eye" to a fully ABA-accredited law school, with full membership in the Association of American Law Schools (our scholarly organization), in record time. John had about a two-minute honeymoon before we experienced one of the worst recessions in history and yet he's done yeoman's work securing our financial future, working with the rest of our community to add talented faculty and staff members to our already strong ranks, and helping to guide us through a rethinking of our first-year curriculum. Now John is moving on to become UNLV's Executive Vice President and Provost. We're sad about losing him as dean, but we know that he'll do a great job in his new role.

As that traditional curse goes – "May you live in interesting times" – well, we are, and we know that you are, too. Legal practice has changed dramatically, and we're not likely to see a return to all of the old approaches to practicing law. We're at a pivotal point in legal education as well. Our students will be looking to us to help them find a way to adapt to this "new normal." We need to continue to provide our students with the right mix of analytical and communication skills, a deep understanding of substantive law and an ability to use law as one way – but not the only way – to solve

complicated problems. We also need to think creatively about how to adapt our strengths in this changing environment. For us to be able to make informed decisions, we'll need to do a fair amount of research on legal education and the practice of law. The good news is that we have a strong and growing alumni base and a significant amount of goodwill in the legal community. I'm sure that we'll be able to tap the knowledge of our friends near and far to help us in our decision-making. Figuring out how to adapt to the "new normal" will keep everyone at Boyd pretty busy.

This year will be busy for us in other ways as well. In addition to our dean search, we'll have our ABA site inspection. All ABA-accredited schools get a site inspection on a seven-year cycle, and our inspection will happen this fall.

But back to *Moneyball*. Our metrics are going to be different from Billy Beane's, of course. We'll have to figure out which ones are right for us, and we're likely going to have different metrics for different stakeholders. Here are the things that we're going to need to measure if we're going to "win," à la the Oakland As. (I know: they didn't win the series in their *Moneyball* year, but they got a lot closer to it by using metrics.)

- Are our graduates going out into the world with strong analytical skills, a solid ethical framework for decision-making, the ability to work with all sorts of people and in all sorts of teams, and the ability to communicate clearly and persuasively? Are they "in demand" as new graduates? As lateral attorneys?
- Do our faculty members have the resources necessary to fulfill all three of their obligations (teaching, research and service), and is their work visible and useful to their peers?
- Are our alumni committed to creating such a loyal network of contacts that they're willing to agree to respond to all (reasonable) requests to meet from our students and to try to help their fellow alumni

network? And are our alumni willing to commit to a 100 percent giving rate to show their support for the school? (I have been known to thank alumni for donations equal to the amount of a postage stamp if it helps us with our giving rate. If you'd like to give, one of the easiest ways is to go to foundation.unlv.edu/give.html. I promise to thank you for *any* amount that you choose to give.)

In sum, "winning" means that we've hit the top of Maslow's pyramid. We can look around and say that we've done everything that we can possibly do with the resources that we have to make us the best school that we can be. Everyone's engaged in top-notch work, and things are running smoothly. We're already a lot of the way there, and in the years to come, we'll get even closer.

It's an honor for me to serve as interim dean. We have a remarkable school, filled with talented, engaged and collegial people. Here's to preserving the best of what we have and finding even more ways to be outstanding. ■

PROFESSOR NANCY RAPORT is interim dean and Gordon Silver Professor of Law at the William S. Boyd School of Law. She joined Boyd in 2007 after serving as dean of the University of Nebraska College of Law (1998-2000) and the University of Houston Law Center (2000-2006). Professor Rapoport began her academic career at The Ohio State University College of Law. Before joining the faculty at Ohio State, she practiced law at Morrison & Foerster in San Francisco and clerked for the Honorable Joseph T. Sneed of the United States Court of Appeals for the Ninth Circuit. Professor Rapoport is a graduate of Stanford Law School and Rice University. She is admitted to the bars of the states of Nevada, California, Ohio, Nebraska and Texas, and of the United States Supreme Court.

Professor Rapoport's specialties are bankruptcy ethics, ethics in governance and the depiction of lawyers in popular culture. Among her published works are *Enron and Other Corporate Fiascos: The Corporate Scandal Reader 2d* (Nancy B. Rapoport, Jeffrey D. Van Niel & Bala G. Dharan, eds.) and *Law School Survival Manual: From LSAT to Bar Exam*, co-authored with Jeffrey D. Van Niel. Professor Rapoport is a member of the American Law Institute, and a Fellow of the American Bar Foundation and the American College of Bankruptcy.