

# A SEAT AT THE TABLE: ADVANCING, LEADING, AND DEANING WHILE BATTLING PRESUMED INCOMPETENCE

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*Leticia M. Diaz\**

## ABSTRACT

*As the longest-serving Latina law school dean in the country, I was overjoyed to participate in the Inaugural Graciela Olivárez Latinas in the Legal Academy (GO LILA) Workshop in the summer of 2022. This article is about my career path, some of the challenges I faced that women of color in the legal academy still face, and my experience working on the GO LILA Workshop Planning Committee alongside several brilliant Latina law professors, to help make this virtual event happen. I collaborated with Professor Raquel Aldana creating and researching questions about the state of Latinas in legal education for a Kahoot! game at our opening icebreaker session, and then I led the discussion 'A Seat at the Table: Advancing, Leading, and Deaning' with Dean Jennifer Rosato Perea, the first-ever Latina law school dean.*

*Interacting with so many fellow Latina scholars at the GO LILA Workshop made me nostalgic about my own career. This article describes how I started as a young professor at the school that would become the Barry University Dwayne O. Andreas School of Law, established my competence, proved my commitment, and rose through the ranks until I became dean in 2007, serving in that position and championing diversity ever since. This article also discusses the foundational anthologies *Presumed Incompetent: The Intersections of Race and Class for Women in Academia*, and *Presumed Incompetent II: Race, Class, Power, and Resistance of Women in Academia*, and how they spoke to me and so many other women in our field, putting our challenges and career obstacles into words and making us feel like we weren't alone. The Inaugural GO LILA Workshop helped strengthen our bonds and our community as well, and I hope our discussion at the workshop and this article will remind Latinas and other women of color in the legal academy to consider me a mentor and an ally, particularly if those professors wish to serve as administrators and deans.*

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\* Leticia M. Diaz, J.D., Ph.D., Dean and Professor of Law, Barry University Dwayne O. Andreas School of Law; J.D., Rutgers University School of Law, Newark (1994); Ph.D. (Organic Chemistry), Rutgers University, Newark (1988). Member of the New Jersey and Florida Bars. Special thanks to Terri Day, our Associate Dean for Student Affairs, for her keen editor's eye, and to Louis Rosen, our Assistant Dean for Faculty Development, Compliance, and Diversity, who was an essential part of helping me plan the Inaugural GO LILA Workshop and edit this article. I must thank Professor Maritza Reyes for helping me focus and fine-tune my thoughts in this article, for providing edits and suggestions, and for being the guiding light behind the Inaugural GO LILA Workshop. And finally, special thanks to Gabriella Gutiérrez y Muhs, Yolanda Flores Niemann, Carmen G. González, and Angela P. Harris, the editors of the hugely influential anthologies *Presumed Incompetent: The Intersections of Race and Class for Women in Academia* and *Presumed Incompetent II: Race, Class, Power, and Resistance of Women in Academia*, and all the authors who contributed to both volumes, which I reference and cite throughout this article.

After an unprecedented, worldwide pandemic disrupted our professional and personal lives, in 2022 we sought a return to normalcy. Our lives and routines would forever be changed, and we found ourselves frantically searching for safe workarounds that would return us to the status quo. After our law school's rather forced adaptation to a hybrid model, we returned to campus for the Fall 2021 semester. After too many months of Zoom meetings and isolation, I craved comfort, connection, and community.

I found such a community in the Inaugural Graciela Olivárez Latinas in the Legal Academy (GO LILA) Workshop, the first of hopefully many annual workshops for Latina law professors and administrators to share ideas and best practices, offer mentoring and support, and bond despite the miles between us. I was so excited to be selected to join the inaugural planning committee: a group comprised of established Latinas in the legal academy. I do not recall any other organized networks for Latina law faculty and deans in the years and decades since I started my career. Nonetheless, I had a strong feeling this workshop would create the necessary opportunities for networking, mentoring, career guidance, and personal bonding that had been missing and were long overdue. The importance and excitement of this new initiative encouraged me to volunteer however many hours it took to help bring it to fruition.

I was the only current dean on the GO LILA Workshop Planning Committee,<sup>1</sup> and even though I have many responsibilities and obligations to my school, this unique opportunity was too important to decline and too personal to sit out. This was the archetypal “offer I couldn't refuse”—not when we could be creating a real legacy to help present and future colleagues. From the start, I was 100% engaged and committed to the workshop's success because it is not often one gets the chance to work on the foundation of a history-making movement.

I already knew some of my colleagues on the planning committee, but not all. I wanted to bolster these friendships and build new ones as we collaborated to plan this inaugural workshop. It was a truly rewarding and inspiring experience; one that got me reminiscing about how I arrived in my current role as dean of a mission-oriented law school focused on social justice, diversity, and equity, among many other goals.<sup>2</sup>

Barry University Dwayne O. Andreas School of Law is a Catholic law school located in multicultural Orlando, Florida.<sup>3</sup> It accepted its first class as the University of Orlando in 1995, and in 1999, it was purchased by Barry University, a Catholic university in Miami Shores founded in 1940 by

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<sup>1</sup> *Planning Committee*, 2022 INAUGURAL GRACIELA OLIVÁREZ LATINAS IN THE LEGAL ACADEMY (“GO LILA”) WORKSHOP, <https://conferences.law.stanford.edu/go-lila-workshop/committee/>, archived at <https://perma.cc/8SLU-YJ8Y>.

<sup>2</sup> See *About Barry*, BARRY UNIVERSITY SCHOOL OF LAW, <https://www.barry.edu/en/about-barry/>, archived at <https://perma.cc/49B9-UM6V>.

<sup>3</sup> *Id.*

Adrian Dominican nuns.<sup>4</sup> The Adrian Dominican sisters have a strong belief in social justice,<sup>5</sup> and they made a powerful impact on both my personal and professional life.<sup>6</sup> Their beliefs formed the foundation of who we are today and continue to inspire the philosophy of the university and the School of Law. Those beliefs and values were also present throughout the planning of the GO LILA Workshop.

Our tireless Planning Committee Chair, Professor Maritza Reyes, was the one who proposed naming the Inaugural Graciela Olivárez Latinas in the Legal Academy (GO LILA) Workshop after Professor Graciela Olivárez, the first Latina law professor in the United States.<sup>7</sup> When I learned more about Professor Olivárez, who had taught at the University of New Mexico School of Law from 1972 to 1975,<sup>8</sup> I had no idea how much her trailblazing indirectly impacted my life and the lives of my fellow GO LILA Workshop attendees. I have a background in organic chemistry and went to law school after earning my Ph.D., then made my way into academia after earning my J.D. As a founding faculty member (and the first and only Latina professor at our school in 1995),<sup>9</sup> I did not realize at that time how monumental it was for me to be starting my career ninety-nine years after the first American women began to teach law students in the United States.<sup>10</sup>

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<sup>4</sup> *Barry University Dwayne O. Andreas School of Law*, LAW SCHOOL ADMISSIONS COUNCIL, <https://www.lsac.org/choosing-law-school/find-law-school/lm-and-other-law-programs-us-canada/barry-university-dwayne-o>, archived at <https://perma.cc/7WX5-8K77>; *Dominican Life at Barry*, BARRY UNIVERSITY SCHOOL OF LAW, <https://www.barry.edu/en/division-of-mission-and-student-engagement/campus-ministry/dominican-life-at-barry/#:~:text=the%20Dominican%20Sisters%20and%20Friars,together%20comprise%20the%20Dominican%20family>, archived at <https://perma.cc/XLB6-MC9L>.

<sup>5</sup> *See Engaged in the Mission*, ADRIAN DOMINICAN SISTERS, <https://adriandominicans.org/Justice-Peace-Creation/Engaged-in-the-Mission>, archived at <https://perma.cc/KE5M-NNXA>.

<sup>6</sup> *See Mission and Vision*, ADRIAN DOMINICAN SISTERS, <https://adriandominicans.org/Our-Mission/Mission-and-Vision>, archived at <https://perma.cc/F5GF-Q95H>.

<sup>7</sup> DEAN MALDONADO CO-FOUNDERS LATINA LEGAL ACADEMICS GROUP NAMED IN HONOR OF GRACIELA OLIVÁREZ, SETON HALL LAW (Sept. 13, 2022), <https://law.shu.edu/news/dean-maldonado-co-founders-latina-legal-academics-group-named-in-honor-of-graciela-olivarez.cfm>, archived at <https://perma.cc/4WVS-XEXB>.

<sup>8</sup> Henry P. Weihofen, *History of the Law School 1947–1987—University of New Mexico School of Law 128* (1987) (unpublished manuscript) (on file with author).

<sup>9</sup> *See Leticia M. Diaz: Biography*, BARRY UNIVERSITY SCHOOL OF LAW, <https://www.barry.edu/en/c-vitae/professors/leticia-m-diaz>, archived at <https://perma.cc/SU99-LW3A> [hereinafter *Diaz Biography*].

<sup>10</sup> Catherine J. Lancot, *Women Law Professors: The First Century (1896–1996)*, 65 VILL. L. REV. 933, 934–35 (2020) (“The first American women to teach law students were Ellen Spencer Mussey and Emma Gillett, who began training a handful of women in Mussey’s District of Columbia law office in 1896”). This was an interesting, insightful, and inspiring article about the history of our predecessors in classrooms and deans’ suites, from the 2019 Norman J. Shachoy Symposium on Gender Equity in Law Schools. Professor Lancot had the tremendous idea to create a definitive overview and chronology of the history of women in academia to show the progress they made against unequal treatment, but also to demonstrate how much more progress is still required. I would love to see someone write a follow-up article covering the history of women of color law professors, which would cover much more recent history, but could go into so much additional detail.

In 1896, Ellen Spencer Mussey and Emma Gillett started teaching three female students at Mussey's Washington, D.C. law office.<sup>11</sup> After existing law schools in the area refused to join forces with these trailblazing women, they gathered more students and founded the Washington College of Law in 1898.<sup>12</sup> Washington College of Law became the first law school to be founded by women, to graduate an all-female class, and to have a female dean.<sup>13</sup> Mussey was the first dean; and when she retired in 1913, Gillett was her successor, serving as dean for the following decade.<sup>14</sup> It was never my original plan to follow in their footsteps. However, career paths can lead to unimaginable places if one is flexible and willing to take chances, just as Mussey and Gillett did. They were not impeded by taking risks nor by the fear of failure, just as Professor Olivárez was not. I would like to think I am in the best company.

My becoming dean was a process, not the achievement of a clear, intentional goal. At the time I started teaching law in 1995, there were no Latina law deans,<sup>15</sup> so it was not a goal to which I consciously aspired. At this then-new school, I taught many courses, including but not limited to Workers Compensation, Torts, Products Liability, Environmental Law, and Legal Research and Writing, and I was instrumental in starting the Environmental and Earth Law Clinic.<sup>16</sup> In addition to focusing on teaching and scholarship, I always worked hard to help with the administrative duties and challenges of a budding new law school.

In 2002, the president of Barry University and the dean of the law school asked if I would consider serving as Associate Dean for Academic Affairs. As a Latina, I was raised to be cheerful, helpful, and obedient, so I never even considered saying no. From 2004 to 2007, I served as the Associate Dean for Academic Affairs,<sup>17</sup> continued to teach, and juggled taking care of my husband and our two children. Once I was promoted to dean in 2007, I

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<sup>11</sup> *Id.* at 937–38.

<sup>12</sup> *Id.* at 938.

<sup>13</sup> *Id.* Though Washington College of Law was founded as a co-educational school, the one man in that inaugural class dropped out. However, it is regrettable, and perhaps unsurprising, that as progressive as Washington College of Law was for its time, it restricted admission to white students. *Id.*

<sup>14</sup> *Id.* Female deans continued to serve at Washington College of Law until 1947, and the school merged with American University in 1949. See *Former Deans*, AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW, <https://www.wcl.american.edu/impact/history/former-deans/>, archived at <https://perma.cc/8FJY-L3AP>.

<sup>15</sup> Jennifer Rosato Perea, *Roundtable on Intersectionality and Strengths and Challenges in Leadership: Reflections on Eleven Years as a Latina Dean* (emphasis added), 23 U. PA. J.L. & SOC. CHANGE 51, 58 (2020) (Jennifer Rosato Perea became the first Latina (interim) law school dean at Drexel University Thomas R. Kline School of Law in 2006, six months before I became dean at Barry). See generally *Jennifer L. Rosato Perea*, ROSENBLATT'S DEANS DATABASE, <https://lawdeans.com/profile.php?id=679>, archived at <https://perma.cc/2834-HGDL>.

<sup>16</sup> *Diaz Biography*, *supra* note 9.

<sup>17</sup> See, e.g., Leticia M. Diaz, *The Lack of Mold Legislation: A Recipe for Disaster*, 13 MO. ENVTL. L. & POL'Y REV. 72, 72 (Spring 2006) (author's footnote shows Associate Dean status).

never looked back.<sup>18</sup> In fact, I have barely had a chance to stop, take a breath, and reflect on it all, until now. I am grateful every day to have had these opportunities and experiences.

I collaborated with another GO LILA Workshop Planning Committee member, Professor Raquel Aldana, on researching the state of Latinas in legal education for a Kahoot! quiz game to play during the workshop social hour. The GO LILA Workshop Kahoot! game was a successful icebreaker that also served the purpose of shining the spotlight on many of our accomplished colleagues. However, the game also identified some deficiencies and highlighted that we need to do much more with respect to encouraging more Latinas to enter the legal academy and continuing to support them throughout their careers.

Our questions informed the attendees that Jennifer Rosato Perea was the first Latina-identified dean in U.S. legal education,<sup>19</sup> and I happen to be the longest-serving Latina-identified law dean.<sup>20</sup> There were six current Latina-identified deans at U.S. law schools, with an all-time total of eight Latina-identified law deans.<sup>21</sup> Given the long history of legal education in the United States, those numbers are far too low, but part of the point of the GO LILA Workshop was to encourage more Latina law professors to consider careers in administration and know they have a support system in place, so more Latina law deans can follow our footsteps in the years to come.

We revealed that the GO LILA Workshop Planning Committee identified and invited over 170 professors to the workshop, and about seventy-four registered to attend. It was an elite group of some of our best and brightest, and it felt like the start of something truly special to get everyone together, even over Zoom. The activity inspired our participants and helped end the first day of the Inaugural GO LILA Workshop on a note of positivity, solidarity, and friendly competition, setting the collegial tone we sought from the beginning.

On the second day of the Inaugural GO LILA Workshop, Professor Laura Padilla and I led the plenary session ‘Identifying and Overcoming Presumptions of Incompetence for Latinas in the Legal Academy.’ As part of

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<sup>18</sup> See, e.g., Leticia M. Diaz, *Chemical Homeland Security, Fact or Fiction: Is the U.S. Ready for an Attack on Our Chemical Facilities - An Examination of State and Federal Laws Aimed at Immediate Remediation*, 56 CATH. U. L. REV. 1171 (Summer 2007) (author’s footnote shows dean status).

<sup>19</sup> Rosato Perea, *supra* note 15.

<sup>20</sup> See *Length of Service - Current Deans*, ROSENBLATT’S DEANS DATABASE, <https://lawdeans.com/results.php?s=4>, archived at <https://perma.cc/3WBM-JA4H>.

<sup>21</sup> See *Deans by Ethnicity and Gender*, ROSENBLATT’S DEANS DATABASE, <https://lawdeans.com/results.php?s=15>, archived at <https://perma.cc/XG8N-RUR9>. As of the time of the workshop in June 2022, the six currently serving Latina law deans were myself (Barry University Dwayne O. Andreas School of Law), Katherleen Guzman (University of Oklahoma College of Law), Jenny Martinez (Stanford Law School), Vivian Neptune Rivera (University of Puerto Rico School of Law), Christiana Ochoa (Indiana University-Bloomington Maurer School of Law), and Jennifer Rosato Perea (DePaul University College of Law). Fellow GO LILA Workshop Planning Committee members Rachel Moran (University of California Los Angeles School of Law) and Maria Pabón (Loyola University New Orleans College of Law) are former Latina law deans. *Id.*

that plenary session, I became a bit personal and nostalgic when I weighed in on my own career during the discussion ‘A Seat at the Table: Advancing, Leading, and Deaning’ with my colleague Dean Jennifer Rosato Perea, the first-ever Latina law school dean.<sup>22</sup> It was refreshing to find that she and I had quite a bit in common in the world of deaning, and not just because we were both Latinas. I am sure Dean Rosato Perea and I have crossed paths at professional conferences over the years, but I was happy to finally get to know her better during the GO LILA Workshop after all this time.

Deaning is a year-round, non-stop job that is physically, mentally, and emotionally challenging, yet ever so rewarding. It has been an incredible journey steering the ship through multiple American Bar Association (ABA) site visits (including one coming up in the fall of 2023), a pandemic that required a quick pivot to remote instruction, followed by a return to campus with the challenge of keeping everyone healthy and safe. It is amazing what one can accomplish when one is surrounded by great people, and when circumstances do not afford a choice.

I am a lifelong learner, and my career has been an intense learning experience. I cannot say it was always easy or fun, but the challenges were always rewarding. I worked so hard to get ahead and stay there, inspired by my parents, with whom my sister and I immigrated from Cuba to New Jersey as toddlers. My inspiration to attend law school emanated from my father who was in his final semester of law school when he had to leave Cuba. He never had the opportunity to finish his J.D.; all my work in the legal academy honors him. My mother worked as a librarian. In me she instilled a love of research, the importance of citing my sources, and the grace to thank those who helped me along the way. I have carried her teachings with me throughout my career, first as a scientist, then as a lawyer and scholar, and now as an administrator.

When I was asked to become dean, I accepted without considering the hurdles and challenges that a Latina dean would need to overcome. Being a dean had not been one of my career aspirations. As a law professor, I enjoyed the flexibility and satisfaction of directly working with students. I was also able to spend more time with my family prior to accepting the deanship. Once I accepted the position as dean, even though my children had to stay in after-school care much longer, everyone understood I was doing something for the greater good, that would ultimately help us and would make a much larger impact for the school and our community.<sup>23</sup> Along the way, like so many of the brilliant and dedicated women of color who I am proud to call colleagues and friends, I have been presumed incompetent because of my gender, my ethnicity and race, and even my name. I have been presumed incompetent because I am a Latina.

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<sup>22</sup> Rosato Perea, *supra* note 15.

<sup>23</sup> My daughter, who is a law professor herself, still recalls those long afternoons in after-school care with a bit of acrimony, but she understands and appreciates what I did now more than ever.

Presumed incompetence is a blanket term that encompasses the personal and institutional racism, sexism, and classism that women of color face in academia, often by privileged gatekeepers who may be fellow professors, department heads, deans, or even students.<sup>24</sup> Latinas and other women of color are seemingly obligated to keep our heads down, keep quiet, and work harder than everyone else (often for less money) to prove ourselves.<sup>25</sup> I have felt in the past that merely questioning the system, or for simply pushing back, I could have been stereotyped as not being as collegial, social, outgoing, open, or “fun” with our colleagues. We Latinas may face doubt, distrust, and constant microaggressions that can slowly chip away at our self-confidence.<sup>26</sup> At times, we may feel that the new ideas we propose are not acknowledged or taken seriously unless someone else of privilege articulates the same idea.<sup>27</sup> At least for me, this can lead to feelings of frustration, self-doubt, and demoralization. Attempting to maintain the respect I have worked hard to earn from everyone associated with our school, I still find myself doubling my efforts and workload, exhausting myself in pursuit of perfection.

While my time as a younger Latina law professor and then as a Latina law dean certainly has had its challenges and difficulties, it has also been rewarding. Everyone’s journey is different, but mine may sound familiar. I was grateful the main university administration generally supported me, but it felt like colleagues’ implicit biases led them to question and second-guess me at times throughout my early career. At faculty and administration meetings, it appeared to me that my proposals were not always taken seriously until other non-Latinas—often male colleagues—would interject with second opinions.<sup>28</sup> I would occasionally make suggestions that appeared to be discounted by the powers that be, until a male colleague chimed in with support.<sup>29</sup> Their opinions lent credence to my ideas, and as frustrating as that

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<sup>24</sup> See Carmen R. Lugo-Lugo, *A Prostitute, A Servant, and a Customer-Service Representative: A Latina in Academia*, in *PRESUMED INCOMPETENT: THE INTERSECTIONS OF RACE AND CLASS FOR WOMEN IN ACADEMIA* 40–49 (Gabriella Gutiérrez y Muhs, Yolanda Flores Niemann, Carmen G. González & Angela P. Harris eds., Utah State University Press, 2012).

<sup>25</sup> See Kimberly R. Moffitt, Heather E. Harris & Diane A. Forbes Berthoud, *Present and Unequal: A Third-Wave Approach to Voice Parallel Experiences in Managing Oppression and Bias in the Academy*, in *PRESUMED INCOMPETENT: THE INTERSECTIONS OF RACE AND CLASS FOR WOMEN IN ACADEMIA* 78, 79 (Gabriella Gutiérrez y Muhs, Yolanda Flores Niemann, Carmen G. González & Angela P. Harris eds., Utah State University Press, 2012).

<sup>26</sup> See *id.* at 87–89.

<sup>27</sup> See, e.g., Maritza I. Reyes, *Professional Women Subjugated by Name-Calling and Character Attacks*, 23 *J. GENDER RACE & JUST.* 397, 443 (2020) (citing an NSF Study wherein a Latina participant described male colleagues’ surprised reaction when she asserted ownership over what they were discussing, which was her project).

<sup>28</sup> Professor Laura Padilla cleverly refers to this common occurrence of gender sidelining as “maninterrupting.” See Laura M. Padilla, *Presumptions, Gender Sidelining & Women Law Deans* in *PRESUMED INCOMPETENT II: RACE, CLASS, POWER, AND RESISTANCE OF WOMEN IN ACADEMIA* 117, 120 (Yolanda Flores Niemann, Gabriella Gutiérrez y Muhs & Carmen G. González eds., Utah State University Press, 2020) [hereinafter Padilla, *Presumptions*].

<sup>29</sup> Cf. Laura M. Padilla, *Women Law Deans, Gender Sidelining, and Presumptions of Incompetence*, 35 *BERKELEY J. GENDER L. & JUST.* 1, 21–30 (2020) (in this article, Professor Padilla goes into greater detail on gender sidelining and other microaggressions than her *Pre-*

was, I was also grateful at the same time. Sometimes mere moments after I articulated an idea or opinion, my male colleagues would slightly rephrase my proposals and volunteer them as their own.<sup>30</sup> I quickly learned how and when to pick my battles, so I never drew attention to those incidents. Usually, I was just happy that my ideas were being taken seriously after all, even if I didn't get credit for them. And I would always volunteer to help carry them to fruition, even when others took credit for the original proposals and the eventual results.

Any dean in an academic institution must work closely and collegially with multiple stakeholders: students, faculty, administrative staff, university superiors, trustees, alumni, and members of the community at large. Each one of these constituent groups has different expectations and differing levels of respect for the position and the person who holds that position. The key to being the best advocate I can on behalf of the school is to strike a balance between being collaborative and assertive. This balance may be difficult to achieve since, as is common with women in general, and specifically women of color, assertiveness is often perceived and labeled “angry” or “aggressive.”<sup>31</sup>

The foundational monograph that put all this frustration into words, *Presumed Incompetent: The Intersections of Race and Class for Women in Academia*, changed my life. I realized I was not alone. The 2012 anthology, edited by Gabriella Gutiérrez y Muhs, Yolanda Flores Niemann, Carmen G. González, and Angela P. Harris, and its 2020 follow-up edition, edited by Neimann, Gutiérrez y Muhs, and González, provided a voice to the voiceless by showing women of color in academia that our personal problems were shared by many, and that they were as institutional as they were personal.<sup>32</sup>

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*sumptions* chapter in *Presumed Incompetent II*, in its sections on Gender Sidelineing and The Impact of Gender and/or Race on Leadership) [hereinafter Padilla, *Women Law Deans*].

<sup>30</sup> Padilla, *Presumptions*, *supra* note 28, at 120. Professor Padilla refers to this similar occurrence of gender sidelineing as “bro-propriating.” *Id.*

<sup>31</sup> See Jill L. Cruz & Melinda S. Molina, Hispanic National Bar Association, *Hispanic National Bar Association National Study on the Status of Latinas in the Legal Profession - Few and Far Between: The Reality of Latina Lawyers*, 37 PEPP. L. REV. 971, 1013 (2010). This article explained the methodology and results of a focus-group study with Latina Hispanic National Bar Association and affiliate members, in which 121 Latina lawyers from eleven U.S. cities participated between 2008 and 2009. See *id.* at 979. Participants revealed:

[T]hey often struggle to strike a balance between the two dichotomous perceptions of Latinas as either “too passive” or a “fiery” or “hot headed Latina.” To overcome perceptions of being too reticent, several Latinas from the focus groups purposefully strive to exhibit behaviors that make them appear more confident and assertive, which they believe to be important qualities for a successful lawyer. However, when they felt that they had to be assertive with other male attorneys, several participants chose the term “bitch” as a way to describe how they believe they acted or were perceived.

*Id.* at 1013.

<sup>32</sup> See Maria Mercedes Pabón, *Presumed Incompetent II: Race, Class, Power, and Resistance of Women in Academia*, 37 BERKELEY J. GENDER L. & JUST. 267, 268–69 (2022). In her book review, Professor Pabón drew attention to the new section on Academic Leadership, which makes it even more relevant and hit even closer to home for me than the original edition. See Padilla, *Presumptions*, *supra* note 28.

The release of the follow-up edition in April 2020, *Presumed Incompetent II: Race, Class, Power, and Resistance of Women in Academia*, was another momentous event for me, and probably many colleagues, contemporaries, and friends as well, including my fellow planners of the Inaugural GO LILA Workshop. As Barry Law rapidly adapted to distance learning in the early months of the COVID-19 pandemic, I read that book during my limited free hours, usually before bed after those exhausting days which were loaded with new and unknowable crises. Through the book, I developed a stronger connection to other Latinas in legal academia, even in the face of social-distancing and isolation.

Latinas and other women of color also face the concept of invisible labor in legal academia, a component of service work that female professors of color reckon with more than their peers.<sup>33</sup> Professor Ederlina Co defines invisible labor as “service work women of color professors provide to law students as role models, mentors, and even surrogate parents, particularly in connection with diversity, equity, and inclusion matters.”<sup>34</sup> In my early career, those one-on-one meetings with students were a valuable and rewarding part of the job. That mentoring tied my love of teaching and my desire to see my students excel together and helped me build a rapport with them—especially women and students of color. In fact, that is what I miss most since becoming dean: teaching full-time, getting to know our individual students, forming those bonds, and mentoring them however I can. However, as the faculty advisor to Barry’s Hispanic-American Law Student Association (HALSA)<sup>35</sup> and the *Environmental and Earth Law Journal* (EELJ),<sup>36</sup> I make an effort to forge relationships with those students outside of the classroom.

Latina professors and other female professors of color often serve as role models, counselors, and confidantes for under-represented minority students, both in and out of the classroom.<sup>37</sup> Since those faculty-student meetings are often one-on-one, off the record, and behind closed faculty office doors to preserve student confidentiality, they usually do not count toward all-important service work.<sup>38</sup> This “academic caretaking” can be time-consuming and emotionally exhausting for the professors, leading to professional and personal costs—energy and time that divert us from teaching and scholarship (our “visible” labor), and often cause additional stress and burnout.<sup>39</sup> Even with all of that in mind, we still do it because it is the right

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<sup>33</sup> See Ederlina Co, *Weathering Invisible Labor*, 51 SW. L. REV. 258, 261 (2022).

<sup>34</sup> *Id.*

<sup>35</sup> See Barry University School of Law Hispanic-American Law Student Association (HALSA) membership flyer (on file with author).

<sup>36</sup> See Barry University School of Law *Environmental and Earth Law Journal* (EELJ), DIGITAL COMMONS @ BARRY LAW, <https://lawpublications.barry.edu/ejej/>, archived at <https://perma.cc/FL5M-U6S5> (“The Environmental and Earth Law Journal is managed and edited by the student members, under the direction of Dean Diaz”).

<sup>37</sup> Co, *supra* note 33, at 261–62.

<sup>38</sup> See *id.* at 263.

<sup>39</sup> See *id.*

thing to do, and because some professors probably did the same for us on our way through law school.<sup>40</sup> Just as therapists often see therapists themselves,<sup>41</sup> it is important for female professors of color to have a peer-based support system in place, to assure them they are doing just fine, doing *enough*, and are not alone. This could be considered a form of invisible labor too, but just as valuable and as necessary. As dean, I have tried to ensure that credit is afforded to our faculty for this all-encompassing service. This is yet one more reason for the GO LILA Workshop to exist, so we can all validate one another.

I encouraged all the Inaugural GO LILA Workshop attendees who are interested in advancing in their careers, whether they desire to continue teaching, ascend to administrative roles, or both, to volunteer, step up, and confidently demonstrate to everyone what they are made of and what they bring to the table. Even though advancement is not always guaranteed, displaying that work ethic, commitment, and confidence is the surest way to earn a seat at the table.

As far as managing people, I have learned how to be the best possible manager by showing empathy, patience, grace, and understanding. We never know what people are going through, especially since these last three tumultuous years of the pandemic. That is why my best advice to aspiring administrators and deans is to *talk* to your people! Get to know them. Ask questions. *LISTEN*. Make them feel valued, make them feel like they belong, like they matter, like they all have seats at the table, too. Communication leads to collegiality, which leads to collaboration. I have done my best to encourage and support diverse opinions among my faculty and staff, so everyone knows I am willing to be a sounding board, to listen, empathize, and help however I can. There is no doubt in my mind that every woman, every person, reading this article accepts and embraces diversity, equity, and inclusion. Over the years, diversity, equity, and inclusion efforts became a requirement in higher education, which have helped many of us succeed in our academic positions and given us a seat at the table. In the long term, our efforts will hopefully allow our successors to have an easier time finding a seat at that same table.

One of my only regrets is that I never had a professional mentor to prepare and guide me through all the consequences of “presumed incompetence.” I felt like I had to work harder than everyone else to be seen as an equal, and then harder still to be seen as a capable leader. I always had my research done in advance and ready to share with confidence. Along the way, I had to learn to not internalize every perceived microaggression and

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<sup>40</sup> *See id.*

<sup>41</sup> *See* Steven Reidbord, *Therapy for Therapists*, PSYCH. TODAY: SACRAMENTO STREET PSYCHIATRY BLOG (Sept. 18, 2011), <https://www.psychologytoday.com/us/blog/sacramento-street-psychiatry/201109/therapy-therapists>, archived at <https://perma.cc/P3L7-W7NC>. The author cited a 1994 survey of 800 psychologists (with a 59.5% return rate) that revealed 84% of respondents reported attending psychotherapy themselves. *See id.*

slight, which was hard, but was and is a necessary skill to live, survive, and thrive, first as a Latina professor and then as a Latina administrator.

Just seven months into her deanship, my colleague and fellow GO LILA Workshop Planning Committee member Maria Pabón said the following in her 2012 article: “I believe I can make a difference in the lives of others by making legal education more inclusive so that peoples of all backgrounds can actively participate in the creation of justice.”<sup>42</sup> These words resonate with me and so succinctly and eloquently sum up my feelings. This has always been part of Barry University’s mission<sup>43</sup> and one of my personal goals as dean. Barry’s diversity—of our students, our faculty, and our staff—is one of our greatest strengths, and maybe the achievement I am most proud of during my tenure here.<sup>44</sup> In a recent annual issue on diversity, the magazine *preLaw* listed Barry University School of Law the 18th highest-ranked law school for Black and African-American diversity in its Winter 2022 issue, a huge honor.<sup>45</sup>

I have seen Barry University School of Law grow and change for the better over the decades, especially since I became dean in 2007.<sup>46</sup> I burst with pride thinking of our diverse students, alumni, faculty, and their myriad achievements in our inclusive community, to say nothing of their accomplishments after graduation. The people truly are what make our school great, and every day makes me feel honored to support them. When I started my academic career as a young, idealistic Latina law professor in 1995, I never could have foreseen what we have built together by the end of 2022,

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<sup>42</sup> Maria Pabón Lopez, *Reflections about Legal Education and Justice from the Perspective of a Latina Law School Dean*, 48 CAL. W. L. REV. 431, 432 (2012).

<sup>43</sup> See *Mission & Core Commitments*, BARRY UNIVERSITY SCHOOL OF LAW, <https://barry.edu/en/about-barry/>, archived at <https://perma.cc/6Y5G-E4PC>.

<sup>44</sup> See BARRY UNIVERSITY 2022 STANDARD 509 INFORMATION REPORT, <https://www.barry.edu/media/gzpdmvit/2022-509-report.pdf>, archived at <https://perma.cc/GG7F-HKYB> (generated on Dec. 12, 2022). According to the 2022 Standard 509 Report, eleven of our twenty-eight full-time faculty members are people of color (39%), as well as nine of our forty-one current adjunct faculty members (22%). *Id.* The report also shows Barry awarded eighty-eight J.D. degrees to students of color out of a total of 175 students (50%) for the 2021–22 academic year. *Id.*

<sup>45</sup> Mike Stetz, *Best Law Schools for Diversity*, *preLaw* (Winter 2022), [https://bluetoad.com/publication/frame.php?i=736259&p=&pn=&vet=html5&view=articleBrowser&article\\_id=4203117](https://bluetoad.com/publication/frame.php?i=736259&p=&pn=&vet=html5&view=articleBrowser&article_id=4203117), archived at <https://perma.cc/YW85-HSVH>. *preLaw* based its rankings on three data points: “1) Percentage of students in each ethnic group (50%); 2) Percentage of minority law professors (25%), [and] 3) Diversity services offered by the school (25%).” See *id.*

<sup>46</sup> See, e.g., *About the School*, BARRY UNIVERSITY SCHOOL OF LAW, <https://www.barry.edu/en/academics/law/>, archived at <https://perma.cc/6GXF-HM4J> (“With the 2011 completion of a three-story Legal Advocacy Center, the law school’s 20-acre campus in Orlando is transforming into a state-of-the-art complex that is the focal point for legal resources, services, and knowledge in Central Florida”); see also *Dean’s Message*, BARRY UNIVERSITY SCHOOL OF LAW, <https://www.barry.edu/en/academics/law/message-from-the-dean/>, archived at <https://perma.cc/5GTN-ZAWF> (“Our student trial and appellate teams are achieving record performances at regional and national competitions as evidenced by our national championship in the National Tax Law Moot Court Competition and placement in the Final Four out of 223 teams in the Association of Trial Lawyers America’s (ATLA) National Trial Competition”).

especially after fifteen unprecedented years of deaning. I can barely believe this will be my legacy, but I am so proud and grateful for it.

As I gaze back on my career to date, I am grateful for the fulfilling and blessed personal and professional life I have had. I continue to enjoy a full and rewarding career, but I have also raised two incredible children who are both lawyers. My daughter Emily is also a Latina law professor and a fellow participant in the Inaugural GO LILA Workshop.<sup>47</sup> I remain so proud of the person she has become, as she navigates her own way through our profession. I know a significant part of her success is her own mentor, Laura Padilla, a tenured Latina professor at California Western School of Law and a valued colleague and friend.<sup>48</sup> I remain so grateful to Laura that Emily has a fellow Latina mentor guiding, advising, and looking out for her, which is something that I never had.

While I regret never having had a mentor, my main career regret is not doing more myself to be a mentor to the brilliant Latinas in legal education. As a Latina law professor, and now as a law dean, my time and energies have been dedicated to the challenges of deaning in today's stressful and ever-evolving social and educational climate. As I indicated at the Inaugural GO LILA Workshop,<sup>49</sup> I am now at the point in my career that I can and want to be a mentor to the strong, smart, capable women who attended the conference or to those reading this essay. Please reach out to me; I will always listen and help if I can. Nobody should have to navigate through this profession alone.

As Latinas in the legal academy, we all need to look out for each other. Those of us with the benefit of higher-ranking positions and tenure have even more of a responsibility to support our younger counterparts who are newer faculty members and administrators. When each of us succeeds, we all succeed. Participating in the planning of the Inaugural GO LILA Workshop was one of the highlights of my career, and why I am so thrilled to have been a part of it. This way, we all can shine a well-deserved spotlight on each other and lift each other up, rather than hold each other back or allow others to hold us back. The authors of *Presumed Incompetent II* seemed to be speaking directly to me and my fellow Latina deans in their introduction, as a reminder of our responsibility:

Women of Color in upper-level leadership positions, such as deans . . . are relatively rare . . . [S]erving in these roles takes *ganas*,

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<sup>47</sup> *Agenda, Having an Impact, Creating a Legacy Break Out Sessions*, 2022 INAUGURAL GRACIELA OLIVÁREZ LATINAS IN THE LEGAL ACADEMY (“GO LILA”) WORKSHOP, <https://conferences.law.stanford.edu/go-lila-workshop/agenda/>, archived at <https://perma.cc/4T5W-4ZVJ>.

<sup>48</sup> Professor Padilla also wrote one of the most relevant and powerful chapters in *Presumed Incompetent II*, a self-contained master class for any women of color interested in becoming law school deans. See Padilla, *Presumptions*, *supra* note 28, at 117–28.

<sup>49</sup> *Agenda, Identifying and Overcoming Presumptions of Incompetence for Latinas in the Legal Academy Plenary Session*, 2022 INAUGURAL GRACIELA OLIVÁREZ LATINAS IN THE LEGAL ACADEMY (“GO LILA”) WORKSHOP, <https://conferences.law.stanford.edu/go-lila-workshop/agenda/>, archived at <https://perma.cc/V5PP-YG89>.

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thick skin, and commitment. Yet we need women in positions of formal power and authority who see and understand what others fail to notice. We need leaders with vision to make changes toward increasing equity. We need such leaders to advocate for the less powerful . . . Such persons can effect institutional, system, and cultural change from within.<sup>50</sup>

The GO LILA Workshop greatly reinvigorated my enthusiasm for future innovative work in the academy. I have my eye on the future of our profession more than ever, and not just from my perspective as dean of this dynamic law school. In addition, I see all the brilliant women coming up in the legal academy who will face similar challenges, make similar mistakes, and hopefully enjoy similar triumphs along the way, and I see myself in all of them. That is why I feel so strongly about supporting and mentoring Latina law professors, especially those with an interest in going into administration.<sup>51</sup> I am filled with hope that my overall legacy will include helping to recruit more Latinas into the legal academy, through my personal efforts and through future GO LILA Workshops, in conjunction with my fellow Latina law deans and professors who make this all possible.

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<sup>50</sup> YOLANDA FLORES NIEMANN, GABRIELLA GUTIÉRREZ Y MUHS & CARMEN G. GONZÁLEZ, *PRESUMED INCOMPETENT II: RACE, CLASS, POWER, AND RESISTANCE OF WOMEN IN ACADEMIA* 3, 4–5 (Yolanda Flores Niemann, Gabriella Gutiérrez y Muhs & Carmen G. González eds., Utah State University Press, 2020).

<sup>51</sup> In 2022, I created a new position, Assistant Dean of Administration and Special Projects, and recruited one of our own alumni, Natasha Carbajal, a brilliant young Latina, who is becoming my protégé.

