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# Law school dean trying to break into Top 10 rankings

## Sager's personality and touch with alumni will help him reach \$200 million goal, alum says.

By [Mark Lisher](#)

AMERICAN-STATESMAN STAFF

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Lawrence Sager knows he will be measured by his ability to raise the \$200 million he has promised to add to the University of Texas School of Law's endowment.

If he can raise the money by the university's 2014 deadline, he will nearly double the current \$202 million endowment and exceed by fivefold the most money ever raised in a single drive for the law school. Despite recent economic woes, Sager, the law school's dean, said only one of his potential major donors has backed away.

John Massey, UT Law School class of 1966, said alumni have responded to Sager's personality and his pitch to elevate the school with help from private donations.

"Our alums, and there are 16,000 living graduates, love this guy," Massey said "First, you have to have a great respect for his reputation, but he has a fresh approach that's so low key."

Sager, 67, was recruited to UT in 2002 in part for his prowess in building a law school's reputation from the ground up — something he did in his previous job at New York University's law school. That reputation is packaged, almost disguised, by a disarming personality as exuberant as the tangled head of hair that often looks as if it will take flight. Law school staffers say they love his frequently wicked humor.

Those who know him best say Sager isn't caught up in his reputation or his stature in the academic world. He commands a salary of \$365,000, competitive for the position but not the seven figures given to professors at universities eager to capitalize on academic star power.

"There isn't a trace of arrogance, although in my opinion he has a lot to be arrogant about," said Massey. "You can't help but be struck by how easy he is to work with, how good a listener he is."

At his core, Sager considers himself a teacher and a scholar; he's one of the nation's foremost constitutional scholars.

"What a good law school does," Sager said, "is it incubates a habit of mind that says when making judgments

about the right course of action, you are driven not by passion but by reason."

It does that, he said, by creating an environment where "discourse and exchange" can thrive. "I think in a specific way this is what drew me to law school," he said, "this sense of seriousness about language and ideas."

Christopher Eisgruber, who co-authored the book "Religious Freedom and the Constitution" with Sager and who has worked with him on more than a dozen scholarly articles over 15 years, said Sager "has an outstanding ability to work with people of very different perspectives, to build and to understand positions on both sides of an issue."

Hitting his \$200 million target, Sager says, is crucial to attracting top faculty and the best students, essential ingredients in his drive to elevate the school from 16th in annual U.S. News and World Report rankings to the Top 10, alongside law schools such as Yale, Harvard and Stanford. For the past 20 years, UT School of Law has maintained a ranking in the Top 20 but never cracked the Top 10.

Sager said he would like the law school first to be able to compete for the best students with higher-ranked public law schools at the University of Michigan, with its \$250 million endowment, and the University of California-Berkeley and its \$215 million endowment.

"You find yourself worrying about the rankings much too much, but you can't not care about these rankings," Sager said. "They affect your ability to attract the best students and faculty. One of the key ways to affect those rankings is to spend more money."

### **Freshman's calling**

Sager was raised in Southern California, the son of parents who, though they were not publicly active, spoke passionately about social justice and equality for minorities, Sager said. In particular, his mother, a librarian, believed deeply in the United Nations, the March of Dimes and the power of books, he said.

Sager devoured books, in particular series written by British authors: Arthur Conan Doyle's "Sherlock Holmes," C. S. Forester's "Horatio Hornblower" and G.K. Chesterton's "Father Brown."

In his freshman year at Pomona College, a private liberal arts school in Claremont, Calif., Sager found his calling in a textbook in one of his government classes.

"The textbook suggested that Congress in some cases could sweep in and silence the federal courts, even the Supreme Court," Sager said. "I was quite troubled by this idea."

Sager was offended by the notion that the balance of executive, legislative and judicial branches built into American government had been manipulated. When his teacher suggested that he research the book's contention, he began what he called a lifelong love of constitutional law.

"Two decades later, I was chosen to write the forward for a Harvard Law Review volume on the Supreme Court," Sager said. "I was able to argue that Congress, indeed, has limits on the jurisdiction of the courts."

He went on to Columbia University's School of Law in the mid-1960s and graduated magna cum laude in 1966 before getting a job teaching law at the University of California-Los Angeles. Five years later, he joined the faculty at NYU teaching, studying and writing about constitutional law.

Sager said he found the school a wonderful place to teach and to do research. He also discovered he could be quite persuasive in selling those qualities to other young, talented legal minds.

Among those Sager was able to convince to come to NYU was John Sexton.

A theologian who headed the religion program at St. Francis College in Brooklyn, Sexton had been rejected by several law schools, including NYU, before a group of friends with academic and political ties made a special appeal to the admissions committee at Harvard Law School. He graduated magna cum laude and served as law clerk to U.S. Supreme Court Chief Justice Warren Burger.

In seven years, after establishing himself as a nationally recognized expert on civil procedure at NYU, Sexton was named dean of the law school in 1988. Sexton, a fiery speaker with more than a bit of a showman in him, enlisted the more sanguine Sager in a campaign not unlike the one Sager is engaged in now at UT.

When Sager arrived in 1972, NYU's law school ranking had long hovered in the 30s. Sexton's plan was to lure talent from top-ranked universities, publicize the raids and use the excitement to raise money for the law school. Sager was never interested in an administrative title, but he became Sexton's de facto partner, taking advantage of his growing academic reputation to promote NYU Law.

In the latest U.S. News and World Report rankings, NYU law school was fifth behind Yale University, Harvard University, Stanford University and Columbia. Sexton was named NYU's president in 2001.

"I recognized in Sexton the makings of a great dean, and I think he recognized in me a source of energy and judgment that was valuable to the enterprise of transforming NYU," Sager said. "My reward was not in title or compensation, it was in being part of a vibrant academic community and in having an important hand in creating that community."

## **Moving to UT**

William Powers had a similar plan to lure professors from higher-ranked universities after being named UT's law school dean in 2000. Powers said he was well aware of NYU's jump in the national rankings and Sager's reputation.

"Of course he was a tremendous scholar and a tremendous force on the faculty," Powers said. "But you couldn't help but notice that Larry liked to build institutions."

Sager and Jane Cohen, a law professor at Boston University and his wife of 22 years, had been looking for a place where they could teach together. For much of their marriage, Sager commuted to New York from their home in Cambridge, Mass. With young twin daughters, Jemma and Mariah, now 12, Sager said he wanted to spend more time at home.

Austin was high on Sager's list because UT's law school is considered one of the best places in the country to study constitutional theory. At a conference in 2005, Sager and Cohen told UT law professor Gerald Torres that they were looking for the right move for their family. When Torres asked if they would consider UT, Sager said absolutely they would. The conversation made its way back to Powers.

During an early visit in 2006, the couple took a drive around Austin, and Cohen, who isn't bashful about admiring architecture, asked Sager to stop in front of a house. Cohen knocked on the door, and although the owners were getting ready for a party, they walked Cohen through the house, apologizing and promising to invite her again for a longer and more leisurely tour.

"The thing that most deeply moved Jane and me was that the people of Austin were so welcoming," Sager said. "There is a real texture to life here."

Cohen, 63, said she has found Austin to be a kind of overgrown village, full of surprising, passionate people. A huge fan of the director John Sayles, Cohen once found herself at a party sitting at a kitchen table with

Sayles, who visits Austin frequently.

"I like the idea of knowing people who make a difference in the world who choose to live here," she said.

When Powers vacated the job to become UT's president early in 2006, interim law school Dean Steven Goode announced that he was not seeking the position. Professors from Yale, Cornell University, Boston University and University of Virginia were finalists for the job, along with a federal judge from California. But Powers said he had everything he was looking for on campus.

"Larry was a tremendous force on the faculty during the time I was dean," Powers said. "He is a consensus builder, someone who gets along with the faculty. There are some people who think you resort to tricks to improve your ranking even if the program suffers. He sees the law school, first and foremost, as a research and teaching facility."

Sager had for years fended off flirtations from law schools to become a full-time administrator and had turned down an offer to become the dean at Northwestern University's law school. But he said yes to Powers because, after publishing the book he wrote with Eisgruber, Sager said he had reached the time in his life when the job was right for him.

"One of the things that fills me with optimism is that UT is starting at a much higher point than NYU," Sager said. "It is rich with potential. It was hard not to want to give it a try."

### **Adding professorships**

Sager started by announcing his intention to add 15 new professorships to the law school staff, and he helped recruit a pair of young, rising scholars: William Sage, a health law specialist and vice provost for health affairs from Columbia, and Daniel Rodriguez, a state constitutional law scholar at Berkeley and the former dean of the University of San Diego School of Law.

He has also traveled around the country for the past two years, meeting with prominent alumni with a message: securing top educators, paying top salaries and building the best facilities will take much more private money. In fiscal 2008-09, 15.5 percent, or just under \$8 million, of the law school's \$50.5 million budget comes from state money. Just five years ago, tax money paid for 20.2 percent of the budget.

Massey said alumni are realizing that donors must step up if the law school intends to crack the Top 10. In 2005, Massey, a senior consultant to Neuberger Investment Management in Dallas and a member of the law school's advisory board and his wife, Elizabeth, endowed the law school with \$1.5 million for a \$100,000 prize to be awarded every two years for teaching excellence.

This year, Massey came to Sager with the idea of donating \$2 million to endow another chair. Sager asked Massey to think about using the money in a different way. The result was the Massey Fund for the Study of Law, Innovation and Capital Markets.

The school will draw from the \$2 million pool every two years to award \$100,000 for the most important writing about the law's role in entrepreneurship and innovation in international markets, not unlike the X Prize awarded for private aerospace development.

Massey said the fund is a testament to his faith in Sager's mission. "Larry," Massey said, "is the right man for this challenge, right now."

Sager is counting on the same reaction from Massey's fellow alumni to keep his \$200 million goal on schedule.

"The alumni has been so extraordinarily welcoming," he said. "It has been the strongest reason, absolutely crucial to why I so enjoy being dean."

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Deborah Rae Turner/FOR AMERICAN-STATESMAN

Lawrence Sager, dean of the University of Texas School of Law, with Rob Harris and Heidi Hartmann at a back-to-school barbecue in August, took the job when William Powers rose to UT's presidency. 'Larry was a tremendous force on the faculty during the time I was dean,' Powers said.

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