

APPLYING STEVE JOBS'S INSIGHTS ON INNOVATION, LEADERSHIP, AND TECHNOLOGY TOWARD AN APPLE-INSPIRED LAW SCHOOL

BYRON G. STIER

ABSTRACT

Perhaps the most successful technology entrepreneur, Steve Jobs, developed numerous innovations that transformed personal computing, computer-animated film, mobile phones, and music distribution. Over several decades, his efforts turned Apple Computer from a start-up in his parents' garage to the world's largest company by market capitalization and grew Pixar into the world's leading company in computer-animated film. Jobs, along with other technology entrepreneurs, affixed Silicon Valley as the world's leading center for innovation in technology. After exploring Jobs's formative influences and interests, this article reviews his remarkable progression of innovative products at Apple. The article then assembles and details his approach to leadership, product design, management, marketing, and leadership succession, and applies those insights in turn to an area not widely lauded for innovation and entrepreneurship: law schools and legal education. Leveraging the innovation insights of Steve Jobs, the article reimagines law school if it were to incorporate the lessons of Silicon Valley entrepreneurship and product development at Apple. In an Apple-inspired law school setting, the article envisions values-based leadership focused on aspiring to great teaching, scholarship, and service, not merely regulatory compliance, rankings, or revenue; passion for legal education and law; and creative and innovative exploration of technology-aided adaptive learning and online education. Translating Jobs's views on product design into the legal education setting, law schools would bring empathic attention to the needs of students and alumni; integrate the liberal arts and technology with law, approach the design of curricula, programs, scholarship, and spaces as artmaking with an aesthetic emphasizing ease of use; undertake committed, continuous improvement of teaching, programs, and scholarship; and selectively focus on fewer undertakings to make them better. Considering Jobs's insights on management, law schools would seek to produce "A" players—not "B" or "C" players—faculty and administrators and design programs with an integrated team of different perspectives. Channeling Jobs's approach to marketing, a law school would utilize advertising to convey its values and innovative programs. Law schools would also act to preserve and project their organizational values beyond current decanal leadership, learning from Jobs's attention to preserving Apple's values amidst leadership succession. The article concludes that to obtain the innovation, energy, and advances achieved by the technology industry in the United States, law schools and legal education should consider studying the organizational structures and culture of the technology industry.

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INTRODUCTION

Perhaps the most successful technology entrepreneur, Steve Jobs developed numerous innovations that transformed personal computing, computer-animated film, mobile phones, and music distribution.¹ Over several decades, his efforts turned Apple Computer from a start-up in his parents' garage to the world's largest company by market capitalization and produced Pixar, the world's leading company in computer-animated film.² Jobs, along with other technology entrepreneurs, affixed Silicon Valley as the world's leading center for innovation in technology, and his achievements were chronicled in numerous films and documentaries.³

Law schools and legal education, by contrast, have not been widely regarded as exemplars of innovation and dynamism.⁴ In recent decades, law

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1. See John Markoff, *Apple's Visionary Redefined Digital Age*, N.Y. TIMES (Oct. 5, 2011), <https://www.nytimes.com/2011/10/06/business/steve-jobs-of-apple-dies-at-56.html> (referring to Jobs as “the visionary co-founder of Apple who helped usher in the era of personal computers and then led a cultural transformation in the way music, movies and mobile communications were experienced in the digital age”); see generally *Remembering Steve*, APPLE, <https://www.apple.com/stevejobs/> (last visited July 25, 2023) (“Over a million people from all over the world have shared their memories, thoughts, and feelings about Steve. One thing they all have in common . . . is how they’ve been touched by his passion and creativity.”).

2. See Nivedita Balu & Noel Randewich, *Apple Becomes First Company to Hit \$3 Trillion Market Value, Then Slips*, REUTERS (Jan. 3, 2022), <https://www.reuters.com/markets/europe/apple-gets-closer-3-trillion-market-value-2022-01-03/> (referring to Apple as “[t]he world’s most valuable company” and noting that “Apple’s shares have climbed around 5,800% since co-founder and former chief executive Steve Jobs unveiled the first iPhone in January 2007, far outpacing the S&P 500’s gain of about 230% during the same period”).

3. See, e.g., STEVE JOBS (Universal Pictures 2015); STEVE JOBS: THE MAN IN THE MACHINE (CNN Films 2015); JOBS (Open Road Films 2013); see also Bruce Newman, *Steve Jobs, Apple Co-founder and Silicon Valley Pioneer, Dies at 56*, MERCURY NEWS (Oct. 5, 2011), <https://www.mercurynews.com/2011/10/05/2011-obituary-steve-jobs-apple-co-founder-and-silicon-valley-pioneer-dies-at-56/> (referring to Jobs as “Silicon Valley’s radiant Sun King” and “[t]he incandescent center of a tech universe around which all the other planets revolved”).

4. See, e.g., Andrew Perlman, *Innovation in Legal Education*, ABA L. PRACTICE TODAY (May 15, 2015), <https://www.lawpracticetoday.org/article/innovation-in-legal-education/> (“In a competition for the best oxymoron, ‘innovation in legal education’ would surely be a contender.”).

schools have supplemented their traditional doctrinal focus with greater attention to legal practice skills, experiential education, academic success, bar review, and online learning,⁵ but the spirit of bold, breakthrough innovation in technology companies is not thought to be a part of law schools. What if it were?

In recent years, in a series of short guides, Apple has begun offering advice to school administrators, focusing on K-12 education, on the elements of school leadership and learning to stimulate innovation with technology.⁶ In addition, Apple has promulgated Apple Distinguished School programs that include both K-12 schools and universities.⁷ Apple also provides an Apple Teacher training program and Apple Distinguished Educator recognition.⁸ These efforts further the use of Apple's technology in schools while providing some abbreviated context on technological innovation, institutional leadership, and learning theory.

To assist law schools in developing the innovation present in Silicon Valley, this article is the first to mine comprehensively the insights of Steve Jobs over the course of his remarkable career as an entrepreneurial technology leader and to apply them to legal education and law school leadership, broadening the undertaking initiated by Apple's brief education guides focused on K-12 schools.⁹ This inquiry into technology, innovation, and legal education

5. See *infra* Section II.C.

6. See APPLE, ELEMENTS OF LEADERSHIP: LEAD WHOLE-SCHOOL INNOVATION WITH APPLE (2017) ("*Elements of Leadership* draws from our own experience with innovation and change at Apple, along with what we've learned from Apple Distinguished Schools."); *id.* at 3 (stating that the elements of leadership include "[d]eveloping strategies for vision, culture, capacity, team, community, finance, and measure"); APPLE, INNOVATION IN SCHOOLS: DESIGN LEARNING, TEACHING, AND YOUR SCHOOL ENVIRONMENT WITH APPLE (2017) (focusing on innovating with new technology); APPLE, ELEMENTS OF LEARNING: DESIGN DEEPER STUDENT LEARNING EXPERIENCES WITH APPLE (2019) (presenting the learning elements of teamwork; communication and creation; personalization of learning; critical thinking; and real-world engagement).

7. See APPLE DISTINGUISHED SCHOOLS: CENTERS OF LEADERSHIP AND EDUCATIONAL EXCELLENCE, 2023–26 OVERVIEW, https://www.apple.com/education/k12/apple-distinguished-schools/docs/Apple_Distinguished_Schools_Centers_of_Leadership_and_Educational_Excellence.pdf (last visited Jan. 2, 2024). Schools are eligible if they have a one-to-one program of iPads to students, innovative use of the Apple platform, faculty proficiency with iPad or Mac, and documented success. *Id.* Schools are favored for selection based upon their vision, learning, and success. *Id.* Apple Distinguished Schools collaborate with a global network of peer schools, connect with the Apple Education team, and receive invitations to exclusive leadership events. *Id.*

8. YOUR APPLE TEACHER JOURNEY, https://education.apple.com/#/home/tp/T006360A-en_US?backTo=%23%2Fhome%2Fresources (last visited July 25, 2023) (recognizing teachers for developing foundational skills with iPad and Mac and supporting the integration of Apple technology in lessons); BECOME AN APPLE DISTINGUISHED EDUCATOR, <https://education.apple.com/#/home/tp/T042370A> (last visited July 25, 2023) (allowing Apple Teachers to apply for Apple Distinguished Educator based upon transforming a learning environment and empowering other educators).

9. For a somewhat playful quiz analysis of Steve Jobs as a law school dean from the perspective of an acolyte or rejector, see Bridget Crawford, *If Steve Jobs Had Been a Law School Dean*, FACULTY LOUNGE (July 26, 2012), <https://www.thefacultyounge.org/2012/07/if-steve-jobs->

is particularly timely as law schools are now more broadly exploring online legal education following the exigent use of online classes during the COVID-19 pandemic.¹⁰ After exploring Jobs's formative influences and interests, Part I of this article reviews Jobs's remarkable progression of innovative products at Apple.¹¹ Channeling Jobs's values-based leadership at Apple, Part II envisions an Apple-inspired law school focused on aspiring to great teaching, scholarship, and service, not merely regulatory compliance, rankings, or revenue; passion for legal education and law; and creative and innovative exploration of technology-aided adaptive learning and online education.¹² Translating Jobs's views on product design into the legal education setting, Part III suggests that an Apple-inspired law school would bring empathetic attention to the needs of students and alumni; integrate the liberal arts and technology with law; approach the design of curricula, programs, scholarship, and spaces as artmaking, emphasizing ease of use; undertake committed, continuous improvement of teaching, programs, and scholarship; and selectively focus on fewer undertakings to make them better.¹³ Applying Jobs's approach to management and marketing to law school administration, Part IV explores how an Apple-inspired law school would seek to produce not just "A" students, but also "A" faculty and administrators; design programs with an integrated team of different perspectives; and utilize advertising to convey its values and innovative programs.¹⁴ Part V thereafter addresses how an Apple-inspired law school would also act to record and preserve its organizational values beyond

had-been-a-law-school-dean.html. Some have mimicked Jobs's attire but missed his substance. *See, e.g.*, G.S. Hans, *How and Why Did It Go So Wrong?: Theranos as a Legal Ethics Case Study*, 37 GA. STATE UNIV. L. REV. 427, 443 n.72 (2021) ("Holmes's admiration of Steve Jobs at times seems to have bordered on the obsessive. . . . Amongst other affectations, she imitated his wardrobe choices, donning a black turtleneck similar to the Issey Miyake turtlenecks that Jobs wore as a uniform.").

10. *See, e.g.*, *St. Mary's Law Launches the Nation's First Fully Online J.D. Program Approved by the ABA*, ST. MARY'S UNIV., <https://www.stmarytx.edu/2021/online-jd-launch/> (last visited July 25, 2023).

11. *See infra* Part I.

12. *See infra* Part II. Several books focusing on Jobs's methods for success at Apple were unable to benefit from subsequently published expansive treatments of Jobs's life and work. *Compare* JEFFREY CRUIKSHANK, *THE APPLE WAY* (2006), CARMINE GALLO, *THE INNOVATION SECRETS OF STEVE JOBS* (2011) [hereinafter GALLO, *INNOVATION SECRETS*]; CARMINE GALLO, *THE PRESENTATION SECRETS OF STEVE JOBS* (2009) [hereinafter GALLO, *PRESENTATION SECRETS*], *with* MAKE SOMETHING WONDERFUL: STEVE JOBS IN HIS OWN WORDS (2023) (156-page pagination setting) (hereinafter "MAKE SOMETHING WONDERFUL"); WALTER ISAACSON, *STEVE JOBS* (2011); BRENT SCHLENDER & RICK TETZELI, *BECOMING STEVE JOBS: THE EVOLUTION OF A RECKLESS UPSTART INTO A VISIONARY LEADER* (2015). Similarly, while focusing analytically on Jobs's approaches for success at Apple, Walter Isaacson's *The Real Leadership Lessons of Steve Jobs*, a terse, nine-page article published in 2012, could not benefit from the insights of later sources. *Compare* Walter Isaacson, *The Real Leadership Lessons of Steve Jobs*, HARV. BUS. REV., Apr. 2012, *with* MAKE SOMETHING WONDERFUL, *supra*; SCHLENDER & TETZELI, *supra*. In contrast, this article's analysis of Jobs's success draws on all these wide-ranging sources.

13. *See infra* Part III.

14. *See infra* Part IV.

current decanal leadership, learning from Jobs's attention to preserving Apple's values amidst leadership succession.¹⁵ The article concludes that to obtain the innovation, energy, and advances achieved by the technology industry in the United States, law schools and legal education should consider studying the organizational structures and culture of the technology industry.¹⁶

I. STEVE JOBS AND THE ASCENT OF APPLE COMPUTER

A. *Jobs's Formational Influences and Interests*

Raised in Silicon Valley, Jobs burrowed into technology throughout his childhood and early adulthood, while also exploring the humanities and a particular interest in Eastern spirituality and the importance of intuition. Born in 1955 to two graduate students at the University of Wisconsin, Steve Jobs was adopted by Paul and Clara Jobs in San Francisco.¹⁷ Jobs's biological mother had one requirement for the adoptive parents—that they be college graduates.¹⁸ Accordingly, a family in which the husband was a lawyer had been selected to adopt the child.¹⁹ But that family had wanted a baby girl and decided to withdraw from the process after a boy was born.²⁰ As a result, Paul and Clara Jobs became potential adoptive parents.²¹ Paul Jobs had dropped out of high school and worked as a mechanic,²² and Clara Jobs worked as a bookkeeper.²³ When Steve Jobs's biological mother learned that the new potential adoptive parents had not attended college, she initially refused to sign the adoption forms, but she subsequently relented on the condition that the new adoptive parents agree to sign a pledge to create and fund a college savings account for the baby to attend college.²⁴

As a child, Steve Jobs was interested in humanities but also liked electronics.²⁵ Watching his father fix and refurbish cars, Steve Jobs developed an appreciation for design and craftsmanship early.²⁶ Looking at a fence he had built with his father at their house in Mountain View, California, Steve Jobs remembered a lesson from his father to build hidden parts properly, observing, "He loved doing things right. He even cared about the look of the parts you

15. *See infra* Part V.

16. *See infra* Conclusion.

17. ISAACSON, *supra* note 12, at 3; SCHLENDER & TETZELI, *supra* note 12, at 25.

18. ISAACSON, *supra* note 12, at 3.

19. *Id.*

20. *Id.*

21. *Id.*

22. *Id.* After dropping out of high school, Paul Jobs had also worked as a seaman machinist and fireman in the Coast Guard during World War II. *Id.* at 1–2.

23. *Id.* at 3.

24. *Id.* at 3–4; SCHLENDER & TETZELI, *supra* note 12, at 25.

25. ISAACSON, *supra* note 12, at xix.

26. *Id.* at 6.

couldn't see."²⁷ Remembering the inexpensive house where he was raised, which was inspired by Frank Lloyd Wright's simplicity and modernism, with recent technological features such as radiant heating on the floors, Steve Jobs also saw a parallel to his later work at Apple: "I love it when you can bring really great design and simple capability to something that doesn't cost much. It was the original vision for Apple."²⁸ Jobs's neighborhood, and the area generally, was populated with engineers from numerous companies, including Hewlett-Packard, Intel, Lockheed, NASA, and Westinghouse.²⁹ Stanford University had also created an industrial park for private companies to develop insights from Stanford, and Clara Jobs worked there as a bookkeeper.³⁰ Using a moniker from a magazine article series in *Electronic News* in 1971, the area came to be known as "Silicon Valley."³¹ As Steve Jobs reflected, "Most of the dads in the neighborhood did really neat stuff, like photovoltaics and batteries and radar. I grew up in awe of that stuff and asking people about it."³²

Even though Jobs viewed the parents who adopted him as "1,000%" his parents³³ and "never felt abandoned," he believed that being adopted might have made him "feel more independent" and noted that he "always felt special," because the parents who adopted him "made [him] feel special."³⁴ When as a child he concluded that he was more intelligent than Paul and Clara Jobs, he felt disconnected from his family and those around him.³⁵ In the fourth grade of grammar school, he tested as a high school sophomore, and the grammar school subsequently recommended Steve Jobs skip two grades.³⁶ His parents decided that he should skip one grade, but even that change was socially challenging at a school in a rougher area.³⁷ To aid his schooling, his parents purchased a house in a stronger school district.³⁸

Through a neighbor who was an engineer, Steve Jobs became involved in the Hewlett-Packard Explorers Club, a student group that met in the cafeteria of Hewlett-Packard.³⁹ While working on a project, he needed various parts that Hewlett-Packard manufactured.⁴⁰ He looked up the phone number of Bill

27. *Id.*; see also SCHLENDER & TETZELI, *supra* note 12, at 26 (noting that Jobs related "how his father told him that you had devote as much time to the underside of a cabinet as to the finish").

28. ISAACSON, *supra* note 12, at 7.

29. *Id.* at 8–10; SCHLENDER & TETZELI, *supra* note 12, at 27.

30. ISAACSON, *supra* note 12, at 8–9.

31. *Id.* at 10 (noting that the *Electronic News* article series was entitled, "Silicon Valley USA").

32. *Id.*

33. *Id.* at 5.

34. *Id.*; see also *id.* at 4 (recalling Paula and Clara Jobs comforting Steve Jobs as a child by telling him that they "specifically picked [him] out").

35. *Id.* at 11.

36. *Id.* at 13.

37. *Id.* at 14; SCHLENDER & TETZELI, *supra* note 12, at 25 (stating that Jobs "skipped sixth grade").

38. ISAACSON, *supra* note 12, at 14; SCHLENDER & TETZELI, *supra* note 12, at 25–26.

39. ISAACSON, *supra* note 12, at 17; SCHLENDER & TETZELI, *supra* note 12, at 28.

40. ISAACSON, *supra* note 12, at 17.

Hewlett and called his home to ask for the parts.⁴¹ Bill Hewlett spoke with Jobs for twenty minutes, and by the end of the call, Hewlett not only provided the parts to Steve Jobs but also offered him a summer job at Hewlett-Packard.⁴²

A pivotal moment came when he decided to focus on the connection between humanities and the sciences: “I read something that one of my heroes, Edwin Land of Polaroid, said about the importance of people who could stand at the intersection of humanities and the sciences, and I decided that’s what I wanted to do.”⁴³ At the end of high school, Jobs began focusing on literature and music.⁴⁴ His friendship with Steve Wozniak blossomed not only in a mutual enjoyment for electronics and pranks but also in the hunt for Bob Dylan bootleg recordings.⁴⁵ They would analyze Dylan’s lyrics, and Jobs amassed more than a hundred hours of Dylan concerts.⁴⁶ Jobs was also affected by the culture of the late 1960s and 1970s in Silicon Valley and San Francisco, noting, “There was just something going on here. . . . The best music came from here—the Grateful Dead, Jefferson Airplane, Joan Baez, Janis Joplin—and so did the integrated circuit”⁴⁷

In 1971, Jobs and Wozniak combined their enjoyment of pranks and technology to build a device that would emit tones that enabled long-distance telephone calls without any charge.⁴⁸ Jobs bought parts for approximately 100 more devices and sold the devices to college students for \$150 each, making approximately \$6,000.⁴⁹

Jobs refused to consider attending Stanford University, which might have provided him a scholarship, and the University of California at Berkeley, which had affordable in-state public tuition, because he wanted “something that was more artistic and interesting.”⁵⁰ Instead, Jobs applied and was accepted to Reed College in Portland, Oregon.⁵¹ When Paul and Clara Jobs informed him that they could not afford Reed College’s expensive private tuition, Steve Jobs declared that he would attend Reed College or no college at all.⁵²

41. *Id.*; SCHLENDER & TETZELI, *supra* note 12, at 28.

42. ISAACSON, *supra* note 12, at 17.

43. *Id.* at xix.

44. *Id.* at 19 (“I started to listen to music a whole lot, and I started to read more outside of just science and technology—Shakespeare, Plato. I loved King Lear.”).

45. *Id.* at 25 (noting that “they shared a passion for music”).

46. *Id.* at 25–26.

47. *Id.* at 57; *see also* MAKE SOMETHING WONDERFUL, *supra* note 12, at 8 (“California has a sense of experimentation about it, and a sense of openness about it—openness and new possibility—that I really didn’t appreciate till I went to other places.”).

48. ISAACSON, *supra* note 12, at 27–30; SCHLENDER & TETZELI, *supra* note 12, at 29.

49. ISAACSON, *supra* note 12, at 29; SCHLENDER & TETZELI, *supra* note 12, at 29. Speaking of the devices, which they called “Blue Boxes,” Jobs later noted, “If it hadn’t been for the Blue Boxes, there wouldn’t have been an Apple. . . . I’m 100% sure of that. [Steve] Woz[niak] and I learned how to work together, and we gained confidence that we could solve technical problems and actually put something into production.” ISAACSON, *supra* note 12, at 30.

50. ISAACSON, *supra* note 12, at 33.

51. *Id.*

52. *Id.*

At Reed College, Jobs became seriously interested in Eastern spirituality, Zen Buddhism, and meditation, and he sometimes took psychedelic drugs.⁵³ He recalled, “I began to realize that an intuitive understanding and consciousness was more significant than abstract thinking and intellectual logical analysis.”⁵⁴ He retained, however, his intensity, which thwarted his achievement of Zen calm or peace.⁵⁵ He also became a vegetarian,⁵⁶ and for a time worked on a commune run by another student from whom he learned the benefits of charisma and persuasion.⁵⁷ Jobs became disillusioned with the communal farm after watching members steal each other’s food at night from the refrigerator, noting that no one was paid for their work.⁵⁸

He chafed at having to take required courses at Reed College, so he skipped attending the classes for his assigned courses and instead attended other courses of interest to him, where he felt he could be more creative.⁵⁹ He also became worried about the high cost of his degree for his parents.⁶⁰ He therefore decided to drop out of college.⁶¹ As he reflected much later while giving a Commencement address at Stanford University,

All of my working-class parents’ savings were being spent on my college tuition. I had no idea what I wanted to do with my life and no idea how college was going to help me figure it out. And here I was spending all of the money my parents had saved their entire life. So I decided to drop out and trust that it would all work out okay.⁶²

The Dean of Students at Reed College allowed Jobs to continue to audit classes and live in the student dormitories even after he ceased paying tuition, noting that “[h]e had a very inquiring mind that was enormously attractive. . . . He refused to accept automatically received truths, and he wanted to examine everything himself.”⁶³ He happily accepted the arrangement and began attending the classes that interested him.⁶⁴ In particular, he was drawn to a course on calligraphy, recalling, “I learned about serif and sans serif typefaces, about varying the amount of space between different letter combinations, about what makes great typography great. It was beautiful, historical, artistically subtle in a way that science can’t capture, and I found it fascinating.”⁶⁵ He later credited that calligraphy course with leading to the development of proportionally spaced fonts in the Apple Mac and subsequently in all of personal

53. *Id.*; SCHLENDER & TETZELI, *supra* note 12, at 30.

54. ISAACSON, *supra* note 12, at 35.

55. *Id.*

56. *Id.* at 36.

57. *Id.* at 37–39.

58. *Id.* at 39.

59. *Id.* at 40; SCHLENDER & TETZELI, *supra* note 12, at 30.

60. ISAACSON, *supra* note 12, at 40.

61. *Id.*; SCHLENDER & TETZELI, *supra* note 12, at 30.

62. ISAACSON, *supra* note 12, at 40.

63. *Id.*

64. *Id.*

65. *Id.* at 40–41.

computing.⁶⁶ His time at Reed College sampling courses, seeking spiritual enlightenment, and sometimes taking psychedelic drugs contributed to his “sense of what was important—creating great things instead of making money, putting things back into the stream of history and of human consciousness as much as [he] could.”⁶⁷

After a year and a half at Reed College, he returned to his parents’ home in Los Altos, California, and obtained a job at Atari, a video game company.⁶⁸ While the chief engineer at Atari thought that “[i]n retrospect, it was weird to hire a dropout from Reed,” the engineer “saw something in him. He was very intelligent, enthusiastic, excited about tech.”⁶⁹ Because of his unkempt personal habits and perhaps also because of his abrasive interactions with others based on his assessment of the poor quality of their work, he was assigned to the night shift.⁷⁰ At Atari, he appreciated the simplicity of the company’s game design, and another employee’s entrepreneurship outside Atari inspired Jobs to think about starting his own company.⁷¹

While at Atari, he arranged for a business trip to Europe as a waystation toward what became a seven-month journey through India, seeking enlightenment.⁷² Reflecting on lessons learned in India, he emphasized the importance of intuition:

Intuition is a very powerful thing, more powerful than intellect, in my opinion. That’s had a big impact on my work. . . . Coming back after seven months in Indian villages, I saw the craziness of the Western world as well as its capacity for rational thought. If you just sit and observe, you will see how restless your mind is. If you try to calm it, it only makes it worse, but over time it does calm, and when it does, there’s room to hear more subtle things—that’s when your intuition starts to blossom and you start to see things more clearly and be in the present more. Your mind just slows down, and you see a tremendous expanse in the moment. You see so much more than you could see before.⁷³

After his trip to India, he returned to Atari, working at night and meditating and auditing physics classes at Stanford University during the day.⁷⁴

66. *Id.* at 41 (“If I had never dropped in on that single course in college, the Mac would have never had multiple typefaces or proportionally spaced fonts. And since Windows just copied the Mac, it’s likely that no personal computer would have them.”); SCHLENDER & TETZELI, *supra* note 12, at 30–31.

67. ISAACSON, *supra* note 12, at 41.

68. *Id.* at 42.

69. *Id.* at 43.

70. *Id.* (“The only reason I shone was that everyone else was so bad.”).

71. *Id.* at 44.

72. *Id.* at 47; SCHLENDER & TETZELI, *supra* note 12, at 31.

73. ISAACSON, *supra* note 12, at 48–49 (also noting that “Zen has been a deep influence” for Jobs).

74. *Id.* at 57.

B. *The Founding and Growth of Apple, NeXT, and Pixar*

After the Altair appeared as the first personal computer kit in 1975, Wozniak began designing his own personal computer.⁷⁵ Jobs prevailed on Wozniak to stop giving away design plans for free and urged that they together build and sell the computers.⁷⁶ So was born Apple Computer, whose name was influenced by one of Steve Jobs's fruitarian diets and his visits to an apple farm commune; the name was also chosen shrewdly for its soft-sounding approachability and its ability to place the company ahead of Atari in the phone book.⁷⁷ The incongruity of an apple and a computer also suggested consumers might focus more on the name.⁷⁸ Assembled in the garage of Jobs's parents and sold to a local computer store in 1976, the Apple I computer was the first personal computer that could be used with a keyboard and a display.⁷⁹

The Apple II computer included numerous innovations, such as color, sound, high-resolution graphics, a beige molded plastic case, game paddles, and a power supply that generated less heat and avoided the need for a fan.⁸⁰ In addition, the Apple II was the first computer to boot up by itself with BASIC in the computer's ROM.⁸¹ Wozniak prevailed over Jobs's desire to deliver a self-contained product, resulting in an Apple II that included eight expansion slots to work with other devices.⁸² Apple eventually sold nearly six million Apple II computers over sixteen years.⁸³

While Apple pursued several uneven attempts at developing a fitting successor to the Apple II computer, including the Apple III and the Lisa computer,⁸⁴ Jobs negotiated a deal with Xerox Corporation in 1979 to participate in a profitable round of financing for Apple that allowed him and other key Apple employees to view Xerox's latest computer technology at the Xerox Palo Alto Research Center.⁸⁵ There, he saw the graphical user interface and mouse combination that he said enabled him to "see what the future of computing was destined to be."⁸⁶

75. *Id.* at 59–61.

76. *Id.* at 62–63.

77. *Id.* at 63.

78. *Id.*

79. *Id.* at 67–68; SCHLENDER & TETZELI, *supra* note 12, at 39, 41–42 (noting that the Apple I was "the first truly *personal* computer") (emphasis in original); STEVE WOZNIAK, *IWOZ* 168 (2006).

80. ISAACSON, *supra* note 12, at 72–74; SCHLENDER & TETZELI, *supra* note 12, at 50; WOZNIAK, *supra* note 79, at 188.

81. WOZNIAK, *supra* note 79, at 188.

82. *See* SCHLENDER & TETZELI, *supra* note 12, at 49–50.

83. *Id.* at 65.

84. ISAACSON, *supra* note 12, at 92–93; SCHLENDER & TETZELI, *supra* note 12, at 67, 72 (noting the difficulties created by Jobs's demand that the Apple III have no internal cooling fans).

85. ISAACSON, *supra* note 12, at 96; SCHLENDER & TETZELI, *supra* note 12, at 68.

86. ISAACSON, *supra* note 12, at 97; *see also* SCHLENDER & TETZELI, *supra* note 12, at 68–69; WOZNIAK, *supra* note 79, at 294 ("The minute I saw this interface, I knew it was the future.").

Having seen Xerox's revolutionary ideas for computing, he and Apple set about adapting and improving them for consumers. He and Apple designed the mouse so that it would roll smoothly, had one simple button instead of three separate buttons, and cost \$15 each instead of \$300.⁸⁷ Unlike Xerox's mouse, Apple's mouse could hold and move a window across the screen and drop the window into another folder.⁸⁸ Using a single ball rather than two wheels, Apple's mouse could move anywhere on the screen, not just directly vertically or horizontally.⁸⁹ Apple also added menus and icons to each of the windows, as well as the notion of double-clicking on the mouse to open a window.⁹⁰ In addition, Apple enabled windows to be layered on top of each other, so that when one was moved the one that was underneath would appear, like papers on a desk.⁹¹ Moreover, Apple enabled documents to scroll smoothly.⁹²

In 1980, Apple Computer offered its initial public offering, which created the most millionaires in one day of any offering until then and which was the most oversubscribed since 1956 when Ford Motors made its initial public offering.⁹³ By the end of 1980, approximately five years after Apple Computer was founded in Jobs's garage, Apple Computer was valued at \$1.79 billion.⁹⁴ Jobs had more than \$256 million at age twenty-five.⁹⁵ In 1982, *Time* magazine put Jobs on its cover, and Apple was expected to have sales of \$600 million.⁹⁶

Apple President Mike Markkula decided to step down in 1982, and since Jobs was in his late twenties and not yet ready to lead the company, Apple began searching for a new chief executive officer.⁹⁷ Apple recruited John Sculley, president of Pepsi-Cola, who had created Pepsi's successful marketing campaigns for the Pepsi Generation and the Pepsi Challenge, with commercials showing consumers preferring Pepsi to Coca-Cola in taste tests.⁹⁸

Although Jobs and Sculley initially worked well together, they soon diverged over pricing for the Macintosh computer.⁹⁹ Initially conceived as a \$1,000 computer, Jobs's improvements raised the cost to \$1,995.¹⁰⁰ Because of the costs for the anticipated major marketing campaign, Sculley mandated a cost of \$2,495 for each computer.¹⁰¹ Jobs and the Macintosh team became livid that this pricing would render the computer prohibitively expensive for

87. ISAACSON, *supra* note 12, at 98.

88. *Id.*

89. *Id.* at 100.

90. *Id.* at 99.

91. *Id.* at 100.

92. *Id.*

93. *Id.* at 102; WOZNIAK, *supra* note 79, at 220.

94. ISAACSON, *supra* note 12, at 102–03.

95. *Id.* at 104; SCHLENDER & TETZELI, *supra* note 12, at 64.

96. ISAACSON, *supra* note 12, at 107.

97. *Id.* at 148–49.

98. *Id.* at 149–51.

99. *Id.* at 157–58.

100. *Id.* at 157.

101. *Id.* at 157–58.

consumers.¹⁰² He later came to view this pricing decision as “the main reason the Macintosh sales slowed and Microsoft got to dominate the market.”¹⁰³ Apart from pricing concerns, the Macintosh computer’s memory was too low for the demanding applications, and the absence of an internal hard disk required repeated switching out of floppy disks.¹⁰⁴ His decision not to include a computer fan, so as to limit distracting sound, led to internal component problems from the heat.¹⁰⁵ Apple rebranded its business-oriented Lisa computer as “Macintosh XL” and grafted a Macintosh program on it, benefitting from the Lisa computer’s greater memory and somewhat improving sales.¹⁰⁶ But by 1985, sales of the Macintosh computer had dropped to ten percent of the budget forecast.¹⁰⁷

Conflict emerged between Jobs and Sculley, and Sculley tried to persuade Jobs to step down from leading the Macintosh computer division of Apple and instead lead a newly formed AppleLabs R&D group to develop new products.¹⁰⁸ After hearing dueling presentations from Sculley and Jobs, the Apple Board of Directors agreed with Sculley, providing him authority to remove Jobs from leading the Macintosh computer division.¹⁰⁹ He subsequently tried to oust Sculley but was unable to do so.¹¹⁰ Sculley then pushed Jobs into a new role as “Chairman” of Apple, where he would be a “global visionary” without any direct supervisory authority.¹¹¹

Jobs decided to leave Apple to form a new company focused on the computer needs of researchers in higher education.¹¹² After he disclosed to the Apple Board that certain Apple employees were electing to leave and join him, Apple sued him for breach of fiduciary duties.¹¹³ He responded by stating in *Newsweek*, “It’s hard to think that a \$2 billion company with 4,300 employees couldn’t compete with six people in blue jeans.”¹¹⁴ The lawsuit was settled with the agreement of NeXT Computer to market only high-end workstations not compatible with the Macintosh operating system and to sell only directly to universities beginning not earlier than 1987.¹¹⁵ The \$6,500 price of the NeXT computer proved problematic, especially when combined with \$2,000 for a

102. *Id.* at 158.

103. *Id.*

104. *Id.* at 186; SCHLENDER & TETZELI, *supra* note 12, at 85 (also noting the lack of software for the Mac, the operating system for which was not completed until product launch).

105. ISAACSON, *supra* note 12, at 186.

106. *Id.*

107. *Id.* at 195.

108. *Id.* at 197–98.

109. *Id.* at 198.

110. *Id.* at 199–206; SCHLENDER & TETZELI, *supra* note 12, at 88–89.

111. ISAACSON, *supra* note 12, at 207.

112. *Id.* at 211–17; WOZNIAK, *supra* note 79, at 297 (“Steve resigned after a power struggle with the board. They stripped Steve of most of his responsibilities and he quit. It’s a common misconception in Silicon Valley that he was fired. He quit.”).

113. ISAACSON, *supra* note 12, at 217.

114. *Id.* at 218.

115. *Id.* at 222.

printer and another possible \$2,500 for a helpful external hard disk.¹¹⁶ While the NeXT computer factory could produce up to 10,000 computers per month, NeXT only sold approximately 400 each month.¹¹⁷

In 1986, Lucasfilm sold a majority stake in its computer division to Jobs.¹¹⁸ The new company was renamed Pixar, after its Pixar Image Computer.¹¹⁹ The main customers for Pixar's \$125,000 computer were animators, graphic designers, medical personnel, and national security entities.¹²⁰ He had Pixar sell a lower-cost version of the computer for \$30,000, but the computer remained too expensive for a mass market.¹²¹ He also tried to have them develop a mass-market version of their graphics software, but again the expensive software did not succeed.¹²²

Pixar was successful, however, in creating computer animation software for Disney, which was used to animate *The Little Mermaid* in 1988, and Disney bought many Pixar Image Computers.¹²³ Pixar produced a computer-animated short for the annual SIGGRAPH computer graphics conference and the short won best film for the conference.¹²⁴ He noted, "Our film was the only one that had art to it, not just good technology. Pixar was about making that combination, just as the Macintosh had been."¹²⁵ The Pixar short film was subsequently nominated for an Academy Award.¹²⁶ In 1988, while Pixar struggled in several other business endeavors, a second short film, *Tin Toy*, became the first computer-animated film to win an Academy Award.¹²⁷

Jobs proposed that Disney and Pixar collaborate on a film.¹²⁸ The resulting collaboration, *Toy Story*, became the top-grossing film of the year, with \$192 million in theater receipts in the United States, and a total of \$362 million globally.¹²⁹ One week after the opening of *Toy Story*, Pixar completed an initial public offering of stock.¹³⁰ For Jobs's personal investment of \$50 million in Pixar, his shares were worth \$1.2 billion.¹³¹

As Pixar rose, NeXT faced continued difficulties. Because NeXT computers were not succeeding against market competitors, he agreed to permit

116. *Id.* at 235; SCHLENDER & TETZELI, *supra* note 12, at 122.

117. ISAACSON, *supra* note 12, at 237.

118. *Id.* at 239

119. *Id.* at 240; SCHLENDER & TETZELI, *supra* note 12, at 131 (noting that Jobs bought Pixar for \$5 million in cash and a promise to spend \$5 million to capitalize Pixar further).

120. ISAACSON, *supra* note 12, at 240–41.

121. *Id.* at 241.

122. *Id.* at 242.

123. *Id.*

124. *Id.* at 244.

125. *Id.*

126. *Id.*

127. *Id.* at 248; SCHLENDER & TETZELI, *supra* note 12, at 142.

128. ISAACSON, *supra* note 12, at 284.

129. *Id.* at 290.

130. *Id.* at 291.

131. *Id.*

NeXT's operating system, NeXTSTEP, to be licensed to other computers, including IBM.¹³² In 1990, NeXT ceased making computers.¹³³

With him absent from Apple, Apple continued to lose market share to products using Microsoft's Windows operating system.¹³⁴ Indeed, Apple's market share fell to four percent in 1996, compared to sixteen percent at the end of the prior decade.¹³⁵ Apple moved through two additional chief executive officers, and between 1991 and 1996, Apple's share price dropped from \$70 to \$14, amidst a wider surge in technology stock prices for other companies.¹³⁶

In 1996, Apple began talks with NeXT because of Apple's need for NeXT's operating system.¹³⁷ After a presentation by Jobs, who had returned to Apple's offices for the first time since he left in 1986, Apple decided to buy NeXT for approximately \$400 million.¹³⁸ Of that amount, Jobs was paid \$157 million in a mix of cash and stock.¹³⁹ Within several months, in an attempt to install him as CEO, Apple's board fired CEO Gil Amelio.¹⁴⁰ Still CEO at Pixar, Jobs consented only to remain an advisor to the Apple interim CEO Fred Anderson.¹⁴¹

In 1997, he negotiated with Bill Gates to end the patent and copyright litigation between Apple and Microsoft in exchange for a commitment by Microsoft to keep developing applications for Apple and an investment by Microsoft in Apple.¹⁴² Jobs announced the new undertakings with Microsoft during a Macworld event.¹⁴³ Although some in the audience recoiled at Apple joining together with Microsoft in common efforts, Apple's stock rose thirty-three percent that day, resulting in its value doubling from the date of previous Apple CEO Gil Amelio's departure.¹⁴⁴ Jobs also ended the licensing of Apple's operating system to certain other computers, enabling Apple to integrate closely its own hardware and software.¹⁴⁵

Jobs then assumed the role of interim CEO of Apple, which he abbreviated to iCEO, ten weeks after the former CEO Gil Amelio left.¹⁴⁶ With Jobs's involvement, Apple continued to try to recruit a permanent CEO externally, but strong candidates were hesitant to explore the position with him still actively

132. *Id.* at 294.

133. *Id.*; SCHLENDER & TETZELI, *supra* note 12, at 186.

134. ISAACSON, *supra* note 12, at 296.

135. *Id.*

136. *Id.* at 297.

137. *Id.* at 299; SCHLENDER & TETZELI, *supra* note 12, at 199.

138. ISAACSON, *supra* note 12, at 299–301; SCHLENDER & TETZELI, *supra* note 12, at 199.

139. ISAACSON, *supra* note 12, at 302.

140. *Id.* at 316; SCHLENDER & TETZELI, *supra* note 12, at 207.

141. ISAACSON, *supra* note 12, at 317.

142. *Id.* at 323–24; SCHLENDER & TETZELI, *supra* note 12, at 211.

143. ISAACSON, *supra* note 12, at 325–26; SCHLENDER & TETZELI, *supra* note 12, at 212.

144. ISAACSON, *supra* note 12, at 326.

145. *Id.* at 336.

146. *Id.* at 332.

involved as a board member.¹⁴⁷ He also believed Apple was then too weak to attract strong candidates.¹⁴⁸

In 1998, Apple introduced the iMac.¹⁴⁹ Jobs decided to include a hard disk drive, but not a floppy disk drive, at a time when most computers still had floppy disk drives.¹⁵⁰ The iMac had a translucent, playfully curved, blue back cover that enabled users to see inside the computer.¹⁵¹ After a grand launch event, the iMac sold 800,000 units that year.¹⁵² Apple subsequently added numerous other iMac colors.¹⁵³

Between Jobs's return in 1997 and 2000, Apple's stock rose from \$14 per share to \$102 per share.¹⁵⁴ Apple co-founder Steve Wozniak observed that "Steve was able to stand up there on a stage and talk about Apple and really restore the loyalty that people had all along. Apple needed marketing leadership and charisma to get people excited again, and that's what Steve Jobs brought when he came back."¹⁵⁵ Apple had offered him a share grant for his services as advisor and interim CEO, but he declined and instead accepted \$1 per year.¹⁵⁶ He did not want others to think he was merely returning to Apple for money and was himself unsure about whether to commit himself fully to Apple.¹⁵⁷ The shares would have become worth \$400 million in that period.¹⁵⁸ He subsequently agreed to become the permanent CEO of Apple and began accepting stock options and a plane to ease travel.¹⁵⁹

Meanwhile, under Jobs's leadership, Pixar produced several other successful original films. In 1998, Pixar released *A Bug's Life*, which aimed to be the first animated film about insects.¹⁶⁰ Even though *Antz*, by Dreamworks SKG, was rushed to release six weeks before *A Bug's Life*, Pixar's film soundly beat the gross receipts of *Antz* with *A Bug's Life* grossing \$163 million domestically and \$363 million worldwide.¹⁶¹ In 1999, Pixar released *Toy Story 2*, which grossed \$485 million globally.¹⁶² Pixar released *Monsters, Inc.* in 2001 and the film grossed \$525 million worldwide.¹⁶³ Then, in 2003, Pixar released *Finding Nemo*, which became the highest-grossing animated film until then

147. *Id.* at 333.

148. *Id.*

149. *Id.* at 348.

150. *Id.* at 349.

151. *Id.*

152. *Id.* at 356.

153. *Id.*

154. *Id.*

155. WOZNIAK, *supra* note 79, at 297.

156. ISAACSON, *supra* note 12, at 365.

157. *Id.*

158. *Id.*

159. *Id.*

160. *Id.* at 427.

161. *Id.* at 427–29.

162. *Id.* at 430.

163. *Id.* at 432.

with \$340 million domestically and \$868 million worldwide.¹⁶⁴ In 2006, Jobs negotiated with Disney CEO Bob Iger for Disney to purchase Pixar for \$7.4 billion in stock.¹⁶⁵ Pixar's Edwin Catmull would lead Disney's animation division, and Pixar's John Lasseter would become the chief creative officer.¹⁶⁶ As a result of his stake in Pixar, Jobs became Disney's largest shareholder, owning seven percent of Disney's stock.¹⁶⁷

In 1999, Jobs began developing Apple stores so that trained Apple salespersons would be able to explain to customers the innovative aspects of Apple computers that would justify a higher price.¹⁶⁸ He hired Ron Johnson, previously of Target, and they determined that stores should have only one entrance, so as to control the customers' experience.¹⁶⁹ In addition, the Apple stores would not be too long or narrow so that customers could immediately understand the store's layout.¹⁷⁰ Moreover, Apple stores would be placed not in separate locations with cheaper rent, but at the heart of malls and main streets where people gathered.¹⁷¹

Jobs and Johnson also agreed that the size of the store indicated the importance of the company and that Apple stores should be large.¹⁷² After reviewing Apple's products, they also determined that Apple stores would be minimalist and open, with ample opportunities for customers to interact with Apple products.¹⁷³ Apple board member Millard Drexler, CEO of Gap, suggested that Apple build a prototype store close to campus and that Jobs and Johnson continue to refine it until they were contented.¹⁷⁴ For six months, Jobs and Johnson met at the prototype store weekly, focusing on and improving the details of design and service.¹⁷⁵

Only three years after the launch of the first Apple store in 2001, Apple stores had reached \$1.2 billion in revenue.¹⁷⁶ The rising see-through glass staircases in Apple stores resulted in two patents with Jobs listed as the lead inventor.¹⁷⁷ In 2002, Jobs replaced the wood flooring in the stores with gray-blue sandstone from Italy, which Florence used for its sidewalks.¹⁷⁸

164. *Id.* at 434.

165. *Id.* at 441.

166. *Id.* at 443.

167. *Id.* at 441.

168. *Id.* at 369.

169. *Id.*

170. *Id.*

171. *Id.* at 369–70.

172. *Id.* at 370.

173. *Id.*

174. *Id.* at 371.

175. *Id.* at 371–72.

176. *Id.* at 374.

177. *Id.* at 375.

178. *Id.*

The Apple stores also included a “Genius Bar” for computer support service.¹⁷⁹ At an Apple retreat, Jobs had asked where employees had experienced the best service.¹⁸⁰ Employees widely praised Four Seasons and Ritz-Carlton hotels, so Apple sent five Apple store managers through Ritz-Carlton’s training program.¹⁸¹ The managers suggested creating a cross between a concierge and a bar for Apple’s stores, staffing it with highly knowledgeable Apple computer employees, and calling it the Genius Bar.¹⁸²

Apple’s Fifth Avenue store in New York remained open around the clock and through weekends, grossing more per square foot and in absolute dollars than any other single store in New York.¹⁸³ Before a new product release, customers slept overnight outside Apple stores to be the first to buy new products the next morning.¹⁸⁴

In 2000, Apple purchased SoundJam, a company founded by former Apple employees that enabled users to listen to music in MP3 digital format on the Mac computer.¹⁸⁵ Jobs pushed the makers of SoundJam to simplify the interactive screens and search for any song, album, or artist via a single search box.¹⁸⁶ In 2001, Jobs introduced iTunes, which enabled users to play music via the MP3 digital format.¹⁸⁷

Believing that existing MP3 portable players were inadequate because of insufficient memory and overly complicated controls, Jobs and his team at Apple began creating Apple’s own MP3 portable player.¹⁸⁸ Apple discovered that Toshiba was creating a new 1.8-inch-wide hard disk that could store approximately one thousand songs.¹⁸⁹ Apple bought the rights to the disk and separately made a deal with PortalPlayer to use its MP3 player as the foundation for Apple’s own MP3 player.¹⁹⁰ Apple simplified the controls, extended battery life, and expanded song storage.¹⁹¹ Apple also added a track-wheel to allow users to spin through songs, with speed increasing the longer one turned on the wheel.¹⁹² Jobs required that any song or function be accessible within three clicks.¹⁹³ To simplify the iPod, Apple placed more complicated tasks on iTunes on the Mac computer.¹⁹⁴ In addition, Jobs required that the iPod have no on-off

179. *Id.*

180. *Id.*

181. *Id.*

182. *Id.* at 375–76.

183. *Id.* at 376.

184. *Id.*

185. *Id.* at 383; SCHLENDER & TETZELI, *supra* note 12, at 263.

186. ISAACSON, *supra* note 12, at 383.

187. *Id.*; SCHLENDER & TETZELI, *supra* note 12, at 264.

188. ISAACSON, *supra* note 12, at 384.

189. *Id.* at 385.

190. *Id.*

191. *Id.*

192. *Id.* at 388.; SCHLENDER & TETZELI, *supra* note 12, at 270.

193. ISAACSON, *supra* note 12, at 388.

194. *Id.* at 389.

switch.¹⁹⁵ Instead, the iPod would turn off if not used and awaken upon being touched.¹⁹⁶ The marketing pitch was “a thousand songs in your pocket.”¹⁹⁷ Jobs introduced the iPod at an Apple launch event in 2001.¹⁹⁸

After completing the iPod, Jobs and Apple set about bolstering iTunes so that it could sell music directly to consumers.¹⁹⁹ He also met individually with nearly two dozen major artists whose recording agreements gave them control over the individual sale of their recorded songs.²⁰⁰ Apple presented the iTunes store in 2003.²⁰¹ Jobs argued that pirated digital music sometimes had poor encoding quality, contained no previews or album cover art, had much slower download times, and was a form of stealing.²⁰² With individual songs selling at ninety-nine cents each, the iTunes store proceeded to sell one million songs in six days²⁰³ and twenty-five million songs by the end of the year.²⁰⁴ In 2004, Apple introduced the iPod Mini, a smaller version of the iPod that was easier to use while exercising.²⁰⁵ Apple obtained a seventy-four percent market share of portable music players within a year and a half of launching the original iPod, and Apple sold 4.4 million iPods in 2004.²⁰⁶ Smaller even than an iPod Mini was the iPod Shuffle, which Apple introduced in 2005 and which eliminated the screen and played songs randomly.²⁰⁷ By 2005, the iTunes stores had sold one billion songs.²⁰⁸

In 2007, Apple released the iPhone.²⁰⁹ Using an exceptionally strong “Gorilla Glass” on its multi-touch screen,²¹⁰ Jobs promoted the iPhone as combining in a single device “a widescreen iPod with touch controls,” “a revolutionary mobile phone,” and “a breakthrough Internet communications device.”²¹¹ From 2007 to 2010, Apple sold ninety million iPhones, garnering the majority of profits from cellphone sales globally.²¹²

195. *Id.*

196. *Id.*

197. *Id.* at 390.

198. *Id.* at 392.

199. *Id.* at 396.

200. *Id.* at 402.

201. *Id.*

202. *Id.* at 402–03.

203. *Id.* at 403.

204. SCHLENDER & TETZELI, *supra* note 12, at 290.

205. ISAACSON, *supra* note 12, at 409.

206. *Id.*; SCHLENDER & TETZELI, *supra* note 12, at 297.

207. ISAACSON, *supra* note 12, at 409.

208. *Id.* at 410.

209. *Id.* at 474.

210. *Id.* at 470–72.

211. *Id.* at 474.

212. *Id.*

Because of pancreatic cancer that metastasized to his liver, Jobs took medical leave from Apple in 2009, retaining his position as CEO but installing Tim Cook as responsible for operations.²¹³

In 2010, Apple introduced the iPad, a handheld tablet computer with a multi-touch screen.²¹⁴ The iPad's larger tablet size compared to the iPhone enabled better display of videos, books, games, and photos.²¹⁵ Apple sold one million iPads within one month, and fifteen million within nine months.²¹⁶

Both the iPhone and iPad thrived on Apple's App Store.²¹⁷ Though Jobs initially resisted suggestions by Apple board members to permit third-party developers to create applications for the iPhone and iPad, Jobs eventually relented, so long as the app developers met standards set by Apple and sold their apps only through Apple's App Store.²¹⁸ Apple opened the App Store on iTunes in 2008, and within months, users had downloaded one billion apps.²¹⁹ A new industry of app developers developed, and they earned \$2.5 billion from sales on Apple's App Store by 2011.²²⁰

By 2011, a decade after their launch, Apple stores had net sales of \$9.8 billion, which was approximately fifteen percent of all Apple revenue.²²¹ Apple's iTunes Store had resulted in 225 million active users, whose billing information was held by Apple, enabling Apple to easily suggest to them the purchase of digital magazines and other e-commerce.²²² In 2011, Jobs also introduced Apple's iCloud, which was free and would seek to move users' digital hubs from their computers to cloud computing.²²³ With iCloud, Apple devices synchronized instantaneously one's apps, books, calendar, contacts, documents, email, music, and photos.²²⁴

Conceiving new products before consumers knew they needed them, Jobs's work at Apple and Pixar transformed multiple industries, including personal computers, telephones, animated films, and music recordings and playback.²²⁵ Prior to his stepping down as CEO of Apple in 2011, Apple became the highest-valued company in the world.²²⁶ In the final months before passing away from cancer in 2011, Jobs continued to consider new possibilities

213. *Id.* at 480–81.

214. *Id.* at 493.

215. *Id.* at 500–01.

216. *Id.* at 498.

217. *Id.* at 501–02.

218. *Id.* at 501.

219. *Id.* at 502.

220. *Id.*

221. *Id.* at 383.

222. *Id.* at 410.

223. *Id.* at 532. In 2008, Apple had introduced an earlier fee-based attempt at using the cloud to synchronize devices, called MobileMe, which was beset with various reliability problems. *Id.* at 531.

224. *Id.* at 533.

225. *Id.* at xxi.

226. *Id.*

for products.²²⁷ He worked to assemble a new technology for iPhones to take pictures in low light.²²⁸ He stated that he had “finally cracked” the approach for a television that would be integrated with other devices and the iCloud, with the “simplest user interface you could imagine.”²²⁹ He also sought to focus Apple on education, using the iPad to deliver digital content to students and transform learning.²³⁰

II. CHANNELING JOBS’S VALUES-BASED LEADERSHIP IN LAW SCHOOLS

Jobs’s values-based leadership prized great products, passion, creativity, and innovation. Jobs’s chief goal was producing great products, rather than primarily seeking money and profit.²³¹ He viewed work as a form of passion, and his passionate engagement with technology led him creatively to see opportunities for innovation in leaps forward for product categories, such as the personal computer and digital lifestyle hub.²³² Channeling Jobs’s value-based leadership, an Apple-inspired law school would focus on great teaching, scholarship, and service, not merely regulatory compliance, rankings, or revenue, cultivate law professors’ passion for legal education and law, and explore technology-aided adaptive learning and online education.²³³

A. For “Insanely Great” Products, Not Money or Status

Jobs had passion for creating a great product, rather than merely a profitable product, and Apple’s employees came to share that approach.²³⁴ From Apple investor and marketing expert Mike Markkula, Jobs learned that “you should never start a company with the goal of getting rich,” but instead “[y]our goal should be making something you believe in and making a company that will last.”²³⁵ Jobs encouraged the team not to seek to maximize profits or

227. *Id.* at 555.

228. *Id.*

229. *Id.*

230. *Id.* (“Jobs had many other ideas and projects that he hoped to develop. He wanted to disrupt the textbook industry and save the spines of spavined students bearing backpacks by creating electronic texts and curriculum material for the iPad.”).

231. *See infra* Section II.A.

232. *See infra* Sections II.B–C.

233. *See infra* Sections II.A–C.

234. ISAACSON, *supra* note 12, at 123; Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing “Put Products Before Profits” as one leadership lesson to be learned from Jobs); *see also* WOZNIAK, *supra* note 79, at 311 (thanking Steve Jobs for “wanting to do Great and Big things”).

235. ISAACSON, *supra* note 12, at 78; SCHLENDER & TETZELI, *supra* note 12, at 53 (noting that with regard to those who had built great technology companies, such as Dave Packard of Hewlett Packard and Robert Noyce of Intel, “[n]one of these people were really in it for the money”).

simply beat competitors' products, but rather to "do the greatest thing possible, or even a little greater."²³⁶

After Jobs left Apple, and Sculley sought to make Apple a consumer-products company, Apple's stock value declined.²³⁷ Jobs stated, "They cared about making money—for themselves mainly, and also for Apple—rather than making great products."²³⁸ Instead, according to Jobs, "Sculley insisted on milking all the profits he could get rather than improving the product and making it affordable."²³⁹

When Jobs returned to Apple as CEO in 1997, Jobs noted, "What we're trying to do here is not highfalutin. We're trying to get back to the basics of great products, great marketing, and great distribution. Apple has drifted away from doing the basics really well."²⁴⁰ Indeed, because of Jobs's statement that Apple would be focusing on great products, Apple's then-head of design, Jonathan Ive, decided to forgo his plans to quit an Apple that without Jobs had come to prioritize short-term profit over product design and innovation.²⁴¹ Ive recalled, "I remember very clearly Steve announcing that our goal is not just to make money but to make great products. The decisions you make based on that philosophy are fundamentally different from the ones we had been making at Apple."²⁴²

Indeed, Jobs focused on creating an "insanely great" product rather than costs.²⁴³ When John Lasseter of Pixar approached Jobs about the budget for the short film, *Tin Toy*, Jobs replied, "Just make it great," and *Tin Toy* subsequently won the Oscar for Best Short Animated Film in 1989.²⁴⁴ In particular, Jobs rejected as immoral the statement by portable-computer entrepreneur Adam Osborne, "Adequacy is sufficient. All else is superfluous."²⁴⁵

An important part of Jobs's managerial development over time, however, was a growing integration of his drive for greatness in products with astutely navigating the practical challenges in developing those products. Jobs's difficulties at NeXT led him to be less impulsive and less inclined to overreach when he returned to Apple in the 1990s.²⁴⁶

236. ISAACSON, *supra* note 12, at 123; *see also id.* at 105 ("[Jobs] didn't allow a craving for profits to take precedence over his passion for building great products."); SCHLENDER & TETZELI, *supra* note 12, at 233 ("[I]t's about the products. It's about working together with really fun, smart, creative people and making wonderful things. It's not about the money.").

237. ISAACSON, *supra* note 12, at 295.

238. *Id.*

239. *Id.* at 296.

240. *Id.* at 353.

241. *Id.* at 341 ("There wasn't that feeling of putting care into a product, because we were trying to maximize the money we made. . . . I was about to quit.").

242. *Id.* at 340–341.

243. *Id.* at 143.

244. SCHLENDER & TETZELI, *supra* note 12, at 142.

245. ISAACSON, *supra* note 12, at 123.

246. SCHLENDER & TETZELI, *supra* note 12, at 200.

In considering his own legacy, Jobs emphasized the goal of making great products primarily, and money only secondarily, and he differentiated his approach from that taken at Apple while John Sculley was CEO:

My passion has been to build an enduring company where people were motivated to make great products. Everything else was secondary. Sure, it was great to make a profit, because that was what allowed you to make great products. But the products, not the profits, were the motivation. Sculley flipped these priorities to where the goal was to make money. It's a subtle difference, but it ends up meaning everything: the people you hire, who gets promoted, what you discuss in meetings.²⁴⁷

An Apple-inspired law school would not accept the notion that adequate teaching, scholarship, or service is sufficient but would instead seek in each area to “do the greatest thing possible, or even a little greater.”²⁴⁸ In particular, such a law school would first focus on determining how to create groundbreaking programs, courses, and scholarship, and then secondarily contemplate the extent of related financial benefits. The goal of producing great results in teaching, scholarship, and service would also determine hiring and promotion and be the focus of faculty meetings. Most broadly, administrators at such a law school would believe that “the world [would] be a better place with [their law school] in it.”²⁴⁹

Instead of seeking greatness in its products, one concern for law schools is that they might instead see their aim merely as minimal regulatory compliance with the relevant accreditation standards set forth by the American Bar Association and the membership requirements of the Association of American Law Schools, as well as perhaps the standards of any relevant university accreditor recognized by the United States Department of Education.²⁵⁰ Indeed, such an approach might be expected from lawyers who generally look to identify and comply with appropriate authority and rules. This compliance mindset of law schools is also anchored in ABA Standard 101, which states that “[a] law school seeking approval by the Council shall demonstrate that it is being operated in compliance with the Standards.”²⁵¹

The ABA’s general charge for a law school is that it “maintain[s] a rigorous program of legal education that prepares its students . . . for admission to the bar and for effective, ethical, and responsible participation as members of

247. ISAACSON, *supra* note 12, at 567; *see also* CRUIKSHANK, *supra* note 12, at 25 (“[W]e’re out to make the best products in the world. And we’ll sleep well when we do that.”); SCHLENDER & TETZELI, *supra* note 12, at 180.

248. ISAACSON, *supra* note 12, at 123.

249. *Cf. id.* at 304 (noting that Jobs stated “the only reason I want to [be Chairman of Apple] is that the world will be a better place with Apple in it”).

250. *See, e.g., Overview of Accreditation in the United States*, U.S. DEP’T OF EDUCATION, <https://www2.ed.gov/admins/finaid/accred/accreditation.html#Overview> (last visited July 25, 2023) (“Accrediting agencies . . . are private educational associations that develop evaluation criteria and conduct peer evaluations to assess whether or not those criteria are met.”).

251. ABA Standard 101, ABA STANDARDS & RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS (2023-2024) [hereinafter ABA Standard or ABA Rule].

the legal profession.”²⁵² In addition, the ABA requires that “[t]he faculty shall possess a high degree of competence, as demonstrated by academic qualification, experience in teaching or practice, teaching effectiveness, and scholarship.”²⁵³ In contrast, the Association of American Law Schools is somewhat more aspirational in that it “values and expects its member schools to value . . . excellent scholarship[,] excellent teaching[,] and a rigorous academic program in the context of a dynamic curriculum that is both broad and deep.”²⁵⁴ Neither the ABA nor the AALS, however, uses language in its standards aspiring to the groundbreaking standard to which Jobs held Apple.²⁵⁵

One hurdle to innovation in law schools is that ABA accreditation rules must sometimes first be met before change is undertaken. For example, under ABA Standard 105, “[b]efore a law school makes a substantive change in its program of legal education or organizational structure, it shall obtain the acquiescence of the Council for the change.”²⁵⁶ One example of such a change is “[t]he addition of courses or programs that represent a significant departure from existing offerings or methods of delivery. . . .”²⁵⁷ In addition, the ABA Standards prevent a law school from offering a degree program other than its J.D. program unless the ABA has granted acquiescence to the program, and the new degree “will not interfere with the ability of the law school to operate in compliance with the Standards and to carry out its program of legal education.”²⁵⁸ Similarly, a law school may not enroll “auditors, non-degree candidates, or candidates for a degree other than a J.D. . . . [unless] such enrollment does not interfere with the ability of the law school to operate in compliance with the Standards and to carry out its program of legal education.”²⁵⁹

Separately, “[a] law school proposing to make any change that is or may be inconsistent with one or more of the [ABA] Standards may apply to the Council for a variance”²⁶⁰ Variances may be sought in response to “extraordinary circumstances in which compliance with the relevant Standard . . . would create or constitute extreme hardship for the law school”²⁶¹ In addition, a variance and its changes may be sought if they are “consistent with the general purposes and objectives of the overall

252. ABA Standard 301.

253. ABA Standard 401.

254. AALS BYLAWS § 6-1, ASSOCIATION OF AMERICAN LAW SCHOOLS, <https://www.aals.org/about/handbook/bylaws/> (last visited Jan 2, 2024) [hereinafter AALS BYLAWS].

255. ISAACSON, *supra* note 12, at 143.

256. ABA Standard 105(a).

257. ABA Standard 105(a)(12) (including “instituting a new full-time or part-time division,” instituting a Distance Education J.D. Program, or “establishing a new or different program leading to a degree other than a J.D. degree”).

258. ABA Standard 313(c); *see also* ABA Standard 313(a) (also requiring that a law school be “fully approved” before offering a non-J.D. degree).

259. ABA Standard 506.

260. ABA Standard 107(a).

261. ABA Standard 107(a)(1).

Standards,” “experimental or innovative and have the potential to improve or advance the state of legal education,” and the “anticipated benefits . . . outweigh any anticipated harms to the law school’s program or its students.”²⁶² Such a variance, if granted, may be time-limited or indefinite and may include a requirement that the law school report regularly to the Managing Director or the Council of the ABA Section of Legal Education and Admissions to the Bar.²⁶³

While accreditation requirements may slow or limit innovation, they have important purposes in protecting consumers and protecting the federal government’s investment in financial aid for students.²⁶⁴ Notwithstanding the need to navigate accreditation requirements, an Apple-inspired law school would dedicate itself to innovating new, better ways of accomplishing teaching, scholarship, and service and related organizational support structures. Whether for-profit or non-profit, such a law school would not continue the same programs simply because they are revenue-generating but would instead seek to improve their quality or make them more efficient and affordable.

Moreover, an Apple-inspired law school would not see its goal as merely beating competitors.²⁶⁵ Notwithstanding the recent refusal of several law schools to cooperate with the *U.S. News & World Report* ranking,²⁶⁶ law school administrators are generally annually beset with anxiety about their standing, particularly in the closely watched *U.S. News & World Report* law school rankings.²⁶⁷ An Apple-inspired law school would not see its goal as merely advancing in the *U.S. News & World Report* rankings or any other ranking. Indeed, such a law school would not measure its achievement in comparison to other law schools, seeing external recognition as merely a possible byproduct of doing the primary tasks of teaching, scholarship, and service superbly well.

B. *Passion for Work*

In 2005, Jobs delivered the commencement address at the graduation for Stanford University, mining his professional and personal life for insights.²⁶⁸ Describing one “story . . . about love and loss,” he recounted being pushed out from Apple in the 1980s following the creation of the Macintosh computer.

262. ABA Standard 107(a)(2).

263. *Id.*

264. *See Overview of Accreditation in the United States*, *supra* note 250 (“The goal of accreditation is to ensure that institutions of higher education meet acceptable levels of quality.”).

265. *Cf.* ISAACSON, *supra* note 12, at 123 (according to Apple employee Andrew Hertzfeld, “[t]he goal was never to beat the competition It was to do the greatest thing possible, or even a little greater.”).

266. *See, e.g.*, Nick Anderson & Susan Svrluga, *Law School Revolt Against U.S. News Rankings Gains Steam*, WASH. POST (Dec. 3, 2022), <https://www.washingtonpost.com/education/2022/12/03/law-schools-protest-us-news-rankings/> (“[L]aw schools have . . . claim[ed] that the ranking formula rewards those that recruit affluent students, who tend to take on less debt, and fails to give proper credit to schools that recruit students from modest economic backgrounds and prepare them for careers in academia or public service.”).

267. *Id.* (according to George Mason University Scalia Law School Dean Ken Randall, “The big bulk of schools . . . really do think about rankings a lot.”).

268. SCHLENDER & TETZELI, *supra* note 12, at 313–26.

Perceiving himself a public failure, he contemplated “running away from the Valley.”²⁶⁹ But “something slowly dawned on [him]—[he] still loved what [he] did.”²⁷⁰ He “had been rejected, but [he] was still in love”; as a result, he “decided to start over.”²⁷¹ He then went on to start Pixar, a world-leading studio for animation, and NeXT, which was later acquired by Apple, leading to Jobs returning to Apple ultimately as CEO.²⁷² Jobs urged, “Sometimes life hits you in the head with a brick[,]” you should not “lose faith,” and for him, “the only thing that kept [him] going was that [he] loved what [he] did.”²⁷³ Jobs exhorted the graduating students, “You’ve got to find what you love. And that is as true for your work as it is for your lovers.”²⁷⁴ As in romantic life, Jobs urged one not to settle in finding one’s calling.²⁷⁵

Moreover, for Jobs, love of work provided the nexus between greatness in work and satisfaction in life. Jobs observed, “Your work is going to fill a large part of your life, and the only way to be truly satisfied is to do what you believe is great work.”²⁷⁶ In turn, “the only way to do great work is to love what you do.”²⁷⁷ That is because doing such work is “really hard” and “over a sustained period of time” and involves “worrying constantly,” so that if one does not have “passion” for the work, “you’re going to give up.”²⁷⁸ Indeed, “the ones that didn’t love it quit because they’re sane”²⁷⁹ So central was passion to Jobs and Apple that he opined that “Apple, at the core—its core value—is that we believe that people with passion can change the world for the better.”²⁸⁰

When Microsoft released the Zune in 2006 to compete with Apple’s successful iPod, the Zune only obtained a five percent market share two years after release.²⁸¹ Analyzing the failure of Zune, Jobs focused on love of music:

The older I get, the more I see how much motivations matter. . . .
[T]he people at Microsoft don’t really love music or art the way we
do. We won because we personally love music. . . . If you don’t

269. *Id.* at 319.

270. *Id.*

271. *Id.*

272. *Id.*

273. *Id.* at 320.

274. *Id.*; *see also* MAKE SOMETHING WONDERFUL, *supra* note 12, at 58 (“Make your avocation your vocation. Make what you love your work.”); GALLO, INNOVATION SECRETS, *supra* note 12, at 13 (stating “Principle 1” to be “Do What You Love”).

275. SCHLENDER & TETZELI, *supra* note 12, at 320 (“If you haven’t found it yet, keep looking. Don’t settle. As with all matters of the heart, you’ll know when you find it. And, like any great relationship, it just gets better and better as the years roll on. So keep looking until you find it. Don’t settle.”).

276. *Id.*

277. *Id.*

278. STEVE JOBS, I, STEVE 78 (George Beahm ed., 2011) (quoting Steve Jobs’s appearance at D5 Conference: All Things Digital, May 30, 2007).

279. *Id.*

280. MAKE SOMETHING WONDERFUL, *supra* note 12, at 84.

281. ISAACSON, *supra* note 12, at 407.

love something, you're not going to go the extra mile, work the extra weekend, challenge the status quo as much.²⁸²

Passion was also central to Jobs's hiring of new employees. In 1981, while working on the Macintosh computer, he would occasionally bring a job candidate into a room with a computer covered in cloth, unveil the computer, and watch the candidate.²⁸³ If a candidate became excited and began interacting with the computer, Jobs would hire the person.²⁸⁴ He also persuaded candidates to choose Apple, rather than another company, by conveying his passion and vision for Apple's products. As one candidate recalled,

Steve was so passionate about building this amazing device that would change the world. By sheer force of his personality, he changed my mind. He wanted me to see that this whole thing was going to happen and that it was thought out from end to end. Wow, I said, I don't see that kind of passion every day. So I signed up.²⁸⁵

Jobs had an "engaging intensity" that could be "captivat[ing]."²⁸⁶

Law schools and higher education are of course filled widely with many persons who entered it in pursuit of a passion for ideas, research, and teaching.²⁸⁷ Indeed, law faculty frequently leave more lucrative positions in law practice because of a calling to teach or write. An Apple-inspired law school would view passion for teaching, scholarship, and service as an important criterion in hiring professors, assessing whether a candidate for a professorial position was excited in interviews and the classroom during a job-talk presentation. Indeed, the law school's dean would seek to attract candidates by displaying the dean's own passion for the law school's teaching and research and relating exciting opportunities to develop the law school further.

Because of the flexibility of legal academia, faculty at an Apple-inspired law school would be encouraged to find areas of teaching, scholarship, and service about which they are passionate and focus their efforts there. Within research, faculty would be urged to look for subjects, topics, or theories that inspire their passionate exploration, so that they will be driven to do the sustained, careful work necessary for superb scholarship. In teaching, faculty would be moved, if possible, into teaching subjects and courses that they would love to teach, conveying their own excitement to students who will hopefully discover a similar passion for learning the subject and perhaps even devote their careers to it. So too with administrative service, where faculty who discover a passion for the collaborative creation, management, and improvement of the school might be not only assigned to committees that match their passions, but also channeled into roles as committee chair, faculty advisor, program director,

282. *Id.*

283. *Id.* at 114.

284. *Id.*

285. *Id.* at 114–15.

286. *Id.* at xvii.

287. See Brian R. Gallini, *Pandemic Leadership*, 52 U. TOL. L. REV. 261, 281 (2021) (“[R]emember what Steve Jobs said: ‘[T]he only way to do great work is to love what you do. If you haven’t found it yet, keep looking. Don’t settle.’”).

associate or vice dean, and advised to pursue similar coordinating service roles in professional organizations such as the American Bar Association, American Law Institute, or Association of American Law Schools. Of course, not every task for a faculty member may on its own be driven by passion, but faculty might see their work as in total enabling something for which they have passion, just as Jobs's sometimes onerous efforts to run Apple the company ultimately enabled him to pursue his love of creating great, innovative products.²⁸⁸

*C. Creativity and Innovation as Strategy
and as Homage to Predecessors*

The final stroke of Jobs's recruitment in 1983 of John Sculley to leave his position as president of Pepsi-Cola and lead Apple was the following inspirational challenge: "Do you want to spend the rest of your life selling sugared water, or do you want a chance to change the world?"²⁸⁹ Drawing inspiration from musicians, Jobs viewed innovation, with its risk and possibility, as a necessity:

You always have to keep pushing to innovate. [Bob] Dylan could have sung protest songs forever and probably made a lot of money, but he didn't. He had to move on, and when he did, by going electric in 1965, he alienated a lot of people. . . . The Beatles were the same way. They kept evolving, moving, refining their art. That's what I've always tried to do—keep moving. Otherwise, as Dylan says, if you're not busy being born, you're busy dying.²⁹⁰

The type of innovation Jobs prized most was revolutionary, rather than evolutionary change.²⁹¹ Jobs's approach markedly contrasted with that of Bill Gates and Microsoft, which pursued a more evolutionary approach.²⁹² In addition, Jobs reveled and succeeded most in creative advancements oriented and sold directly to individuals, who celebrated their groundbreaking

288. See MAKE SOMETHING WONDERFUL, *supra* note 12, at 113 ("[T]he only good reason to be a manager is so some other bozo doesn't be the manager—and ruin the group you care about.").

289. ISAACSON, *supra* note 12, at 154.

290. *Id.* at 570. Jobs connected this approach not only with Bob Dylan, but also Pablo Picasso:

If you look at true artists, if they get really good at something, it occurs to them that they can do this for the rest of their lives, and they can be really successful at it to the outside world, but not really successful to themselves. That's the moment that an artist really decides who he or she is. If they keep on risking failure, they're still artists. Dylan and Picasso were always risking failure. This Apple thing is that way for me.

SCHLENDER & TETZELI, *supra* note 12, at 213.

291. SCHLENDER & TETZELI, *supra* note 12, at 156 ("[W]hat's the real trick, and the real necessity to keep our industry healthy, is to balance that incremental improvement with some big steps. I worry about the big steps, and where they're going to come from.").

292. *Id.* at 156–57 (noting Bill Gates' statement, "All I want is a car that will run on the current streets. . . . I'm on this evolutionary path.").

capabilities, rather than to slower-moving institutions.²⁹³ His efforts in personal computers and devices and, in Pixar's computer-animated films, far surpassed his attempts at NeXT in developing a computer for universities.²⁹⁴

Jobs believed that the received world could be changed and improved. He observed, "Life can be much broader once you discover one simple fact . . . : everything around you that you call life was made up by people that were no smarter than you. And you can change it. You can influence it. You can build your own things that other people can use."²⁹⁵ This belief, combined with his passion, led him to create what others termed a "reality distortion field."²⁹⁶ One Apple software designer noted, "In [Jobs's] presence, reality is malleable. He can convince anyone of practically anything."²⁹⁷ After working with Jobs for several weeks, Apple engineer Andy Hertzfeld commented that "[t]he reality distortion field was a confounding mélange of a charismatic rhetorical style, indomitable will, and eagerness to bend any fact to fit the purpose at hand."²⁹⁸ Even with this knowledge, Hertzfeld could not resist Jobs's persuasiveness. Hertzfeld stated, "Amazingly, the reality distortion field seemed to be effective even if you were acutely aware of it. We would often discuss potential techniques for grounding it, but after a while most of us gave up, accepting it as a force of nature."²⁹⁹ So prevalent were employees' discussions of the topic that after Jobs replaced the office refrigerator's soda with juice, employees had t-shirts made that said "Reality Distortion Field" on the front and "It's in the juice!" on the back.³⁰⁰ Apple co-founder Steve Wozniak observed, "His reality distortion field is when he has an illogical vision of the future, such as telling me that I could design the Breakout game in just a few days. You realize that it can't be true, but he somehow makes it true."³⁰¹

293. *Id.* at 181; *see also id.* at 184 ("Steve was in the wrong business [at NeXT] He was put on this earth to sell to consumers, not corporate IT managers," according to the NeXT head of marketing, Mike Slade); *id.* at 186 (regarding NeXT's selling software for government information management, Jobs remarked, "I hate this so much. I mean, CIOs are nice guys, but God is this awful!").

294. *Id.* at 181.

295. MAKE SOMETHING WONDERFUL, *supra* note 12, at 148 (noting also that "maybe the most important thing [is] to shake off this erroneous notion that life is there, and you're just going to live in it versus embrace it, change it, improve it, make your mark on it. . . . [O]nce you learn it, you'll want to change life and make it better. . . . Once you learn that, you'll never be the same again.").

296. ISAACSON, *supra* note 12, at 117; Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing "Bend Reality" as one leadership lesson to be learned from Jobs).

297. ISAACSON, *supra* note 12, at 117–18. When Jobs appeared in person in 2010 to defuse concerns regarding antenna problems and dropped calls on the iPhone 4, one journalist observed that Jobs was "the last charismatic individual," noting that "[t]he grim, skeletal appearance, the absolutism, the ecclesiastical bearing, the sense of his relationship with the sacred, really works, and, in this instance, allows him the privilege of magisterially deciding what is meaningful and what is trivial." *Id.* at 523 (quoting Michael Wolff of newser.com).

298. ISAACSON, *supra* note 12, at 118.

299. *Id.*

300. *Id.*

301. *Id.*

Apple's success stemmed from its strategic leveraging of two historic opportunities where changing industry possibilities arose to meet societal needs: the growth of personal computers in the 1970s and computers as a digital lifestyle hub for multiple devices in the 2000s.³⁰² In the 1970s, Jobs urged Steve Wozniak to stop giving away for free his computer design plans and to form Apple Computer when large technology companies focused solely on large business computers.³⁰³ Indeed, prior to starting Apple with Steve Jobs, Steve Wozniak showed his personal computer design to HP, where he worked at the time, but remarkably, HP declined to pursue his proposal.³⁰⁴ Following the bursting of the dot-com stock-market bubble in 2000, and the gradual waning of the importance of the personal computer, Jobs reconceived the personal computer as a "digital hub" that would coordinate various consumer devices.³⁰⁵ As a result, consumers could coordinate their music, video, pictures, and text, managing their "digital lifestyle."³⁰⁶ In 1999, Apple began making video, music, and photo software for the Mac computer.³⁰⁷ With its close integration of hardware and software, Apple's computer was well-situated to smoothly enable communication of devices.³⁰⁸ Apple's winning strategy also benefitted from a myriad of creative innovations in the products created in service of its larger strategy, including the move to windows-based computing using icons and a mouse initially in its Macintosh computer, the growth of mobile mp3 players for music with the iPod, the shift to paid downloadable music with the iTunes Store, and the inception of smartphones with the iPhone and the Apple App Store.³⁰⁹

In addition, Jobs believed that the company's building could embody and influence a company culture of creativity.³¹⁰ He attended closely to the details of the construction of Pixar's headquarters.³¹¹ Pixar President Ed Catmull noted, "Steve had this firm belief that the right kind of building can do great things for a culture."³¹² So focused was Jobs on the building that Pixar co-

302. Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing "Know Both the Picture and the Details" as a leadership lesson of Jobs).

303. ISAACSON, *supra* note 12, at 62–63; WOZNIAK, *supra* note 79, at 151 ("[W]e were revolutionaries. Big companies like IBM . . . didn't hear our social message. . . . [T]hey didn't have a clue how powerful a force this small computer vision could be. They looked at . . . small computers . . . and said they would just remain toys. And a relatively minor business. They didn't imagine how they would evolve.").

304. WOZNIAK, *supra* note 79, at 175–76.

305. ISAACSON, *supra* note 12, at 379.

306. *Id.*

307. *Id.* at 380.

308. *Id.* at 381.

309. *See supra* Section I.B; *see also* Mirit Eyal-Cohen, *Innovation Agents*, 76 WASH. & LEE L. REV. 163, 210 (2019) (noting that according to Steve Jobs, "[t]he Macintosh team was what is commonly known as intrapreneurship—only a few years before the term was coined—a group of people going in essence back to the garage, but in a large company").

310. ISAACSON, *supra* note 12, at 430.

311. *Id.*

312. *Id.*

founder John Lasseter said, “The Pixar building was Steve’s own movie.”³¹³ Eschewing the traditional studio approach that separated project teams into different buildings, Jobs chose to build one large building with an atrium at its center so as to increase the likelihood of random meetings of employees.³¹⁴ Jobs believed that creativity arose from chance in-person interactions and gatherings: “There’s a temptation in our networked age to think that ideas can be developed by email and iChat. . . . That’s crazy. You run into someone, you ask what they’re doing, you say[,] ‘Wow,’ and soon you’re cooking up all sorts of ideas.”³¹⁵ After the building was completed, Lasseter observed, “Steve’s theory worked from day one. I kept running into people I hadn’t seen for months. I’ve never seen a building that promoted collaboration and creativity as well as this one.”³¹⁶

Jobs also believed that creative work was a way to contribute to the flow of great works that had preceded him:

What drove me? I think most creative people want to express appreciation for being able to take advantage of the work that’s been done by others before us. I didn’t invent the language or mathematics I use. I make little of my own food, none of my own clothes. Everything I do depends on other members of our species and the shoulders that we stand on. And a lot of us want to contribute something back to our species and to add something to the flow. It’s about trying to express something in the only way that most of us know how—because we can’t write Bob Dylan songs or Tom Stoppard plays. We try to use the talents we do have to express our deep feelings, to show our appreciation of all the contributions that came before us, and to add something to that flow. That’s what has driven me.³¹⁷

Over the decades, legal education has innovated strategically by including greater attention especially to experiential and skills education, increasing the prevalence of clinics,³¹⁸ legal writing,³¹⁹ trial advocacy,³²⁰ and negotiation

313. *Id.*

314. *Id.* at 430–31; SCHLENDER & TETZELI, *supra* note 12, at 331; *see also* Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing “Engage Face-to-Face” as a leadership lesson to be learned from Jobs).

315. ISAACSON, *supra* note 12, at 431; *cf.* GALLO, *INNOVATION SECRETS*, *supra* note 12, at 79 (relating Jobs’s statement that “[c]reativity is just about connecting things”).

316. ISAACSON, *supra* note 12, at 431.

317. *Id.* at 570.

318. *See, e.g.*, Margaret Martin Barry et al., *Clinical Education for this Millennium: The Third Wave*, 7 *CLINICAL L. REV.* 1 (2000) (discussing the past and potential future of clinical education in U.S. law schools).

319. *See, e.g.*, Terrill Pollman, *Building a Tower of Babel or Building a Discipline? Talking About Legal Writing*, 85 *MARQ. L. REV.* 887, 894 (2002) (discussing the emergence of legal writing as a law school discipline beginning in the 1980s).

320. *See, e.g.*, Terence F. MacCarthy, *The History of the Teaching of Trial Advocacy*, 38 *STETSON L. REV.* 115, 117 (2008) (discussing the teaching of trial advocacy beginning in the 1970s).

courses.³²¹ Similarly, most law schools have expanded their course offerings to include international and comparative law.³²² Law schools have also added courses aimed at academic success and bar review.³²³ In addition, some schools may also offer capstone courses that seek to blend doctrinal learning and evaluation based on oral skills and legal writing.³²⁴ In recent decades, for-profit law schools have been added to a landscape previously dominated by non-profit and state law schools, but the performance of for-profit law schools has at times been problematic.³²⁵

Rather than innovating new approaches, law schools, however, generally see their task as primarily offering a time-tested approach to legal education, drawing heavily on the study and Socratic, in-class, doctrinal analysis of appellate opinions and related hypotheticals that were produced by innovations by Dean Christopher Columbus Langdell and Harvard Law School in the nineteenth century.³²⁶ Law school governance and service remain located in

321. See, e.g., John Barkai, *Teaching Negotiation and ADR: The Savvy Samurai Meets the Devil*, 75 NEB. L. REV. 704, 705 (1996) (stating that “[i]n the fifteen years since [Professors Fisher and Ury’s 1981 book] *Getting to Yes* was published, virtually every law school has developed one or more elective courses in negotiation and alternative dispute resolution”).

322. See, e.g., John A. Barrett, Jr., *International Legal Education in U.S. Law Schools: Plenty of Offerings, But Too Few Students*, 31 INT’L LAW. 845, 852–53 (1997) (noting that the percentage of law schools with an international law course increased from twenty-eight percent in 1912, to seventy-nine percent in the 1960s, to ninety-nine percent by 1996).

323. See, e.g., Aleatra P. Williams, *The Role of Bar Preparation Programs in the Current Legal Education Crisis*, 59 WAYNE L. REV. 383, 395–96 (2013) (noting that “[i]n the 1980s law schools began building academic support programs” and that “Pace Law School was one of the first law schools to offer a bar preparation course for credit in 2005”).

324. See, e.g., Judith L. Maute, *Lawyering in the 21st Century: A Capstone Course on the Law and Ethics of Lawyering*, 51 ST. LOUIS U. L.J. 1291 (2007). In 2008, I created and taught Southwestern Law School’s first such capstone course. Focusing on mass tort litigation, my capstone course included study of multiple doctrinal subjects including procedure, tort law, evidence, and legal ethics, and students prepared final briefs and delivered oral arguments, in lieu of a final exam.

325. See, e.g., Stephanie Francis Ward, *Compared with 2016, There Are Now Half as Many For-Profit Law Schools*, ABA JOURNAL (Mar. 29, 2021), <https://www.abajournal.com/web/article/compared-with-2016-there-are-now-half-as-many-for-profit-law-schools> (noting that “[t]he height of for-profit law schools was in 2010”).

326. See Bruce A. Kimball, “Warn Students That I Entertain Heretical Opinions, Which They Are Not to Take as Law”: *The Inception of Case Method Teaching in the Classrooms of the Early C. C. Langdell, 1870–1883*, LAW & HIST. REV. 57 (1999) (stating that in addition to the case method of teaching, Langdell’s innovations included “a graded and sequential curriculum, minimum academic standards for continuation in a degree program, a professorial career track for faculty members, and the transformation of the library from a textbook repository into a scholarly resource”); Russell L. Weaver, *Langdell’s Legacy: Living with the Case Method*, 36 VILL. L. REV. 517 (1991) (observing that “[t]oday, more than century later, most faculty use the case method”); Note, *The Increasing Influence of the Langdell Case System of Instruction*, 5 HARV. L. REV. 89, 90–91 (1891) (noting the spread of the case method to the University of Cambridge in England and apparent impending adoption of the case method at Columbia Law School); see generally William M. Sullivan et al., EDUCATING LAWYERS: PREPARATION FOR THE PRACTICE OF LAW 28, 60 (2007) (Carnegie Foundation Report discussing the intellectual or cognitive apprenticeship accomplished

various faculty committees, with the administration of the school residing in the dean and various associate deans, though associate dean roles have been expanded in multiple areas including research and strategic initiatives.³²⁷ New courses may be approved in a new subject area, but the courses are generally expected to fall within accepted, established parameters in their pedagogical approach and evaluation.

In contrast, an Apple-inspired law school would place innovation at the center of its mission, looking at new ways to teach students, create and disseminate scholarship, and serve the profession and society.³²⁸ Similarly, drawing on the “reality distortion field” that many perceived around Jobs, the dean of such a law school would seek to inspire faculty and staff to reach for and attain, institutional and educational goals that might seem impossible to achieve. Such a law school would view its commitment to change in pursuit of improvement to be as important for legal education as it is for the technology industry.³²⁹ Doing so would also be a tribute to the great previous innovators in legal academia, including Dean Christopher Columbus Langdell, but also inspirational innovators in other fields.³³⁰ Students at such a law school would also be given assignments that enable them to act innovatively and creatively to solve problems.³³¹

With regard to a physical campus, as was done by Jobs in the Pixar building, an Apple-inspired law school would construct and curate spaces to increase the likelihood of chance meetings among faculty, staff, and administrators so as to spark ideas and lead to creative epiphanies, innovations, and improvements.³³² During the COVID-19 era of vastly expanded remote

through the case method and Socratic teaching in law schools); David A. Garvin, *Making the Case: Professional Education for the World of Practice*, HARV. MAGAZINE (2003) (discussing the use of the case method in law, business, and medical schools), <https://www.harvardmagazine.com/2003/09/making-the-case-html>.

327. See Byron G. Stier, *Decanal Leadership in Law Schools and the Abraham L. Freedman Fellowship Program*, 92 TEMP. L. REV. 721, 726–33 (2020) (discussing the roles the dean and various associate deans in law schools); A. Felecia Epps, *Lessons Learned on the Journey from Associate Dean of Academic Affairs to Dean*, 48 U. TOL. L. REV. 241 (2017); B. Jessie Hill, *The Associate Dean for Research in the Age of the Internet*, 31 TOURO L. REV. 33 (2014); Sonia K. Katyal, *Encouraging Engaged Scholarship: Perspectives from an Associate Dean for Research*, 31 TOURO L. REV. 53 (2014); Joseph P. Tomain & Paul L. Caron, *The Associate Dean for Faculty Research Position: Encouraging and Promoting Scholarship*, 33 U. TOL. L. REV. 233 (2001).

328. See George Critchlow, *Kim Kardashian and Honey Boo Boo: Models for Law School Success (Or Not)*, 45 CONN. L. REV. 1319, 1352 (2013) (“Just as Apple changed history by departing from the conventional expectations of the computer hardware and software industries of the 1980s, some law schools will improve on the model of legal education by committing to new missions and paths.”).

329. ISAACSON, *supra* note 12, at 170, 570.

330. *Cf. id.* at 570.

331. *Cf.* LISA BRENNAN-JOBS, SMALL FRY 127 (2018) (noting Steve Jobs’s statement that colleges “teach you how other people think, during your most productive years. . . . It kills creativity.”).

332. See Lee F. Peoples, *Designing a Law Library to Encourage Learning*, 63 J. LEGAL EDUC. 612, 629–30 (2014) (referencing Steve Jobs’s design of Pixar’s headquarters in proposing

working, the benefits of unplanned serendipitous gatherings of faculty and staff for new ideas and improvements suggest a need to have employees work in person at least certain days each week or the exploration of online social gathering video tools where remote faculty and staff can more casually interact and discuss each other's work.³³³

The chief strategic opportunity today for law schools and higher education is online education, similar in significance to the growth of personal computers in the 1970s and 1980s for the technology industry or the growth of the model of the computer of digital hub for numerous lifestyle devices over the past two decades. The development and growth of online legal education promises broader access to legal education, saving students' time and cost in coming to campus for classes and enabling those prohibitively distant from law schools and universities to become lawyers. The COVID-19 pandemic also led many law schools to teach online because of the public health emergency.³³⁴ St. Mary's University School of Law in 2021 began offering a completely online J.D. program approved by the ABA,³³⁵ and fifteen ABA-approved law schools

that “[a] law school that desires to foster the social aspects of learning to promote collaboration . . . attempt to design ‘planned collisions’ into its space program.”); A. Rachel Camp, *Creating Space for Silence in Law School Collaborations*, 65 J. LEGAL EDUC. 897, 898 n.4 (2016) (“One of the most commonly discussed open floor plans is the one Steve Jobs created in Pixar’s headquarters, where he create a space where people were forced to run into one another in a center to the building that contained the meeting rooms, bathrooms, and a coffee bar.”).

333. See, e.g., SHINDIG, <https://shindig.com/features/> (last visited July 25, 2023) (providing online “‘Work the Room’ Networking” and “Pairing” with “private video conversations”); GATHERROUND, <https://gatherround.com> (last visited July 25, 2023).

334. Rachel Gurvich & Annie Scardulla, *So You’re Starting Law School in a Pandemic: How to Succeed in a Remote or Hybrid 1L Year*, ABA FOR LAW STUDENTS, (July 17, 2020), <https://abaforlawstudents.com/2020/07/17/starting-law-school-pandemic-how-to-succeed-in-a-remote-or-hybrid-1l-year/> (“As we write this, some law schools have opted for entirely remote instruction, but most are planning for a hybrid in-person/remote approach.”); Karen Sloan, *Stay Home, Get Boosted, Law Schools Tell Students During New Virus Phase*, REUTERS (Dec. 22, 2021), <https://www.reuters.com/legal/government/stay-home-get-boosted-law-schools-tell-students-during-new-virus-phase-2021-12-22/> (“[U]nlike in March 2020, when law schools abruptly shifted to online classes in response to the first wave of the pandemic, schools now have lots of experience with remote teaching.”); ABA Rule 2(d) (“The Council is authorized to adopt emergency policies and procedures in response to extraordinary circumstances in which compliance with the Standards would create or constitute extreme hardship for multiple law schools.”).

335. *Online J.D. Program*, ST. MARY’S UNIV. SCHOOL OF L., <https://law.stmarytx.edu/academics/programs/jd/online-j-d-program/> (last visited July 25, 2023); Gabriel Kuris, *Three Tips for Choosing an Online Program*, U.S. NEWS & WORLD REP. (Oct. 18, 2021), <https://www.usnews.com/education/blogs/law-admissions-lowdown/articles/tips-for-choosing-an-online-jd-program> (noting that the online J.D. program at St. Mary’s University School of Law was the ABA’s first approval of a fully online J.D. program).

have approved distance education J.D. programs.³³⁶ In 2023, the ABA generally enabled law schools to offer one-half of law school credits online.³³⁷

One area for online asynchronous technology-aided innovation is adaptive learning, in which a computer might not just provide multiple-choice questions and answers to students, but also inform students why a particular answer is wrong and gradually raise the difficulty of multiple-choice questions based on a student's mastery of basic to advanced concepts.³³⁸ For example, Arizona State University, often lauded as one of the most innovative universities,³³⁹ recently developed the first adaptive learning biology degree.³⁴⁰ The release and ongoing swift refinement of the ChatGPT artificial intelligence chatbot, or its competitors, raises the possibility that students might be able to have a personalized law school teaching assistant.³⁴¹ Law students have themselves indicated their interest in accessible answers paired with gradually increasing levels of difficulty by widely purchasing the *Examples & Explanations* series of study-guide books, which include short-answer questions in progressive

336. *ABA-Approved Law Schools With Approved Distance Education J.D. Programs*, AM. BAR ASS'N, https://www.americanbar.org/groups/legal_education/resources/distance_education/approved-distance-ed-jd-programs/ (last visited Jan. 2, 2024).

337. See Karen Sloan, *Law Students Can Take 50% of Classes Online, with ABA Rule Change*, REUTERS (May 12, 2023), <https://www.reuters.com/legal/government/law-students-can-take-50-classes-online-with-aba-rule-change-2023-05-12/>.

338. See Michele Pistone, *Law Schools and Technology: Where We Are and Where We Are Heading*, 64 J. LEGAL EDUC. 586, 599 (2015) (noting adaptive learning is used by Kaplan in LSAT preparation courses, by BarBri AMP in bar preparation courses, and by Lexis in Bluebook online assessments); Warren Binford, *How to Be the World's Best Law Professor*, 64 J. LEGAL EDUC. 542, 546 (2015) ("More adaptive learning programs and apps should be developed in collaboration with legal educators."); W. Warren H. Binford, *Envisioning a Twenty-First Century Legal Education*, 43 WASH. U. J. L. PUB. POL'Y 157, 176 (2013) (discussing adaptive learning initiatives by Carolina Press, BarBri, Kaplan, and LexisNexis); Michele R. Pistone & John J. Hoeffner, *No Path But One: Law School Survival in an Age of Disruptive Technology*, 59 WAYNE L. REV. 193, 267 (2013) ("[A]daptive learning software allows the possibility that, after some initial feedback from the student, the content offered online can be constantly tailored for each student based upon the student's demonstrated level of understanding."); cf. Hilary G. Escajeda, *Legal Education: A New Growth Vision Part III—The Path Forward: Being Both Human and Digital*, 97 NEB. L. REV. 1020, 1049 (2019) ("In the decades ahead, human-AI integrated law school coursework will include complex hypothetical problems (and eventually AI simulations) that enable students to study, consider, integrate, and apply ethical, moral, and personal perspectives to thorny legal situations.").

339. See *ASU Named the Nation's Most Innovative University for the Seventh Consecutive Year*, ASU ONLINE (Sept. 21, 2021), <https://asuonline.asu.edu/newsroom/asu-online-news/asu-ranked-top-school-innovation-us-seventh-consecutive-year/> (noting that *U.S. News & World Report* named Arizona State University the most innovative university).

340. See *ASU Develops World's First Adaptive-Learning Biology Degree*, ASU ONLINE (Aug. 20, 2019), <https://news.asu.edu/20190820-solutions-asu-develops-world-first-adaptive-learning-biology-degree>.

341. See *Introducing ChatGPT*, OPENAI, <https://openai.com/blog/chatgpt> (last visited July 25, 2023).

difficulty and several pages later the answers.³⁴² Law school course webpages or mobile device apps might facilitate feedback by linking interactive materials prepared by legal publishers or bar exam preparation companies.

Jobs recalled that while he had “a few great teachers and a lot of mediocre teachers,” he could “read what Aristotle or Plato wrote without an intermediary in any way,” noting that “a book was a phenomenal thing.”³⁴³ But Jobs explained that “[t]he problem was, you can’t ask Aristotle a question.”³⁴⁴ Musing on the possible technological solution in 1983, Jobs wondered if there was a technological solution:

[A]s we look toward the next fifty to one hundred years, if we can come up with these machines that can capture an underlying spirit, or an underlying set of principles, or an underlying way of looking at the world, then, when the next Aristotle comes around, maybe if he carries one of these machines with him . . . his or her whole life . . . and types in all this stuff, then maybe someday, after his person’s dead and gone, we can ask this machine, “Hey what would Aristotle have said? What about this?” And maybe we won’t get the right answer, but maybe we will.³⁴⁵

Perhaps current or near-future versions of artificial intelligence will enable conversation by a student with computer-generated versions based on uploaded written work or legal decisions. Instead of merely reading about Oliver Wendell Holmes, Jr., might a student be able to engage in an artificial-intelligence conversation with him, based on his published works? Perhaps a student preparing for a moot court argument might interact with an artificial intelligence judge, or panel of judges, based on the published decisions in a particular jurisdiction and the student’s own uploaded brief.

Law schools have not widely used technology to enable individualized feedback. Law school professors grade examinations or other assignments themselves without the assistance of graduate doctoral research assistants who help manage, for example, the grading of large undergraduate classes. Because of the pressure on faculty to undertake research and to participate in service, law school professors have historically provided few opportunities for feedback to students outside of the classroom, office hours, and a final examination.³⁴⁶

In recent years, however, the ABA has mandated that law schools in their curriculum provide not only summative assessment, which measures student performance at the culmination of a course, but also formative assessment,

342. See *Examples & Explanations*, WOLTERS KLUWER, <https://www.wklegaledu.com/study-aids/examples-explanations> (last visited July 25, 2023) (listing forty book results in the Examples & Explanations series in various law subjects).

343. MAKE SOMETHING WONDERFUL, *supra* note 12, at 20.

344. *Id.*

345. *Id.*

346. See, e.g., Olympia Duhart, *The ‘F’ Word: The Top Five Complaints (and Solutions) About Formative Assessment*, 67 J. LEGAL. EDUC. 531, 532 (2018) (“For years, a reliance on summative assessment has been the norm at law schools.”).

which provides feedback to improve student learning during a course.³⁴⁷ The need for formative assessment has likely increased the use of midterm examinations in law schools.³⁴⁸ Students also gain access to sample multiple-choice questions in a subject from the National Conference of Bar Examiners,³⁴⁹ law school bar-preparation and academic-support services, bar-preparation services,³⁵⁰ and professors in their courses. Technology might assist in lightening the burdens of providing individualized formative assessment to law students, who often crave opportunities to practice and determine whether they are adequately learning law school material.³⁵¹ A flipped-classroom model, in which students consume lectures online before coming to class and then engage in problem-solving during class, has not spread widely in law schools.³⁵²

Jobs several times discussed the potential utility of technology for education with other leaders in politics, technology, and media, including President Barack Obama, Bill Gates, and Rupert Murdoch. Jobs criticized education in the United States, focusing on the lack of technology.³⁵³ Jobs argued that classrooms should be revolutionized from merely using teachers at

347. ABA Standard 314; ABA Standard 314-1 (defining formative and summative assessment); Duhart, *supra* note 346, at 533 (noting that “[i]n fall 2016, the ABA implemented new standards that require the use of formative assessment in law schools”).

348. See Duhart, *supra* note 346, at 536 (“Even those who have elected to employ a more robust formative assessment plan are satisfied with a midterm exam and nothing more.”).

349. See *NCBE’s Online Study Aid Platform*, NATIONAL CONFERENCE ON BAR EXAMINERS, <https://www.ncbex.org/study-aids/> (last visited July 25, 2023).

350. See, e.g., *BarBri 1L Mastery*, <https://www.barbri.com/1l-mastery/> (last visited July 25, 2023) (providing “study tools for every first year course”).

351. See, e.g., Olympia Duhart, “It’s Not for a Grade”: *The Rewards and Risks of Low-Risk Assessment in the High-Stakes Law School Classroom*, 7 ELON L. REV. 491, 512 (2015) (“Rather than fight against the wave of technology that characterizes today’s student culture, professors can leverage technology to help them with assessment.”). The ABA requires that “[a] law school . . . have facilities, equipment, technology, and technology support that enable it to operate in compliance with the [ABA] Standards and carry out its program of legal education.” ABA Standard 701(a); see also ABA Standard 701(b) (noting that “[a] law school is not in compliance with the Standards if its facilities, equipment, technology, or technology support have a *negative and material* effect on the school’s ability to operate in compliance with the Standards; or to carry out its program of legal education”) (emphasis added). Among the ABA’s factors in evaluating a law school’s technology and technology support are the following:

- (1) the hardware and software resources and infrastructure available to support the teaching, scholarship, research, service, and administrative needs of students, faculty, and staff of the law school;
- (2) staff support and space for staff operations; and
- (3) the law school’s financial resources and overall ability to maintain and, as appropriate, adopt new technology.

ABA Standard 701-1.

352. See Susan D. Landrum, *Drawing Inspiration from the Flipped Classroom Model: An Integrated Approach to Academic Support for the Academically Underprepared Law Student*, 53 DUQ. L. REV. 246, 270 (2015) (noting that “[s]ome law professors have started integrating the flipped classroom concept into their courses”).

353. ISAACSON, *supra* note 12, at 544, 553.

a board and printed textbooks.³⁵⁴ Instead, Jobs urged that learning materials should be digitized and that assessments should be individualized to each student and interactive so that students obtained feedback immediately on their performance.³⁵⁵ He met with significant publishers, including Pearson Education, to obtain partners with Apple's educational endeavors.³⁵⁶

Law schools have grown comfortable with using technology to reduce physical burdens. For example, online course webpages have also enabled faculty to post additional written material, instead of printing those materials, and perhaps also post audio or video recordings of classes or review sessions.³⁵⁷ Similarly, publishers of casebooks produce digitized copies, enabling students to access readings on their computers.³⁵⁸ Law reviews have also been supplemented by online journals,³⁵⁹ and research has been eased and expanded by the widespread adoption of online research databases to access and save digital copies of scholarly materials, thus avoiding the need to print.³⁶⁰ Law school administrators and faculty committees likewise utilize technology to avoid printing materials for meetings. Law schools also provide information to prospective students, current students, and the public via external and internal law school internet sites.³⁶¹

III. TRANSLATING JOBS'S METHODS FOR PRODUCT DESIGN TO LEGAL EDUCATION

Translating Jobs's methods of product design into legal education, an Apple-inspired law school would empathically consider and address the needs of law students and alumni; integrate the liberal arts and technology with law; approach the design of curricula, programs, and spaces as artmaking,

354. *Id.* at 545.

355. *Id.* at 509, 544. Jobs offered to create an advisory group for the President on innovation in the United States, and he later dined again with the President in 2011 along with leaders from Google, Yahoo, Facebook, Cisco, Oracle, and Netflix. *Id.* at 544–45.

356. *Id.* at 509–10.

357. *See, e.g.*, INSTRUCTURE, <https://www.instructure.com/canvas> (last visited July 25, 2023) (makers of Canvas course webpages for educators).

358. *See, e.g.*, *West Academic Casebook Plus*, WEST ACADEMIC, <https://www.westacademic.com/casebookplus> (last visited July 25, 2023) (providing “[a] new digitally-enhanced casebook experience” with “self-assessment quizzes keyed to your casebook, leading study aids, [and] an outline starter”).

359. *See, e.g.*, Forum, YALE L. J., <https://www.yalelawjournal.org/forum> (last visited July 25, 2023); *About the Yale Law Journal*, YALE L. J. <https://www.yalelawjournal.org/about-the-yale-law-journal> (last visited July 25, 2023) (stating that the Yale Law Journal first published an “online companion” in 2005 and “[i]n 2014 . . . relaunched . . . [the] online component as the *YLJ Forum*, a hub for short-form, timely discussion of ideas about law and legal scholarship, with a sharper focus on brevity, speed, and relevance to current developments”).

360. *See, e.g.*, HEINONLINE, <https://home.heinonline.org> (last visited, July 25, 2023); *see, e.g.*, WESTLAW, <https://lawschool.westlaw.com> (last visited July 25, 2023); *Lexis Plus*, LEXISNEXIS, <https://www.lexisnexis.com/en-us/products/lexis-plus.page> (last visited July 25, 2023).

361. *See, e.g.*, HARV. L. SCH., <https://hls.harvard.edu> (last visited July 25, 2023).

emphasizing ease of use; undertake committed, continuous improvement of teaching, programs, and scholarship; and selectively focus on fewer undertakings to make each better.³⁶²

A. Empathic Attention to the Needs of Customers

In 1977, Mike Markkula set forth what he referred to as the “Apple Marketing Philosophy.”³⁶³ One of the philosophy’s three components was “empathy,” under which Apple would “truly understand [customers’] needs.”³⁶⁴ Jobs eschewed market research in favor of intuition and thinking about what customers would want and should want.³⁶⁵ He noted market research was not needed “because customers don’t know what they want until we’ve shown them.”³⁶⁶ When Apple released the Macintosh computer, a reporter asked Jobs about what market research Apple had done, and Jobs responded, “Did Alexander Graham Bell do any market research before he invented the telephone?”³⁶⁷ In considering his legacy, Jobs again emphasized the need to offer customers what they needed, rather than what they thought they wanted:

Some people say, “Give the customers what they want.” But that’s not my approach. Our job is to figure out what they’re going to want before they do. I think Henry Ford once said, “If I’d asked customers what they wanted, they would have told me, ‘A faster horse!’” People don’t know what they want until you show it to them. That’s why I never rely on market research. Our task is to read things that are not yet on the page.³⁶⁸

An Apple-inspired law school would empathically connect with the perspectives of its customers and stakeholders—students, alumni, the profession, and the public. Following Jobs’s focus on intuition as a route to understanding customer and stakeholder needs, such a law school would think deeply about the needs and desires of students and imagine their responses to various innovations that might be introduced. How would students, alumni, and others feel as they interact with the new program or approach? While data about market interest and appetite for new degree programs might be available and reviewed, such a law school would be mindful that because innovations are not currently known to customers and stakeholders, preexisting information about the desires of students, alumni, lawyers, and the public may be of limited utility for profound innovations. Innovation would be informed by reasoned contemplation and empathic projection about whether such a program would foreseeably meaningfully benefit students.

362. See *infra* Section III.A–E.

363. ISAACSON, *supra* note 12, at 78.

364. *Id.*

365. *Id.* at 143; Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing “Don’t Be a Slave to Focus Groups” as a leadership lesson of Jobs).

366. ISAACSON, *supra* note 12, at 143.

367. *Id.* at 170.

368. *Id.* at 567; GALLO, INNOVATION SECRETS, *supra* note 12, at 127 (“Steve Jobs didn’t use focus groups.”).

B. *The Crossroads of Liberal Arts and Technology*

In introducing the iPad in 2010, Jobs displayed a slide that showed a street sign intersecting Technology Street and Liberal Arts Street, stating, “The reason Apple can create products like the iPad is that we’ve always tried to be at the intersection of technology and liberal arts.”³⁶⁹ Jobs again showed the slide in introducing the iPad 2 in 2011, asserting, “It’s in Apple’s DNA that technology alone is not enough. We believe that it’s technology married with humanities that yields us the result that makes our heart sing.”³⁷⁰ For Jobs, the liberal arts enabled easier use of computers so that vastly more people could use computers for new tasks, but also offered users “beautiful fonts and typography,” as well as “beautiful photographs, . . . pictures, or artwork . . . to help them communicate.”³⁷¹ He also viewed a liberal arts perspective as “bringing insights from other fields” to technology.³⁷² Demonstrating his interest in combining the intuitive and the analytic, his house in Los Gatos had framed pictures of both Maharaj-ji and Einstein.³⁷³

Jobs viewed intuition, creativity, and discipline as undergirding both technology and artistic endeavors:

When I went to Pixar, I became aware of a great divide. Tech companies don’t understand creativity. They don’t appreciate *intuitive* thinking, like the ability of an A&R guy at a music label to listen to a hundred artists and have a feel for which five might be successful. And they think that creative people just sit around on couches all day and are undisciplined, because they’ve not seen how driven and disciplined the creative folks are at places like Pixar. On the other hand, music companies are completely clueless about technology. They think they can just go out and hire a few tech folks. But that would be like Apple trying to hire people to produce music. We’d get second-rate A&R people, just like the music companies ended up with second-rate tech people. I’m one of the few people who understands how producing technology requires intuition and creativity, and how producing something artistic takes real discipline.³⁷⁴

When Disney was finalizing its offer to buy Pixar, Jobs also spoke about the excitement of linking technology and art, noting “[t]hat’s what our culture is about, just like at Apple.”³⁷⁵

369. ISAACSON, *supra* note 12, at 494; MAKE SOMETHING WONDERFUL, *supra* note 12, at 51 (“I think our major contribution [at Apple] was in bringing a liberal arts point of view to the use of computers.”); ISAACSON, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing “Combine the Humanities with the Sciences” as a leadership lesson of Jobs).

370. ISAACSON, *supra* note 12, at 526–27.

371. MAKE SOMETHING WONDERFUL, *supra* note 12, at 51.

372. *Id.* at 66 (“My strength probably is that I’ve always viewed technology from a liberal arts perspective, from a human culture perspective.”).

373. ISAACSON, *supra* note 12, at 91.

374. *Id.* at 397 (emphasis in original).

375. *Id.* at 441.

In considering his legacy, Jobs emphasized the connection between technology and the humanities:

Edwin Land of Polaroid talked about the intersection of the humanities and science. I like that intersection. There's something magical about that place. There are a lot of people innovating, and that's not the main distinction of my career. The reason Apple resonates with people is that there's a deep current of humanity in our innovation. I think great artists and great engineers are similar, in that they both have a desire to express themselves. In fact some of the best people working on the original Mac were poets and musicians on the side. In the seventies[,] computers became a way for people to express their creativity. Great artists like Leonardo da Vinci and Michelangelo were also great at science. Michelangelo knew a lot about quarry stone, not just how to be a sculptor.³⁷⁶

Indeed, Jobs believed that Apple's emphasis on humanities was key to the difference between Apple and Microsoft: "Microsoft never had the humanities and liberal arts in its DNA. Even when they saw the Mac, they couldn't copy it well. They totally didn't get it."³⁷⁷

Just as Jobs and Apple brought an emphasis on the liberal arts to the specialized professional field of engineering and technology, an Apple-inspired law school would incorporate insights and modalities from the liberal arts to enliven and energize professional legal education. Law practice includes not only the analytic abilities developed by traditional law school, but also humanities insights about engaging and persuading lawyers, clients, judges, and juries, drawing on fields such as psychology, drama, storytelling, and literature.³⁷⁸ Legal education addresses these needs in experiential-education upper-division offerings, such as courses involving clinics, advocacy, negotiation, and to some extent, legal writing courses, as well as more recent innovations such as capstone courses. Law schools currently might have a few upper-division courses focusing on law and literature, law and history, law and economics, and perhaps law and psychology, echoing the significant research fields in each of those areas.³⁷⁹ But the core first-year and upper-division courses remain focused extensively on traditional analytic approaches to legal

376. *Id.* at 567–68.

377. *Id.* at 568.

378. *See, e.g.*, Anthony G. Amsterdam & Jerome Bruner, *MINDING THE LAW* (2002) (subtitled, "How courts rely on storytelling, and how their stories change the way we understand the law—and ourselves"). Professor Amsterdam's interdisciplinary work underlies the Lawyering Program at New York University School of Law. *See The Lawyering Program*, NYU L., <https://www.law.nyu.edu/academics/lawyeringprogram> (last visited July 25, 2023) (noting that NYU's Lawyering Program was "[p]ioneered by University Professor Anthony Amsterdam").

379. *See, e.g.*, *Interdisciplinary Inquiry*, U. CHI. L. SCH, <https://www.law.uchicago.edu/interdisciplinary> (last visited July 25, 2023) (noting law and economics, law and philosophy, and legal history).

doctrine based on close reading of appellate court opinions, using the case method.³⁸⁰

Given the demands of doctrinal expertise for the bar and the pressing need for students also to develop legal reasoning skills, how can a professor and course manageably include humanistic perspectives that engage students and provide meaningful context? Technology might provide one solution. Sophisticated course webpages allow a professor to easily leverage the vast offerings of the internet in video, audio, and pictures to provide a humanistic context to the law.³⁸¹ Films and online video excerpts, for example, might be linked on course webpages and offer humanistic settings for students or provide broader historical or social context to cases and doctrines.³⁸² Class time discussing films might be recaptured to some extent in students being more engaged and focused in tackling the related analytic doctrinal issues in a course. Beyond the internet, law schools might collaborate directly with creative communities on law-related endeavors. For example, in cities with strong drama cultures, such as Los Angeles and New York, law students might even learn from actors and directors how to connect with various audiences within and outside the courtroom.³⁸³

An Apple-inspired law school would also consider how faculty scholarship could best be crafted and presented using insights from the humanities, as well as from technology. In recent decades, law school scholarship has incorporated insights from economics, literature, history,

380. See Weaver, *supra* note 326, at 543 (“Today, the case method is unquestionably the primary method of instruction in U.S. law schools.”).

381. See INSTRUCTURE, *supra* note 357.

382. See Margaret Ryznar, *A Brief Guide to Online Teaching*, 11 HOUS. L. REV.: OFF. REC. 69, 83 (2021) (“Course design is particularly important when it comes to organizing asynchronous content. Professors should consider Steve Jobs’s view of utility as a driver of design, which propelled Apple products into mainstream use.”). For example, in my Mass Tort Litigation Capstone course, I assign a film on a mass tort at the beginning of the semester and another at the end of the semester. See Byron G. Stier, *Film and Mass Tort Litigation in the United States: A Civil Action* and Erin Brockovich, in *LAW AND POPULAR CULTURE: INTERNATIONAL PERSPECTIVES* (M. Asimow, K. Brown and D. Papke, eds., Cambridge Scholars Publishing 2014).

383. For example, at Southwestern Law School in Los Angeles, noted actor John de Lancie served as a guest lecturer for a Mobile App Challenge course, teaching law students how to connect in their presentations to an audience of possible investors. See John de Lancie, IMDB, <https://www.imdb.com/name/nm0209496/> (last visited July 25, 2023); see also *Ethical Lawyering: The Law and Skills of the Lawyer-Client Relationship*, LOY. L. SCH., <https://www.lls.edu/academics/experientiallearning/legalwritinglawyeringskills/advancedrequiredskillscourses/> (last visited July 25, 2023) (“Professional actors are used as clients (Loyola was one of the first [law] schools in the country to use professional actors in this manner) and each actor is given a packet of materials describing a legal situation.”); Alina Hernandez, *Actors Bring Mock Cases to Life During Law School Boot Camp*, TUL. NEWS (Jan. 11, 2018), <https://news.tulane.edu/news/actors-bring-mock-cases-life-during-law-school-boot-camp>; see generally Samantha Buck, *A Law Student Prepares: Bringing Theater into a Law School Curriculum*, 97 U. DET. MERCY L. REV. 101 (2019) (“Theatricality touches every attorney in some way, so the question becomes: why aren’t more law schools adjusting curriculum to address this?”).

philosophy, and gender, race, and sexuality studies.³⁸⁴ But other fields in the liberal arts remain to be mined for insights into legal scholarship. The presentation of scholarship might also benefit from the arts' expertise in how to convey information and connect with an audience.³⁸⁵ Like a dramatic presentation, law school symposia are already assembled and organized in an arc of topics and expected audience interest. Perhaps, for example, a law school might record a video of a professor discussing a forthcoming article or a conversation between professors about their scholarship and then make the video available on the law school's webpage, scholarly blog, or social media.

C. Product Design as Artmaking with Simple, Modern Aesthetics

Jobs promulgated a culture at Apple in which employees were encouraged to see their products not just as computers, but also as art, and their roles not only as technology workers but also as artists. Jobs stated, "We have a chance to make these things beautiful, and we have a chance to communicate something through the design of the objects themselves."³⁸⁶ At the completion of the design of the Macintosh computer, Jobs brought the team together for a ceremony at which Jobs asked that each team member provide their signatures, stating, "Real artists sign their work."³⁸⁷ Jobs then had signatures engraved on the interior of every Macintosh computer.³⁸⁸ Apple employee Bill Atkinson recalled, "With moments like this, he got us seeing our work as art."³⁸⁹ Indeed, Jobs observed with regard to the Macintosh team, "The feelings and the passion that people put into it were completely indistinguishable from a poet or a painter."³⁹⁰ In addition, Jobs once brought Apple employees to view a Tiffany glass exhibit in San Francisco because he believed Louis Tiffany's creation of great art that could be broadly produced would provide a lesson for Apple employees; one Apple employee also took away from the trip that Apple products should themselves be beautiful.³⁹¹

Apple co-founder Steve Wozniak also opined that engineers are "almost like artists," noting that "the very best of them *are* artists" and highlighting common attributes among artists and engineers.³⁹² He also observed that artists and engineers both innovate and reach for more perfection than appears

384. See Jack M. Balkin & Sanford Levinson, *Law and the Humanities: An Uneasy Relationship*, 18 YALE J.L. & HUMAN. 155 (2006); Richard Posner, *The Decline of Law as an Autonomous Discipline: 1962–1987*, 100 HARV. L. REV. 761 (1987).

385. See, e.g., *Publishing Digital Scholarship*, STAN. U. PRESS, <https://www.sup.org/digital/> (last visited Jan. 2, 2024) (addressing "[e]mergent technologies and scholars' increasing fluency with these technologies").

386. MAKE SOMETHING WONDERFUL, *supra* note 12, at 20.

387. ISAACSON, *supra* note 12, at 134.

388. *Id.*; SCHLENDER & TETZELI, *supra* note 12, at 82.

389. ISAACSON, *supra* note 12, at 134.

390. MAKE SOMETHING WONDERFUL, *supra* note 12, at 11.

391. *Id.*

392. WOZNIAK, *supra* note 79, at 290 (emphasis in original).

previously to have been possible.³⁹³ While examining Greek and Roman sculptures at the Metropolitan Museum of Art, future Apple CEO John Sculley told Jobs that Sculley might have been an artist if he had not become a businessman, and Jobs replied that if he were not working on computers, Jobs could imagine himself in Paris as a poet.³⁹⁴

For aesthetics, Steve Jobs preferred modernism. On top of Apple's brochure in 1977 for the Apple II computer was a quotation attributed to Leonardo da Vinci: "Simplicity is the ultimate sophistication."³⁹⁵ In the early 1980s, Jobs drew inspiration from Bauhaus design and sought to apply that modern aesthetic to computer design.³⁹⁶ Jobs also emphasized that Apple was "shooting for Museum of Modern Art quality" and that "the way we're running the company, the product design, the advertising, it all comes down to this: Let's make it simple. Really simple."³⁹⁷ Jobs's interest in Zen Buddhism also affected his bare aesthetic.³⁹⁸

One example of Apple's simplicity was the development of the iDVD function to create video DVDs.³⁹⁹ Jobs interrupted a presentation on the draft interface to decree that the application would be a rectangle to which users dragged their video and pressed one button, labeled "Burn."⁴⁰⁰ Separately, in designing the iPad at Apple, Jobs determined that the core of the device was its screen.⁴⁰¹ As a result, Apple designer Jony Ive asked the Apple team, "How do we get out of the way so there aren't a ton of features and buttons that distract from the display?"⁴⁰²

Jobs also gathered design ideas from other products he believed were well-designed. For the Macintosh computer, Jobs also drew inspiration from Porsche and Mercedes cars, noting that "[g]reat art stretches the taste, it doesn't follow tastes."⁴⁰³ With regard to Mercedes, Jobs observed, "Over the years, they've made the lines softer but the details starker," and he urged, "That's what we need to do with the Macintosh."⁴⁰⁴ Over months, Jobs reviewed successive plaster models of the Macintosh computer, and offered detailed comments and criticisms, focusing on curves and beveled edges.⁴⁰⁵ At a 1983 conference on

393. *Id.* at 290–91.

394. ISAACSON, *supra* note 12, at 153.

395. *Id.* at 80, 127; *see also* GALLO, INNOVATION SECRETS, *supra* note 12, at 137 (noting that for Apple, "Simplicity is the Ultimate Sophistication").

396. ISAACSON, *supra* note 12, at 126.

397. *Id.*; *see also* CRUIKSHANK, *supra* note 12, at 28 (stating that "Apple has become synonymous with world-class industrial design"); Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing "Simplify" as one leadership lesson to be learned from Jobs).

398. ISAACSON, *supra* note 12, at 128.

399. *Id.* at 381–82.

400. *Id.* at 382.

401. *Id.* at 491.

402. *Id.*

403. *Id.* at 128.

404. *Id.*

405. *Id.* at 129.

design, Jobs stated, “What we’re going to do is to make the products high-tech, and we’re going to package them cleanly so that you know they’re high-tech. We will fit them in a small package, and then we can make them beautiful and white, just like Braun does with its electronics.”⁴⁰⁶ Jobs also focused on the computer screen’s layout, drawing inspiration from billboards and street signs, and pushing the Macintosh team to create display boxes that had rounded edges on the rectangles.⁴⁰⁷

Jobs brought detailed attention to the design and aesthetics of every aspect of the computer. When turning to computer fonts, Jobs recalled the calligraphy class he had audited at Reed College, and the Apple team created new proportionally spaced fonts that were enabled by the bitmapped screen.⁴⁰⁸ Jobs also devoted close attention to the appearance of title bars for windows and documents and the appearance of the calculator on the Macintosh.⁴⁰⁹ In addition, Jobs insisted that parts that were likely forever hidden from the sight of most consumers also be designed to be beautiful, noting, “I want it to be as beautiful as possible, even if it’s inside the box. A great carpenter isn’t going to use lousy wood for the back of the cabinet, even though nobody’s going to see it.”⁴¹⁰ Jobs urged, “For you to sleep well at night, the aesthetic, the quality, has to be carried all the way through.”⁴¹¹ Jobs later brought a similar attention to detail in developing the OS X operating system, analyzing the appearance and use of each feature and screen.⁴¹²

Jobs and Ive also obtained patents for the packaging for certain Apple products, in strong boxes that held products that were cradled inside small plastic trays.⁴¹³ Ive said that Jobs and he spent much time focusing on packaging, observing that “[y]ou design a ritual of unpacking to make the product feel special. Packaging can be theater, it can create a story.”⁴¹⁴ Jobs similarly stated, “When you open the box of an iPhone or iPad, we want that tactile experience to set the tone for how you perceive the product.”⁴¹⁵

Jobs’s view of simple aesthetics was congruent with his belief that products should be easy to use.⁴¹⁶ Apple designed its products so that buyers

406. *Id.* at 126.

407. *Id.* at 130.

408. *Id.* at 130–31.

409. *Id.* at 132–33.

410. *Id.* at 133.

411. *Id.* at 134.

412. SCHLENDER & TETZELI, *supra* note 12, at 245.

413. ISAACSON, *supra* note 12, at 347.

414. *Id.*; GALLO, INNOVATION SECRETS, *supra* note 12, at 158 (“[T]he box colors, look, texture, handles, material, and compartments must provide a simple, satisfying experience at every step of the unpacking process.”).

415. ISAACSON, *supra* note 12, at 78.

416. *Id.* at 127; CRUIKSHANK, *supra* note 12, at 7 (“Apple’s approach over the years has been to make using a personal computer as easy and intuitive as possible.”); GALLO, INNOVATION SECRETS, *supra* note 12, at 145 (“To Steve Jobs, design wasn’t just about how things looked; design was how things worked, the experience must be simple, elegant, and easy.”).

could intuitively begin using the product.⁴¹⁷ As Jobs noted to designers, “The main thing in our design is that we have to make things intuitively obvious.”⁴¹⁸ With new technology products, such as a computer, products could be based on the user’s intuition in an analogous area, such as a physical desktop with stacked papers.⁴¹⁹

As Jobs noted, designing with simplicity as a goal was not easy: “It takes a lot of hard work . . . to make something simple, to truly understand the underlying challenges and come up with elegant solutions.”⁴²⁰ According to Jobs, “In most people’s vocabularies, design means veneer. . . . But to me, nothing could be further from the meaning of design. Design is the fundamental soul of a man-made creation that ends up expressing itself in successive outer layers.”⁴²¹

At an Apple-inspired law school, faculty members and administrators would be encouraged to approach their classes, courses, campuses, curricula, facilities, and scholarship as artists, viewing them as aesthetically satisfying in their design. Seeing the work of legal education as a form of art would encourage passionate attention to detail and execution, an openness to and a drive for innovation, and a reverence for the result.

For aesthetic style, an Apple-inspired law school might further Jobs’s preferred modernist approach, but perhaps more important than precise style was Jobs’s linking of modernist aesthetics with ease of use.⁴²² Whatever style a law school uses in its facilities and webpages, such a law school would strive to make its administrative procedures and opportunities for interface as simple as possible for students and alumni, without sacrificing utility. Professors might also focus on making their courses and research papers as simple and as easy to understand and interact with as possible, without sacrificing the quality and depth of learning and scholarship.

An Apple-inspired law school would also focus on the aesthetics of its internet presence, viewing online digital campuses with the same devotion that universities brought to developing their physical campuses in prior centuries.⁴²³ Like Apple’s own webpage, an Apple-inspired law school’s webpage would emphasize pictures and videos of a law school’s campus, students, faculty, staff,

417. ISAACSON, *supra* note 12, at 127.

418. *Id.*

419. *Id.* (“Part of the reason we model our computers on metaphors like the desktop is that we can leverage this experience people already have.”).

420. *Id.* at 343.

421. *Id.*

422. *Id.* at 126; *see also* GALLO, INNOVATION SECRETS, *supra* note 12, at 167 (“[T]he simplest designs are minimal, but minimal designs are not always simple. *Focus* should be the goal, not minimalism.”) (emphasis in original).

423. *See* Nicolas P. Terry, *Bricks Plus Bytes: How ‘Click-and-Brick’ Will Define Legal Education Space*, 46 VILL. L. REV. 95, 96 (2001) (“[T]he law school of the near future must be re-engineered and become what is known in e-commerce as ‘click-and-brick’ or ‘click-and-mortar.’”).

and alumni.⁴²⁴ When possible, presented text on a webpage might be supplemented by graphics, and material would be presented empathically considering the needs and capacities of law students. Law schools might compare the fundraising energy spent by prior generations of university administrators on physical facilities and bring that focus to building digital campuses and web pages. Perhaps a donor who previously donated a building might consider funding the creation of a program webpage or a digital campus and be given naming credit.

An Apple-inspired law school would focus not only on student-facing portions but also on the back offices of administrators and staff, desiring that every space receive attention to detail. In addition, as in Apple's development of Apple Stores,⁴²⁵ law school employees might walk through the building contemplating the perspective of students to help improve the provision of services to students. Both in-person and online spaces would be designed to be as intuitively obvious as to how students should interact with the school's departments and procedures.

In important items sent to students, an Apple-inspired law school would also be cognizant that "[p]ackaging can be theater, it can create a story."⁴²⁶ Items such as the sending of an admission acceptance letter or presentation of a diploma would be scrutinized to ensure the significance of the event was conveyed to the student. Attention might be directed to the text, envelope, paper, font, and signature used, as well as the envelope, box, or casing of any such communication.

D. *Relentless Refinement in the Pursuit of Perfection*

Jobs went through numerous iterations of a new product before release, seeking always to improve the result. Apple human resources director Jay Elliot noted that Jobs's "obsession is a . . . passion for product perfection."⁴²⁷ Jobs focused for days on how rounded the corners of the Apple II computer should be.⁴²⁸ When Pixar was making *Toy Story*, Jobs would have his friend, Oracle co-founder Larry Ellison, come by to see new versions.⁴²⁹ Ellison observed Jobs's quest for perfection:

I can't tell you the number of versions of *Toy Story* I saw before it came out. . . . It eventually became a form of torture. I'd go over there and see the latest ten percent improvement. Steve is obsessed

424. See APPLE, <https://www.apple.com/> (last visited July 25, 2023); GALLO, INNOVATION SECRETS, *supra* note 12, at 205–06 ("Steve Jobs understood that his audiences retained information more effectively when ideas were presented in words and pictures instead of words alone.").

425. See *supra* Section I.B.

426. See ISAACSON, *supra* note 12, at 347; see also *id.* at 134 (noting Jobs's focus on dozens of iterations of the Macintosh box).

427. *Id.* at 83; see also Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing "Push for Perfection" as a leadership lesson to be learned from Jobs).

428. ISAACSON, *supra* note 12, at 83.

429. *Id.* at 289.

with getting it right—both the story and the technology—and isn't satisfied with anything less than perfection.⁴³⁰

Jobs had a recording of the Beatles working through multiple versions of “Strawberry Fields Forever,” carefully improving it each time.⁴³¹ Jobs saw a parallel in the Beatles' approach to that of Apple:

It's a complex song, and it's fascinating to watch the creative process as they went back and forth and finally created it over a few months. . . . [T]hey just didn't stop. They were such perfectionists that they kept it going and going. This made a big impression on me when I was in my thirties. You could just tell how much they worked at this.

They did a bundle of work between each of these recordings. They kept sending it back to make it closer to perfect. . . . The way we build stuff at Apple is often this way. Even the number of models we'd make of a new notebook or iPod. We would start off with a version and then begin refining and refining, doing detailed models of the design, or the buttons, or how a function operates. It's a lot of work, but in the end it just gets better, and soon it's like, “Wow, how did they do that?!? Where are the screws?”⁴³²

When Jobs worked for six months on refining the multi-touch screen for the iPhone, he remarked, “It was the most complex fun I've ever had. . . . It was like being the one evolving the variations of ‘Sgt. Pepper.’”⁴³³ Through that painstaking process came the iPhone's “Swipe to Open” feature (instead of an on-off switch) and the dormant function activated when the iPhone was held to someone's ear.⁴³⁴

Jobs's devotion to perfecting the product also led him sometimes to push deadlines.⁴³⁵ Jobs's view was that “[i]t would be better to miss [a scheduled completion date] than to turn out the wrong thing.”⁴³⁶ Part of the quest for exceptional products was Jobs's willingness to forestall a product release if significant opportunities for improvement arose even late in product development. Jobs did so with *Toy Story* and with the design of the Apple store.⁴³⁷ Apple redesigned the iPhone to better highlight its screen as the center of attention.⁴³⁸

430. *Id.*; see also SCHLENDER & TETZELI, *supra* note 12, at 281 (speaking of Pixar, Jobs noted, “they have an amazing willingness to turn around and do it again, till they get it right”).

431. ISAACSON, *supra* note 12, at 418–19.

432. *Id.* at 419; see also MAKE SOMETHING WONDERFUL, *supra* note 12, at 29 (“[I]f you're going to make something, it doesn't take any more energy—and rarely does it take more money—to make it really great. All it takes is a little more time. . . . And a willingness to persevere until it's really great.”).

433. ISAACSON, *supra* note 12, at 469.

434. *Id.* at 470.

435. *Id.* at 124 (noting the delay in the production of the Macintosh computer).

436. *Id.* at 107.

437. *Id.* at 472.

438. *Id.*

But Jobs also pushed teams to meet deadlines. In one instance, while Jobs initially urged, “It’s not done until it ships,” Jobs subsequently told employees, “Real artists ship.”⁴³⁹ One week before the shipping deadline for the Macintosh, the computer engineers said the code for the Macintosh would not be ready and that they needed two more weeks.⁴⁴⁰ Jobs told them that they were great, they had been working on it for months, and two more weeks would not make the difference.⁴⁴¹ He said he would be shipping in one week, with the names of the engineers on the computer.⁴⁴² The engineers worked for three straight all-nighters, and the Macintosh, in fact, shipped the next week.⁴⁴³

Jobs’s desire for the most perfect product possible led him to demand a closed system, in which software would need to be designed specifically for Apple’s hardware.⁴⁴⁴ According to Jobs, “If you have an extreme passion for producing great products, it pushes you to be integrated, to connect your hardware and your software. . . . If you want to allow your products to be open to other hardware or software, you have to give up some of your vision.”⁴⁴⁵ Jobs also refused to license Macintosh’s operating system to other companies.⁴⁴⁶ In battling Google’s Android mobile phone operating system, which was open for others to adapt, Jobs clarified that a closed system that enabled control produced superior quality for a “whole user experience” that enabled “great products.”⁴⁴⁷ Jobs also maintained that the integration of technology and humanities required end-to-end integration of products by Apple, rather than open designs that utilized different companies for hardware and software.⁴⁴⁸

An Apple-inspired law school would focus and work relentlessly to improve continuously its programs or undertakings. In addition, such a law school would encourage its professors to dedicatedly improve their courses and law review articles, focusing on multiple drafts with incremental improvements.

Law schools recurrently address improvement as a part of the self-study required for periodic accreditation site visits by the ABA. Under ABA Standard 204 on Self Study, a law school before its site visit must complete “an evaluation of the educational quality of the law school’s program of legal education, including a description of the program’s strengths and weaknesses.”⁴⁴⁹ In addition, ABA Standard 204 requires that a law school complete “a description of the school’s continuing efforts to improve the educational quality of its

439. *Id.* at 143–144; SCHLENDER & TETZELI, *supra* note 12, at 81.

440. ISAACSON, *supra* note 12, at 161.

441. *Id.*

442. *Id.*

443. *Id.* at 161.

444. *Id.* at 137.

445. *Id.* at 568; Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (stating “Take Responsibility End to End” as one of the leadership lessons of Jobs).

446. ISAACSON, *supra* note 12, at 138–39.

447. *Id.* at 514; *see also* CRUIKSHANK, *supra* note 12, at 6 (“Macs are great because Apple controls every relevant aspect of the Mac experience.”).

448. ISAACSON, *supra* note 12, at 527.

449. ABA Standard 204.

program.”⁴⁵⁰ The ABA requires law schools to contemplate improvement through self-study in connection with comprehensive periodic accreditation visits that occur every ten years.⁴⁵¹

Moreover, under ABA Standard 315, a law school must “conduct ongoing evaluation of the law school’s program of legal education, learning outcomes, and assessment methods.”⁴⁵² ABA Standard 315 also requires that a law school “use the results of this evaluation to determine the degree of student attainment of competency in the learning outcomes and to make appropriate changes to improve the curriculum.”⁴⁵³

With regard to curriculum planning, AALS states that “[t]he curriculum of a member school shall be the result of a curriculum planning process by the faculty, which shall include a periodic review of the curriculum for its content and pedagogical effectiveness.”⁴⁵⁴ In addition, AALS provides that “[a] member school shall assign faculty teaching and scholarship responsibilities so as to permit the continuous and energetic study of new developments in the faculty members’ areas of interest.”⁴⁵⁵

In the pursuit of the highest standards of quality, an Apple-inspired law school might on occasion be willing to consider an extended deadline or expanded budget, particularly if a late-breaking epiphany would lead to significant improvement in an undertaking. But such a law school would also be mindful of the practical need to deliver projects in a timely fashion and push its community to complete and deliver finished work product in administrative settings, courses, and scholarship. Such a law school would ensure that it retained control over the quality of its courses and programs, if possible, avoiding ceding core authority to outside contractors or other collaborators. The need for control for quality offers a cautionary note when law schools might be inclined to rely heavily on outside entities to develop online courses and curricula and staff such programs entirely with adjunct professors without formalized training and experience in teaching.⁴⁵⁶

E. Fewer, Better Undertakings

One component of the “Apple Marketing Philosophy” set forth by Mike Markkula in 1977 was “focus.”⁴⁵⁷ Markkula noted that “to do a good job on

450. *Id.*

451. See ABA Section of Legal Education and Admissions to the Bar, *Law School Site Visits*, https://www.americanbar.org/groups/legal_education/accreditation/law_school_site_visits/ (last visited July 25, 2023).

452. ABA Standard 315.

453. *Id.*

454. AALS BYLAWS § 6-7(b).

455. *Id.* § 6-2(b).

456. See Jacqueline D. Lipton, *Distance Legal Education: Lessons from the *Virtual* Classroom*, 60 IDEA: L. REV. FRANKLIN PIERCE CTR. FOR INTELL. PROP. 71, 92 (2020) (“[M]any fully online (LL.M. and MSL/MSJ) courses, and a number of hybrid J.D. courses, are taught by adjuncts and visiting professors.”).

457. ISAACSON, *supra* note 12, at 78.

those things that we decide to do, [Apple] must eliminate all of the unimportant opportunities.”⁴⁵⁸ In its early days, Apple focused on only a handful of products. Jobs’s penchant for focus may have benefitted from his Zen training and meditation, as well as his appreciation of modern minimalism.⁴⁵⁹

When Jobs returned to Apple in 1997, he set about pruning its product lines that had been expanded repeatedly by previous CEO Gil Amelio.⁴⁶⁰ He noted, “Deciding what *not* to do is as important as deciding what to do. . . . That’s true for companies, and it’s true for products.”⁴⁶¹ Jobs met with numerous Apple product groups and made them justify their products and undertakings.⁴⁶² Jobs found that each Apple product had multiple versions, driven in part by bureaucratic processes and requests of particular retailers.⁴⁶³ The Macintosh computer alone had a dozen versions.⁴⁶⁴ Jobs began asking, “Which ones do I tell my friends to buy?”⁴⁶⁵ Jobs soon cut seventy percent of the product models, resulting in more than 3,000 layoffs.⁴⁶⁶ Jobs began classifying products into a few categories such as consumer or professional, and portable or desktop.⁴⁶⁷ In addition, he had Apple stop making printers, which were not profitable.⁴⁶⁸ He also ended the Newton personal device, which he thought did not well accomplish its goal.⁴⁶⁹ His efforts overhauled Apple’s balance sheet, and what was a \$1.04 billion loss through September 1997 before he returned as CEO became a \$309 million profit in fiscal year 1998.⁴⁷⁰

In 2011, stricken with cancer, Jobs met at his home with Google co-founder Larry Page, who was planning to take over the company from Eric Schmidt, and Jobs emphasized the importance of corporate focus.⁴⁷¹ Jobs urged that Google only focus on a handful of products:

The main thing I stressed was focus. Figure out what Google wants to be when it grows up. It’s now all over the map. What are the five products you want to focus on? Get rid of the rest, because they’re

458. *Id.*

459. *Id.* at 564; Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (noting that “Focus” was one of the management lessons to be drawn from Jobs).

460. ISAACSON, *supra* note 12, at 338.

461. *Id.* at 336; GALLO, INNOVATION SECRETS, *supra* note 12, at 135 (stating “Say No to 1,000 Things” as one of the principles of Apple).

462. ISAACSON, *supra* note 12, at 336.

463. *Id.*; Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12.

464. ISAACSON, *supra* note 12, at 337.

465. *Id.*

466. *Id.* at 337, 339.

467. *Id.* After hearing product review sessions for weeks, Jobs walked to the whiteboard and drew two columns for “Consumer” and “Pro” and two rows for “Desktop” and “Portable.” Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12. Jobs told the Apple team to create four great computers, one for each square on the grid. *Id.*

468. ISAACSON, *supra* note 12, at 338.

469. *Id.* The Newton used a stylus, which Jobs derided. *Id.* It was also the most important project initiated by former Apple CEO Sculley. *Id.*

470. *Id.* at 339.

471. *Id.* at 551–52.

dragging you down. They're turning you into Microsoft. They're causing you to turn out products that are adequate but not great.⁴⁷²

An Apple-inspired law school would also concentrate its efforts on focusing on the most important and impactful programs it could offer to the educational marketplace, cognizant of the law school's mission, values, identity, and history. In particular, the law school would ask what limited number of academic centers, institutes, or projects enable the law school to marshal its resources to create not merely adequate, but great programs. That focus would also entail attention to the hiring of faculty in those areas to produce superb research and teach a deep set of courses in those areas. A single law school faculty is not large enough to provide deep course offerings and faculty depth in every area of law.

For areas of particular excellence at the law school, a law school might offer J.D. Concentrations, Certificates, or Specializations in particular areas that would enable students to navigate easily and successfully their upper-division years of study following the first year of mainly required courses.⁴⁷³ The law school might also consider creating scholarships to recruit and retain the best students interested in studying and working in those areas of focus. Finally, the law school might devote greater attention to cultivating alumni groups devoted to the areas of focus in the law school.⁴⁷⁴

IV. APPLYING JOBS'S MANAGEMENT AND MARKETING IN LAW SCHOOL ADMINISTRATION

Considering Jobs's insights on management, law schools would seek to produce "A" player—not "B" or "C" player—faculty and administrators and design programs with an integrated team of different perspectives.⁴⁷⁵ Channeling Jobs's approach to marketing a law school would utilize advertising to convey its values and innovative programs.⁴⁷⁶

472. *Id.* at 552; Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12.

473. *See, e.g., Concentrations and Customizations*, SW. L. SCH., <https://www.swlaw.edu/curriculum/concentrations-and-customizations> (last visited July 25, 2023) (listing J.D. Concentrations in Civil Litigation & Advocacy; Criminal Law and Advocacy; Critical Race, Gender, and Sexuality Studies; Entertainment Law and Advocacy, Labor and Employment Law; Public Interest Law; and Technology Law and Entrepreneurship); *Specializations*, UCLA L., <https://law.ucla.edu/academics/degrees/jd-program/specializations> (offering J.D. specializations in Business Law & Policy; Critical Race Studies; Environmental Law; International & Comparative Law; Law & Philosophy; Media, Entertainment, and Technology Law and Policy; and Public Interest Law & Policy) (last visited July 25, 2023).

474. The Harvard Law School Association, the alumni organization for Harvard Law School, has recently developed Shared Interest Groups for alumni in various areas, including the HLSA Entrepreneurs Network and the HLSA Private Equity & Venture Capital Network. *See* Harvard Law School Alumni, *The Global HLS Alumni Network*, <https://www.alumni.law.harvard.edu/clubs.html> (last visited July 25, 2023).

475. *See infra* Section IV.A–B.

476. *See infra* Section IV.C.

*A. Creating and Maintaining a Work Culture of “A” Players,
Not “B” or “C” Players*

Jobs utilized periodic retreats to motivate and leverage the insights of employees. Twice a year, most of the Macintosh team and Jobs would have a two-day retreat at a resort.⁴⁷⁷ Apple retreats involved presentations by team leaders and a computer industry analyst, as well as ample time for recreation.⁴⁷⁸ At the end of the retreat, Jobs would offer concluding thoughts, once noting that “[a]s every day passes, the work fifty people are doing here is going to send a giant ripple through the universe.”⁴⁷⁹ Jobs continued these retreats while leading NeXT computer, as well as other group activities.⁴⁸⁰ When Jobs returned to Apple as CEO, he continued an annual retreat, taking top employees to what he called “The Top 100.”⁴⁸¹ At the end of each retreat, Jobs would use a whiteboard, and ask, “What are the ten things we should be doing next?”⁴⁸² Employees would suggest ideas, and Jobs would cross off ideas he thought unwise.⁴⁸³ Finally, the group would come up with ten good ideas, and then Jobs would cut off the bottom ideas, announcing that Apple could only do the top three.⁴⁸⁴

Jobs also fostered *esprit de corps* as rebels challenging a malevolent dominant competitor. As the Macintosh was about to be released in 1983, Jobs at a sales conference criticized the steps of IBM since its founding, and then asked, regarding the personal computer revolution, “Will Big Blue dominate the entire industry? The entire information age? Was George Orwell right about 1984?”⁴⁸⁵ Jobs then showed them the iconic Apple Macintosh television advertisement rebelling against a dystopian world echoing Orwell’s 1984.⁴⁸⁶ Earlier, as Jobs’s team was building the Macintosh computer, Jobs had also fostered a rebellious sense within the team, against other Apple teams building the Lisa computer or working on the Apple II.⁴⁸⁷

477. ISAACSON, *supra* note 12, at 142.

478. *Id.* at 143.

479. *Id.*; GALLO, INNOVATION SECRETS, *supra* note 12, at 32 (opining that one of the innovation secrets of Steve Jobs was “Put a Dent in the Universe”).

480. ISAACSON, *supra* note 12, at 225 (noting at NeXT, “[t]here were plenty of field trips, visits by akido masters, and off-site retreats”).

481. *Id.* at 378.

482. *Id.*

483. *Id.* at 378–79.

484. *Id.* at 379.

485. *Id.* at 160, 169; *see also* GALLO, INNOVATION SECRETS, *supra* note 12, at 204 (“Every Steve Jobs presentation has a hero and a villain, an antagonist as well as a protagonist.”); GALLO, PRESENTATION SECRETS, *supra* note 12, at 63 (“Steve Jobs establishes the foundation of a persuasive story by introducing his audience to an antagonist, an enemy a problem in need of a solution.”).

486. ISAACSON, *supra* note 12, at 160–61; *see also* CRUIKSHANK, *supra* note 12, at 126 (“[Apple] has always seen itself as the little guy fighting the forces of darkness. It has even found some strategic advantage in seeing itself that way.”).

487. ISAACSON, *supra* note 12, at 144–45.

By the end of designing the Macintosh computer, Jobs had concluded that one had to be focused on avoiding or firing second- or third-rate employees:

It's too easy, as a team grows, to put up with a few B players, and they then attract a few more B players, and soon you will even have some C players. . . . The Macintosh experience taught me that A players like to work only with other A players, which means you can't indulge B players.⁴⁸⁸

As a result, when the Lisa computer and Macintosh computer teams were merged after the release of the Macintosh, Jobs highlighted the failures of the Lisa team and stated that the Macintosh team would take the head positions of the new team.⁴⁸⁹ He also announced that a quarter of the members of the Lisa computer team would be fired from Apple, calling them "B players . . . or C players."⁴⁹⁰ Many years later, in 2011, Jobs also related this advice to Google's Larry Page: "I described the blocking and tackling he would have to do to keep the company from getting flabby or being larded with B players."⁴⁹¹

Jobs believed that part of creating a culture of A players was honestly conveying feedback, whether positive or negative:

I don't think I run roughshod over people, but if [work is inadequate], I tell people to their face. It's my job to be honest. I know what I'm talking about, and I usually turn out to be right. That's the culture I tried to create. We are brutally honest with each other. . . . And we've had some rip-roaring arguments, where we are yelling at each other, and it's some of the best times I've ever had. . . . You've got to be super honest.⁴⁹²

That expectation of honest feedback, even if negative, also applied to employees speaking to Steve and to other supervisors.⁴⁹³

488. *Id.* at 181; *see also* GALLO, *INNOVATION SECRETS*, *supra* note 12, at 123 (arguing that most companies cannot innovate like Apple because "they lack . . . Jobs's commitment to excellence"); Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing "Tolerate Only 'A' Players" as a leadership lesson to be learned from Jobs). Jobs expanded on the idea of "A" players:

For most things in life, the range between the best and average is thirty percent or so. The best airplane, the best meal, they may be thirty percent better than your average one. What I saw with [Steve Wozniak] was somebody who was fifty times better than the average engineer. He could have meetings in his head. The Mac team was an attempt to build a whole team like that, A players. People said they wouldn't get along, they'd hate working with each other. But I realized that A players like to work with A players, they just didn't like working with C players. At Pixar, it was a whole company of A players. When I got back to Apple, that's what I decided to try to do.

ISAACSON, *supra* note 12, at 363.

489. ISAACSON, *supra* note 12, at 181.

490. *Id.*

491. *Id.* at 552.

492. *Id.* at 569.

493. SCHLENDER & TETZELI, *supra* note 12, at 231 ("You hire people who are better than you are at certain things, and then make sure they know that they need to tell you when you're wrong. The executive teams at Apple and Pixar are constantly arguing with each other.").

Working intensely at Apple also involved long hours.⁴⁹⁴ While working on the Lisa computer, one engineer recalled that Jobs would call him with ideas at 2 a.m. or 5 a.m.⁴⁹⁵ Jobs would reward high-performing workers with top compensation and stock options, and he would spend one-on-one time with them, asking them to join him for a walk around the Apple campus or in Palo Alto.⁴⁹⁶ But he viewed the satisfaction of producing an extraordinary product to be the strongest motivation for top performers.⁴⁹⁷

Those employees who were able to weather Jobs's demanding work environment performed at a higher level.⁴⁹⁸ Jobs also respected employees who pushed back against him, if the employees could successfully defend their positions against his attacks.⁴⁹⁹ Indeed, Apple's culture prized the best ideas, rather than hierarchical deference.⁵⁰⁰ Sometimes, an Apple employee might fend off Jobs's pointed questions, but the questioning might lead the employee to improve the product.⁵⁰¹ Those who were close to Jobs professionally tended to include strong personalities rather than sycophants.⁵⁰² The Macintosh team humorously gave out an annual award to the Apple employee best able to stand

494. See MAKE SOMETHING WONDERFUL, *supra* note 12, at 53 (during Jobs's first stint at Apple, Jobs noted that "we were very young, and most of the folks were not married, and so they could work fifteen-hour days. You didn't have a typical situation where you worked so that you can support your life. Your work was your life, in many cases.").

495. ISAACSON, *supra* note 12, at 99.

496. SCHLENDER & TETZELI, *supra* note 12, at 229.

497. *Id.*

498. ISAACSON, *supra* note 12, at 121 ("There were some upsides to Jobs's demanding and wounding behavior. People who were not crushed ended up being stronger. They did better work, out of both fear and an eagerness to please.").

499. *Id.* at 121–22 ("You could push back—sometimes—and not only survive but thrive. . . . [I]f you were calmly confident, if Jobs sized you up and decided that you knew what you were doing, he would respect you."); SCHLENDER & TETZELI, *supra* note 12, at 81 ("The best of [Jobs's team at Apple] felt truly empowered and gained Steve's respect by challenging him directly, using facts, ability, and persistence to change his mind.").

500. MAKE SOMETHING WONDERFUL, *supra* note 12, at 53 ("[T]here wasn't a hierarchy of ideas that mapped onto the hierarchy of the organization. . . . [G]reat ideas could come from anywhere."). According to Jobs:

Apple was a very bottoms-up company when it came to a lot of its great ideas. . . . [W]e hired truly great people and gave them the room to do great work. A lot of companies . . . don't do that. They hire people to tell them what to do. We hired people to tell us what to do. We figured we're paying them all this money, their job is to figure out what to do and tell us. . . . [T]hat led to a very different corporate culture, and one that's really much more collegial than hierarchical.

Id.

501. ISAACSON, *supra* note 12, at 122; SCHLENDER & TETZELI, *supra* note 12, at 81 (noting that Steve Jobs praised an Apple employee who successfully worked with Sony to develop a smaller disc drive for the Mac, against Jobs's earlier opposition).

502. ISAACSON, *supra* note 12, at 122 ("In both [Jobs'] personal and professional life over the years, his inner circle tended to include many more strong people than toadies.").

up to Jobs, and he was aware of and liked the award.⁵⁰³ Debi Coleman, who won the award in 1983, recalled, “I had learned you had to stand up for what you believe, which Steve respected. I started getting promoted by him after that.”⁵⁰⁴ She later became Apple’s head of manufacturing.⁵⁰⁵ In Jobs’s final decade, Pixar’s Ed Catmull noticed that Jobs had found less confrontational ways to deliver negative feedback. Jobs would ask a director to go for a walk away from others and talk slowly through the feedback.⁵⁰⁶ These private discussions “turn[ed] what could have been an embarrassing thing into something that actually became very productive and bonding.”⁵⁰⁷ Apple’s Tim Cook also noted that “[t]he Steve that [he] met in early [1998] was brash and confident and passionate. . . . But there was a soft side of him as well, and that soft side became a larger portion of him over the next thirteen years.”⁵⁰⁸

An Apple-inspired law school would seek to create and maintain an “A player” culture requiring that all faculty and staff members evince a commitment to producing top-level quality in teaching, scholarship, and service. Such a law school would measure success not just by existing approaches, but by developing innovative approaches to improve teaching, scholarship, and service. Focusing on an “A player” culture that seeks to avoid hiring or retaining “B or C players” would also assist with the retention of leading professors and staff, who want to work with other similarly motivated and high-achieving colleagues.

Unlike a private technology company, law schools and universities typically have many faculty seeking and obtaining tenure.⁵⁰⁹ Faculty on tenure track are of course sensitive and receptive to guidance about standards and the improvement for teaching, research, and scholarship. Tenure, once obtained, provides considerable job security if a faculty member continues to complete the faculty member’s job without gross misconduct, dereliction of duties, or illegal activity.⁵¹⁰ As a result, while a chief executive officer at a private company may dismiss underperforming employees with wide latitude, a law school dean would not have such power and would need to seek other avenues to uphold the highest standards of teaching, scholarship, and service. Among them would be traditional measures, such as annual salary increases and

503. *Id.* at 122. Jobs’s daughter noted that “the way [she] saw him create was the best part of him: sensitive, collaborative, fun,” and that with regard to difficult interactions with him, “[m]aybe the meanness *protected* the part that created.” BRENNAN-JOBS, *supra* note 331, at 379 (emphasis in original).

504. ISAACSON, *supra* note 12, at 122

505. *Id.*

506. SCHLENDER & TETZELI, *supra* note 12, at 333–34.

507. *Id.* at 334.

508. *Id.* at 392.

509. *Cf.* ABA Standard 405(b) (“A law school shall have an established and announced policy with respect to academic freedom and tenure.”); ABA Standard 405(c) (“A law school shall afford to full-time clinical faculty members a form of security of position reasonably similar to tenure.”); ABA Standard Appendix 1 (Statement on Academic Freedom and Tenure).

510. *See* ABA Standard Appendix 1 (Statement on Academic Freedom and Tenure, providing that for tenured faculty, “their service should be terminated only for adequate cause”).

honorary named professorships. But the dean might also set a culture of honoring achievement at meetings and events, and in communications to the faculty and law school community, all of which would incentivize achievement. To assist with the improvement and maintenance of standards, the dean might also create a culture of honesty in feedback about performance in meetings with individual faculty and among faculty generally in discussing teaching and scholarship. Faculty who are not tenured are more subject to traditional incentives to work to preserve their positions at a law school, and as with all employees, an Apple-inspired law school would expect deep commitment and high performance in teaching, scholarship, and service. As a culture of outcomes assessment for student performance deepens in law schools, perhaps the related tools of defining and measuring outcomes might also be applied to law school faculty and administrators.

In addition, an Apple-inspired law school would consider hosting a retreat at least once a year to engage faculty and managing staff either on campus or off-campus, depending upon budgetary constraints.⁵¹¹ The retreats might include presentations by faculty leaders of programs, as well as by the dean and associate or vice deans about the school. An off-campus retreat might especially include time for socializing and faculty to connect. To create a sense of camaraderie and motivate faculty and staff, the dean might also identify the traits and mission of the dean's law school that are not being offered by other law schools and remind faculty and staff how the school's essential contributions to legal education rest upon the individual and collaborative efforts of faculty and staff. Final discussions of the retreat might include brainstorming sessions to generate ideas for further activity and focus by the law school considering changing conditions. The dean might strategize with other vice or associate deans and managing staff as to what ideas to prioritize for action.⁵¹²

B. Designing a Product with an Integrated Team of Different Perspectives

To achieve simplicity and integration in Apple products, numerous Apple teams needed to work together, according to Apple's head of design, Jony Ive:

We wanted to get rid of anything other than what was absolutely essential. . . . To do so required total collaboration between the designers, the product developers, the engineers, and the manufacturing team. We kept going back to the beginning, again

511. See Jim Rosenblatt, *Lessons Learned by a New Dean*, 36 U. TOL. L. REV. 151, 153 (2004) (discussing the useful role of faculty retreat in assembling an "operational plan").

512. See Gerald F. Hess et al., *Fifty Ways to Promote Teaching and Learning*, 67 J. LEGAL EDUC. 696, 702 (2018) (discussing faculty teaching retreats); Richardson R. Lynn, *Advance to the Retreat*, 31 U. TOL. L. REV. 661, 661 (2000) ("The care and feeding of the faculty—meaning the maintenance of faculty morale—should be every dean's priority. The annual faculty retreat is one of the keys to good faculty morale."); John O. Mudd, *Academic Change in Law Schools*, 29 GONZ. L. REV. 29, 65 n.104 (1993) ("Although faculty retreats are a relatively new phenomenon, several schools have used them successfully in academic planning.").

and again. Do we need that part? Can we get it to perform the function of the other parts?⁵¹³

Jobs's penchant for collaboration among units enabled Apple to succeed as an ecosystem for digital music, even though Sony had been trying to do so with record companies for two years.⁵¹⁴ After Jobs displayed the iTunes-iPod interface, Interscope-Geffen-A&M chief Jimmy Iovine noted, "How Sony missed this is completely mind-boggling to me. . . . Steve would fire people if the divisions didn't work together, but Sony's divisions were at war with one another."⁵¹⁵

Jobs preferred many meetings, at which he wanted attendees to engage with the issues from multiple perspectives.⁵¹⁶ Every Monday, he had a meeting of executive staff.⁵¹⁷ At the executive meeting, which extended for three to four hours, Jobs focused on future products, emphasizing Apple's mission.⁵¹⁸ Jobs would ask for updates on projects from teams and raise questions with the expectation that every person in attendance was completely prepared to respond about the areas for which the person was responsible.⁵¹⁹ While past performance earned attendees a place at the meeting, Jobs and the meetings were focused intensely on future success.⁵²⁰ Marketing strategy meetings occurred all afternoon on Wednesdays.⁵²¹ He also held numerous, lengthy product review meetings.⁵²² At these interactive meetings, Jobs banished PowerPoint slides and formal presentations.⁵²³ Attendees included persons from multiple departments at once, which Jobs termed "deep collaboration" or "concurrent engineering."⁵²⁴ Jobs believed simultaneous discussion among multiple departments produced superior, integrated products, compared to having a product be passed sequentially from department to department.⁵²⁵ Jobs stated, "Our method was to develop integrated products, and that meant our processes had to be integrated and collaborative."⁵²⁶ Indeed, even in hiring,

513. ISAACSON, *supra* note 12, at 344.

514. *Id.* at 400.

515. *Id.*

516. *Id.* at 362; Joel Podolny & Morten Hansen, *How Apple Is Organized for Innovation: It's About Experts Leading Experts*, HARV. BUS. REV., Nov.–Dec. 2020, at 4 ("Senior vice presidents are in charge of functions, not products," and Apple "CEO Tim Cook occupies the only position on the organizational chart where the design, engineering, operations, marketing, and retail of any of Apple's products meet.").

517. ISAACSON, *supra* note 12, at 362; SCHLENDER & TETZEL, *supra* note 12, at 230.

518. ISAACSON, *supra* note 12, at 460.

519. SCHLENDER & TETZEL, *supra* note 12, at 230.

520. *Id.*

521. ISAACSON, *supra* note 12, at 362.

522. *Id.*

523. *Id.*

524. *Id.*

525. *Id.*; CRUIKSHANK, *supra* note 12, at 38.

526. ISAACSON, *supra* note 12, at 362; *see also* Podolny & Hansen, *supra* note 516, at 6 (stating that "Apple's managers . . . have been expected to possess . . . a willingness to collaboratively debate other functions during collective decision-making").

Jobs would have top candidates meet with managers from departments outside the one in which the candidate would be placed.⁵²⁷

Willing to question existing educational paradigms, an Apple-inspired law school would utilize academic research and development teams with multiple perspectives to update and improve each area of teaching, research, and service. A new program would be created with multiple members of the law school collaborating. For example, perspectives on a new degree program would be sought from the Dean, Vice Dean, or Associate Dean of Academic Affairs, and faculty members with related expertise. Such a program would be drafted with all working at once, to incorporate various insights, rather than one group preparing a finished product on its own and then handing it on to the next group.⁵²⁸ A similar process might apply to a law school's consideration of larger strategic goals, such as campus expansion, which might involve a group of administrators, trustees, and faculty.

The Association of American Law Schools expects member schools to value “diversity of viewpoints.”⁵²⁹ AALS also expects law schools to value a “diverse faculty,”⁵³⁰ and a “diverse student body” to produce a “broadly representative legal profession.”⁵³¹ AALS also notes that “[a] member school shall seek to have a faculty, staff, and student body which are diverse with respect to race, color, and sex.”⁵³² Similarly, the ABA requires that “a law school . . . demonstrate by concrete action a commitment to diversity and inclusion by having a faculty and staff that are diverse with respect to gender, race, and ethnicity.”⁵³³ An Apple-inspired law school would include insights from faculty and staff with diverse perspectives and experiences to better inform the development of programs and curricula. Similarly, scholarship being developed within the law school would be improved by receiving comments and insights from faculty from varying viewpoints, backgrounds, and experiences.

C. Marketing as a Core Company Task to Convey Values and Groundbreaking Products

The final component of the “Apple Marketing Philosophy” stated by Mike Markkula in 1977 was “impute.”⁵³⁴ Markkula observed that “[p]eople DO

527. ISAACSON, *supra* note 12, at 362–63 (“You need to have a collaborative hiring process. When we hire someone, even if they’re going to be in marketing, I will have them talk to the design folks and the engineers.”).

528. *Cf. id.* at 362 (“Our method was to develop integrated products, and that meant our process had to be integrated and collaborative.”).

529. AALS BYLAWS § 6-1(b)(iii).

530. *Id.* § 6-1(b)(vii).

531. *Id.* § 6-1(b)(ix).

532. *Id.* § 6-3(c).

533. ABA Standard 206(b).

534. *See* ISAACSON, *supra* note 12, at 78; Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12 (listing “Impute” as a leadership lesson to learn from Jobs).

judge a book by its cover.”⁵³⁵ Accordingly, Markkula noted that “[w]e may have the best product, the highest quality, the most useful software, etc.; if we present them in a slipshod manner, they will be perceived as slipshod; if we present them in a creative, professional manner, we will *impute* the desired qualities.”⁵³⁶ When Apple presented the Apple II computer at the West Coast Computer Faire in 1977, Jobs paid extra to have Apple’s booth placed at the front of the hall, and in contrast to the plain booths of other companies, Apple decorated its booth with black velvet, Plexiglas with backlighting, and a newly designed logo.⁵³⁷ Although Apple only had three finished Apple II computers, Apple’s booth had stacks of computer boxes to convey the impression of vast inventory; the boxes were in fact empty.⁵³⁸ When Jobs noticed that the Apple II computer cases had small imperfections, he instructed employees to smooth and burnish the computers, which were already relatively attractive with their beige coloring compared to other metal machines elsewhere at the show.⁵³⁹ Jobs and Wozniak appeared in new three-piece suits.⁵⁴⁰ Apple received 300 orders and connected with a Japanese company that later served as the first dealer in Japan for Apple.⁵⁴¹

Jobs focused on cultivating media coverage and delivering numerous masterful product-launch events.⁵⁴² In 1983, he took his top Macintosh computer engineers to New York to persuade *Newsweek* to do a story on them, resulting in a four-page article.⁵⁴³ Indeed, every significant product launch of Apple since the 1980s involving Jobs would appear on the cover of *Business Week*, *Time*, or *Newsweek*.⁵⁴⁴ In working on the Macintosh computer, Jobs went through dozens of iterations of the box, even though the buyer would discard it after opening the computer.⁵⁴⁵ For the Macintosh launch event at the Apple annual stockholders’ meeting, Jobs used a 2,600-seat auditorium and orchestrated every detail, spending hours tweaking stage lighting.⁵⁴⁶ After showing the Macintosh computer’s innovative fonts and graphic displays, Jobs announced that Macintosh would be the first computer to announce itself, and after Jobs pressed the mouse, the Macintosh computer said, in a digital computer voice, “Hello. I’m Macintosh. It sure is great to get out of that bag.”⁵⁴⁷ As the

535. ISAACSON, *supra* note 12, at 78 (capitalization in original).

536. *Id.* (emphasis in original).

537. *Id.* at 80.

538. *Id.*

539. *Id.* at 80–81.

540. *Id.* at 81.

541. *Id.*

542. *Id.* at 165; GALLO, INNOVATION SECRETS, *supra* note 12, at 197 (stating “Master the Message” as one of the innovation principles of Apple); *see generally* GALLO, PRESENTATION SECRETS, *supra* note 12 (analyzing the elements of Jobs’s product-launch presentations).

543. ISAACSON, *supra* note 12, at 165–66.

544. *Id.* at 166.

545. *Id.* at 134 (noting that one Apple Macintosh team member recalled that Jobs was “obsessed by how it looked”).

546. *Id.* at 168–69.

547. *Id.* at 170–71.

computer continued with reciting several additional lines, the crowd gave a five-minute ovation of applause.⁵⁴⁸

Jobs lavished attention on the launch event for the NeXT computer in 1988, working for weeks with the company's graphic designer.⁵⁴⁹ Jobs reserved Symphony Hall in San Francisco.⁵⁵⁰ Jobs focused not only on the text on the presentation slides, but also on the shade of green for the slide background, and he worked with a theater producer on the staging.⁵⁵¹ More than 3,000 attendees watched the event, and *The New York Times* described Jobs as "the Andrew Lloyd Webber of product introductions, a master of stage flair and special effects."⁵⁵² At the conclusion of the proceeding, a violinist of the San Francisco Symphony came onstage and played in a duet with the NeXT computer.⁵⁵³

Jobs used television ads to convey the core values of Apple. For the debut of the Macintosh computer, Jobs told the Chiat/Day advertising agency, "I want something that will stop people in their tracks. . . . I want a thunderclap."⁵⁵⁴ In Apple's "1984" advertisement, which was directed by Ridley Scott (the director of the similarly futuristic, industrial film, *Blade Runner*), a young woman outran police and threw a sledgehammer into a screen projecting an Orwellian Big Brother in front of hundreds of watchers who appear like prison inmates.⁵⁵⁵ A voice in the advertisement proclaimed, "On January 24, Apple Computer will introduce Macintosh. And you'll see why 1984 won't be like '1984.'"⁵⁵⁶ To continue with their plan of airing the advertisement in the Superbowl, Jobs had to overcome resistance from John Sculley and Apple's Board.⁵⁵⁷ *TV Guide* and *Advertising Age* later chose the advertisement as the greatest commercial ever created.⁵⁵⁸

In 1997, when Jobs returned to Apple, he asked Lee Clow, who had coordinated the "1984" ad for Apple, to come to Silicon Valley to pitch his Chiat/Day agency to Apple.⁵⁵⁹ Although Clow did not normally do pitches anymore, he agreed to come to Apple to pitch his agency.⁵⁶⁰ Clow pitched a "Think Different" campaign for Apple and reaffirm its core values.⁵⁶¹

548. *Id.* at 170.

549. *Id.* at 232–33.

550. *Id.* at 232.

551. *Id.* at 233.

552. *Id.* (quoting Andrew Pollack, *NeXT Produces a Gala*, N.Y. TIMES, Oct. 10, 1988).

553. *Id.* at 235.

554. *Id.* at 162.

555. See 1984 Apple's Macintosh Commercial, YOUTUBE (Feb. 1, 2012), <https://www.youtube.com/watch?v=VtvjbmoDx-I>; ISAACSON, *supra* note 12, at 162–63; SCHLENDER & TETZELI, *supra* note 12, at 83.

556. ISAACSON, *supra* note 12, at 162; SCHLENDER & TETZELI, *supra* note 12, at 83.

557. ISAACSON, *supra* note 12, at 164.

558. *Id.* at 165.

559. *Id.* at 327.

560. *Id.* at 328.

561. *Id.*

Directed at both customers and Apple employees, the “Think Different” campaign focused on creativity.⁵⁶² Jobs worked painstakingly with the agency to assemble the most favorable footage of leading creative and forward-thinking figures, who were unafraid to take risks, including Albert Einstein, Bob Dylan, Martin Luther King, Jr., Richard Branson, John Lennon, Buckminster Fuller, Thomas Edison, Muhammad Ali, Ted Turner, Maria Callas, Mahatma Gandhi, Amelia Earhart, Alfred Hitchcock, Martha Graham, Jim Henson, Frank Lloyd Wright, and Pablo Picasso.⁵⁶³ Jobs also worked closely with the agency to write the text for the advertisement, spoken over the footage:

Here's to the crazy ones. The misfits. The rebels. The troublemakers. The round pegs in the square holes. The ones who see things differently. They're not fond of rules. And they have no respect for the status quo. You can quote them, disagree with them, glorify[,] or vilify them. About the only thing you can't do is ignore them. Because they change things. They push the human race forward. And while some may see them as the crazy ones, we see genius. Because the people who are crazy enough to think they can change the world are the ones who do.⁵⁶⁴

The ad won an Emmy Award in 1998 for best television ad campaign.⁵⁶⁵ Jobs said that the “Think Different” ad campaign “touche[d] the soul of this company.”⁵⁶⁶

At his weekly three-hour marketing meetings, in addition to discussing marketing strategy, Jobs would review and approve every new Apple advertisement.⁵⁶⁷ He would then take the marketing group to the Apple design studio, where Jobs showed his passion for the future of Apple products.⁵⁶⁸

An Apple-inspired law school would also view marketing as a core company task to convey the values, achievements, and aspirations of the law school. Each law school brochure, advertisement, or webpage would be designed with careful attention to its aim and execution. Such a law school would also cultivate media coverage of itself in major outlets. Working closely with any parent university, a law school would also focus on the colors and appearance of its logo and any related shield.⁵⁶⁹

562. *Id.*

563. *Id.* at 330–31; *see also* Apple “Think Different” (Steve Jobs) narrated, YOUTUBE (Apr. 28, 2013), <https://www.youtube.com/watch?v=cpzvwkR1RYU>.

564. ISAACSON, *supra* note 12, at 329.

565. SCHLENDER & TETZEL, *supra* note 12, at 221.

566. MAKE SOMETHING WONDERFUL, *supra* note 12, at 84.

567. SCHLENDER & TETZEL, *supra* note 12, at 332.

568. *Id.*

569. *Cf. id.* at 219 (relating Jobs's efforts to develop a new logo for NeXT computers with Paul Rand). For example, Harvard Law School recently redesigned its shield after an extensive process of consideration of alternatives, including faculty and alumni. *See Harvard Law School Unveils New Shield*, HARV. L. TODAY (Aug. 27, 2021), <https://today.law.harvard.edu/harvard-law-school-unveils-new-shield/>.

An Apple-inspired law school would also consider launching events related to major new offerings. For example, a new degree, center, or program might warrant its own public event to highlight and inspire prospective students, current students, faculty, administrators, and trustees. In addition, if the law school generated multiple innovations over the course of the year, the law school could relate them at a formal event, such as an annual presentation on the state of the law school or at an annual alumni gala event that could be recorded, posted, and streamed online.⁵⁷⁰ Such a law school might also consider mass media advertising, such as newspapers, magazines, radio, television, or the internet, and carefully choose its marketing to convey vividly the values of the law school, rather than detailed facts or statistics. Perhaps the law school might consider its core values and present pictures of alumni or historical figures whose achievements resonate with the school's mission or aim, cognizant of course of meeting any legal responsibilities in presenting those portraits. Last, the law school might have its dean host periodic marketing meetings to discuss marketing strategy and review any law school advertisements. In addition, the dean might include the marketing team with other meetings about the development of new programs or centers, so that the marketing team could understand the strategic direction of the law school.

V. PRESERVING ORGANIZATIONAL CULTURE DURING LEADERSHIP SUCCESSION AT APPLE AND IN LAW SCHOOLS

Jobs sought to create a company that could continue to generate innovation and excellence beyond the careers or lifetimes of its founders.⁵⁷¹ Jobs wanted employees to think: “You work for Apple first and your boss second.”⁵⁷² Indeed, Jobs believed that even more important than the innovative products he created was his creation of a company that was suffused with creative innovation such that it would continue without him.⁵⁷³ As someone focused on innovation in products, Jobs also saw the company itself as the meta-innovation: “I discovered that the best innovation is sometimes the company, the way you organize the company.”⁵⁷⁴

Jobs differentiated building a company from merely seeking a payout in a start-up:

I hate it when people call themselves “entrepreneurs” when what they’re really trying to do is launch a startup and then sell or go public, so they can cash in and move on. They’re unwilling to do the work it takes to build a real company, which is the hardest work in business. That’s how you really make a contribution and add to

570. See, e.g., The Dean’s State of the Law School, 2021–2022, University of Virginia School of Law, YOUTUBE (May 14, 2022), <https://www.youtube.com/watch?v=dg71074YLRk>.

571. SCHLENDER & TETZELI, *supra* note 12, at 334.

572. MAKE SOMETHING WONDERFUL, *supra* note 12, at 22.

573. ISAACSON, *supra* note 12, at xix (noting that Jobs related that this “more important goal . . . was to do what Hewlett and his friend David Packer had done, which was create a company that was so imbued with innovative creativity that it would outlive them”).

574. *Id.*

the legacy of those who went before. You build a company that will still stand for something a generation or two from now. That's what Walt Disney did, and Hewlett and Packard, and the people who build Intel. They created a company to last, not just to make money. That's what I want Apple to be.⁵⁷⁵

Jobs created Apple University to teach employees the approach of Apple.⁵⁷⁶ Jobs hired Joel Podolny, Dean of the Yale School of Management, to assemble case studies focusing on important Apple decisions, so that they could be taught to Apple executives in-house.⁵⁷⁷ Leading Apple executives taught the cases to new Apple employees.⁵⁷⁸ Among the cases was the development of Apple Stores.⁵⁷⁹

When Jobs took leave to obtain a liver transplant related to his cancer, Apple Chief Operating Officer Tim Cook offered analysts a summary of the lasting values of the company created by Jobs:

We believe that we are on the face of the earth to make great products, and that's not changing. We are constantly focusing on innovating. We believe in the simple not the complex. We believe that we need to own and control the primary technologies behind the products that we make, and participate only in markets where we can make a significant contribution. We believe in saying no to thousands of projects, so that we can really focus on the few that are truly important and meaningful to us. We believe in deep collaboration and cross-pollination of our groups, which allow us to innovate in a way that others cannot. And frankly, we don't settle for anything less than excellence in every group in the company, and we have the self-honesty to admit when we're wrong and the courage to change. And I think, regardless of who is in what job, those values are so embedded in this company that Apple will do extremely well.⁵⁸⁰

In 2010, Apple began accumulating land in Cupertino to build a new campus.⁵⁸¹ Jobs stated, "I wanted to leave a signature campus that expresses the values of the company for generations."⁵⁸² As he did in designing Pixar's building, Jobs focused on a building that "permits serendipitous and fluid meeting spaces," which facilitates creativity among employees.⁵⁸³ In his final months in 2011, before passing away from cancer, Jobs carefully considered the timing of his decision to resign, noting, "One of the things I wanted to do for Apple was to set an example of how you do a transfer of power right. . . . Part

575. *Id.* at 569.

576. *Id.* at 461.

577. *Id.*

578. *Id.*

579. *Id.*

580. *Id.* at 488.

581. *Id.* at 534.

582. *Id.* at 535.

583. *Id.*

of my goal has been to make Apple the world's best company, and having an orderly transition is key to that."⁵⁸⁴ Jobs resigned as CEO at the August 2011 meeting of Apple's board.⁵⁸⁵ Asked about his most important creation, Jobs responded that it was the company, Apple, and that creating an enduring company was more difficult and more important than creating a great product.⁵⁸⁶

An Apple-inspired law school would work to perpetuate its values and mission in current employees and in developing future leaders to enable the law school to thrive beyond any one leader. Just as Jobs spurned the notion of salespeople running a technology company rather than engineers,⁵⁸⁷ such a law school would likely draw its leader from those who themselves had been scholars and teachers, perhaps turning away from the trend for a time of choosing deans who had not previously taught or done scholarship but who had positions in politics or government that might have suggested skills useful for fundraising.⁵⁸⁸ To perpetuate the law school's culture in the future, such a law school would convey its past accomplishments, methods, and value to the present generation of faculty and staff from whom future leaders might be drawn. One way to do so would be to incentivize one or more books on the history of the law school,⁵⁸⁹ but the law school's faculty meetings, retreats, gatherings, webpages, and press releases offer myriad opportunities to convey the essence of the school to many audiences. In addition, an Apple-inspired law school might assemble its own case-study descriptions of the most important developments and decisions in the history of the law school and examine and discuss them in an informal, ongoing leadership training course with periodic gatherings of administrative leaders at the law school.

CONCLUSION

Steve Jobs's passion, drive, and leadership brought Apple Computer from a start-up company in a garage to the most valuable company in the world and one of the most innovative, helping to cement Silicon Valley as one of the world's most productive and innovative centers of business activity.⁵⁹⁰ While law schools and universities generally may not currently be seen as innovative

584. *Id.* at 557.

585. *Id.*

586. Isaacson, *The Real Leadership Lessons of Steve Jobs*, *supra* note 12.

587. ISAACSON, *supra* note 12, at 461.

588. See ASSOC. OF AM. L. SCH., AMERICAN LAW SCHOOL DEAN STUDY 34 (2022), https://www.norc.org/PDFs/American%20Law%20School%20Dean%20Study/AALS%20Report_American%20Law%20School%20Dean%20Study_FINAL_508.pdf (stating that nineteen percent of deans arrived from "outside the legal academy," with eight percent of deans previously holding a position other than practicing lawyer or judge).

589. See, e.g., BRUCE A. KIMBALL & DANIEL R. COQUILLETE, *THE INTELLECTUAL SWORD: HARVARD LAW SCHOOL, THE SECOND CENTURY* (2020); DANIEL R. COQUILLETE & BRUCE A. KIMBALL, *ON THE BATTLEFIELD OF MERIT: HARVARD LAW SCHOOL, THE FIRST CENTURY* (2015).

590. See Balu & Randewich, *supra* note 2; Newman, *supra* note 3.

compared with the technology industry,⁵⁹¹ law schools, and their leadership might invigorate their innovation by looking to the approaches of various technology companies that grew from startups to industry leaders. The result would not only galvanize legal education but would assist in energizing law and lawyering, helping to persuade the next generation of university graduates that law offers a career path that can match their own desires and expectations for ongoing innovation and improvement. As Apple helped usher revolutions in both personal and mobile computing, what revolutions might lie ahead for legal education and the provision of legal services if the innovative methods of Apple and the technology industry are adopted by law schools and lawyers?

591. See, e.g., Perlman, *supra* note 4.