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Attending Law School: Lucrative or Lunatic?

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Attending Law School: Lucrative or Lunatic?

Anna Alayne Lennep

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Abstract

The total number of law school graduates for the class of 2011 was 43,979 and of the 42,411 graduates whose employment status was known by March 15, 2012, less than 55% of graduates had found long-term, full-time jobs in a field that required bar passage. Less than 63% of graduates had found any job in a field that required bar passage. With so many graduates and so few jobs, prospective law students must consider the risk that attending law school has become for many of its graduates. This thesis uses recent graduate data to analyze the current woes of law school and the legal field, namely the flaws in the methodology of the over glorified U.S. News and World Report law school rankings, the staggering amounts of student loans needed to accommodate rising tuition costs, the ways in which technology and new law schools are contributing to an already over saturated market, and the professional unhappiness legal professionals reportedly face. It also considers ways of reforming legal education, something that could contribute to improving the aforementioned problems, and how those ways could or could not work. Concluding that there multiple reasons why law school is currently a promising decision for only a fraction of its applicants, the final section proposes circumstances under which a prospective student should still attend law school.

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1 Introduction

The total number of law school graduates for the class of 2011 was 43,979. Of the 42,411 graduates whose employment status was known by the American Bar Association's data deadline of March 15, 2012, less than 55% of graduates had found long-term, full-time jobs in a field that required bar passage. Less than 63% of graduates had found any job in a field that required bar passage. (cite ABA table. figure one?) Yet for the following year, 2012, law schools enrolled a total of 44,419 students in their first year of study. The market is flooded with lawyers, and too many negative contributing factors show that law school is not the promising, lucrative career path it once was considered.

In an attempt to decide for whom law school remains a possibly promising decision, and to warn prospective students blindly deliberating law school, I consider issues from multiple aspects of the process and profession. By exploring issues that come as the journey proceeds, I establish the factors many students contemplating law school should consider before enrolling. Analyzing the importance of law school rankings for prospective law students, the cost of law school for current law students and graduates, the job market for graduates, and the adverse effects of the profession for lawyers new and old to the field reveals problems that many students are either ignorant of or too optimistic to accept. While I offer solutions to some of the underlying problems in each section, the final section addresses one problem that could solve each of the previously listed problems if solved.

Section II addresses the problems that arise with law school rankings. U.S. News and World Report is an online magazine that yearly tackles ranking colleges, ranging in categories from a very broad, overall performance down to particular

concentrations in graduate fields of study. It is arguably the most prominent source for law school rankings, which introduces the first problem for prospective law students and the current state of affairs for graduates. The report attempts to rank schools based on a specific methodology, encompassing factors of: a peer assessment score, an assessment score by lawyers and/or judges, median LSAT scores, median undergraduate GPA, acceptance rate, placement success for students at graduation, placement success for students nine months after graduation, bar passage rate, expenditures per student (with a separate score for financial aid expenditures), student-faculty ratio, and library resources (4). However, flaws and weaknesses in this methodology reveal that the rankings should not be fully trusted as completely accurate. This is especially a problem when students sometimes weigh their entire decision solely based on the magazine's numbers. Law schools understand how important these rankings are to prospective students. Where further problems come in is with the deceit law schools often employ in attempts to raise their rank, particularly through altering or manipulating reported data in order to appear more qualified than the schools actually are. At a time when attending law school is more a risk than an achievement, it is imperative that U.S. News rankings either reflect the most accurate data possible, or that awareness of the flaws within the rankings are more clearly noted and regarded so that the rankings are not so heavily relied upon. By addressing the methodology used, I raise questions of ways the formula does not effectively result in rankings of the schools.

Section III discusses student loans and tuition, which prospective students likely have some knowledge of given undergraduate costs. However, students appear to be naive of the towering amounts loans can add up to, and too optimistically consider the law degree to be an investment worth the massive debt. While I acknowledge that considering law school tuition, student loan rates, and minimal job prospect does not mean law school is wrong for all individuals, I combine factors like average indebtedness, increasing tuition and interest rates, and salaries

relative to indebtedness to suggest that in more cases, too much optimism leads to financial struggles and potential defaults on loans for many graduates.

In section IV, I address the initial basis for my argument that fewer people should consider law school because there are too many lawyers. Taking the argument further, I raise some of the reasons other than the obvious one, that law schools are sending too many graduates into the work force. As technology replaces people in some tasks, and newly built law schools add even more room for potential graduates, the supply of lawyers continues to outnumber the demand for lawyers.

Choosing a law school, graduating, and finding a job unfortunately still does not mean a lawyer is done with his obstacles. Prospective law students, in addition to the aforementioned problems, must also have a real understanding of the nature of a lawyer's job, and as section V explains, the career is not so attractive as it appears. Profit as the driving factor behind firms' work creates miserable lawyers, with a Forbes articles calling the associate attorney the "number one unhappiest job in America" (40). For attorneys in lower positions, this unhappiness is a result of the intense pressure they face to perform, while simultaneously having very little say in the decisions of their firms. But even chief attorneys have suffered a career of constant pessimism, as Martin Seligman explains is the product of the law's "win-loss game" wherein someone always has to lose (43). The career is undoubtedly demanding enough in material alone, but adding in these other factors understandably creates more unhappiness for lawyers. Prospective students, especially ones considering law school because they feel it is their only option, must be aware of these circumstances before they put themselves through the rigor of law school, and especially the legal job market.

Section VI reaches more toward the roots of the mess that the legal field is becoming, where I suggest ways law school reform could successfully and unsuccessfully address the problem. Clearly one huge source for all of these problems is the debt a law school education can generate. But, if reform in the areas of

the bar exam and the third year curriculum, or even elimination altogether of the third year, were to take effect, students may see some of their financial worries subside. However, financials are not the only area in which law school reform could help. The reform would create a cycle: less debt, combined with a more efficient education leads to being better prepared without so much burden. This therefore leads to less pressure to find high paying jobs, which leads to the ability to better focus on the tasks at hand without feeling quite so bitter about the likely low pay. Overall the experience grows more rewarding if its base in education is executed in a better manner.

Law school reform is on the horizon, which means that in the next few decades we could see the legal market take a total turnaround if it is successful. However, even starting today would take time for the positive effects to branch out to every negatively affected area, and reform is still not even totally in effect. In the meantime, people will still fill the seats of law school classrooms every year. While the numbers are not exactly favorable, even in the current state some individuals still do quite well, but what will it take? The goal of this paper/thesis is not to repel everyone, everywhere from attending law school, but rather to recognize that there are too many issues at hand for so many students to continue applying, and for those who do still apply to understand what they are up against. A better understanding of the current risks in attending law school, and that law school is not for everyone, will contribute to solving its problems. In concluding this paper, I will have offered several problems and solutions within the legal fields of education and the profession, and through the consideration of those problems I will establish the circumstances under which I think a student should still attend law school for the time being.

Figure 1: Law School Graduate Employment Statistics

EMPLOYMENT STATUS, EMPLOYMENT TYPE <i>definitions on next page</i>	CLASS OF 2011		CLASS OF 2012		Change in %age point
	Total	%age of Total Grads	Total	%age of Total Grads	
Bar Passage Required	27,639	62.8%	28,873	62.3%	-0.5
Long-Term/Full-Time	24,149	54.9%	26,066	56.2%	+1.3
Long-Term/Part-Time	812	1.8%	831	1.8%	no change
Short-Term/Full-Time	1,455	3.3%	1,127	2.4%	-0.9
Short-Term/Part-Time	1,223	2.8%	849	1.8%	-1.0
JD Advantage	5,260	12.0%	5,979	12.9%	+0.9
Long-Term/Full-Time	3,556	8.1%	4,387	9.5%	+1.4
Long-Term/Part-Time	380	0.9%	515	1.1%	+0.2
Short-Term/Full-Time	612	1.4%	474	1.0%	-0.4
Short-Term/Part-Time	712	1.6%	600	1.3%	-0.3
Unemployed/Seeking	4,042	9.2%	4,929	10.6%	+1.4
Law School Funded Positions	1,973	4.5%	1,799	3.9%	-0.6
Solo Practitioners	1,170	2.7%	1,050	2.3%	-0.4
Law Firm Positions (2-500+ Lawyers)	16,743	38.1%	18,214	39.3%	+1.2
Business & Industry	6,578	15.0%	6,881	14.9%	-0.1
Government	4,324	9.8%	4,654	10.0%	+0.2
Public Interest	2,684	6.1%	2,715	5.9%	-0.2
Clerkships (Federal, State, Other)	3,394	7.7%	3,389	7.3%	-0.4
Education	1,052	2.4%	1,031	2.2%	-0.2

American Bar Association. "2012 Law Graduate Employment Data." Chicago: ABA, 2013. Web. 3 Nov. 2013.

2 Importance of Law School Rankings

If ever there was a time when a law school's rank matters, it is now. Each year, U.S. News and World Report cranks out a list, using a formula to rank law schools based on multiple factors. For some students, the list available to nonmembers is plenty. It offers each school's rank, where it is located, the cost of tuition, and its number of students enrolled. For others, the more detailed list including numbers

like the middle 50% of students' LSAT score, acceptance rates, and employment statistics is worth the \$29.95 fee for a year long membership. Whatever the case, the site's information has likely been at least considered, if not heavily weighed, by the majority of students applying, and many will make their final decision solely based on where their accepted schools fall among the site's rankings.

Of the 203 law schools fully accredited by the American Bar Association, 194 are ranked on the 2014 Best Law Schools list (3). There are no surprises in the first three, Yale, Harvard, and Stanford, which have each held one of the top three spots for the past five years. Where things get interesting is with schools like the University of Alabama, which has jumped seventeen spots since 2010, or Arizona State University, climbing from number fifty-five to number twenty-nine since 2009. For students who have already accepted that they will never graduate from a top three, or even top ten school, the next twenty or so rankings become crucial, each spot further down a little less desirable. This is the range where competition among law schools is at its fiercest. Veterans of the 10-30 range itch to jump even just one spot higher, making them that much more attractive to applicants. Meanwhile it is not unheard of for a previously known, but not particularly eminent school to blindside the others with a significant hike in their rankings. And for schools that fall on the report's "Rank Not Published" list, which includes schools that do not meet the top 75% of rankings, getting off of that list and on to the rankings radar is imperative. But how is that possible?

With the current trends in falling applicant numbers, law schools are especially paying attention to their competition. The U.S. News and World Report's methodology weighs twelve measures of quality to rank, using numbers reported to the ABA by law schools. These include a peer assessment score, an assessment score by lawyers and/or judges, median LSAT scores, median undergraduate GPA, acceptance rate, placement success for students at graduation, placement success for students nine months after graduation, bar passage rate, expenditures per student (with a separate score for financial aid expenditures), student-faculty ratio,

and library resources (4). These numbers are reported by “a law school official at each law school that responded to the U.S. News statistical survey...in many cases the dean” who “verifie(s) the data for accuracy” (4). Closer looks at these reported numbers have shown that law schools are finding ways to falsely report data for the sake of their ranking, confirming that the rankings are becoming more and more transparent.

Figure 2: U.S. News and World Reports Ranking Methodology

Evaluated Field	Weight in Ranking
Peer Assessment Score	25%
Lawyer/Judge Assessment Score	15%
Median LSAT Scores	12.5%
Median Undergraduate GPA	10%
Acceptance Rate	2.5%
Placement Success for Students at Graduation	4%
Placement Success for Students 9 Months After Graduation	14%
Bar Passage Rate	2%
Expenditures Per Student	9.75%
Financial Aid Expenditures	1.5%
Student-Faculty Ratio	3%
Library Resources	7.5%

2.1 Quality Assessment

A law school's quality assessment, comprised of its peer assessment and lawyer/judge assessment, accounts for 40% of the school's total score, more than any other section or subsection of the school's analysis. The peer assessment score is the most important individual factor, determining a quarter of a school's total score. Interestingly, it also presents the most controversial and potentially biased part. A survey of "law school deans, deans of academic affairs, chairs of faculty appointments, and the most recently tenured faculty members" are "asked to rate programs on a scale from marginal (1) to outstanding (5)." There is also the option of "don't know," which neither helps or hurts a school's score (4). It is intended to

compensate for the intangible aspects of a school that are missed when analyzing things like test scores alone, however, this allows for a significant part of university's ranking to be established partly by its rivals. Additionally, it is difficult for a given faculty member to completely understand all of the happenings in his own institution. To say these individuals have an understanding of enough programs at other institutions to sufficiently rate the university is questionable. Reputation, too, could play an important factor in how outsiders might rate another university's programs. For example, one analyzing programs at Yale may find difficulty in rating anything at the the number one university low, assuming everything is top-notch whether they truly know the program or not.

Despite its flaws, the goal of the peer assessment is justifiable. There is more to a law school than quantitative analysis tells us. But, as the assessment stands, it does not realistically meet its goal. If the assessment must stay the same, it would suit the system better to have it weighted less heavily in the overall calculation. Given the state of affairs, it would make more sense to weigh the financials for students more heavily in ranking than what the dean of one law school thinks about another. Another option would be to change the assessment overall. By surveying individuals within the system rather than outside the system, a more accurate representation could be achieved. This survey should include the same actors as before, but also add other professors and current students. Through this, a large enough pool to provide diverse answers is allowed, and it would also eliminate more of the "don't know" responses, allowing for a larger answer pool. Any bias one may have about his own university would ultimately be cancelled out, given that each university would only be surveyed within itself; where there is bias at one university, there will be bias at another. Perhaps even better would be to do away with this section of the ranking process altogether, only reporting quantitative data and allowing students to seek answers about qualitative data for universities they are interested on their own. After all, law school is not commonly referred to as "fun," and students would do better to choose universities that fit

their personal preferences rather than universities that fit a particular surveyed group's preferences.

As for the assessment by lawyers and judges, "legal professionals, including the hiring partners of law firms, state attorneys general, and selected federal and state judges, were asked to rate programs on a scale from 1 (marginal) to 5 (outstanding)," again with the option of "don't know" which had no effect on the school's score (4). This group would have a fairly limited experience with a multitude of law schools, as it is not uncommon that firms hire locally or from their own almaters before branching out. If this were not enough to raise question as to the accuracy of their assessment, the U.S. News website also reported that only 9% of lawyers and judges surveyed responded (4). This assessment counts for the other 15% of the 40% total that determines a law school's quality assessment.

2.2 Selectivity

Another fourth of a law's school's ranking score comes from its selectivity, with 12.5% determined by median LSAT scores, 10% by median undergrad GPAs, and 2.5% by its acceptance rate, a number determined by a ratio of applications to acceptances (4). Recent years have shown this portion of the formula is also one that is commonly manipulated through false reporting.

2.2.1 Acceptance Rates

With the number of law school applicants falling, and most schools accepting roughly the same number of students, it will be interesting to see how reported acceptance rates change, and how truthful they will remain. They should increase significantly, assuming law schools do not cut class sizes parallel to the fall in applications. However, this would hurt the school's appearance of selectivity, and ultimately its ranking, as well, to accept more students. Between 2004 and 2011, the admit rate rose from 55% to 71%, but is predicted to increase at least 4% higher, if not even more (5). If law school applicant rates continue to drop, schools

will inevitably be forced to decrease class sizes, eventually bringing acceptance rates back down. Until then, students' chances of getting into higher ranked universities are better now than ever.

2.2.2 Median LSAT Scores and Undergraduate GPAs

In June of 2006, Inside Higher Ed. reported on their website that Baylor University School of Law had “repeatedly submitted misleading answers to the magazine’s questions involving LSAT scores and grade point averages of first-year students” (6). The university claims it did nothing wrong, but merely misunderstood how the data was to be reported. Baylor’s law school uses a quarter system, dividing its class for each year into smaller classes admitted in the spring, summer and fall. Naturally, the spring and summer quarters are less competitive for admission because the majority of law schools use semesters, as the ABA-LSAC Official Guide to ABA-Approved Law Schools confirmed in its description of Baylor (7). Rather than reporting their entire class’s LSAT scores and GPAs, Baylor only reported their fall group’s numbers, a fraction of the total class for the year. By reporting their most competitive group’s scores only, they likely faced higher numbers in calculating scores. Whether this was a true misunderstanding, as most schools would report fall scores because they are their only scores, or a manipulation of numbers to raise ranks remains unclear. However, it does sustain the notion that these rankings are not 100% reliable.

As this becomes a recurring problem, the ABA is working to punish schools who misreport data. Five years after Baylor’s incident, Villanova publicly acknowledged that members of its faculty had intentionally misreported data, inflating LSAT scores and GPAs before 2010. For the following two years after the investigation was complete in August of 2011, Villanova received punishment in the form of a public censure posted on their website, as well as a compliance audit of data (8). Just three months later, the University of Illinois College of Law announced that it, too, had sent false data the the ABA for the entering classes

of 2005 and 2007 through 2011 (9). When the investigation was completed and punishments issued, the university, faced a public censure like Villanova, but was also fined \$250,000. The investigation held Paul Pless, the law school's former assistant dean for admissions, solely responsible for the inaccuracies. Pless had also been "instrumental in the development and implementation of (a) program, which was designed primarily to improve the law school's standing in U.S. News and World Report's annual law school rankings" (9). While none of the three schools directly admitted that their data was misreported for the sake of their rankings, assumptions that such is the case are not off base.

While it may be comforting for some to see action taken by the ABA for these errors, catching three schools in six years is not convincing enough to support that no other schools are misreporting. Baylor managed to evade penalty altogether by finding a loophole that supported their alleged misinterpretation of how data was to be reported. Individuals in the legal field learn to think a certain way which allows them to pick apart every minor detail and technicality of a situation, and it would not be surprising to find that this thought process is being used by many law schools to boost rankings, even if ever so subtly. Until a more strenuous eye is kept on law school reporting, US News cannot be considered a fully reliable resource for law school rankings.

2.3 Placement Success

Three factors go into a school's placement success to give it a weight of 20% in the US News methodology: 4% for employment rates at graduation, 14% for employment rates nine months after graduation, and 2% for bar passage rates (4). Fortunately, bar passage rates seem to be reported honestly, which is important considering bar passage rates are a huge factor in the type of job a graduate will gain. What is unfortunate is that the bar passage rate, something so crucial to a lawyer's career, something law schools are arguably made for, only accounts for 2% of a school's overall score. The same cannot be said for employment rates, however,

wherein more cases of devious and inaccurate reporting have been found, raising the question of yet another section of the US News methodology that cannot be relied upon.

2.3.1 Employment Rates

In years past, law schools have taken various routes to make their employment rates higher than they seem. From some universities leaving out chunks of graduates altogether to boost their percentages, to others creating temporary positions in their offices just in time for the reporting deadline, numbers were skewed to incredible rates. In early 2011, “almost all 198 ABA-accredited law schools were reporting nine-month employment rates of more than 90%, and it was a rare top 100 school that had a rate of less than 95%,” until USNWP caught on and revised its calculations (10). USNWR now takes into account whether a job is full time or part time, long term or short term, and if bar passage is required/advantageous or not (4). Jobs combining the former in each of the three categories receive the heaviest weight in scoring, with other combinations’ weights declining from there. However, even with those revisions, the individual weighted calculations for each school “were used in the ranking formula only and are not published” and employment stats for full weight jobs are displayed in the tables out of the total number of J.D. graduates (4). This means that in order for students to find information that breaks employment into full time versus part time, long term versus short term, and jobs that do or do not require bar passage, they must search websites where information may or may not be posted, or often is not easy to find if it is posted.

For most cited statistics, in articles or on school websites, the information reported is for employment rates nine months after graduation. While USNWR scores employment rates at graduation the same way, the figures are more problematic “because some schools do not provide them to U.S. News [and] the ABA does not collect that statistic” according to USNWR’s editor Brian Kelly (11).

Naturally, at-graduation employment rates will be much lower than after nine months, and thus schools would be less likely to post the information.

2.4 Faculty Resources

Faculty resources finish out the formula for ranking law schools, counting for 15%. Expenditures per student, with 9.75% counting for “average instruction, library, and supporting services” and 1.5% accounting for financial aid, make up 11.25% of the score (4). The remaining 3.7% comes from a school’s student-faculty ratio (3%) and its library resources (.75%). These last two categories are interesting in that one is very easy to fudge, while the other is very easy to legitimately improve. Student-faculty ratio is one most easily recognizable as manipulable. The biggest factor it comes down to is how schools “count” their faculty. Is a librarian the same as a dean? Does a part time secretary have as much weight as a full time professor? Often times students see this number and imagine it only includes who will be teaching them, when realistically the number that best responds to that is class size. Library resources are perhaps the easiest to enhance honestly by raising money or receiving grants to add more to “the total number of volumes and titles in the school’s law library” by the end of the year (4). But, at such a small percentage, the legitimacy of the number is almost irrelevant and is likely close to the same for competing universities.

2.4.1 Expenditures per Student

Expenditures per student give smaller schools the advantage, and it is this number that likely makes up the difference in the rankings of top ten universities. When looking at the first ten schools listed as the most recent top law schools, one can notice a pattern in the enrollment column: smaller, larger, smaller, larger, all the way down until number fourteen ranked Georgetown (3). Having numbers two, four, seven, and nine result in a tie detracts from a definite pattern, but nonetheless presents the fact that in the top ten, no two large or small schools

are tied for any position, always a smaller and a larger. This suggests that size could be the biggest factor in keeping schools like number two ranked Harvard, enrolling 1,727 students, from tying with number one ranked Yale, enrolling 615 students, rather than its current tie with Stanford enrolling 575 students (3). Size can give a top university just enough advantage over another university scoring slightly better in every other category that, despite this, the smaller will still come out higher.

Figure 3: Top Ten U.S. News and World Report Schools Ranked for 2014

Rank	School name	Tuition & Fees	Enrollment (full-time)
#1	Yale University New Haven, CT	\$53,600 per year (full-time)	615
#2	Harvard University Cambridge, MA	\$50,880 per year (full-time)	1,727
#2	Stanford University Stanford, CA	\$50,802 per year (full-time)	575
#4	Columbia University New York, NY	\$55,488 per year (full-time)	1,290
#4	University of Chicago Chicago, IL	\$50,727 per year (full-time)	610
#6	New York University New York, NY	\$51,150 per year (full-time)	1,471
#7	University of Pennsylvania Philadelphia, PA	\$53,138 per year (full-time)	776
#7	University of Virginia Charlottesville, VA	\$46,400 per year (in-state, full-time); \$51,400 per year (out-of-state, full-time)	1,078
#9	University of California–Berkeley Berkeley, CA	\$48,068 per year (in-state, full-time); \$52,019 per year (out-of-state, full-time)	856
#9	University of Michigan–Ann Arbor Ann Arbor, MI	\$48,250 per year (in-state, full-time); \$51,250 per year (out-of-state, full-time)	1,124
#11	Duke University Durham, NC	\$50,750 per year (full-time)	660

US News and World Report. “Best Law Schools.” Washington, DC: US News and World Report, 2013. Web. 3 Nov. 2013.

Financial aid is another tricky area of this category. While the dollar amount

reported may be hard to fudge, the practice behind the aid is often not so glorious for law schools. A New York Times article explains how the system works. Schools offer several higher performing students merit scholarships, pulling them away from the higher ranked schools where they are accepted, with one stipulation: maintain a certain GPA, usually somewhere around a 3.0 (12). For many students, this number is a good deal lower than their undergraduate GPAs, appearing easy to keep. Then, once the rigor of law school and its grading curves sets in, that appearance vanishes. Sometimes the curves even make it impossible for all students receiving merit aid to maintain scholarships. The scholarships are used as bait to lure higher performing students, boosting rankings, and the system allows schools to retain their money when many recipients fail to meet the requirement. The result is a lot of “heartache and anxiety” for students, and many shrinking need-based scholarships (12). The number of students who lose merit scholarships per year is not one ordinarily found on school websites.

2.5 The Big Picture

U.S. News and World Report rankings are “the most recognized and popular of all college rankings” according to College Confidential, but there are clearly flaws within its methodology (13). The flaws behind the U.S. News and World Report rankings are not malicious on the part of the magazine, but it is inevitable that they cannot be fully trusted, and especially should not carry the vast significance they do both for prospective students and employers. College Confidential also writes that the magazine “has tried to protect this valuable franchise by attempting to keep improving the ratings methodology” continuing, “they have tried to address some of the flaws of the rankings identified by critics; this has sometimes resulted in major year-to-year shifts for individual schools” (13). Of course, no ranking method is completely flawless, but this quote further solidifies the importance that people do not rely so heavily on the website’s numbers. From year to year, one new calculation could flip a school’s previous rank.

But, the biggest problem with the magazine's rankings is its audience. The response to the rankings has made gaming the methodology behind it all an art among competing law schools. The list brings out the ugly in a field that already has a crooked reputation, with schools doing anything necessary to jump a little higher. An article from the LSAC Research Report Series explains, "Rankings have...influenced admissions and placement policies and have altered authority relationships, including the terms under which administrators are held accountable by external audiences" (14). It continues, "Rankings shape how members of the law school community interpret their own and others' status, and they influence members' identification with their schools" (14). Not a single actor in the law field goes unaffected by this one list, a list that is generated on a faulty system, at that.

3 What It Costs

Not even a decade ago, law school was, for many students unsure of what else to do with their liberal arts degrees, a surefire way to start earning six figures immediately after three years in graduate school. However, in recent years, that has changed significantly. As is the case with almost any secondary degree, the cost of law school is rising every year. Nearly every school listed in the top thirty of rankings costs over forty thousand dollars a year, and in many cases hovers around fifty thousand (4). Most private schools cost the same no matter their status or reputation. In a field where rankings are becoming essential (although overvalued) to career success, these numbers are a daunting fact for prospective students. Despite the facts, students seem to be overly optimistic about their chances at landing a well paying job upon graduating, unhesitatingly accepting offers for student loans that can quickly add up to \$150,000 or more.

3.1 Student Loans

Of 193 law schools listed on U.S. News and World Report, 191 have an average indebtedness of 2012 graduates over \$50,000. One hundred twenty three of those schools reached an average rate of over \$100,000 in debt (15). It is no wonder such is the case when even public school resident tuition has grown at 5.27 times the inflation rate since 1985 (16). According to the Bureau of Labor Statistics, the inflation rate from 1985 to 2011 was 103.2% (17). The average private school tuition in that same time period went from \$7,526 to \$39,184 (16). With numbers like these, many law students have no choice but to take out student loans, but

are they being realistic about the value of such an investment?

The federal government makes student loans relatively easy to attain. At first glance, this sounds like a good thing, but it also can detract from how seriously students take the amount of money they are borrowing. Sean Fisher, a 36 year old attorney, told *Above the Law*, “When I was 21, I had no real concept of money. I’d lived off my parents as a college student, and anything that I made from part-time jobs was ‘fun money.’ So the amount of student loan debt that I was accruing seemed very abstract. Not to mention that I really bought into the idea that large student loans are an ‘investment’ in law school, and they’ll pay off in the form of money! money! money! upon graduation.” (18). Students can borrow up to \$20,500 in unsubsidized Federal Direct stafford loans annually with no credit check and an annual interest rate of 6.8% (19). The rest can come from a separate loan, called a Graduate PLUS Loan, that does require a credit check, but this can be overridden should the credit check produce adverse results, by having an endorser with suitable credit sign with the student. The Graduate PLUS Loan an interest rate of 7.9% (19). Thus, students have little to no obstacles for loan eligibility. With a quick click online, students are well on their way to thousands of dollars deposited into their accounts in no time, which they will not have to begin payments on until graduation.

Where students like Sean really get sucked into loans is by skipping the fine print, or perhaps by reading it without any regard for what it actually means. The loans do not have to be paid back for what they imagine to be a long time away, and the interest rates seem low enough that they overlook just how much money they can accrue over a span of time. A grace period of six months is given upon graduating before payments on the loans must start, but bearing in mind the employment rates nine months after law school students graduated in 2012, this is not such a long while after all. Additionally, the loans start to accrue interest as soon as they are taken out rather than once students graduate. Twenty thousand dollars in loans a year for three years adds over eight thousand more than was taken

out. But, recalling the average student debt for 2012, many students need more than just twenty thousand a year, and some turn to private loans to compensate for the excess needed after they have exhausted their available federal loans. Private loans from companies like Wells Fargo offer student loans to individuals with low credit who use a cosigner, but interest rates could reach up to 9.22% (20). More and more need scholarships are dwindling, and merit scholarships, thought plentiful, are tough to hold on to, making it almost impossible to graduate without loans unless one is wealthy or has enough saved up to cover the costs.

Allesandra Lanza, spokeswoman for American Student Assistance, says, “The general rule of thumb for student loan borrowing is that the total amount of student debt should not exceed the borrower’s anticipated annual salary for the first year out of school” (21). The median salary for the class of 2011 was \$60,000 dollars, and as is mentioned above, for 123 schools, average debt per graduate reaches over \$100,000 (23). The question begs answering, why do students continue to take out loans despite the serious imbalance? An entry on the law school blog Inside the Law School Scam blames it on “confirmation and optimism bias” (22). The article criticizes a Wall Street Journal piece entitled “10 Things Law Schools Won’t Tell You,” giving off the vibe that these are law schools’ worst secrets. The numbers in the article are intended to scare readers given previous years’ numbers, but instead are encouraging for potential law school applicants. For example, it writes that 88% of law graduates were employed by the February following graduation, down 4% since four year prior (24). This does not sound so bad to optimistic, prospective law students who cannot imagine themselves in the bottom 12% of their class. Further, when the article talks about salaries, it makes \$40,000 sound like the base, worst-case scenario salary, which again does not sound so bad, especially when there is an 18% chance of making six figures, and an even bigger chance of making somewhere between the two. The way the piece presents its numbers is daunting for those who have some further knowledge about the investment that is law school, but for undergrads, the numbers seem

fine. Naturally, the article does not mention how their numbers could be skewed from misreporting, the growing cost of tuition, or the significance a school ranking has in determining salaries.

3.2 Is It Still Worth the Investment?

Long regarded as one of the most lucrative professions, attending law school has previously been considered a worthwhile investment considering the return the education yields. With the changing times, the question arises of whether a law degree is still worth the investment. Recalling the Wall Street Journal article mentioned above, \$60,000, though lower than past generations of lawyers' salaries, is still a good starting salary (24). But is it enough to repay the inevitable debts?

Michael Simkovic and Frank McIntyre defend law school in "The Economic Value of a Law Degree," estimating the "mean lifetime value of a law degree in 2012 dollars...to be approximately \$1,000,000 before taxes, and \$700,000 net of taxes (25). This means that law school should pay for itself several times over the lifetime of a law graduate. Specifically in relation to student loans, the authors continue to defend the degree despite recognizing the potential of high student loan debt. They even praise the number of student loans granted as "a substantial financial benefit to the federal government" because "on average, the tax revenue benefit to the federal government of a law degree is approximately \$370,000" (25). Furthermore, Simkovic and McIntyre argue that the "even though law students have relatively high debt levels...law students default on their student loans infrequently" suggesting that law students are safer in taking out loans than other graduate students (25). And, "because law graduates both pay higher interest rates and default less frequently than other borrowers, legal education contributes to profitability," meaning the federal government will likely continue to easily dole out student loans to law students (25).

Simkovic and McIntyre's article gets down to the fine print in several aspects, using numbers and figures to reach their conclusions. Lawrence Mitchell, dean

of Case Western Reserve University's law school (ranked number 68 by USNWR for 2014) explains his defense of attending law school with more general points, but keeps the same foundation that law school is a long term, lifetime investment similar to Simkovic and McIntyre's. For Lawrence, the fact that the market has been bad before should be enough to ease hysteria that the market is bad now (26). He explains that a law degree is beneficial in more areas than just the legal sector, and that lawyers' jobs are projected to grow at about the same rate as other careers (26). Optimistically, Lawrence acknowledges the problems with rising tuition and debt with the solution of future opportunity (26). Basically, the message to students who choose to follow these two articles is that law school careers might not promise what they once did, but given some time may return there eventually. Many law graduates still find some sort of job and, if they are patient, can land a better one later. In the meantime, that is one expensive "if."

However optimistic individuals choose to be, the numbers do not lie: the average law school debt alone, not considering undergraduate debt, now reaches over one hundred thousand dollars. The median salary for law graduates for the class of 2011 was \$60,000 (23). Granted, the entire \$100,000 dollars is not due the first year after a student graduates, but they must begin paying on their loans while their interest rates steadily accumulate, making it difficult for students to maintain the standard monthly payments. A \$100,000 dollar loan with an interest rate of 6.8% gives four options for repayment, per the Federal Student Aid website: \$1,150.80 a month for 120 months totaling \$38,000 in added interest, about half that amount paid monthly for 120 months adding almost \$50,000 in interest, or payments of about \$600 a month for 300 months with interest more than doubling the amount of the initial loan (19). This introduces one of the biggest problems with Simkovic and McIntyre's article; the study does not include classes that graduated during the recession because those numbers were not yet available when the article was written. Furthermore, the article does not determine if a different graduate degree would present better or worse opportunity for a student

in comparison to a law degree. It only addresses the situation in which a student either terminates their education after a bachelor's degree, or continues on to earn a law degree specifically. Simkovic himself admits, "We're not saying that everyone should go to law school," but instead that going to law school could be better than not going to law school, as several articles have suggested is not true (27).

A law professor at Vanderbilt, Herwig Schlunk, is most accurate in analyzing the situation in the article "Mamas Don't Let Your Babies Grow Up to Be...Lawyers." In answering the question of whether law school is a good investment, there is no concrete, all inclusive answer. Schlunk explains, "For any given undergraduate, the answer will depend upon a host of factors including her skill set, her opportunity set, the-out of-pocket costs she would incur in attending law school, and so on" (28). However, his analysis of three types of hypothetical students shows how law school is becoming a smart option for a shrinking number. Using multiple factors like opportunity cost, out-of-pocket costs (including tuition and fees and cost of textbooks), billable hours, cost of living, and discount rates (taking into account student loans) Schlunk reasonably concludes that a law degree is, under the most favorable circumstances, becoming merely an acceptable investment (28). It should be noted, also, that the hypothetical student with the most routinely positive results "earns stellar grades in a very marketable major from a top notch institution...(and) attends a first rate law school and has a strong chance...of landing a Biglaw job" (28).

The scariest thing about Schlunk's article is that it presents potential, but not always guaranteed factors in its calculations that end up padding the conclusion to seem a little more positive than might actually be the case. For example, Schlunk takes into account a law student's earnings at a summer job, giving the lowest performing student a net summer wage of \$10,000 (28). This is a generous estimation even for a hypothetical situation, as many new graduates are likely to apply for jobs that ordinarily law students would apply for because they simply need whatever work they can possibly get. Additionally, if the rising cost of tuition,

current dislocations in the legal market, and potentially permanent conditions for new law graduation were taken into account, the calculation's result would become that much more bleak. To most accurately answer the question, law school may not be a bad investment for all students, but it is certainly a bad investment for the majority for the time being.

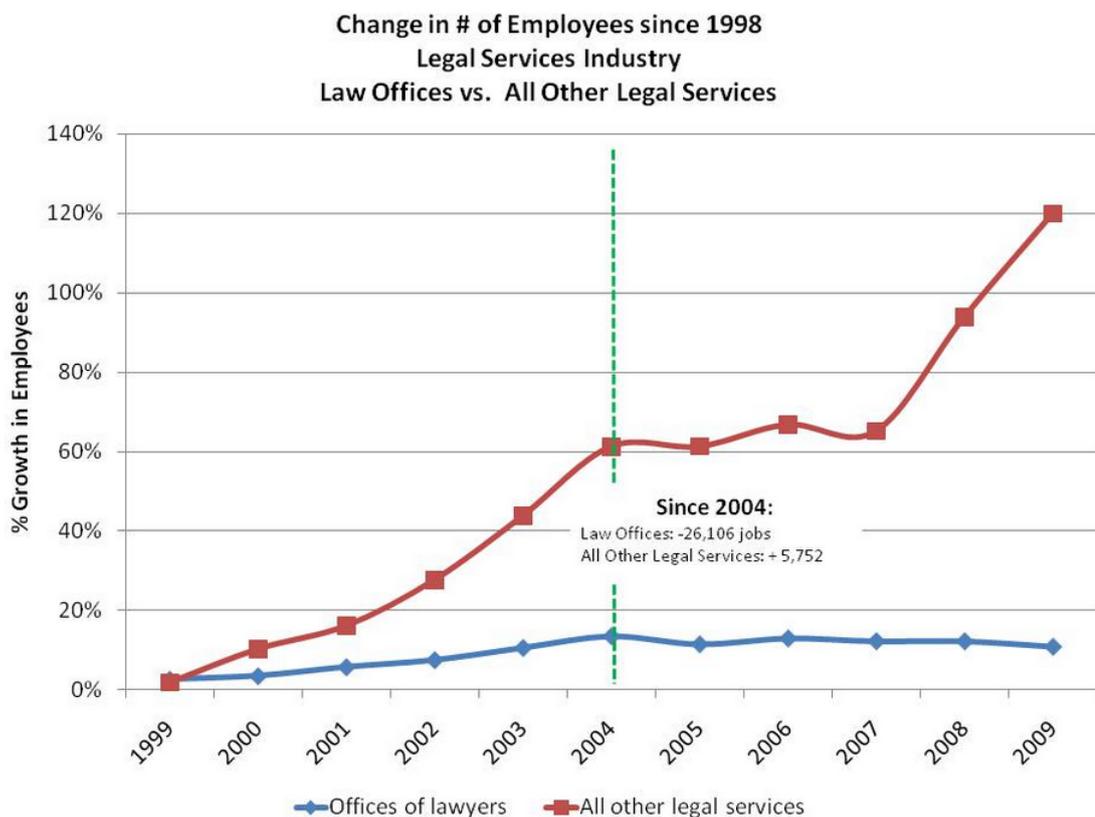
4 An Oversaturated Market

The Great Recession beginning in 2007 hit the job market hard, and despite its boom just years before, the legal field has taken one of the hardest hits. Both small and large firms were forced to downsize with layoffs, and with budget cuts at the state and local levels, attorneys in the public sector have faced similar cut backs. All the while, law schools have continued to send around 45,000 graduates into the market each year (2). Law schools saw a rise in the number of applicants from 2008 to 2010, suggesting that law school became a means of waiting out the economy until a better job market surfaced (29). When things did not fare so well in the legal sector, even though other sectors started to see improvements, students caught on and applicant numbers fell significantly by 2011 (29).

With only slight improvements in the law market even since then, some suggest that this could be a permanent change. The fact that the number of law office jobs started its decline in 2004, as shown in Figure 4, before the recession sunk in, suggests that they may be right. It seems as if the law market sparked a recession within itself before the rest of the country caught itself in one. Over a span of six years, law firm employment grew 16% by 2004, but in the following four years those numbers started to decline again. Meanwhile, major law firms took entry-level salaries from \$125,000 to as high as \$160,000, creating rising profits per partner at the nations top 100 firms. The inevitable economic shift that resulted left solo and medium firms dried in the dust (30). In comes the Great Recession, and the situation only worsens, further supporting the idea that this problem may not end soon. Revenue for most top firms now remains stagnant, if not declining, which “represents a sharp break from historical patterns” (30). At the moment, “lower

revenue averages indicate slower rates of market growth, intensifying competition, shakeout and slimmer profit margin” (30). Thus, the defense that bad markets in any situation are cyclical and follow predictable patterns does not stand firm in this situation. For the field with “(a) track record of adapting to changing practice realities while successfully maintaining its elite professional, financial, and cultural status atop U.S. society” this does not bode well for the future of legal profession (31). With fewer entry level positions open to new graduates and technology contributing to that, undergraduates must consider the market when applying to law school.

Figure 4: Changes in Law Office Employment Since 1998



ABA Journal. “Law offices vs. all other legal services: Percentage change in employment since 1998” Chicago: ABA, 2011. Web. 3 Nov. 2013.

4.1 What’s Out There

As if technology is not enough to compete with, freshly minted law graduates also face the competition of veteran lawyers who have been laid off for what jobs

are available. Lawyers with several years experience float around the job market ready to take whatever they can get. Often times, they have a good deal more on the line than new graduates. Some are well into having families, probably still have debt, and have already devoted a chunk of their professional training to the legal field. Firms seem to understand the woes of the market, too, and that hiring a laid-off lawyer does not necessarily mean they are hiring an inadequate worker. Jeff Blumenthal of the Philadelphia Business journal reports several instances of firms saying they have no problem hiring laid off workers, depending on the firm and the circumstance of the lay off. He writes, “most lawyers and legal recruiters believe entry-level hiring will most likely never return to previous levels and firms will fill staffing needs with more lateral associate hiring, outsourcing, and technology” (32). One group noticeably missing from those resources for employment is new graduates, for whom landing a job at a large firm will become even more difficult in the future. Apparently, the ability to mold new graduates into the types of employees firms specifically look for is becoming less of an advantage, as now they can turn to more experienced workers to fill empty positions for the same price.

Getting ahead of the game with work experience during grad school may also no longer be an option. Before, students could sometimes count on internships at big firms to secure a job upon graduation, as law firms invested in students by hiring them as interns and getting a head start on training them to adapt to their firms. However, Blumenthal reports in another articles that summer intern hiring is significantly below pre-recession numbers, and that “data shows large firms are offering full-time jobs to a lower percentage of their law student interns” (32). Granted, many offices will still offer unpaid internships, but it remains questionable how helpful those positions really are. According to the 2013 Student Survey, “paid internships increased the likelihood of receiving a permanent job offer” while “unpaid interns fared only slightly better than students who did no internship at all” (33). As veteran lawyers fill entry level positions, it is foreseeable that the ever disappearing paid internship will likely become the best option for

a new graduate.

4.2 Technology's Threat to the Market

Ordinarily, a silver lining to a recession is that it can spark innovation. When problems arise that are not easily solved, it forces individuals to rethink a situation, possibly introducing new solutions. Eli Wald, a law professor at the University of Denver, agrees that such is likely to be the case with the legal field among the Great Recession. He explains, "It is important to bear in mind that points of significant distress are at the same time moments of great opportunity, and the legal profession...may end up stronger than ever" (102). While his statement that "claims regarding the death of the profession and some of its leading institutions may be premature" likely holds true, as the notion that the law field will completely die out is unimaginable even with the state of affairs, his former statement is questionable. Innovation through technology could be exactly what weakens the legal profession as we know it today.

4.2.1 The Types of Technology

Increasingly, law firms are turning to technology to cut through much of the work ordinarily done by lawyers. E-Law or E-Discovery uses artificial intelligence software to analyze documents used for research in cases, which can total into the millions depending on the size of the case. In a fraction of the time it would take a team of lawyers, the software can find not only relevant terms, but also relevant concepts within the documents, and even deduce patterns of behavior, as well, that lawyers might overlook. Through "predictive coding," a term used to describe when computer programs determine whether documents are relevant to a case through an algorithm, technology is changing the legal field already (34).

Most e-discovery technologies are categorized as either "linguistic" or "sociological" (34). The linguistic approach relies mostly on words searched and their definitions. A New York Times article explains that this approach can also ven-

ture into phrases relative to the word, if more advanced. For example, “dog” will yield results that mention “man’s best friend” or the notion of a “walk” (34). The sociological approach brings in the behavioral analysis, “mimicking the deductive powers of a human Sherlock Holmes,” and does not use keywords at all (34). Cataphora is a Silicon Valley based company whose software sifts through documents for the activities and interactions of people. Incredibly, it can do things like visualize chains of events, and even detect when an employee may switch media in the attempt to privatize information (e-mail to instant messaging, computer to phone, phone to personal meetings). It can also note the tone of a document, detecting things like change in an author’s style or unusual emphasis in a situation (34).

There is no doubt that the software is highly intelligent, but it is also incredibly efficient. Another e-discovery company, Clearwell, developed software able to search through 570,000 documents in two days for the law firm DLA Piper. Blackstone Discovery of Palo Alto analyzed 1.5 million in a fraction of what it could have taken physically (34) But not only is the software quicker, it is more accurate. An article from the Richmond Journal of Law and Technology found that “humans unearthed an average of about 60% of relevant documents, while predictive coding identified an average of 77%”, and also that the software also flagged fewer irrelevant documents than humans (35). Computers are able to endure with ease the mental strain such extensive research places on the human mind. This strain sometimes results in important aspects of documents being completely overlooked.

About 10% of articles come back as relevant, which is where a lawyer comes into play. In many firms, the practice is common to hire temporary lawyers, often relatively new to the market, paying them \$25 or \$30 dollars an hour to review documents (35). With the software’s outperformance of humans, it is predicted that the number of these positions will significantly drop. Lawyers are, nonetheless, still necessary to the job, but not nearly as many. Which brings up another benefit of the software to firms: it is significantly cheaper than hiring an army of lawyers to do the research. When lawyers defending Landow Aviation

faced a colossal two million documents after some disastrous incidents in 2010, they turned to predictive coding for help (35). One of the representing lawyers estimated that the technology saved their client around 90% of the cost had only lawyers reviewed all the documents (35).

Of course, individuals will always have their doubts about the adequacy of a computer versus a human being, but as the technology advances, more and more firms are warming up to the benefits of using the software. The case still stands that although the software may be able to detect more than humans, it, too, is not 100% effective yet, leaving room for some potentially crucial documents to be overlooked. The Wall Street Journal quotes the president of managed services for a legal outsourcing firm as saying “Everybody would just blame the predictive coding rather than the sophistication of the lawyers” if the predictive coding fails to turn over an important document, which would jeopardize its leap forward (35). However, this is not enough logic to defend not using the software that more effectively, although perhaps not most effectively, saves money and time.

Although it may be the most fascinating, e-discovery is not the only technology changing the legal field. Lawyers are starting to take advantage of easily attainable software to enhance services for their clients, as well, keeping offices more responsive 24/7 and up to speed with society’s ever increasingly fast paced lifestyle. For lawyers, things like Dropbox, Google Drive and the various face to face communication applications allow for a means of “bringing the lawyer and the client closer together in a more immediate way,” according to the president of the Ohio Bar Association, Pat Fisher (36). Clients can access the same documents as their lawyers anytime rather than only during office hours, and can meet with their lawyers from virtually anywhere using things like Skype and FaceTime. This is beneficial for the client, who can attain services more cheaply due to the fact that it takes less time and lawyers’ fees can be slightly cheaper if they do not have to also pay for the upkeep of an office.

4.2.2 The Problem With Technology for Lawyers

The services can be beneficial for the lawyer, because freed time and availability can help them meet more demand, and they can also provide more quality service by being more accessible. Because technology is financially more attainable than building and maintaining a law firm, its growing popularity is a silver lining for young lawyers facing today's dismal market. Smaller firms could actually do work more comparable to that of larger firms with the technology.

But, it also puts more pressure on lawyers to understand what is known as the informed client, clients whose expectations are rising and who "expect their attorneys will proactively look for ways to be efficient and will offer options" (37). Clients' access to so much legal information enhances their knowledge of the practice and its service. When they meet with their lawyers, they increasingly already have expectations of what they need and how it should be executed, sometimes even preparing drafts of agreements and contracts before even meeting with their lawyers, and they do it with information they attained for free. Not only does this eliminate potentially billable hours for the lawyer, it also weakens the boundaries between the lawyer and his client.

Financially, technology is great for the client but could be a sucker punch to the industry. Web-based legal services such as Cybersettle and LegalZoom offer online legal services in the form of do-it-yourself kits much more inexpensively than hiring a lawyer to take care of each step. This, in addition to the types of technology already mentioned, will force law firms to acknowledge and adapt to the changing industry as other firms employ it more and more, and "few lawyers have the time, financial wherewithal or risk tolerance to play in this league" (30). Although there are pros and cons of using technology for both small and large firms, a lot is necessary to adequately execute it, including capital and the ability to collaborate with other disciplines like marketing. Without totally reshaping law firms as they are known, new law graduates will not be able to build a solid foundation for their firms that will survive the new industry.

The law profession also may never be as lucrative as its previous reputation allowed for. As lawyers must, in the future, “harness technology to deliver greater value to clients at a cost that declines” in order to keep up with competing and falling prices advances in technology will bring, they must also accept that falling prices means falling profit (30). With the biggest challenge facing lawyers in the future being “transitioning away from internal firm metrics that reward billable hours and discourage or prohibit...experimentation needed to create, refine, and market more innovative work processes that do more with less” the real money will likely lay, for new graduates, in how inovatively they can think rather than how well they perform as a lawyer alone (30). Law students will do well to consider the different dual degree options available to them as graduate students, as an understanding of technology, marketing, management and finances will become increasingly imperative to the legal field with more technological development.

4.3 New Law Schools

Adding to the oversaturated market and making matters worse, new law schools are continuing to open each year. Not only does this add more classes of graduates to the law market, these particular graduates face even worse chances of finding a job than others. A law school cannot gain ABA accreditation until after one year of operation, and even two more years is not enough to give a law school any substantial reputation (38). Thus, these graduates face the disadvantage of firms never having heard much about their alma maters, if they have heard of them at all. In an even worse situation, some schools may not attain full accreditation before they have graduating classes who will have to face potential employers with a degree from a nonaccredited school. Furthermore, when schools only have provisional or no accreditation, this means their graduates face limited or no options in taking the bar.

Schools are continuing to build law schools despite the lawyer glut. The ABA has accredited 10 new law schools since 2006, and some of the newest law schools

built include UMass, Belmont, Indiana Tech, North Texas and Shreveport (38). One argument in favor of building schools right now is that more state schools are needed, which in turn provides lower tuition to students. Another argument is that they “are being built to round out a university’s suite of professional schools” (39). While the intention is good, this move is still not smart. One professor defends the new law schools as “looking down the road beyond the downturn” (39). It would make much more sense to save such a big investment for when the law market stabilizes itself, especially considering this downturn is one that some predict may not ever be the same.

5 Professional Unhappiness

In many cases, students graduate with a bachelor's degree from some liberal arts program unsure of what they'll do with it. For these students, the simplest solutions come down to teaching or law school. The promise of six figures after law school has led many of those students to apply, even if they have no interest or passion for the law. Perhaps the money will make up for it, or perhaps they think all it takes is some good rhetoric and arguing skills. It is not uncommon to hear a student say something along the lines of, "I like to argue and I'm good at it so people have always told me I should be a lawyer." Plus, their field of education has probably taught them how to write fairly well and they are used to reading a good bit for class. All these things add up to what is perceived as the formula to become a good lawyer. Maybe on occasion the stars align and this works out perfectly for a student, with them finding a passion they never knew they had. Startling numbers from a Forbes article suggest such is normally not the case.

Considering the fact that six figures is no longer the promise it once was, students contemplating law school "just because" would do well to recognize the gamble they are taking with their happiness, as well as their wallets, by pursuing something they likely have no passion for. This especially goes for those too optimistic to accept that the harsh conditions of being a lawyer are not only because of the economy's hard times, even though this certainly adds to it. According to the article, "the number one unhappiest job in America is the Associate Attorney" (40). In addition, "lawyers are the most frequently depressed occupational group in the U.S., lawyers are 3.6 times more likely to suffer from depression than

non-lawyers, and lawyers rank 5th in incidence of suicide by occupation.” (40). The reasons behind the numbers create a cause and effect cycle, and without more awareness of the reasons the numbers will only rise. Aspiring lawyers who do not fully understand the functions and characteristics of the market go into it with unrealistic expectations, often to face a rude awakening with more experience, an awakening that many feel is too late. Even the ones who know what to expect may find themselves transformed for the worst upon retirement.

Supreme Court Justice Sonia Sotomayor is undoubtedly a wildly intelligent woman. In an interview with Oprah, she explains that “any lawyer who is unhappy should go back to square one and start again” (41). With no disrespect intended toward Justice Sotomayor, this statement is not always valid. She reasons that such is the case “because every lawyer, no matter whom they represent, is trying to help someone” and that “lawyering is the height of service” (41). To say such is not the case is no knock on the justice, but rather the industry. For one lawyer to go back to square one and find happiness, he would need to drag the entire industry with him. Ideally, yes, lawyering should be the height of service, but the bulk of today’s successful lawyers did not come to be because of their desire to help others. The drive behind their success is profit, a factor that is also one huge source of unhappiness among associate attorneys.

5.1 Billable Hours and Low Decision Latitude

In the 1980s, American Lawyer Magazine started ranking Big Law firms, with one major factor in rankings being gross revenue. Thus, Stephen Harper, author of *The Lawyer Bubble*, explains that the pressure to incur as many “billable hours” as possible got a lot worse after this, and continues today (42). This has shifted the focus of law firms farther away from the service aspect of lawyering and centered it more around revenue. Because firms turn to new lawyers to the bulk of research—and therefore to be the source of a great chunk of billable hours—the pressure is on for new lawyers to spend as much time as possible working.

As if logging several hours past overtime is not miserable enough, these lawyers' positions are still considered entry-level, and they may never even actually lay eyes on the client. Because "associates often have little voice or control over their work, only limited contact with their superiors, and virtually no client contact" it is no surprise that they feel a sense of disconnect with the bigger picture (44). This creates what is psychologically known as "low decision latitude" wherein workers have very few choices as to the decisions made within their careers (43). Combining this with high pressure and demand for work accounts for a lot of the misery reported for young lawyers. Their work is normally a "small slice of a large case" making it easy for them to feel lost among the "legions...working on them" (42).

But what is even scarier about this specific cause of unhappiness is the negative health effects, both mentally and physically, that have been shown to correlate with it. Studies have shown that jobs that couple high job demands with low decision latitude "have much more coronary disease and depression" (44). Firms also admit to being "founded on broken marriages" with associates that are "likely candidates...for higher divorce rates" (43, 44). Not only do the long hours prevent spouses from spending time with their significant others and families, the nature of their work can make the pressure too difficult to stand, which can alter their personalities due to the depression that sets in and change them in light of their marriages.

Leaving the firm is always an option for an associate facing such serious detriments to the job, and there are young lawyers who do. Many will pursue other legal careers "where the pay is considerably lower but the decision latitude is considerably greater" (44). This is more rewarding for lawyers who come to the realization the their salaries do not justify the dismal nature of their work. But others are not so bold, or not so willing, to give up and try another direction. A miserable young lawyer, who in a letter to Time magazine states that she "hate(s) the actual work of being a lawyers and having to deal with other lawyers" explains

that she stays because she feels obligated to (45). She says, “I feel terrible taking up a scarce job that someone else may be able to love...but I don’t feel like I have any choice but to keep going on due to the debt and lack of other employment options” (45). Erin Fuchs for business insider also expresses the same sentiment for young lawyers, who “might feel stuck there — even if going to work makes them sad” (42). Additionally, firms have started offering retention bonuses for associates willing to trudge through the misery, adding another link to the chain that keeps them imprisoned at their jobs. This factor contributes to the cycle, because they face the predicament of making less, which means being miserable due to the amount of debt they have incurred, or being miserable due to their job making enough to pay back the debt.

5.2 Pessimism and the Win-Loss Game

Lawyers constantly face what is known as the win-loss or zero sum game. In these instances, for every gain by one side there is a counterbalancing loss by the other side. This is opposed to a non zero sum game, or win-win game, where both sides reap some form of benefit. Seligman argues that “positive emotions are the fuel of win-win (positive-sum) games, while negative emotions like anger, anxiety, and sadness have evolved to switch in during win-loss games” which means that lawyers have a much greater chance of facing negative emotions (43). It is no wonder that lawyers naturally become incredibly pessimistic with not only themselves but with the justice system when they constantly face circumstances like these.

The demands of being a lawyer are inevitably wearing, but the training behind the work also leads to a deterioration of happiness in lawyers over time, as well. Once a lawyer reaches the point of actually stepping up to the plate to defend clients, the pressure grows worse. He must constantly be ready to accurately defend his client, knowing that his chances at winning are likely only half the odds. Thus, “lawyers are trained to be aggressive and competitive precisely because

they must win the litigation game” and “this training, because it is fueled by negative emotions, can be a source of lawyer demoralization” (44). Pouring over and remembering every little detail for his side is hard enough, but he must also be ready to combat and aspect from which his opponent may try and attack his claims, and also be ready to do the same for his client. The chances of losing are a daunting factor that puts competition at the heart of the practice, steering away from the original intent of lawyers and taking with it its internal goods. Further, “American law has...migrated from being a practice in which good counsel about justice and fairness was the primary good to being a big business in which...take-no-prisoners victories...are now the principle ends” (44).

This is the dark side of the American adversary system. Moving more toward mediation and away from litigation would likely eliminate some of the anxieties and other negative emotions lawyers face. However, it would also be a detriment to the justness that American law seeks to manage, the “royal road to truth,” if the adversary system were to cease to be (43). Not every situation is one that can be negotiated, but instead must flat out punish the wrong-doer and compensate the victim, meaning as long as individuals are represented on either side by lawyers, lawyers must inevitably face the win-loss game forever. Many lawyers are successful with it, many make it work, and many even love their jobs. But having a firm, honest understanding of the potentially harmful psychological effects being a lawyer holds is absolutely necessary for any individual who aspires to be such before they take the plunge, and if after that understanding is reached they still hold the desire to practice law, they will inevitably be much happier and thus much more successful.

6 Reforming Legal Education

While there is always room for improvement at all levels of education, reforming legal education is a step in improving the aforementioned problems, as well as others like lawyer preparedness. Obviously one of the biggest problems students face is the cost of tuition and paying for it with loans. Two proposed ways of reforming legal education involving the bar exam and the third year of law school could potentially cut costs for students while also helping in other areas.

6.1 The Bar Exam

A law student will undoubtedly hear about the bar exam a multitude of times before graduating. It is arguably the pinnacle of a student's career, deciding if one will actually be able to put his previous three years' work toward something that will pay off or not. It is an incredibly daunting thing, and something that has caused test takers intense anxiety on the day of the exam, so intense one may have even ripped a bathroom stall door of its hinges (46). It is no wonder why, considering the test spans at least two, although sometimes three days, with the longest state's test lasting over twenty one hours total (47). Adding to the pressure, the test is only offered a very limited number of times per year—usually only twice, but in some cases only once—and every state requires separate passage to practice (47). This means that a student who cannot find work in one state may have to wait six months or longer to take the bar in order to qualify for a lawyer's job in another state. Plus, the test is set up differently than the format most law graduates are familiar with, as it includes multiple choice questions instead of just

essays. And what is worse, while law schools do teach students about fact patterns and how to think like a lawyer, most do not include any curriculum specifically geared toward the bar. Only a few even offer prep courses for the most important test their students will ever take. Considering all of these things, the bar exam is not something taken at all lightly by law graduates.

One suggested area in reforming law school education is the bar exam, with researchers questioning whether taking the bar exam should require first graduating from law school or not. For students able to pass the exam sans law degree—a feat not easy, but also not impossible—skipping law school would mean saving possibly tens of thousands of dollars. Presently, California, Vermont, Virginia, and Washington do not require a law degree to take the bar exam so long as an individual has completed a period of time wherein wherein they study under a judge or a practicing attorney, also known as the practice of “reading the law” (48). In New York, students do not have to have graduated from law school, but do have to have completed at least one year of law school (48). The most interesting, and most appealing of cases is Maine’s. To take the bar exam for the state of Maine, a student needs to have completed at least two years of study at a law school, and an apprenticeship can substitute for the third year (48).

Understanding how Maine’s policy is most appealing to today’s law market can be understood by looking back at the bar exam’s history. In the past, no formal legal education was required at all to take the bar exam. It was not until the mid-1800s that bar exams even came about (49). Granted, before then, sometimes all an individual needed was a letter certifying the lawyer-to-be’s “good moral character” in order to practice law, something that would unfortunately never end well in today’s society (49). The bar exam itself is definitely necessary to certify future lawyers, but the required law degree over three years of study that has developed is not necessarily. Before, the bar exam requirements for most states followed some path along the lines of 1) no schooling necessary, but an apprenticeship absolutely necessary, to 2) some schooling and some apprenticeship

needed, to now, 3) with schooling the most important hurdle in taking the bar. Schooling is still necessary for today's lawyers, because there is some knowledge that simply never comes even with years of experience. However, the "basics" of these things could likely be learned in a student's first year, with his second year being allotted to diving more deeply into a specific area of study. Perhaps with a slightly more rigorous approach, a student would not lose much relatively in forfeiting his third year of law school for an apprenticeship, and could undoubtedly gain something from the replacement. In a time when lawyers are being sent into the workforce unprepared, with little to no hands-on experience of the actual tasks of practicing lawyers, this third year apprenticeship could provide much of the experience they spend their first year blindly learning (59). Apprenticeship connections to firms through schools could provide more guidance to students than self-pursued internships, and would also provide training to students so that firms do not have as much to teach them once hired.

6.2 Alterations to the Traditional Three Year Degree

Over four decades ago, several prominent legal educators suggested the need to eliminate the third year of law school, urging schools to instead adopt a two year professional degree program (50). As most schools and most bar examinations still require three years of school, their proposals clearly never came to fruition, but the fact that these scholars yield from law schools that still today rank as the top of the top gives some serious consideration to their opinions as more than just wild ideas. As the President has also recently spoken out on his support of eliminating the third year of law school for students, this idea has been widely circulated again as of late (51). Naturally, individuals on either side have weighed in with sensible points in each direction, but even considering both sides shows that even if the third year is not eliminated, it must at least be revamped to suit the needs of the current market.

In some ways, schools are already trying to new approach to the third year.

Northwestern University, for example, is the first top tier law school to offer an accelerated JD, wherein students complete the same number of credit hours as a normal JD, but over a span of two calendar years (52). While this program is at least a start at legal education reform, it does not do anything to solve one argument against a three year law program: law degrees are expensive, and an extra, unnecessary year can add thousands of dollars to a student's debt. The accelerated JD costs the same amount as the regular JD, because it requires the same amount of credit hours. Defenders of the accelerated degree argue that it allows graduates to enter the job market sooner, but this argument is weakened by the fact that they are thrown even faster into a terrible market with the same amount of debt as they would have if they did not work at a much faster, and therefore much more wearing pace.

One criticism of legal education is that its graduates do not have enough experience outside the classroom to learn the skills inherent in the actual practice of law rather than a textbook. Washington and Lee University School of Law was one of the first programs to bring students into the real world of legal practice for their third year, announcing their reform in 2008 (53). It is "entirely experiential in nature" and intended to "dig deep in considering the admirable qualities, dispositions, attitudes, concerns and habits...of good lawyers" (53). With good reviews from students, faculty, and the ABA, it is expected that before too much longer law schools everywhere will attempt to emulate this type of program. Requiring a two week long skills immersion at the beginning of each semester, four elective courses made up of one real-client experience a clinic or an externship and three additional practicum style electives, forty hours of law-related service, and participation in a semester-long professionalism program, the program undoubtedly reaches beyond classroom walls to offer a unique, professionally-oriented third year that allows students to learn the practical skills needed for future practice (54). However, while this program is an excellent approach to solving one criticism of legal education, it does not do anything to help with the cost. Perhaps

this will change in the future, as Washington and Lee's Dean of the Law School questions "why students and the educational institution should alone fund the value provided to private, for-profit enterprises through the third year" (55).

As for the proposal to chop the third year altogether, voices on either side are speaking out. When President Obama announced his support of a two-year legal education, it seemingly made the idea a potentially huge reality, giving long time proponents hope. Samuel Estreicher, a firm advocate of elimination the 3L, told the WSJ that the President's remark "shows that it's in the air" (56). Estreicher should certainly be excited to have the President, a crucial influence over Congress and the law, on his side. He writes:

...the best lever for change is the legal requirement that keeps the present three-year law study regime in place. Once that constraint is removed, a marketplace would likely emerge in which law schools would offer different approaches based on their position and the needs of their students. If a law school's students were increasingly able to take advantage of the two-year option, one would expect the school to be more open than perhaps it had been in the past to designing a third-year curriculum that provides an educational benefit that aspiring lawyers of substance could not afford to pass up (57).

Estreicher's idea may be a little extreme to be a possibility anytime soon, but if the estimation that law schools will produce two graduates for every legal job through 2020, and these students default on the federal loans they depend on to pay for their schooling, the government may have no choice but to eventually make two year programs a law (58). In his logic, Estreicher makes good points. One reason many think the elimination of the third year will never happen is because no school will be willing to take the cuts in revenue, even if it is what is necessary to better the situation (57). But aside from the revealing that law schools are greedy, through Estreicher's we learn something else about law schools: they are lazy. Creating a third year so beneficial that a student would be willing to pay

the extra money to choose it over a two year degree is a tall order, another reason law schools are not likely to respond well to the idea. Also, there are too many other hurdles in eliminating the third year of law school that must be addressed before anyone, including the law, can reasonably expect law schools to effectively adopt two year programs. The best hope for the moment is that the threat will be enough to scare law schools into working harder at creating a more beneficial third year without first being forced to lose its revenue.

Firstly, the ABA is a huge factor standing in the way of eliminating the third year. Its accreditation standards. For a law school to gain accreditation, they are currently allowed to offer two year programs, but not without at least “58,000 minutes of instruction time” (38). This standard would have to be amended to compensate for two years of school rather than three, which would be done by acknowledging that a full year’s worth of minutes are no longer necessary and therefore lowering the number of minutes necessary to gain accreditation. Likewise, the standard that some states have in place requiring three years of law school before being eligible to sit for the bar exam would have to be changed.

6.2.1 Budget Challenges to Suit Third Year Eliminations

The biggest hurdle that would have to be addressed in eliminating the third year of law school is with the budget restraints law schools would inevitably face from loss of revenue. Cutting out the third year ultimately means a third less revenue each year, and what follows from that is inevitably cutting costs either through program or faculty restraints. To make matters worse, this comes at a time when law schools are already under tremendous pressure to lower tuition costs as graduate debt is at an all time high. This economic tension creates the problem of a trade off between either charging students more to compensate for lost revenue, or hindering educational effectiveness and benefits by decreasing faculty numbers, and therefore increasing the student to faculty ratio, or cutting programs in place for the benefit of the student.

From the other side, eliminating the third year of required school would eliminate a huge chunk of the financial burden of law school for students. Looking at the numbers, former law professor and dean Jim Chen estimates that “law graduates need an annual salary equal to two-thirds of their law school debt to make law school viable” (60). He continues, “the problem could be solved by eliminating the third year of school or by requiring law professors to take a one-third pay cut” (60). Unfortunately for professors, the something along the lines of latter seems like the easiest method for the time being. However, it may be about time for a change like this, as it seems legal professors have always been a little more sheltered from financial hardship than others. According to Figure 5, for the 2010-2011 year, the average faculty salary at a four year college or university hovered around \$80,000 to \$90,000 dollars for most fields. Interestingly, the field most outside this range is in legal professions and studies, where professors made an average of \$134,162. That is merely undergrad. For the same year, Figure 6 shows that professors at doctoral institutions made an average of \$127,296. According to a 2012 salary survey by the Society of American Law Teachers, law professors in general could make up to \$180,000, with professors at elite law schools making double or triple that (61). While cutting a whole third of professors’ salaries is too much, cutting their salaries to be more in line with other graduate institutions, at least, would be a great start at eliminating some of the financial burden for students, meanwhile professors could still live a lifestyle considered by many to be comfortable with a lower salary. It could also help compensate for lost revenue should the third year of law school be eliminated.

Figure 5: Salaries For Faculty According to Discipline

How Much More (or Less) Full Professors Earned, by Discipline, Than the Average Full Professor of English Language and Literature, 1980-81 to 2009-10							
Discipline	1980-81	1985-86	1991-92	1996-97	2001-2	2005-6	2009-10
Fine arts: visual and performing	-8.8%	-9.6%	-7.9%	-9.7%	-11.1%	-12.2%	-12.4%
Education	-4.0%	-8.0%	-1.2%	-0.8%	-2.5%	-3.8%	-4.3%
Foreign language and literature	0.9%	-1.8%	-1.5%	0.5%	-3.9%	-4.5%	-4.1%
Communications	-3.3%	-6.7%	2.6%	1.9%	-2.9%	-3.3%	-3.2%
Philosophy	2.3%	-4.8%	2.0%	1.1%	-2.9%	0.0%	2.1%
Library science	-1.5%	-0.6%	9.9%	6.6%	3.5%	-2.1%	3.6%
Mathematics	7.6%	4.4%	11.0%	11.5%	6.8%	6.8%	7.2%
Psychology	5.0%	1.6%	9.5%	9.7%	8.3%	9.0%	8.9%
Physical sciences	7.7%	8.0%	14.9%	14.5%	12.8%	12.1%	12.9%
All-discipline average (including medical)	4.8%	5.1%	13.3%	13.9%	12.2%	12.0%	13.4%
Social sciences	4.8%	3.2%	9.0%	8.7%	9.2%	14.1%	16.8%
Health professions and related sciences	20.3%	19.8%	34.3%	36.4%	31.3%	18.1%	18.9%
Engineering	8.1%	14.3%	29.0%	27.8%	24.0%	24.3%	25.2%
Computer and information sciences	13.4%	17.6%	32.2%	28.1%	28.7%	27.5%	28.4%
Economics	13.9%	11.3%	28.4%	25.7%	26.4%	32.4%	41.2%
Business administration and management	11.4%	15.2%	33.8%	38.7%	40.8%	46.5%	50.9%
Law and legal studies	33.2%	41.0%	54.2%	58.4%	53.5%	54.0%	59.5%

The Chronicle of Higher Education. "Average Faculty Salaries by Field and Rank at 4-Year Colleges and Universities, 2010-11." Washington, DC: The Chronicle of Higher Education, 2011. Web. 3 Nov. 2013.

Figure 6: Salaries For Faculty at Doctoral Institutions

Average Salaries of Full-Time Faculty Members, 2010-11								
	All institutions		Public		Private, independent		Religious	
	Salary	1-year change	Salary	1-year change	Salary	1-year change	Salary	1-year change
Doctoral institutions								
Professor	\$127,296	1.8%	\$118,054	1.3%	\$157,282	2.4%	\$131,374	1.9%
Associate professor	\$84,686	1.4%	\$81,266	1.0%	\$99,404	2.8%	\$89,329	1.8%
Assistant professor	\$72,893	2.1%	\$69,777	1.6%	\$86,189	3.0%	\$75,488	2.6%
Instructor	\$48,812	1.4%	\$46,300	0.9%	\$59,419	3.8%	\$62,954	3.3%
Lecturer	\$55,520	--	\$53,154	--	\$63,960	--	\$55,913	--
No rank	\$65,148	--	\$56,767	--	\$73,336	--	\$70,651	--
All	\$92,468	1.7%	\$86,653	1.2%	\$114,661	2.5%	\$95,432	2.2%

The Chronicle of Higher Education. "Average Salaries of Full-Time Faculty Members, 2010-11: Doctoral Institutions." Washington, DC: The Chronicle of Higher Education, 2011. Web. 3 Nov. 2013.

6.2.2 Options for the Third Year

Another potential option for the third year that would alleviate some of the financial burden on students is to incorporate an apprenticeship as the third year curriculum. This would not only provide useful, real world experience to the future lawyers, but would also provide them with a little bit of an income. Even if students were charged the same amount as previous years for their third year, the income from the apprenticeship would still help offset some of the costs, and would also provide cheaper labor to firms and therefore cheaper rates to clients. Judge Jose Cabranes of the U.S. Court of Appeals for Circuit 2 offers the apprenticeship as part of his three step prescription for law schools. He writes, "(law schools) should introduce a two-year core law program followed by a yearlong apprenticeship" (62). Using the first two years to take all core classes and then work in a more practical way suggests Judge Cabranes may also support law schools following a model more closely related to the medical school model.

Law school and medical school are already fairly similar within the first two years, with most basic classes being taken then. However, law school seems to slack off a bit after the first year whereas medical school remains rigorous. Some students will oppose the proposed plan to make law school more like medical school because it means the third year would become even more intense, rather than tapering off as law school currently seems to do. Gulati, Sander, and Sockloskie suggest that “in law school much of what students receive in years two and three is, conceptually and stylistically, the same thing they experienced in year one” and therefore the differences in teaching methods and being forced to apply learned skills in more intense, real life situations gives medical students an advantage that law students do not experience (63). They also suggest that this idea is too radical, perhaps just as radical as eliminating the third year altogether, especially considering its costs (63). However, this idea seems like it would provide the most benefit to both students, by giving them beneficial experience, faculty, by keeping positions available and providing more job security, and lawyers, by providing employees ready to enter the work force and early training opportunities before they have to start paying them a full time salary.

The change would undoubtedly have to be a gradual process, with budget adjustments to suit what government subsidies cannot cover, but it would be worth the wait to see a third year develop that students are excited for, even if it is challenging. What matters most is the effort schools are willing to put into these programs. Clinicals, externships, or apprenticeships all hold the experience necessary to transform the third year into something highly valuable for students, given that their leadership sees to it. A study has show that whether “clinical education can be extremely disappointing to students or can be a transforming experience” is “depend(ent) on program quality” (63). When programs are notably good, students are “significantly more satisfied with law school than other students, and they are much less likely to agree that the third year of law school is superfluous” (63). This notion is extremely important for law schools right now,

while the legal market is terribly dreary, because this big change could be enough to transform law school from a bad decision, in the eyes of student, to one of their most rewarding experiences. Also, “clinical education may indeed have the potential to fill much of the third-year void, if schools will only invest more in the depth, evaluation and comparison of these programs” (63). Seemingly, so long as the administration at law schools sees to this, the students will follow suit and react positively, and much of those investments would come naturally as schools try to move more toward the medical school model.

Chen has also proposed, in line with reforming law school to be more like medical school in structure, that the legal equivalent of a nurse practitioner should be created (60). A nurse practitioner is basically a very advanced nurse, but not quite a doctor. One can do many of the same tasks as doctors, such as diagnosing common illnesses, giving medical injections, and writing prescriptions (64). However, a nurse practitioner’s job is more to carry out the orders of the doctor, and one cannot perform surgical procedures or diagnose more serious diseases (64).

The legal equivalent of this is absolutely unnecessary. Firstly, junior or associate partners already basically do this. They do the things their bosses tell them to do and leave the tough questions up to the people over them to answer. However, they are technically just as qualified to do the same things their bosses do, and could at any given time if they so choose. Secondly, physicians are highly in demand, and there are not enough (65). Thus, nurse practitioners, who can do much of the same work without having to first complete medical school, are a great substitute until more doctors can be hired. Such is the complete opposite with lawyers. There are entirely too many, and creating more almost just like them will not help anything. Finally, if the legal equivalent of a nurse practitioner existed, no one would go to law school right now. It should take them less time to complete the schooling necessary to become this new position, and therefore would cost less money. Additionally, where would the line be drawn between this position and an actual lawyer? The legal equivalent of a nurse practitioner would likely be just a

professional legal researcher. Options and trial and error are certainly necessary to figuring out what will work best for law school reform, however, the idea of creating the legal equivalent of a nurse practitioner is one that should be crossed off the list from the start.

6.3 The New Rules for Acceptance

As applicant numbers drop, law schools will be forced to reevaluate what they want in an applicant. They will be forced with two options: maintain their same standards as always, which will keep their high and ultimately be better for the legal market because it will keep producing better students, but accept that not every seat may be filled if numbers continue to drop, or, they can lower their standards, admitting close to the same number of students as always yet producing classes that may not be as successful during and after school as they would be had their standards been held higher. Judging from the fact that for nearly every four applicants, three were admitted for the fall of 2011, it appears schools are choosing the latter option. This number has gradually increased since nine years ago, when only about half of students were admitted (66).

The economics behind these numbers put law schools in tough positions. Less students means less revenue. However, continuing to admit students who may not be as suited to law school as others is only hurting the market in the long run. Students who cannot perform before law school will likely not make it in this legal market that is inevitably going to require innovation as it continues to grow. If law schools would continue to set the bar high, keeping law school admission more in line with an achievement than a given, the market will later see better performance, and therefore better function, two things that are very important if the market ever hopes to get itself out of the rut it is in currently.

If law schools could see past the dollar signs, and more into their students, perhaps they would realize the potential at their hands. It is necessary to keep standards the same as well as incorporate a third year that is more rigorous, yet

more hands on and therefore more beneficial and more enjoyable, rather than a third year that is more lax too similar to previous years and becomes monotonous to students. Doing so will separate the driven, passionate students from the students who choose to go to law school merely because they are at a dead end, because likely only the truly driven and passionate students would be willing to take on the challenge that law school already is, plus the new challenges that would come with reform. Students who actually want to be in law school turn into lawyers who actually want to be lawyers, which would ultimately reduce the level of depression and misery so many lawyers reportedly face.

7 Conclusion

An individual debating law school has more to consider than the job market alone. While it is true that there are far more lawyers than available legal jobs at the moment, a potential applicant must also weigh and question law school rankings, financial plausibility in conjunction with his chances of finding a job, and exactly what being a lawyer entails, should he get there. The current state of affairs shows that not all, and perhaps even the majority of applicants are not taking the time to realistically weigh the effects of these factors. Individuals who go into this process overly optimistic about their chances at success, or blind to the risk they are taking, will only perpetuate problems not only for the market, but for themselves.

But, even if there are not enough legal jobs to employ all lawyers in the market, there are still some jobs to be filled each year, meaning it is still sensible for some people to go to law school even given the circumstances. There are still several instances in which I would encourage an individual to attend. One factor that must apply in any of these instances is the applicant's interest and desire to work in the industry. One does not necessarily have to become a lawyer upon graduating from law school, but an individual with little or no interest or passion for studying the law has no place in law school, and especially not right now. But assuming this much is true, some individuals could still have a promising career. Actually, even if nothing else is true, some individuals could still have a promising career. A few other factors would help as well.

Even though U.S. News law school rankings may be overrated given the flaws in their methodology, they are nonetheless still highly regarded by both applicants

and employers. Upon graduation, a law student's school will have a very heavy influence on whether or not he will receive job offers. Naturally the higher ranked schools are more prestigious, and law firms, especially the largest ones, want to fill their very limited spots with the best of the best. Thus, a student who can perform well enough on all aspects of the application, but especially the LSAT and GPA scores, will have a better chance of attending a top ten ranked school, and therefore a better chance at finding a job (us news rankings info). Merit scholarships are fiercely competitive at this level, as it takes an impressive application just to get in. To have the schools willing to pay a student to attend means earning stellar grades, and likely having accomplished something huge via research or field experience. However, some of the highest schools realize that all of their applicants are outstanding, so rather than awarding any merit scholarships, they offer all scholarships based on need alone. An applicant who can make this most elite cut should definitely still attend law school. Even without scholarships, their chances at getting a job are still good, meaning their debt will be worth it. If their need allows them scholarships, they are that much better off.

Academic performance and involvement still matter even at a top ten school, but not as much as schools ranked from the teens and down. Schools from the teens down to about forties have employment ratings of approximately 60%-70%, with a few dips depending on the school's city. For example, a small town simply will not have as many job opportunities as a larger town, and at the same time, several schools located in the same large town will mean students at the highest ranked school for its area will likely take the majority of jobs. Additionally, as has already been discussed, these employment numbers cannot be fully trusted, which applicants should be mindful of. If a student falls into this range of schools, with decent scores and a strong application, he should apply if he is willing to put in the effort to shine. At this level, the jobs are not as promising as a top ten school, meaning a student needs to really stand out among his peers in order to be desirable as an employee. At least some scholarship is ideal for this group, as

well.

Schools between the fifties and nineties have fluctuating employment percentages, and this area is especially full of schools trying to bump their rankings, meaning the chances are that much higher than their number skewed. Additionally, the average LSAT scores for these schools only slightly tops the average overall LSAT score of approximately 150, meaning these schools probably have the most applicants. Here, it is important that a student use good judgement in weighing all of the statistical numbers for a school, pressing admissions offices where information seems too good to be true. For law school to be a sensible option at this level, a student needs to have heavy scholarships and also perform well academically, and perhaps even participate in any joint degree programs offered in order to appear more desirable as an employee against a student with only a JD from a better school.

As for schools in the hundreds, and especially schools US News will not even publish rankings for, most students should run. An exception to this would be if an applicant has a surefire route to employment upon graduation, such as a family member's law firm, or perhaps an individual who gets a full ride and simply wants to add another line to their credentials. Granted, this would put many schools in danger of closing if only these small instances of applicants attended, but the truth is, that is what the market needs at the moment. Just as fewer products of something are made as demand for the product decreases, fewer graduates, and thus fewer law schools are needed to meet the current demand.

Of course, these numbers are not absolute. There is no one particular, definite ranking cut off number that will significantly increase a graduate's chances of success from one group to the next. However, applicants have to understand that the further down the list they move, the more work they are probably in for. There will always be exceptions. The very last school on the US News probably still has a handful of very successful graduates. However, I argue that those individuals likely faced a series of fortunate, serendipitous circumstances,

and that for so many students to rely on this possibility is a fallacy on their part.

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