

ADVICE I WISH I HEARD BEFORE LAW SCHOOL

Counseling the Next
Generation of Lawyers

By Ralph Flick



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SEPTEMBER

is back-to-school season, and for almost 60,000 people it is the beginning of the application season for law school.¹ Like many practicing lawyers, I have been asked by friends and family to counsel aspiring lawyers about the profession. My default advice was not always positive, for the reasons we all know: law school is expensive, student loan debt can be crushing, and law practice is stressful.

It is now part of my job, as a university professor and pre-law advisor, to advise pre-law students on potential careers in law. Accordingly, I have been working on a more thoughtful—rather than default—method for providing prospective law students with encouragement and mentorship while also sharing information and insights that I hope will assist them in making an informed choice about their future.

What follows is a summary of the advice I tend to give. It is not offered as a perfect solution or approach, but rather in hopes of sparking a conversation among my colleagues in the bar about strategies for counseling the next generation of lawyers about our profession.

CONSIDER YOUR VOCATIONAL INTERESTS

Before I even begin to talk about law school, I advise students to first reflect more broadly on what they want to achieve in life. At Pacific Lutheran University, where I teach, we encourage students, through our Wild Hope Center for Vocation, to examine what they are called to do in life. The Center defines vocation as “being called into a relationship with others to promote human and ecological flourishing.”² While students can certainly define vocation in a variety of ways, they should reflect on what they want to do with their lives, beyond just their job. It took time for me to realize how important it is to align what is important in your life with your career path. And while traditional undergraduates are very young and may not yet have enough life experience to discover their true vocational interests, we need to get them at least thinking about it before they invest the substantial resources necessary to obtain a legal education.

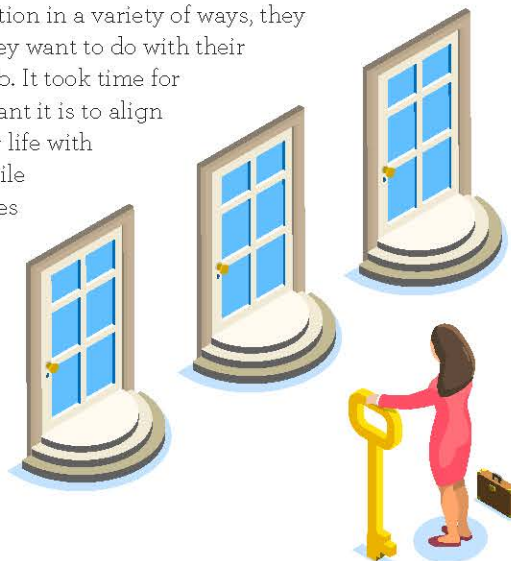


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THINK ABOUT ALTERNATIVES

I build on the advice to consider vocational interests by asking students to also consider alternatives to law school. Students can become set on the idea of going to law school based on superficial rationales—such as the way lawyers are portrayed on television or in films, or because friends and family suggest that they are an “argumentative” person and therefore a good fit for law school—or, sometimes, for no specific rationale other than the challenge of it. Even if their rationale for attending law school is perfectly sound, students should still be sure that they have considered alternatives. If their vocational interest is environmentalism, for example, the best way to pursue that interest may be through a career path other than law. Encouraging students to think carefully about the impact they want to have in the world through their profession, and whether the practice of law is the profession most likely to advance that goal, is an important early step. I have been surprised by how many prospective law students base their decisions on very naive and inaccurate assumptions about how the practice of law will, or will not, achieve their real vocational objectives.

GAIN PRACTICAL EXPERIENCE

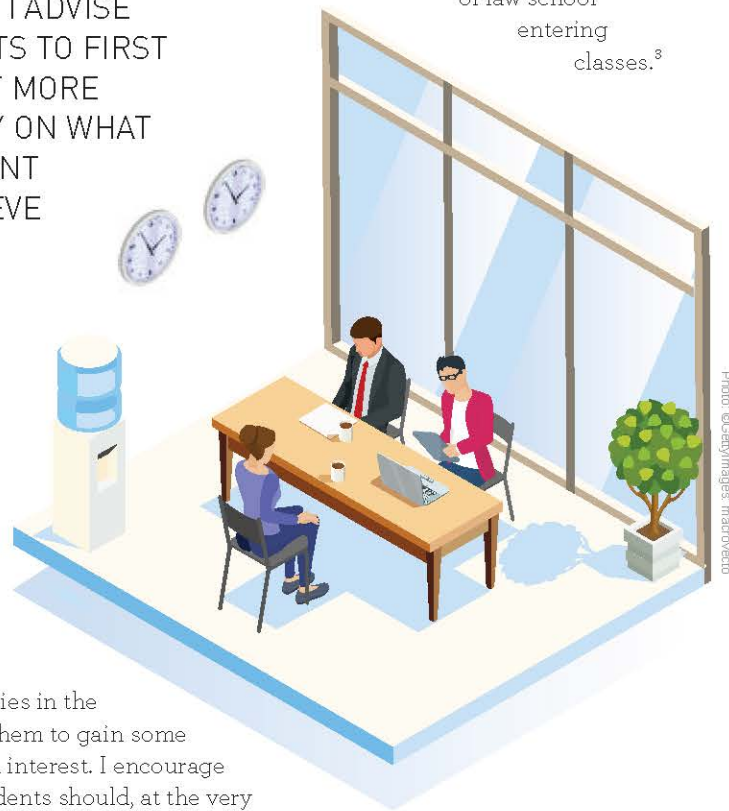
Whether students have confirmed that their vocational interest truly lies in the law or whether they are still considering alternatives, it is helpful for them to gain some practical experience in the type of law or career in which they have an interest. I encourage students to seek out lawyers practicing in their target area of law. Students should, at the very least, meet with lawyers who are willing to give them some of their time for an informational interview, but ideally they should seek out a job or internship in that specific practice area. There is no substitute for actual observation to either confirm or discredit assumptions. Sometimes the practical experience will validate a decision, but in other cases it can serve as a warning that the prospective career path is different from the student’s expectation. I have found that most lawyers I have personally asked to meet with or talk with a student are willing and excited about the opportunity to offer some insight into the actual practice of law, and I am proud of our profession for being willing to contribute to the career development of prospective law students.

TAKE SOME TIME OFF

One of the mistakes I made was to enter law school directly after completing my undergraduate program. I consider it a mistake because I think I would have benefitted, both in maturity and experience, had I taken some extra time after graduation. I share this story with students because many of them will respond to this advice as I did when I was their age, by worrying that if they do not go straight into law school they might not actually go through with it. In retrospect, this worry was, for me, an intuition to which I should have paid more attention. It is important for students to know that taking a pause after obtaining an undergraduate degree is valuable to gain practical experience, to help assess vocation, and to reflect on possible alternative career choices. Should they decide they do want to go to law school, it might even help their chances

of admission—students with some post-undergraduate work experience make up a larger and larger percentage of law school entering classes.⁸

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UNDERSTAND THE DIFFERENCES BETWEEN THE UNDERGRADUATE AND THE LAW SCHOOL EXPERIENCE

Even if a student concludes that a law career is desirable from a vocational perspective, and even if alternatives have been considered, I still walk them through the differences between the undergraduate student experience and the law school student experience. I completed my undergraduate studies almost 30 years ago, and the undergraduate world has evolved during this time. It is difficult—for me at least—to fully appreciate the perspective of today's undergraduate students and how little they may perceive the dramatic differences between the law school environment and the undergraduate environment (in some of the ways described below). When I try to describe law school and the skills that are necessary to succeed to prospective law students, it is not to scare them but to ensure that they consider carefully whether, or to what degree, law school aligns with their dominant skills. These warnings are not meant to discourage, but rather to allow students to realistically assess their prospects for succeeding in law school with their particular skill sets.

Reading. Law school is largely about reading—and not the type of reading undergraduates do, but rather a specialized version of English in the form of case and statutory law, and at high page volumes! My undergraduate business law students often complain about 20 to 30 pages of textbook (not case law) reading per week. Law students are assigned, on average, four

times that quantity of reading. Moreover, research indicates that only 20 to 30 percent of students in higher education institutions complete assigned readings before class.⁴ As a result, undergraduates may not be prepared for the volume of reading or the degree of preparation that is necessary for success in law school. For students who do not like to read or for whom reading comprehension is a challenge, law school can be an even greater, and possibly insurmountable, challenge.

Assessment. Undergraduates are used to grading systems that generally include points earned toward a semester grade based on tests, quizzes, papers, presentations, and similar assessment tools. In law school, however, such systems are rare. In most cases, law school grades are based on a single comprehensive exam,

usually written, given at the end of the semester that accounts for most, if not all, of the course grade. And, of course, many law schools still grade on a forced curve. I often encounter undergraduates who experience test-taking anxiety or who just do not perform well on tests and who expect (and perhaps need) other forms of assessment to account for their grades.

Environment in general. As we all know, law school can be a very competitive and stressful environment. While undergraduate programs can also be competitive, the experience of law school is very different, and often much more intense. Some students thrive in competitive and stressful environments, while it may be unhealthy for others, and I encourage students to examine whether their personality is a good fit.

Attending and underperforming in law school may result in a career path that diverges materially from the student's true vocational interest, and that is a possibility that must be considered.



BE REALISTIC ABOUT SPECIALIZATION

Undergraduate students, as well as many nonlawyers with whom I speak, are often surprised to hear that there is no law school analog for the undergraduate major. While there are areas of specialty, such as patent law, and there are electives that allow students to explore interests, law students all graduate with essentially the same degree. Law degrees are generally differentiated based on law school reputation and ranking, and further differentiated by each student's rank within their class. This is an important point to highlight with students because it varies from the undergraduate model they are used to, and it can end up limiting their career choices. For example, if a student has identified a strong vocational passion for a particular practice area that generally hires only top-ranked students from top-ranked law schools, it is important for the student to understand that failure to meet those two criteria will limit—and possibly eliminate—their chances of practicing in that area.



CALCULATE THE COST AND THE DEBT

It is impossible to ignore the cost of law school and the ultimate debt load when considering a career in law.

According to 2017-2018 *U.S. News & World Report* data, the annual cost, just for tuition, averaged \$47,112 among private law schools as compared to public schools, which averaged \$26,843 for in-state students and

BOTTOM LINE IS THAT IT IS RECKLESS TO INVEST, WITHOUT A PLAN, SIGNIFICANT BORROWED MONEY IN AN ENDEAVOR THAT MAY RESULT IN FINANCIAL DISTRESS, LACK OF JOB SATISFACTION, OR BOTH.

\$40,308 for out-of-state students.⁵

These numbers do not include room and board, books, or the cost of the undergraduate education necessary

as a prerequisite to law school. Accordingly, the total investment necessary to obtain a law degree can amount to well over \$250,000.

A majority of law students finance some or all of the cost of law school with debt. A 2014 study by New America estimated the average debt at \$140,616 and an average monthly payment on that debt at \$1,187 per month.⁶ The 2015 Report of the Task Force on Financing Legal Education showed a range from \$88,000 for students at public universities to \$127,000 for students at private universities.⁷

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ANNUAL COST OF LAW SCHOOL (PRIVATE)
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AVERAGE **\$47,112**

ANNUAL AVERAGE (PUBLIC)
IN-STATE TUITION
\$26,843



ANNUAL AVERAGE (PUBLIC)
OUT-OF-STATE TUITION
\$40,308

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According to *U.S. News & World Report* data for 2016 graduates, average total debt for law students ranged between \$90,217 and \$130,349 for public and private school graduates, respectively.⁸

These statistics are not difficult to find and many students already understand, at least generally, that law school will be expensive and that they will graduate with significant debt. So why add to their angst by quoting these numbers and statistics? In my experience, students sometimes fail to consider a few aspects of the cost and debt of law school, including the opportunity cost of spending three years in school and out of the work force. Students also sometimes fail to compute a realistic expected cash budget upon completion of law school. Some public interest jobs, for example, although they may align well with vocational interests, may not pay enough to reasonably service the student loan debt. With an average law school student loan payment of almost \$1,200 a month, the total debt service would consume almost one-third to one-half of take-home pay for the lowest paying law jobs.

BRING IT ALL TOGETHER: MAKE A PERSONAL BUSINESS PLAN

Using all of the information discussed above, I often recommend that students make a business plan for themselves. Although I understand the hesitation to make something as cold and mathematical as a business plan for something that is aspirational, there is a bottom line—even for the pursuit of a passion or a true vocation—and that bottom line is that it is reckless to invest, without a plan, significant borrowed money in an endeavor that may result

WHEN I TRY TO DESCRIBE LAW SCHOOL AND THE SKILLS THAT ARE NECESSARY TO SUCCEED TO PROSPECTIVE LAW STUDENTS, IT IS NOT TO SCARE THEM BUT TO ENSURE THAT THEY CONSIDER CAREFULLY WHETHER, OR TO WHAT DEGREE, LAW SCHOOL ALIGNS WITH THEIR DOMINANT SKILLS.

in financial distress, lack of job satisfaction, or both. The business plan should therefore take into account the following elements:

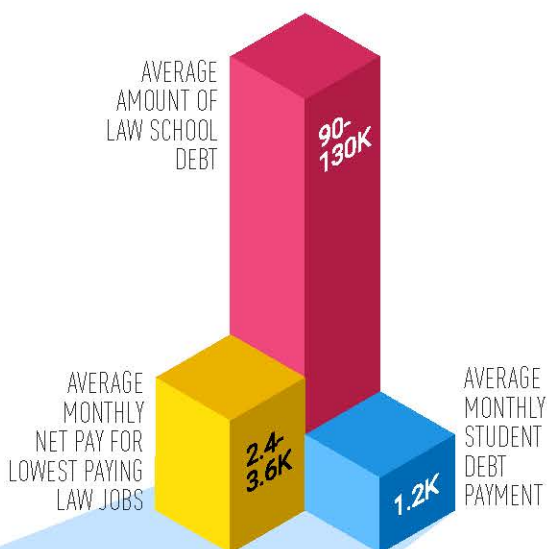
Start with the end in mind: Students often start with law school and then plan forward; however, I encourage them to start with vocational self-reflection and then evaluate and learn about specific jobs in their targeted areas of practice. From there, students should work backward to understand the school rank and class rank necessary to obtain the target job, which will inform their law school application choices. Assuming they are admitted, they should realistically assess their skills and ability to graduate from such a school with the class rank necessary to achieve their goals. Likelihood of admission and expected performance may, depending on the targeted practice area, greatly limit, reduce, or make impossible the target law practice.

Challenge the assumptions:

One mistake that I have seen clients and students make is to seek to validate rather than challenge their assumptions. To remedy this, I often encourage students to find someone in their target practice area who is unhappy or dissatisfied in some way in order to test the student's assumption that he or she will be happy practicing in that area. If assumptions are appropriately challenged and explained, and the trap of confirmation bias is avoided, the plan has a higher chance of success.



THE CASH FLOW OF LAW




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Do the math: Students often ignore or are desensitized to the impact of their student loan debt while they are undergraduates because they are not yet living the reality of servicing the debt (much less the additional law school debt). Any good business plan will attempt to forecast income and expenses to validate the assumptions of the plan, and prospective law students should try to do the same thing.

Have a back-up plan: As I often say to both students and clients, the only certainty about a business plan is that it will not work out as expected almost all of the time. Among the uncertainties are how far off the plan will be and in which direction. A good business plan will identify possible points of failure and establish a plan for contingencies. I challenge students to identify their "Plan B" if they do not gain admission to their school of choice, if they do not perform as well as they expect, or if their target job is not available to them.

MY CONVERSATIONS WITH STUDENTS these days focus on providing information and fostering an honest and open dialogue that I hope helps them make an informed decision about their future. Encouraging potential law students to do their due diligence and seek as much information as possible, challenging their assumptions, and advising them to make a business plan as well as contingency plans are ways to both inform and encourage. 

WHAT'S YOUR ADVICE?



How do you talk about our profession with the next generation? What advice do you wish someone had given to you when you were pre-law? Start the conversation on Twitter @ProfRalphPLU and @WASStateBar. Tweet at us and use the hashtag #WhatIWishIKnewBeforeLawSchool.



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NOTES:

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3. Daniel Waldman, Why Work Experience Matters for Law School Applicants, U.S. News & World Report, May 21, 2018, available at <https://www.usnews.com/education/blogs/law-admissions-low-down/articles/2018-05-21/why-work-experience-matters-for-law-school-applicants>.
4. Hattenberg, S. J. & Steffy, K., Increasing reading compliance of undergraduates: An evaluation of compliance methods. Teaching Sociology, 41 (4), 346-352 (2013).
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6. <https://static.newamerica.org/attachments/750-the-graduate-student-debt-review/GradStudentDebtReview-Delisle-Final.pdf>.
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