

Why you ought to seriously consider NOT going to law school

By Rhett G. Campbell

Introduction. For years I have met people who fit this stereotype: “I am smart, usually the smartest person in the class; I love to read about history, politics, and government. I debated in high school and love to talk and argue with my friends. I delight in taking an adversarial position and defeating my friends in an argument because they do not argue as well as I do; it’s fun. I can do almost any project or mental task without much effort. I made excellent grades in high school and college, and I have (or soon will have) a degree, probably two, in political science and history, with a minor in sociology or psychology. I don’t want to be a doctor or engineer, and business seems boring. I don’t know what to do with my life after college. My family and friends say I ought to be a lawyer (they tire of my many arguments) so I am thinking about going to law school.” Are you this person? To these people I say “Don’t do it. You won’t be happy and if you make it through law school, you probably will leave law after a few years and with a bad experience.”

I had been a practicing attorney for 40 years when I left to pursue philanthropy full time. All my professional life I have advised, coached, mentored, taught and helped educate young people who said they wanted to be successful lawyers. It is important to say that I love the subject matter of law: I enjoy working on legal problems and advising clients. I enjoy reading about and studying legal history. But the daily life of a practicing attorney and the business of practicing law is a very different thing from studying law and too many young people go to law school without understanding the difference. I have been discouraging young people from going to law school for many years based on the belief that if I can persuade someone not to go, they probably weren’t committed in the first place; and if they go to law school despite my discouragement, then they probably have the “fire in the belly” that is necessary to succeed. Here are some of my thoughts on why you ought to seriously consider NOT going to law school.

Don’t go to law school unless you are truly committed (and money doesn’t count). You should be committed and have a passion for it - a deep burning fire in your belly for wanting to be a lawyer. This requires that you really KNOW what a lawyer is and does. Most young people really have very little idea. Admittedly, there are lots of things that lawyers do; people with legal backgrounds do all sorts of things. It is a very diverse profession and many people with law degrees do not practice. What I am referring to are those professions where you either need a law license to do it or you need the background and training as a lawyer in order to pursue a particular career. If you do not have a firm grasp of what lawyers do and whether you really “need” a law degree (and license) to pursue your chosen field, then you need to study up and think hard about it. My point is that going to law school should not be an “oh, why not?” decision. The cost and time commitment is very high indeed as is the emotional stress; you ought to have a firm grasp of what you are about or else don’t do it.

I say that “money doesn’t count” for a couple of reasons. First, you can probably make as much or more money in other fields than practicing law and the price of a legal education (in money, time and emotional stress) is seldom worth it. Second, though it is true that some lawyers make a great deal of money, it is a small percentage. True, the average income of a lawyer is often higher than the average income of other Americans, but is the difference great enough to justify the cost? I doubt it. Third, the stress and time demands of practicing law at a high level are such that most successful lawyers do NOT recommend that their children or grandchildren go into law. They just shake their heads and say “Don’t do it, it’s not worth it.” You ought to think about this.

Let me explain some of the reasons.

There are about twice as many lawyers today as the US ought to have. Look it up; you will be shocked how many statistics there are showing that the U.S. has too many lawyers already. Why? How is that possible? It is because law schools are profit centers for the universities. They make money off law schools and the more students, the more profit. So just the fact that you can get in to law school does not mean there will be a place for you in the legal industry. That’s sad but that’s

reality. That is so important, I will say it again: just because you can get into law school does NOT mean there is a place for you in the legal industry.

My son graduated from UT law school, one of the best in the U.S., in 2011. Two years after graduation, many lawyers in the middle of his class did not have regular 9 to 5 jobs practicing law, or else they took poorly paid positions that hardly supported them and certainly not a family. I read a book (around 2014) that said that 55-60% of the law school graduating classes of 2011 do not have jobs practicing law. Those are appalling statistics and they are partly a function of the 2007 recession carrying forward. It is certainly true that the classes of 2008 and 2009 were devastated by the recession – very few members of that graduating class ended up with jobs at major law firms. But 2-3 years later there were still not nearly enough jobs for the new lawyers coming out of law schools. And yet the universities still churn out lawyers and in some cases are actually opening new law schools. (A new law school opened in Dallas in 2016.) That's a product of the revenue (mostly profit) that can be generated by a law school. It is simply a fact that there are too many lawyers in the U.S. and that fact creates an oversupply that overhangs the market. If you are in the top 10% of your class, you won't have any problem finding a job. Ninety percent of your class will NOT be in the top ten percent! The odds are against you.

Don't get me wrong. I love being a lawyer and cannot imagine being anything else. I always wanted to do it and loved it every day. Of course, I retired on December 31, 2012 and now I cannot imagine going back to it. But not everyone loves being a lawyer. "Burnout" and retention are the biggest problems facing major law firms. Lots of people go to law school because they don't have a job or anything else to do. That's a poor reason and a wrong reason to go to law school.

There is always room for one more really good lawyer. Society needs good, honest lawyers. Without question, there are not enough good, excellent, honest lawyers. Generally speaking, there is always a good job available for the top ten percent of the class. If you can graduate in the top 10%, you won't have a problem. The guys in the middle of the class often struggle to find jobs. And the guys in the bottom half have a really hard time finding employment. But in thinking about this, remember that 90% of your class will not be in the top 10%. "Ahhh," you think, "that won't be me. I will certainly be in the top 10%." Why do you think that? Because you are smart? Everyone in law school is super smart; they don't accept applicants who aren't really smart. Because you are willing to work hard? Everyone in law school is willing to work hard, many of them harder than you. All of them are focused, intense, hard-working, smart, successful young people who have never failed at anything yet. They all want to be in the top 10% and 90% of them will not.

An important point to remember: in law school much of your success is determined by good fortune or by skills that you either have or do not have. I had a classmate with a photographic memory who could (and did) recite the actual language from a case. He did not do well because he could not analyze a case "like a lawyer." Rote memory is no substitute for legal analysis and legal analysis is hard to predict and even harder to teach. The students who find themselves in the top 10% often are not the best students or the hardest workers. They simply "have it" (analytical thinking skills) and others don't. Some of the needed skills can be learned; see my paper on "How to make good grades in law school." But many of them cannot. You either think analytically and write like a lawyer or you do not.

You should go into it with your eyes open as to how hard it is. Suppose you make it through law school and get a good job. Do you think you have it made now? No. Now you will come to realize what a difficult profession law is. First, don't be a mediocre lawyer (or anything else). Be good at what you do. Second, commit yourself to your profession fully and be truly excellent. Lombardi is supposed to have said "excellence is not a sometime thing, it is an all the time thing." That is exactly true for law (and most things). You have to put in lots of hours, all the time, every time. There is nothing easy about being a lawyer. There are no shortcuts. It never gets easy.

True story: The first edition of this paper was written in January, 2004. At that time, I was writing it at 8:48 a.m. on Saturday morning in my office. This was common. The weekend before 1/24/04, I didn't work and it was the first weekend I had taken off since Christmas. Then I worked 3 weekends in a row and 4 out of the prior 5. At that time I was 55 years old, a senior partner, had been a lawyer for 30 years, and I commonly worked a 60-80 hour week. Young associate lawyers work even more hours than I did. You would think that by the time I reached senior partner status, I would have a less stressful life; not so. My point is that it never gets easy. It is very rewarding but it is also extremely challenging. Don't be a lawyer for the money or out of boredom. Don't think you can put in a few years and then coast. It never gets easy enough to coast.

Of course, the harder you work, the more successful you will be. In 2004 I was one of the top guys in my firm (of about 400 lawyers) and one of the top in my profession. It was not always so. It took about 20 years of hard work, nights and weekends, to get to that point. It is not easy but it is fun and rewarding, if you like the subject matter. If you don't like it, you will burn out and leave the profession (but you still have to pay off your law school loans). There's nothing worse than 3 years wasted in law school.

If you call and ask me, I can tell you about the attrition rate in my law firm and in my section (the bankruptcy section) of my firm. I am happy to tell you some of the stories about smart, enthusiastic young people, who worked hard and wanted to succeed, but who quit after 3, 4 or 5 years. Are you willing to work nights and weekends? Most nights? And most weekends? Good lawyers, the ones who succeed in their profession, do.

Law school is hell. It is not fun. If you are going to do it, you must work hard at it in order to graduate at the top of your class. Approach it like a job, 8-5 every day (class, preparation and meetings), study at night (homework reading), plus weekends for outlining and review. Yes, weekends, and I mean both Saturday *and* Sunday. Yes, that's right; there is no time off. Repeat: no time off; not any. You're right; doing well in law school is hell. But if you work those hours, follow that schedule, and study correctly, you will succeed. It's as simple as that. If you don't, you probably won't. By the way, law school is easy compared to real lawyering. (The difference is efficiency; most of your time is wasted in law school because you don't really know what you are doing. Once you start practicing law, then your education starts getting really serious and the hours are even more demanding.) Students in law school don't believe this but it's true. The stress level of practicing attorneys is many times greater than law school. The difference is that once in private practice, you get weekends off once in a while (and reasonably well paid). In law school, you never get weekends off (and there is no pay).

The grades you make your first year in law school mostly determine your career opportunities. I am serious. Wait, you say; law school is three years, so the first year is only 1/3rd of your GPA, right? Yes and no. The grades you make your first year in law school will pretty much determine whether you will be successful in getting a good job, (assuming that is what you want to do). Most people don't realize the time line. You interview for 2nd year clerkships in October-Nov of your 2nd year. By then, you only have 1 year of grades. If your grades are good, you get good clerkships. Once you get a good clerkship, unless you screw up you will get a good job offer. Mediocre grades in your second year can often be overcome by hard work at a summer clerkship. So in truth, your first year grades generally will determine whether you get a job offer from a prestigious firm or agency or clerkship. The same is true for the major corporations, the prestigious NGOs, charities, investment banks, and judicial clerkships. Talk about pressure. Wow. Don't screw up!!

Try to visit a lawyer at his office. Do you know what a lawyer does all day every day? Go to court and watch the lawyers in the courtroom. Clerk as an intern at a corporate lawyer's office. Find out what a lawyer really does and see if you like it. It is tedious, detail work, over and over. There might be 20 hours of work for 1 hour of courtroom time, or meeting time, or deal time, or whatever. Preparation is the key to success in law as in everything. Clerk somewhere and be sure you want to do what lawyers really do. It is absolutely NOT glamorous.

Call me and we can discuss this. The actual day-to-day practice of law is mostly very boring and mostly repetitious. You work on big deals and interesting projects, true, but most of what you will do for the first 4-5 years is extremely dull and boring.

Lawyers carry briefcases for other people. If you want to be "the man," don't be a lawyer. Some businessman, politician, or bigshot somewhere is always "the man" and the lawyer helps him. Lawyers are advisors and workers. We soldier for "the man" and he pays us well. (Actually, we are paid very very well.) But remember that we are industrial grade soldiers working for industry (or for the little guy - depending). If you decide to not work for "the man" and instead want to fight against "the man" (which is fine and in some cases can be very noble) a couple of things are true. First, you won't make any money (to speak of) and second you will spend most of your career butting your head against a wall. Occasionally you may win a case or an argument or achieve something notable. When you do, you better frame it and put it on your wall because it won't happen very often.

When I was doing oil & gas work and even in energy bankruptcy cases, mostly I was sitting at a negotiating table with a bunch of rich guys (or lawyers for rich guys) playing a game by which some of the rich guys got richer and some did not.

They are all rich guys, whether they win or lose but some get richer, depending on the game (and sometimes depending on the skill of their lawyer). I used to explain it this way: There is a big pot of money in the middle of the table, and all these rich guys are playing a game to see who gets most of the money. They will all get some of it, but they all want more than their share. The lawyers help them play the game well so they get at least their share and hopefully some of someone else's share. That's basically what I used to do. This is the nature of a big time corporate practice and that's where the big money is. After I had done this for forty years, I got tired of it. You still want to go to law school?

(I do overstate it a little, just to be honest. I actually have some things that I achieved as lawyer of which I am quite proud. Sadly, there are probably no more than 10 or 20. I'd be happy to discuss all this and give examples if you want. In retrospect, maybe I am lucky to have achieved good for someone 10 or 20 times. That's too much philosophy for this kind of essay.)

If you still want to go to law school, then God bless you and good luck. I have a paper I have written about a system of studying in law school and how to make good grades. Send me an address and I'll mail you a copy.

Call me if you want to talk further. I have lots of opinions on this subject and I will tell you anything you want to know. We can go to lunch or have some coffee and discuss it. I have spent many hours mentoring young people about law and careers in general. I would be pleased to discuss it with you.

Good luck.

Rhett Campbell
713-818-3360 cp

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