

The STATE of LAW SCHOOLS



Law Schools Are Adapting for a New Generation

Kathleen Guthrie Woods

Bashing law schools is starting to feel like a national pastime, as critics in the media lambaste rising tuitions, seemingly harsh budgetary cuts, and a dearth of gainful employment opportunities upon graduation. With new rankings reports being announced in March, administrators are gearing up for another round. But the criteria included in those rankings are only part of the picture as law schools have adapted and are having to continue to adapt as the needs of their students—and, ultimately, the needs of the profession—shift in times of rapid change.

Bay Area deans and a professor offered their perspectives on what has been happening, what they think needs to be done, and the repercussions for the legal community.

Today's Challenges

The challenges law schools now face are a “confluence of factors,” says Rodney Fong, codirector of the Law+Program and an assistant professor at University of San Francisco School of Law (USF). He cites (1) the economy in general and how it affects admissions; (2) the economics of law school (including tuition and budgets); and (3) society’s, specifically younger generations’, reevaluation of higher education. The impact can be felt by students, staff, the legal community, and society at large.

According to the Law School Admissions Council, 46,600 applicants entered 200 American Bar Association–accredited law schools last fall; that’s down from 60,000 in 2012. The depressed economy has forced potential applicants to reevaluate the costs and benefits. “In my day,” says Fong, “you went to school, got educated, became a better person, and got a better job and security. Today, you ask ‘Will I get it back?’” It’s a significant investment. In the Bay Area, annual tuition hovers around \$48,000 for a full-time student, plus \$15,000 per year for room and board. For the class of 2011, reports Law School Transparency, the average law school debt was more than \$100,000. It’s no wonder, says Fong, that “it seems better to go to work than to go to law school.”

Having fewer matriculants means less money for schools, and tuition increases cannot be a long-term solution for lost revenues, so budget cuts—of staff, faculty, and programs—have been the next step. Early retirements have been incentivized, jobs have been restructured, and open positions have been removed. University of the Pacific’s McGeorge School of Law is reducing staff from 158 to 85 and enrollment from 1,000 students to 615 by 2015. Golden Gate University School of Law (GGU) decreased its total staff from 220 (part time and full time) to 150 in the fall of 2013.

When Frank Wu was interviewed for the chancellor and dean position five years ago at UC Hastings College of the Law, he was asked about his plans for “dealing with the recession.” His answer, he says, was, “Recession is only part of the problem. The real problem is profound, permanent, ongoing structural change.” Hastings started a firestorm when it announced a 25 percent reduction in class size (from 1,550 to 1,000 over three years) and related staff changes. These aren’t random cuts, something schools are often accused of, but strategic moves. “My goal is not to make it smaller,” says Wu, “but to make it stronger.”

Ultimately, the changes may have positive long-term effects for students. In the short term, however, job prospects for graduates are grim, and the media have fueled the debate between the costs of education and making profits in the profession. Projections from the U.S. Bureau of Labor Statistics indicate the economy can support 22,000 new jobs per year through 2020. The legal industry is down 50,000 jobs since 2008, according to the National Association for Law Placement (NALP), and those jobs are not likely to reappear any time soon.

According to the American Bar Association’s Section of Legal Education and Admissions to the Bar, 56.2 percent of 2012 graduates were employed in full-time, long-term positions that require passing the bar.

HOW YOU CAN HELP

COMMUNICATE

- “Talk with students about your career path,” says GGU’s Rachel Van Cleave. Students and staff benefit when you share your real-world experience.
- Become a mentor.
- “Let us know what you’re seeing in two- to five-year lawyers,” says Van Cleave. As an example, she describes a young lawyer who types a long email, where an older lawyer would say, “I’m three doors down! Just come talk to me!”

NETWORK

- Invite a student to come as your guest to events. Make introductions and network with your colleagues.
- Ask law students to be masters of ceremonies at events (to give them speaking and leadership experience).
- “You don’t have to be the hiring attorney to open the door,” says USF’s John Trasviña. “Hand over a résumé, make connections, create opportunities for students.”

SERVE

- Help with mock interviews.
- Teach adjunct courses at local law schools.
- Contact career services or alumni relations and ask about participating in forums or mentoring programs.

An additional 9.5 percent were employed in long-term, full-time JD-advantage positions, 10.6 percent were unemployed and seeking work (an increase from 9.2 percent for the class of 2011), 3.9 percent took law school-funded positions, and 29 percent of respondents checked “other.” On the NALP site, a recent jobs search for “SF” yielded just four listings: recruitment manager, marketing and business manager, paralegal, and managing attorney, the only listing that required a law degree (and twelve plus years of litigation experience).

“There’s a glut,” says Wu, “too many lawyers and increased competition. As profits increase, law firms are not rushing to rehire staff they laid off; they are doing more work with fewer people.”

For those lucky enough to secure employment, the starting salaries are not going to make much of a dent in their school debts. The median salary for a class of 2012 graduate with a full-time position lasting at least one year was \$61,245. Lawyers in small firms, which account for over half the jobs taken in firms, earn \$50,000 to \$70,000; lawyers in public service/government positions can expect to earn \$52,000.

The impact on diversity is another concern. “Law firms want law schools to produce more [candidates of color],” says Kevin Johnson, dean of the UC Davis School of Law, but since minority students as a group receive lower LSAT scores and can be “shut out” of admissions, there’s potential for a ripple effect. Yet statis-

Bay Area Law School
Annual Tuition
\$48,000
+
Room and Board
\$15,000

Median Salary
for 2012 Law School
Graduate with
Full-time Position
\$61,245

Small Firm Salary
**\$50,000–
\$70,000**

Public Service/
Government Position
\$52,000

\$100,000 +
average
law school
debt

tics indicate there’s some good news: With the reduced number of applicants, minority students have more opportunities for admission and for financial aid. “This is an opportune time to get in to law school!” says Fong, and USF School of Law Dean John Trasviña notes that 52 percent of matriculants entering USF in the fall of 2013 were students of color.

However, minority students face additional challenges once they get into school. There’s a strong correlation between law school grades and passing the bar, and since minority students generally need more academic assistance, they are negatively affected when programs designed for them are cut back. “We need to ask ‘Who is essential?’ We need to be strategic about how we spend money versus just cutting across the board,” says Fong.

Creative Solutions

In December 2013, Standard & Poor’s announced its credit rating analysis of 123 ABA-accredited law schools and summarized, “the strong are becoming stronger or remaining stable while the weak are becoming weaker.” Our respondents have a different perspective: This is an opportunity to be creative. “Businesses must transform themselves into different business models,” Wu says, and “we have to adapt” with what Law School Transparency calls “a total reimagination of the modern law school.”

Changing the standard three-year program into a two-year program plus a one-year internship/externship is not a novel idea, although Presi-

dent Barack Obama added fuel to the fire when he suggested this in a speech last August. “It takes a long time to get things to change, and we need to get the ABA on board,” says Johnson, but a dialogue on that option would be valuable. “Nothing should be off the table,” says Johnson, although he cautions, “the devil is in the details.”

While law schools will continue to provide internships, externships, and clinical programs to help students develop the skills they need and employers want, programs and services are also evolving. Career counselors in the past performed more administrative tasks, such as looking over cover letters and posting jobs; now they’re training students on how to network. “For first-generation students of color, this is essential,” says Fong, for many haven’t had access to resources and mentoring. “Now we are equipping them to succeed, to participate in the process and in the profession,” he says.

GGU is one of about thirty law schools in the United States that prepare students for new ways of practice through mindfulness programs, which include instruction on meditation, reflection, and journaling. “It’s intended to be transformative, and there’s a wait list every term,” says GGU’s Dean Rachel Van Cleave. “Our profession is high stress,” she says, and while “it doesn’t solve the problems of employment or cost of tuition, it provides people with tools to think through problems with a clearer head.”

Administrators are also looking beyond the numbers that may affect their rankings to consider how the changes they are making will affect the profession. Trasviña says that USF essentially ignores the “shut out” factor, instead seeking students who represent the greater community and can serve emerging and diverse communities as attorneys. “Many of these students may be the first [in their families] to go to college and law school,” he says, and instead of looking at their LSAT scores as the primary predictor of their success, “USF looks for other types of skills such as standing up, speaking out, and multitasking, skills that enable them to take on the pressures of law school,” he says.

Meanwhile, is it a bad thing that fewer students are taking the LSAT and applying to law schools? “No,” says Wu. “Law school shouldn’t be the fallback when you don’t know what else to do after undergrad; not everyone should be a

lawyer.” Furthermore, Van Cleave said in a 2013 article (“Future of the Legal Profession,” *Daily Journal*, May 7, 2013), “not all law students aspire to join Big Law. Not all law schools train their students for careers in large law firms to the exclusion of other types of practice.” NALP reported in November 2013 that “over the past 20 years, the percentage of employed law school graduates taking jobs in business and industry has doubled.” So in addition to private practice attorneys, district attorneys, and public defenders, schools need to train future attorneys for high-growth industries such as banking, finance, technology, and e-commerce. Opportunities are also expanding in insurance, management consulting, entertainment and sports management, retail, manufacturing, and health care. According to the ABA, 70 percent of private practice lawyers work in solo practices or small firms (with fewer than twenty lawyers), and they, too, must be equipped to adapt in a rapidly changing professional environment.

“We have to train our students for a lifetime career. They are the California of tomorrow.”

—John Trasviña, Dean, USF School of Law

“We need to be looking back and looking forward to help the men and women who are emerging into the profession,” says Trasviña, and he encourages established attorneys to think back to when they were in law school. “We as attorneys forget all the access and networks we have,” he says, and this is an area in which we can help students, by meeting with them on campus, by inviting them to interact with judges and attorneys at networking events.

“The profession is undergoing major changes that will continue,” says Trasviña, and “we have to train our students for a lifetime career. They are the California of tomorrow.”

“We have to think of them as our future colleagues,” says Van Cleave. And for that reason alone, it’s imperative that our law schools continue to cultivate collegial, professional, prepared, and savvy graduates.

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