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Jan. 3

Goofing Off in Law School

Senior slump is well known to high school teachers, who note that students' preparedness and work ethic seem to disappear about the time that college applications get turned in.

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Perhaps it's because the students who end up in law schools were studying hard in their academic careers up until then, but a [new survey](#) suggests a serious third-year slump afflicts them as they are about to finish their law degrees. By a number of measures, it appears that the longer students are in law school, the less likely they are to be working hard.

The data are from the Law School Survey of Student Engagement, which is being released today as the

Association of American Law Schools kicks off its annual meeting. The survey — like similar national studies of undergraduates at [four-year colleges](#) and at [community colleges](#) — asks a series of questions on student behavior with regard to academic and non-academic life. The Indiana Center for Postsecondary Research, which pioneered the student engagement surveys, conducted the law school study.

Its findings with regard to law students' activities show a steady deterioration during the traditional three years of law school, although third-year students are slightly more likely to participate in class.

Activities and Behaviors Reported by Full-Time Law Students

Activity	First-Year Students	Second-Year Students	Third-Year Students
Came to class with readings and assignments completed	93%	84%	74%
Worked on paper requiring integration of multiple sources	80%	66%	71%
Prepared two or more drafts of paper before turning it in	69%	56%	55%
Worked harder than necessary to meet professor's expectations	61%	49%	46%
Had serious talk with students with different political, religious or social views	70%	68%	65%
Had serious talk with students of different race and ethnicity	61%	59%	58%
Contributed to class discussions	46%	48%	51%
Worked with faculty members on non-class activities (committees, student life, etc.)	64%	49%	47%
Participated in clinical or pro bono project	91%	69%	46%

Given the results, it's probably not surprising that law students also report a decline in the hours they spend studying, as they continue on in law school. First-year, full-time students report spending an average of 21 hours a week reading for class and 10 hours a week engaged in other forms of study. For third-year students, the averages are 13 hours a week for reading and 8 hours for other studying.

In an introductory essay to the study, Alison Grey Anderson, a professor of law emerita at the University of California at Los Angeles, said that the data on the third year of law school “tend to confirm the criticism that the third year is not used effectively.”

Among the other findings in the survey:

- Students who reported having more experience with diversity in law school also reported greater overall satisfaction with their law school experience.
- About one in six students reported never receiving prompt oral or written feedback from faculty members.
- Nine out of ten students incur debt in law school, and of those students, the average debt projected upon graduation is \$77,000.

— [Scott Jaschik](#)

Comments

it comes up every year

This issue comes up like clockwork every year, and since few people actually want to change law school, but seem to delight in calls to make it less intellectual (or shorten it to two years), not much will happen.

But, a couple results of the survey are confusing. In general, the first year of law school is radically different from the last two. Just about everyone (across the country) is taking the same classes, and there is intense competition between students. Papers are rare (I think that first year legal writing classes count as “papers” but I might be wrong.) The second and third year starts to resemble conventional graduate school – with more papers, independent research, etc. — but at most schools, it is still somewhat different.

But, at the same time, in the second and third years, students become more acclimated to working, and don’t fall into time-wasting traps (often set by professors.)

The problem, therefore, is that students are unlikely, in the first year, at most schools to “work on papers requiring integration of multiple sources.” (Some schools require this, but, by far, not most.) Likewise, first year students usually don’t participate in student government activities (but, for the most part, student government in law school isn’t take too seriously). Pro bono (at least within the contexts of the school) and clinical projects are usually off limits to first year students, too. Yet, for some reason, these activities, according to the study, were undertaken by more first year students than second-year students.

Having “serious talks” with people of different ethnicities or political beliefs is overrated. Most of the time “serious talks” are just rap sessions. By the time someone gets to their second year of law school, most people realize that these talks are wastes of time, and if you want to engage in serious dialogue, you can do so in the context of scholarly work (which is much more self-promoting) or litigation.

Larry, at 6:50 am EST on January 3, 2006

Having recently graduated from law school, I am not surprised by the results of the survey. Even beginning in the spring semester of the second year, students become well-versed in how to “prepare” for a typical law school final. In the end, they realize what many 1Ls do not discover until it is too late: because of the way most law school courses are taught, if all you care about is getting a good grade, you rarely need to go to class and could likely get an outline from other students. It is an old adage that going to law school does not prepare you to become a lawyer and I almost entirely agree with that statement. Law schools could easily both give back to the community, provide a rewarding experience for 3Ls and teach how to be a real working attorney if they allowed the third year to essentially be an apprentice year. In other words, provide for nearly full-time, year long clerkships, or internships with nonprofit or government agencies. Let students improve their practical skills rather than taking a class just for the sake of taking it. Students in their 3rd year at law school constantly talk about that 1 class that they took because they just needed a few more credits or it fit in their schedule. This is NOT what they should be wasting \$35,000 on.

David, at 10:27 am EST on January 3, 2006

Few want to change law school??

I disagree that few people want to change law school. I would agree that few who benefit from the status quo want to.

The sole purpose of a law school requirement is to prevent lawyer pay from approaching that of teachers. Without it, law schools would have to compete for students and auto-didacts could sit for the bar exam without supporting law professors in the style to which they are very accustomed (as Lincoln and Clarence Darrow, among other great lawyers did).

Sitting for the bar exam in almost all states (46 if I recall correctly) requires a JD from a law school; in most of these states, the school must be accredited by the ABA. Thus, states have given the inner circle of the lawyers union the absolute right to control access to the union. The ABA’s main requirement is a minimum amount of time spent in class.

Thus, even as the ABA’s own studies show that 80% of the civil legal needs of the poor are not met at all (and that their criminal defense needs are usually “met” by the least qualified and experienced attorneys), the ABA whispers plaintive suggestions that lawyers ought to serve the poor ... forgetting that they barred most of the people who want to do that at the door to the law school (and saddled the rest with \$80k of debt, plus whatever undergrad debt they had).

Meanwhile, state bars have unauthorized practice of law (UPL) committees whose sole function is to prevent anyone from horning in on the monopoly.

So who cares whether third year students self-report working hard? The only point of the third year is to keep those students from the practice of law for another year and to promote more failures on the bar exam (which tests first year law ... although you aren’t allowed to take it after you complete the tested courses).

JMG, at 10:27 am EST on January 3, 2006

Law schools controlled by ABA groups

For an interesting view of law school and how they are controlled by ABA — Janet Donald, “Learning To Think”

<http://www.wiley.com/WileyCDA/WileyTitle/productCd-0787910325.html>

My neighbor's a Top 5 law school grad. LSAT was 99%, Nat'l Merit semi-finalist. Hated law school. Did it to one-up parents; joined dot-com.

Worked hard first year of law school. Last two years — watched movies 90% of time, then crammed last two weeks to get his pass-grade, a la Slick Willie Clinton. He says 3rd year is a joke.

Art D., at 6:29 pm EST on January 3, 2006

Got something to say?

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