

**WHAT ABOUT A
CAREER IN LAW?**

**CAREER DAY
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I. What about Law School?

If you are thinking about law school, you are not alone. More than 100,000 Americans applied to law school in the year 2002 alone. The reasons for doing so were probably numerous. Whatever the reasons, considering law school requires very careful consideration and self-examination.

A legal education has a great deal to offer, but it's not an easy trip. The programs in law school are intense, time consuming and fiercely competitive. They are also very expensive. Tuition costs range from \$10,000 to \$15,000 per year for a state school and up to \$30,000 to \$40,000 per year at a private institution. By the time of graduation, many aspiring lawyers are stuck with huge bills to pay back which will place limitations on their career choices.

The typical law student graduate may choose from an array of careers including private practice public, public policy, foundation work, public interest and advocacy groups. Banks, Consulting Firms and Corporations employ lawyers. Private law firms do everything from litigation to tax law, real estate law, intellectual property and government lobbying and regulation. A law degree is often thought to cut through all the red tape associated with starting your own business. But, how will you know that a career in law is appropriate for you?

Before applying to law school or entering law school, you might consider the possibility of taking a law class or two at a near by law school. It will certainly give you a better idea of whether you are suited for the work, whether you enjoy the work and whether you are likely to be successful in law school. Even if not pursuing a career in law, some have suggested that if you enjoy the world of ideas, then you don't need to worry about whether you want to be a practicing lawyer or whether you want to go into politics, business, or non-profit legal work etc. If the idea of law or law school feels right, then it might be the right thing for you.

Statistics from a couple of years ago indicate that the average full time law student spends more than a \$125,000 to attend law school. Statistics also indicate that the average law student graduates with over \$80,000 of debt yet the median income for law school graduates is initially only about \$60,000. You should also consider the fact that while students who excel in law school may have opportunities to earn well over \$100,000 just out of law school, those positions are not available to the typical law student. And, only law students who excel academically have opportunities to obtain prestigious judicial clerk positions and distinguished government jobs.

II. Deciding on a career in law

If you ultimately make the decision to attend law school, be sure that it is a decision that you have made for yourself. Do not go to law school because of family pressures. Do not let anyone make that decision for you. You also need to have realistic

expectations about what you are getting into. Law school is very intensive and many lawyers regret their decisions to attend law school and practice law. The practice of law is not for everyone.

You might wish to consider some of the qualities that you have that would make you a good lawyer. Are you a tough as nails negotiator? Are you a good writer? Do you enjoy research? Are you willing to work in a rigid, less creative environment? Are you quick on your feet and comfortable speaking in public? Are you willing to work long hours for years in order to work your way up in the profession? If your only thought is: “I will attend law school and get a degree and then decide if I am interested in practicing law”, that would be an expensive tour. Perhaps you could spend your time and money better elsewhere.

There are several incorrect reasons to choose law school. If you are thinking “I have nothing better to do with my history, English or political science degree” that alone is not a good reason. If you are thinking, “I will be making six figures before I hit thirty” that is certainly not a sufficient reason to go into the law field. If you are thinking, “my family wants me to be a lawyer”, this is also not a valid reason to go to law school.

Before deciding on a career in law, speak with lawyers who became dissatisfied with the profession and left the field. Speak with lawyers who are happy with their decision. Find out how they got to where they are today. Find out how they spend their day and what type of work they do. You may even consider an internship or summer

position of some type. If you are side by side with lawyers, you will find out what they really do.

While a corporate lawyer may well earn over a \$100,000 per year in their first year in a private firm, that person may also work 12 or more hours a day, 6 or 7 days a week. Those interested in public interest law can expect a starting salary of perhaps \$40,000 per year or below.

This is what a few people who chose the law field have had to say looking back on their experience:

“Looking back it is amazing to me that I never talked to any lawyers before I made my decision to go to law school. It would have been nice to know more about how litigation worked. I was surprised at how all consuming it can be. I have thought about my cases and clients all the time. I didn’t spend much time thinking about whether I could enjoy reading things like cases and statutes for hours on end. I should have taken a week and gone down to the local library to read random cases and the endless stacks of books. Then I would have had a clue.”

Here's another:

“I went to law school without any plans to practice law. If I could do it again I would assess whether and how having a law degree would likely benefit me in a non-legal profession.”

And another:

“I have enjoyed aspects of practicing and I have intensely disliked other aspects of my previous law job. Now as an Owner/Partner of my own firm, I am happy being a lawyer.”

III. What Lawyers really do

One of the things lawyers do to some extent is compete with each other for business. America has 281 lawyers for every 100,000 people compared to Britain, with 94, 33 in France and merely 7 in Japan. While as a result Americans have a certain contempt for the vast mass of lawyers in this country, those countries at the lower end of the spectrum with the fewest lawyers typically are those with the fewest individual rights. Consider what life must be like in countries with very few lawyers like, Zimbabwe, Nigeria, Iran, Iraq and China. You can only guess how few lawyers they have and what little those lawyers are able to do for their clients.

Lawyers are involved in this country in many of the things that make the United States a great and dynamic country. They include mergers and acquisitions, stock issuance, debt issuance, civil rights, criminal rights, constitutional law and tax law. There probably are too many lawyers in this country. But, perhaps it is much better than countries that do not have enough. In terms of what lawyers actually do, there are many areas lawyers are engaged in.

26 United States Presidents were lawyers before becoming presidents. Lawyers also sit in legislatures. They become senators, mayors, and governors and have power and influence throughout our land. Lawyers have the power to challenge injustice. They have the power to change society, and they have the power to help those in need. Lawyers have the power to make lasting contributions to the betterment of our communities and our world. They also have the power to heal.

IV. Great lawyers in history

Why do I say lawyers have the power to heal? Like professionals in the clergy, they take an oath that includes faithfully representing their clients and also maintaining their confidences and preserving as inviolate their communication. Some lawyers undertake to represent the oppressed, the defenseless, the disempowered and their just causes without regard for considerations personal to themselves. All lawyers take an oath to uphold the rule of law.

Lawyers have the power to heal the wounds of injustice. They have the power to right wrongs and to ensure that they never happen again. It is often true in times of pain and need that individuals are most needing of lawyers. As a result, the practice of law is not merely a job. It is a calling. It is a calling to serve the public. This is particularly true if the power is used for good by utilizing the opportunity to eliminate inequities and injustice that can make life unnecessarily harsh for some and unnecessarily or inappropriately beneficial for others.

India's Mohandas Gandhi was a lawyer by training. He suggested that, "the true function of a lawyer is to unite parties riven asunder." A great healer, he was able to overcome the might of the well-armed British army and led his country towards independence.

U.S. President and lawyer Franklin Roosevelt healed our nation. He brought faith and hope to millions at a time when they needed it most. His new deal developed a social safety net of assistance to those who needed it.

Thurgood Marshall helped heal a nation suffering from a legacy of discrimination. His most memorable victory was in the case of Brown vs. Board of Education. That case may be the most important legal case of the past century.

When I think of great lawyers, I do not think of television characters, lawyers books which have become very fashionable of late or any other Hollywood inventions. I

think of individuals like Clarence Darrow, William Jennings Bryan and Abraham Lincoln.

Many of you have studied in class that the Scopes “monkey” trial was a court case in Tennessee in 1925 involving the teaching of evolution in public schools. The statute was passed in March of 1925 in Tennessee that prohibited teaching in public schools of the views contrary to the accepted interpretations of the biblical account of human creation. John T. Scopes, the biology teacher in question, was represented by Clarence Darrow, one of the most renowned trial lawyers in American history. Williams Jennings Bryan assisted the prosecution. Bryan was a brilliant lawyer and orator. He had unsuccessfully run for President of the United States on three occasions.

Thanks to the brilliance of both of these lawyers, these issues of great significance to American society were highlighted in the most eloquent public fashion imaginable. The great public outcry and immense coverage of the case had a tendency to discourage the enactment of legislation in other states that was similar to the Tennessee statute on trial.

V. Abraham Lincoln was known as a great trial lawyer

Perhaps one of America’s greatest lawyers was Abraham Lincoln. Lincoln practiced law for nearly twenty-five years in the Illinois courts. He had several law partners and his last partner was a gentleman by the name of William Herndon. After

Lincoln had been nominated for President of the United States in May of 1860, he still continued to handle cases in Federal Court in Springfield. After he had won the election for the President of the United States, he wrapped up his legal business with his law partner and left for Washington in February of 1861. But, according to Herndon, Lincoln wanted the partnership sign on their law office to hang undisturbed and “give our clients to understand that the election of a President makes no change in the firm of Lincoln and Herndon”. He reportedly told Herndon that, “if I live I’m coming back, and then we’ll go right on practicing law as if nothing had ever happened”.

Lincoln’s legal career did not consist entirely of litigation matters. As most lawyers of that day, he could not possibly make a living just handling court cases. He was a general practitioner by today’s standards. He handled real estate matters, tax matters, and numerous other matters for clients of a general nature. His litigation matters could be considerably more remunerative. In those days, Lincoln generally charged clients \$5 - \$10 or perhaps \$20 for handling the legal matter. It was reported that in one 1838 murder case that Lincoln charged \$500, a huge sum for that day and time.

About litigation, Lincoln had this to say: “Discourage litigation, persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser in fees, expenses, and waste of time. As a peacemaker, the lawyer has a superior opportunity of being a good man. There will still be business enough.”

Many of you may not be aware of the fact that Lincoln was regarded as a great trial lawyer. His hallmark was perhaps his sheer doggedness in the preparation of his cases for trial. Numerous of his trial victories are still the stuff of legend.

Among them was a case generally referred to as the “Chicken Bone” case. What led up to the case was that a fire broke out in a livery stable and destroyed two buildings in the block south of Illinois’ McLean County Courthouse. One man was killed. Another person, Samuel Fleming, suffered burns and two broken thighs. Mr. Fleming had his legs set by two local doctors. They did so perhaps not in the best fashion because they doubted that he would live. Surprisingly, Fleming lived. When the doctors removed the splints, they found that his right leg was crooked. He sued the doctors seeking \$10,000 in damages. A great public sentiment rose in favor of Fleming. The defense gained a change of venue to the Logan County Circuit Court because the minds of the inhabitants of McLean County were apparently already made up.

The case is referred to as the “Chicken Bone” case because in illustrating to the Jury that Fleming’s recovery was normal and that bones became brittle with age, he used a chicken bone and explained, “This bone has the starch all taken out of it.” During the trial, Lincoln asked Fleming if he could walk, Fleming replied, “Yes, but my leg is short so I have to limp.” In his memorable closing argument to the jury, Lincoln concluded by saying “Well! What I would advise you to do is get down on your knees and thank your heavenly father and also these two doctors that you have any legs to stand on at all.”

In another famous case, referred to as the “Almanac Trial”, Lincoln has been remembered for his brilliant preparation and cross-examination of the prosecution’s star witness. In that criminal case, William “Duff” Armstrong had allegedly struck James Metzker a fatal blow with a slingshot. The prosecution’s star witness was Charles Allen, who testified under direct examination that he had seen Armstrong strike Metzker. Lincoln found eyewitness’ who would testify that although Armstrong had attacked Metzker, he had done so harmlessly and with his bare hands. Lincoln also introduced the owner of the alleged murder weapon to testify that the weapon had been in his possession at the time of the so-called murder. Finally, Lincoln called the prosecution’s own star witness to the stand for cross-examination. The star witness testified that he had seen the assault under a high moon. Lincoln then introduced an almanac from his briefcase. The almanac showed that the moon had set shortly after the time the star witness said the moon was at its highest point. Reportedly, the courtroom exploded in laughter. The prosecution’s case was reduced to a laughing stock. The jury concluded its deliberations in short order with a verdict of acquittal. The trial’s concluding examination has been described as follows:

Lincoln withdrew a blue-covered almanac from his back pocket, opened it slowly to the astronomy table for the night in question and placed it before the witness. Lincoln then continued with his cross-examination...

Q: Does not the almanac say that on August 28th the moon was barely past the first quarter instead of being full?

A: (No audible answer from the witness)

Q: Does not the almanac also say that the moon had disappeared by eleven o'clock?

A: (No audible answer from the witness)

Q: Is it not a fact that it was too dark to see anything from so far away, let alone one-hundred fifty feet?

A: (No audible answer from the witness)

VI. Find your calling – not a job

Each of us should be so fortunate as to find a calling that we are so passionate about that we look forward to each day. If you can find something you feel you were born to do and have been drawn to as if you feel that is why you were placed here in this world, you will surely have a full life. You will not be without customers. You will make a handsome living, though perhaps no more than you should, given the service you provide. This result will serve you better than planning your life by someone else's design or moral compass.

I am reminded of a friend of mine in Northern Virginia who began his career in one field but was drawn to the legal profession until he could not longer deny his natural inclinations.

Gerry Schwartz was a graduate from Pharmacy School. He became intrigued by the law and attended American University Law School at night. Armed with his background in science, he took a position in the U.S. Patent Office. He rose to a high-level position, but as he said: “I saw a Helen Keller poster ‘Life is an adventure or it is nothing at all’. I would walk by the Alexandria courthouse and say ‘I want to be doing this’. I had a high level position, and it was difficult to do, but one day I just left and did what I wanted to do...It was the best decision I ever made.” That was 30 years ago. Two weeks ago, Schwartz became President of the Virginia Trial Lawyers Association. At the time, Schwartz said, “It’s a great honor to be president of VTLA because it’s done so much for me, and [now] I want to help others.”

Whatever your career choice is, be certain they are careers of service to others in some fashion. Should you choose a career in law, make it a decision of your own. Make it a decision that allows you to follow the law as a calling rather a merely for financial concerns. Learn from and follow the examples of other lawyers of our time or in history. These examples are well worth remembering.

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