

Chapter 2: Becoming a Lawyer

A legal education is both challenging and rewarding. You will develop your analytical, synthesizing, creative, and logical thinking skills, and you will strengthen your reading and debating abilities. A legal education is necessary to become a lawyer in the United States, but it is also excellent preparation for many other careers, both

because of the framework for organizing knowledge it provides and the analytical approach it brings to problems. Many teachers, business people, and writers first obtained a legal education before pursuing careers other than law.

■ Preparing for Law School

Statement on Prelaw Preparation

What follows are excerpts from a statement on preparation for legal education drafted by the Prelaw Committee of the ABA Section of Legal Education and Admissions to the Bar. It addresses the course of study and skills necessary to obtain admission into law school and to be a successful lawyer.

Students who are successful in law school, and who become accomplished attorneys or use their legal education successfully in other areas of professional life, come to their legal education from widely differing educational and experiential backgrounds. As undergraduate students, some have majored in subjects that are traditionally considered paths to law school, such as history, English, philosophy, political science, economics, or business. Other successful law students, however, have focused their undergraduate studies in areas as diverse as art, music theory, computer science, engineering, nursing, or education. Many law students enter law school directly from their undergraduate studies and without having had any substantial work experience. Others begin their legal education significantly later in life, and they bring to their law school education the insights and perspectives gained from those life experiences.

Thus the ABA does not recommend any particular group of undergraduate majors or courses that should be taken by those wishing to prepare for legal education; the law is too multifaceted, and the human mind too adaptable, to permit such a linear approach to preparing for law school or the practice of law. Nonetheless, there are important skills and values, and significant bodies of knowledge, that can be acquired prior to law school and that will provide a sound foundation for a sophisticated legal education. Even though a student may well be able to acquire in law school some specific fundamental skills and knowledge that the student's prelaw school experience has not provided, the student who comes to law school lacking a broad range of basic skills and knowledge will face an extremely difficult task.

Prospective law students should also consult closely with the prelaw advisor at their undergraduate institution. That individual may be able to assist current students in selecting courses or professors that will particularly assist in developing the skills and

knowledge foundation that is emphasized in this statement. Taking difficult courses from demanding instructors is the best generic preparation for legal education. The prelaw advisor can also assist current and former students in choosing law schools to which to apply that are appropriate in light of a prospective student's interests and credentials. Finally, prospective law students should also consult the publications and admissions personnel of the schools to which they are considering applying for any specific recommendations that individual schools may have concerning preparation for law school.

Skills and Values

The core skills and values that are essential for competent lawyering include analytic and problem-solving skills, critical reading abilities, writing skills, oral communication and listening abilities, general research skills, task organization and management skills, and the values of serving faithfully the interests of others while also promoting justice.* Thus, individuals who wish to prepare adequately for legal education, and for a career in law or for other professional service that involves the use of lawyering skills, should seek educational, extracurricular, and life experiences that will assist them in developing those attributes. Some brief comments about each of the listed skills and values follow.

Analytic and Problem-Solving Skills

Students should seek courses and other experiences that will engage them in critical thinking about important issues, that will engender in them tolerance for uncertainty, and that will give them experience in structuring and evaluating arguments for and against propositions that are susceptible to reasoned debate. Students also should seek courses and other experiences that require them to apply previously developed principles or theories to new situations and that demand that they develop solutions to new problems. The law school experience will develop and refine those crucial skills, but one must enter law school with a reasonably well developed set of analytic and problem-solving abilities.

Critical Reading Abilities

Preparation for legal education should include substantial experience at close reading and critical analysis of complex textual material, for much of what law students and attorneys do involves careful reading and sophisticated comprehension of judicial opinions, statutes, documents, and other written materials. As with the other skills discussed, the requisite critical reading abilities may be acquired in a wide range of experiences, including the close reading of complex material in literature, political or economic theory, philosophy, or history. The particular nature of the materials examined is not crucial; what is important is that law school not be the first time that a student has been rigorously engaged in the enterprise of carefully reading and understanding, and critically analyzing, complex written material of substantial length. Potential law students should also be aware that the study and practice of law require the ability to read and assimilate large amounts of material, often in a short period of time.

Writing Skills

Those seeking to prepare for legal education should develop a high degree of skill at written communication. Language is the most important tool of a lawyer, and lawyers must learn to express themselves clearly and concisely. Legal education provides good training in writing, and particularly in the specific techniques and forms of written expression that are common in the law. Fundamental writing skills, however, should be acquired and refined before one enters law school. Those preparing for legal education should seek as many experiences as possible that will require rigorous and analytical writing, including preparing original pieces of substantial length and revising written work in response to constructive criticism.

Oral Communication and Listening Abilities

The ability to speak clearly and persuasively is another skill that is essential to success in law school and the practice of law. Lawyers also must have excellent listening skills if they are to understand their clients and others with whom they must interact daily. As with writing skills, legal education provides excellent opportunities for refining oral communication skills, and particularly for practicing the forms and techniques of oral expression that are most common in the practice of law. Before coming to law school, however, individuals should seek to develop their basic speaking and listening skills, such as by engaging in debate, making formal presentations in class, or speaking before groups in school, the community, or the workplace.

General Research Skills

Although there are many research sources and techniques that are specific to the law, an individual need not

have developed any familiarity with these specific skills or materials before entering law school. However, the individual who comes to law school without ever having undertaken a project that requires significant library research and the analysis of large amounts of information obtained from that research will be at a severe disadvantage. Those wishing to prepare for legal education should select courses and seek experiences that will require them to plan a research strategy, to undertake substantial library research, and to analyze, organize, and present a reasonably large amount of material. A basic ability to use a personal computer is also increasingly important for law students, both for word processing and for computerized legal research.

Task Organization and Management Skills

The study and practice of law require the ability to organize large amounts of information, to identify objectives, and to create a structure for applying that information in an efficient way in order to achieve desired results. Many law school courses, for example, are graded primarily on the basis of one examination at the end of the course, and many projects in the practice of law require the compilation of large amounts of information from a wide variety of sources, frequently over relatively brief periods of time. Thus those entering law school must be prepared to organize and assimilate large amounts of information in a manner that facilitates the recall and application of that information in an effective and efficient manner. Some of the requisite experience can be obtained through undertaking school projects that require substantial research and writing, or through the preparation of major reports for an employer, a school, or a civic organization.

Serving Others and Promoting Justice

Each member of the legal profession should be dedicated both to the objectives of serving others honestly, competently, and responsibly, and to the goals of improving fairness and the quality of justice in the legal system. Those thinking of entering this profession would be well served by having some significant experience, before coming to law school, in which they devoted substantial effort toward assisting others. Participation in public service projects or similar efforts at achieving objectives established for common purposes can be particularly helpful.

Knowledge

In addition to these fundamental skills and values, there are some basic areas of knowledge that are important to a sophisticated legal education and to the development of a competent attorney. As law becomes more pervasive in our society, an increasingly broad range of knowledge and information from other disciplines become relevant in order to have a full appreciation of the legal system in

general, to understand how disputes might be resolved, to understand and apply various legal principles and standards, and to appreciate the context in which a legal problem or dispute arises. Some of the types of knowledge that are most useful, and that would most pervasively affect one's ability to derive the maximum benefit from legal education, include the following:

- A broad understanding of history, particularly American history, and the various factors (social, political, economic, and cultural) that have influenced the development of the pluralistic society that presently exists in the United States;
- A fundamental understanding of political thought and theory, and of the contemporary American political system;
- A basic understanding of ethical theory and theories of justice;
- A grounding in economics, particularly elementary microeconomic theory, and an understanding of the interaction between economic theory and public policy;

■ Other Resources

For a selected list of books, audiocassettes, and video programs pertaining to legal education and the legal profession, see Resources for the Prelaw Candidate, Appendix D, or go to Law School Resources/Resources

■ The Juris Doctor Degree

ABA-approved law schools generally require three years of full-time study to earn the Juris Doctor (JD) degree. Most schools with part-time programs require four years of part-time study to earn the JD degree. Most law schools share a common approach to training lawyers. However, they differ in the emphasis they give to certain subjects and teaching methods, such as opportunities for independent study, legal internships, participation in clinical programs, and involvement with governmental affairs.

Law school can be an intense, competitive environment. Students have little time for other interests, especially during the first year of law school. The ABA requires that no full-time student hold an outside job for more than 20 hours a week. Most schools encourage their students to become totally immersed in reading, discussing, and thinking about the law.

- Some basic mathematical and financial skills, such as an understanding of basic precalculus mathematics and an ability to analyze financial data;
- A basic understanding of human behavior and social interaction; and
- An understanding of diverse cultures within and beyond the United States, of international institutions and issues, and of the increasing interdependence of the nations and communities within our world.

As law has become more woven into the fabric of our society, and as that society is increasingly influenced by disparate national and global forces, a broad knowledge base is essential for success in law school and for competence in the legal profession. Knowledge of specific areas of law can and will be acquired during a good legal education, but students must come to law school with much fundamental knowledge upon which legal education can build.

*These core skill and value areas are drawn, in substantial part, from the Statement of Skills and Values contained in the 1992 Report of the American Bar Association Task Force on Law Schools and the Profession, *Legal Education and Professional Development—An Educational Continuum*.

for the Prelaw Candidate on LSAC's website, www.LSAC.org. Also included in the list are biographies and books on jurisprudence and legal issues.

The First Year

The newness of the first year of law school is exciting for many and anxiety-provoking for almost all. Professors expect you to be prepared in class, but in most courses, grades will be determined primarily from examinations administered at the end of the semester or, at some schools, the end of the year. The professor may give little feedback until the final examination.

The Case Method Approach

The "case method" is what first-year law students are likely to find least familiar. By focusing on the underlying principles that shape the law's approach to different situations, you will learn to distinguish among subtly different legal results and to identify the critical factors that determine a particular outcome. Once these