To Failure And Back: How Law Rescued Me From The Depths

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ABSTRACT. This Article considers some of the reasons that attorneys have an overly acute sense of frustration in their chosen profession. It also takes a periodic look at some of the same struggles that I went through as a member of the accounting profession. Ironically, while some attorneys look at their journey through law as their ticket to the depths of professional hell, it was my own journey through law that ultimately rescued me from my own professional hell. Next, this Article examines some career-changing (and life-altering) decisions, which can ultimately lead to a more rewarding life and career. Finally, I offer my own opinion regarding what one can do to make one’s experience—in law school and in a career—rewarding.

I. INTRODUCTION ........................................... 569

II. THE LAW SCHOOL EXPERIENCE .......................... 570
   A. The Competitive Aspects of Law School ............. 570
      1. The Competition Between Student and Professor ....................................... 571
      2. The Competition Between Students ..................... 575
   B. How “Thinking Like a Lawyer” Can Cause a Student to Compromise His Personal Ideals ................. 577
   C. The Quest for Grades........................................... 579

III. WHAT HAPPENS IN ACTUAL LAW PRACTICE .......... 582
   A. Competition Between Attorneys ......................... 582
   B. Trying to Find that Glamorous “Dream Job” ...... 585
      1. My Experience as an Accountant Looking for Such a Dream Job .............................. 585
      2. How Attorneys are Taken in by the Lure of the Glamorous Dream Job .................. 586
   C. The Bad, No, TERRIBLE Public Perception of Attorneys ........................................... 588

IV. THE REALITY OF CAREER FRUSTRATION ............... 590
   A. The Routine Daily Grind ................................. 590
   B. How the Job Becomes All Consuming .................. 590
C. How Employers Can Be Adversarial to an  
Employee’s Personal Life ........................... 591 R
D. How One Can Become Hopelessly Trapped ........ 592 R
  1. Trying for Partnership Status—and Not Getting  
     There ............................................. 595 R
  2. The Curse of Billable Hours ............................ 596 R
  3. My Experience Stuck on the Career Treadmill  .. 599 R
E. Is Law Practice Really That Bad? .................... 600 R
V. Finding Career Satisfaction ............................. 604 R
  A. Getting Off the Treadmill ............................ 604 R
  B. Starting Over, if Necessary .......................... 605 R
  C. Rediscovering that There is More to Life than the  
     Job ................................................ 607 R
  D. One Can Actually Enjoy One’s Career ............. 608 R
VI. My Experience: Before and After Law School .... 609 R
  A. My Suggestions for Law Students: Before and After  
     Law School ........................................... 611 R
     1. Law School Can Be Fun .......................... 612 R
     2. Setting a Study Schedule and Sticking to It .... 614 R
     3. How to Handle Law School Exams: Before and  
        After ............................................ 615 R
     4. Don’t Worry About the Competition While in  
        Law School ...................................... 616 R
     5. Follow Your Instincts in Making Career  
        Choices ......................................... 618 R
VII. Conclusion ............................................ 618 R
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I. INTRODUCTION

One of the biggest problems confronting the legal profession today is that many attorneys feel acute dissatisfaction with their chosen profession. In more than a few instances, career frustrations have led to alcoholism, depression, substance abuse, and even suicide attempts.1 This essay looks at several sources of this problem. These sources include, but are not limited to: (1) the academic pressures of law school, (2) the competitive tensions during and after law school, (3) trying to find the dream job, (4) career stagnation, and (5) the profession’s bad public image.

This Article also looks at similar experiences in my professional life. Prior to attending law school, I was an accountant. Although I never resorted to alcoholism or substance abuse, I went through a similar dissatisfaction with my chosen profession.

Lastly, this Article looks at how my experience in law school helped me make the transition from career failure to career success and offers my own advice regarding how one can also find academic and career success.


II. **The Law School Experience**

A. *The Competitive Aspects of Law School*

For some students, law school can be a rather mercenary experience. It is in law school where one learns that much of legal life—both during and after law school—is adversarial. Consequently, law school can easily lead one into a mentality of *me against the world*, where every person with whom one comes into contact with is not a colleague or potential friend, but more likely an opponent who must be defeated.\(^2\)

For example:

*Thinking “like a lawyer”—defining people (or “parties”) primarily according to their legal rights, and trying to understand, prevent, or resolve problems by linear application of legal rules to those rights, usually adopting a zero-sum competitive approach to outcomes. This process requires the closest scrutiny of spoken and written thought to identify any defect that may undermine an adversary’s position or create future problems for one’s client. Thinking “like a lawyer” is fundamentally negative; it is critical, pessimistic, and depersonalizing. It is a damaging paradigm in law schools because it is usually conveyed, and understood, as a new and superior way of thinking, rather than an important but strictly limited legal tool.*\(^3\)

All of these paradigms share a powerfully atomistic worldview and a zero-sum message about life in the law and in law school. For every winner there is a loser, and if anything beyond winning or losing matters, it doesn’t matter much. The theme for law students is consistent: you must work very, very hard, and you must excel in the competition for grades and honors, in order to feel good about what you have done, have the respect of your teachers and peers, get a desirable job, and generally be successful. We see these themes dominating the minds

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\(^3\) *Id.*
of students almost from the instant of their arrival on campus; and as students take on the typically daunting workloads under these competitive pressures, we often see fatigue and anxiety replacing enthusiasm and life satisfaction. All is building toward the day of reckoning, the posting of first-semester grades (and, secondarily, law review selections).4

1. The Competition Between Student and Professor

One perceived level of competition lies in the relationship between students and professors. Scholars define the Socratic method of legal education, credited to the Greek philosopher Socrates, at least theoretically, as a pedagogical method of instruction in which students better learn a subject by answering a series of pointed questions as opposed to merely being given the answers.5 Former Harvard Law professor, Christopher Columbus Langdell, expanded Socrates’ pedagogical philosophy into the well-known case method.6 The case method—also known as the Socratic method—is the pedagogical tool in which many law students, myself included, have found themselves interrogated with a seemingly inordinate number of questions by a professor in reference to a case being discussed in class. For example:

Mr. Jones, can you please tell us the facts in the case of . . . ? Mr. Jones, what was the issue confronting the court in the case of . . . ? Now, Mr. Jones, do you think the court was correct in finding that . . . ? I see. Well, Mr. Jones, what would you have the court do instead?7

4 Id.
Many students in law school consider the Socratic method to be an instrument of highly palpable fear. This method causes a student to dread his eventual turn being interrogated by the professor, during which he is likely to be proven wrong and shown up by the professor at every turn.

But Mr. Jones, now I am confused. You are telling us that . . . . Whereas, a few moments ago, you told us that . . . . Which is it, Mr. Jones . . . ? What do you mean you’re not sure, Mr. Jones? Not sure about what? Well then, let me change the facts a bit for you, Mr. Jones . . . .

Thus, the Socratic method of legal education has led many students to believe that the professor is more interested in crushing the student classroom debate than in giving constructive legal instruction. Adding insult to injury, the professor usually does not give a definitive answer either way.

Even more subversive is the style of inquisition. Just as in Spain in the Middle Ages or in Stalin’s Gulag, if you should miraculously manage to produce a right answer, it will never be sufficient. You will always be questioned further through the use of ever more recondite hypotheticals, until you inevitably fail. For in this game of Socratic Madness, you are only allowed to play two roles—fall guy or straight man—depending on whether the professor casts himself or herself as prosecutor/persecutor or as the suave master of subtle nuance and gentle mockery. Either way, the result will be the same. The

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8 See id. at 1685 (“[T]he anxiety of the first-year law student at his incomprehension of the law . . . . is redirected at . . . . the law professors and their Socratic technique.”).
9 See id. at 1683-84 ("In the true law school Socratic method, the student is always wrong.").
10 Id. at 1983.
Gilmore 573

professor will have the last word. And you will feel used and foolish.\textsuperscript{12}

In his article \textit{You Make Me [Sic]: Confessions of a Sadistic Law Review Editor},\textsuperscript{13} J.C. Oleson describes law review as an opportunity for revenge against law professors who may have humiliated students during classes for the aforementioned reasons.\textsuperscript{14}

It’s payback. As a law student, an editor has inevitably endured humiliation and embarrassment at the hands of his or her professors. Whenever a student is called upon in class by some tyrannical would-be Kingsfield, and blunders through the description of a case with a voice that quakes like puberty, it leaves a mental scar.\textsuperscript{15} The law review, however, affords members the unique opportunity to reclaim some of the personhood that has been stripped from them throughout the first-year curriculum and to punish those who have humiliated them. Revenge is wrought with red pens. By eviscerating the written work of these authors (law professors), editors (law students) can convince themselves that the humiliation of the classroom and the mediocre grades do not matter. Each correction that an editor makes to a manuscript subordinates the author (demonstrating his or her fallibility) and thereby exalts the editor (demonstrating his or her ability). While it’s unlikely that law review editors will have the opportunity to torture the same professors who embarrassed them in class, they will have many opportunities to antagonize other law professors (who presumably humiliate law students at their own universities). There is a certain malignant symmetry to the process. It may seem like wanton sport to the authors

\textsuperscript{12} Ralph Warner et al., \textit{29 Reasons Not To Go To Law School} 50 (4th ed., 2d prtg. 1996).
\textsuperscript{14} Id. at 1145.
\textsuperscript{15} Id.
who have been victimized by the striver’s sadism, but in many an editor’s dark heart, it feels like justice.\textsuperscript{16}

When I started law school, I was thirty-one years old, and I was a former accountant with several years of corporate life already behind me. Because of this, I was reasonably sure that I was not going to be intimidated by the law school experience. One way in which my corporate experience helped me was in my ability to withstand the Socratic line of questioning. This is not to say that I had the right answer every single time, but rather I was not irrevocably crushed every time I found myself on the wrong end of Socratic questioning. Having been through one corporate inquisition after another and taking heat for things for which I was not always responsible, answering questions in law school did not seem to be such a big deal.

For example, my Constitutional Law professor was a former judge who was as tough as they come, and her reputation certainly preceded her. If you were not prepared, or your work product was not up to par, she would let you know quickly and firmly. One day, I was called on to brief a case in class. The dialogue went well until I answered a question that was not exactly to her liking. Her sardonic response: “That was a brilliant answer, but it was completely unresponsive. Now does somebody have a clue regarding the question I just asked?” Needless to say, that stung. Several of my classmates even came up to me and offered their sympathy. But I was able to shake it off. When class met the next day, I avenged the previous day’s affront with (if you will pardon the baseball analogy) a big hit of my own. I was called on to brief another case. This time, the Socratic dialogue went well. When I finished, the professor asked me if there was anything I would like to add. I responded, “Well, since I don’t want to get slapped around again for sounding unresponsive, I’ll quit while I’m ahead.” The rest of the class held its breath anticipating a street brawl, but the professor gave me a knowing smile that said implicitly, “Nice going—I am glad to see somebody stand his ground.” This incident confirmed for me, a second career law student, that one need not treat Socratic questioning as inevitable doom. In my opinion, there are two foolproof ways to keep potential Socratic trauma to a minimum. First, it is (obviously) imperative that a law student be prepared

\textsuperscript{16} Id.
for every class. Second, if done correctly, a little self-confidence will go a long way toward showing that a student will not be intimidated and will stand up for himself, even if it means disagreeing with a professor during class.

2. The Competition Between Students

Another perceived level of competition is between the students themselves.\textsuperscript{17} At first-year orientation, the oft-quoted maxim says “look to the student on your left and the student on your right: one of you will not be back next year.”\textsuperscript{18} This is not exactly the most reassuring thought one wants to have when starting law school. Now the seed has been planted where one’s survival is not based so much on one’s own success, but on someone else’s failure.

Students obviously may be set up for continuing problems by this overriding emphasis on differentiation, contingent worth, and competitive outcomes. The overall impact is isolating and threatening. In addition, those who succeed in the grades race are likely to experience a performance-based boost in their sense of personal worth, confidence, and security. They feel valued by the institutional culture, and they may be driven to reproduce such victories to maintain these feelings and the sense of relief that accompanies them. Those who falter in the competition by receiving less-than-stellar grades often become thoroughly deflated; their sense of confidence, security, and personal worth plummets.\textsuperscript{19}

\begin{footnotesize}
\begin{enumerate}
\item[17] See Rebecca Flanagan, \textit{Lucifer Goes to Law School: Towards Explaining and Minimizing Law Student Peer-to-Peer Harassment and Intimidation}, 47 WASHBURN L.J. 453, 460 (2008) (noting intense competition causes even friends to become distrustful of each other’s motives); see also HERBERT N. RAMY, \textit{SUCCEEDING IN LAW SCHOOL} 30 (2006) (explaining the most prestigious legal positions are often awarded to those with the highest first-year grades, creating a “frenzied approach to studying”).
\item[19] Krieger, \textit{supra} note 2, at 118.
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Not only can one’s law school grades potentially be based on just one throw of the dice (the final exam and nothing else), but the grading process inevitably pits one student against another.20

Students will be graded on a curve. This is tremendously important because it severely undercuts the only method that most students have ever known for surviving in troubled educational waters: banding together and pooling their knowledge. With a curve in place, it is inevitable that one person’s success is another’s failure, so the gamesmanship response is to pretend to be cooperating with others while secretly withholding critical information.21

Much to my discredit, I admit, I have done the same thing. One situation occurred when our class was to write a comprehensive paper which counted for a significant part of our Constitutional Law grade. Part of the paper required a case history on certain selected cases. It took me seventy-two sleepless hours just to do the case history, and my overall paper would have been worthless without it. Two days before the paper was due, one of my classmates asked me if I had finished the case history, and I told him that I had finished everything. He then asked me if I could give him a little guidance regarding the case history. I gave him a little bit of information, but I was not about to give him all of the details. After all, I had already sweated over this project and fulfilled my obligation. Consequently, I was not about to let anyone else ride my back to the finish line. For better or worse, my feeling was that I was not about to do his work for him. I did the work. Let him do his share. Was this a rationalization for my withholding certain information that I fought long and hard to find? In retrospect it probably was, especially since I had the finished product in my hand and did not want him to see it.

21 Id.
B. How “Thinking Like a Lawyer” Can Cause a Student to Compromise His Personal Ideals

When starting law school, the typical student has his own ingrained ideas about right and wrong, and what justice really is. Of course, much of this is based on the student’s upbringing, intuition, and general life experience before law school. However, law school is unfortunately notorious for making a student think like a lawyer, often to the exclusion of the student’s own ideals and intuition. In addition, how a student might feel about a given situation is almost always summarily dismissed as illogical, useless, and pointless.

Law students are taught, over and over again, that “thinking like a lawyer” makes how they “feel” about a legal problem at best utterly irrelevant. Feelings get in the way of “sound legal analysis,” and, for that reason, are to be suppressed, if not discarded outright. Moreover, overt displays of feelings—at least negative ones—are bad, because once your adversary—and there always seems to be an adversary—sees that you are in trouble, they will exploit that weakness to inflict even more harm on you and your client than they have already done.

One of the reasons that law students and attorneys regret choosing law as a career is that law school and many law firm jobs severely undermine and eventually take away their initial desire to serve the public good. This first takes the form of a student being chastised for trying to resolve a problem with his intuition instead of legal logic.

Students, mostly former Political Science majors, desperately try to fashion the basic ethical and moral principles

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22 See Susan Grover, Personal Integration and Outsider Status as Factors in Law Student Well-Being, 47 WASHBURN L.J. 419, 428 (2008) (stating a student’s sense of right and wrong is challenged even at the outset of law school).
23 See id. at 426-29.
24 Krieger, supra note 2, at 118.
25 Schuwerk, supra note 20, at 772-73.
26 Id.
on which the new material rests. The professor airily dismisses these attempts not merely as wrong or unworkable, but with the most damning indictment of all: No one is thinking like a lawyer . . . The professor is more demanding. Students who persist in trying to see legal information in the context of a larger world view are routinely humiliated.\footnote{WARNER ET AL., supra note 12, at 71.}

The second major way in which a student or associate is involuntarily turned away from serving the greater good is by his taking a higher-paying job in a large firm.\footnote{Ron M. Aizen, \textit{Four Ways to Better 1L Assessments}, 54 DUKE L.J. 765, 773-74 (2004).} The student ordinarily goes to the higher-paying firm because he has to start paying back his rather sizeable student loans.\footnote{\textit{Id.}; see Schiltz, supra note 1, at 897-98 ("Students . . . don’t like to admit that they’ve ‘sold out,’ so they come up with ‘rationalizations’ . . . for seeking big firm jobs.” (citations omitted)).} A recent survey by the National Association for Law Placement (NALP) showed that the median starting salary for associates was $95,000.\footnote{What Do New Lawyers Earn? A 15-Year Retrospective as Reported By Law School Graduates, NALP BULL., Sept. 2007, \textit{available at} http://www.nalp.org/2007septnewlawyers?s=what%20do%20lawyers%20earn.} As explained by Stephen Easton:

Too many lawyers take jobs that they do not want. With the many different types of work that an individual can do with a Juris Doctor degree and a law license, this is unfortunate and unnecessary. With the wide variety of jobs available to lawyers, why do so many accept jobs they hate? One of the primary reasons is money. Too many lawyers try to maximize their incomes, instead of their happiness.\footnote{Stephen D. Easton, \textit{My Last Lecture: Unsolicited Advice for Future and Current Lawyers}, 56 S.C. L. REV. 229, 260 (2004).}
C. The Quest for Grades

For the typical law student, one of the most nerve-racking experiences is the wait for final grades. The wait is especially brutal for students who have just completed their first semester and first round of law school exams. This is because law school academics are decidedly different from any other academic experience.\footnote{\textit{Aizen, supra} note 29, at 767 n.7, (citing Douglas A. Henderson, \textit{Uncivil Procedure: Ranking Law Students Among Their Peers}, 27 U. Mich. J.L. Reform 399, 399 (1994)).}

In most bachelor’s and master’s degree programs, students have one or two tests earlier in the semester before taking the final exam.\footnote{\textit{See id.} (noting that in undergraduate schools, grades are usually based on multiple assessments).} Thus, students have an idea of where they stand going into the final exam. In fact, some students can even calculate ahead of time what they need to score on the final exam to achieve a certain grade. Ordinarily, after the final examination, students know their final grades relatively soon.

In law school however, most classes do not have midterm exams or other graded assignments during the semester.\footnote{\textit{Id.} at 765-66.} Consequently, a student usually receives no feedback from his instructors regarding his in-class performance.\footnote{\textit{Gordon, supra} note 11, at 1692.} To make things worse, most law courses have only one final exam at the end of the semester.\footnote{\textit{Id.}} This means that a student has only one chance to show his professor that he understands the subject matter on a satisfactory level.\footnote{\textit{Id.}} In addition, students receive their final grades approximately four- to six-weeks after the end of the semester.\footnote{\textit{GARY A. MUNNEKE, HOW TO SUCCEED IN LAW SCHOOL} 19 (4th ed. 2008); \textit{see also} Touro College Jacob Fuchsberg Law Center, Academic Calendar, http://www.tourolaw.edu/news_events_and_calendar/Events.aspx?ID=calendar (last visited Aug. 30, 2009) (demonstrating how the wait for final exam grades can overlap with the following semester).} Therefore, a student might find himself a month into Contracts II without knowing if he passed Contracts I. This combination of minimal feedback and sweating over one’s grades is potentially damag-
ing to a student who is losing confidence by the day. The net effect, at least in some cases, is that the ever-increasing fear of what one’s grades might look like is greater than the relief that comes from academic success.40

Adding to this pressure, unfortunately, is the student’s own record of accomplishment. The typical law student usually has achieved top grades for years and starts law school expecting similar results.41 After commencing law school, one of the first things that a student hears at the first-year orientation is that if he scores a C on a law school exam, he has done well.42 In fact, I was told this at my own first-year orientation.

Upon hearing this, such an overachiever must be in complete disbelief, especially if the overachiever is used to performing exceptionally well.43 Therefore, one can only imagine the potentially precipitous loss of self-esteem that occurs when one scores straight C’s in Contracts I, Torts I, Property I, and Civil Procedure I—his best grade being a C+ in Legal Writing. This could be quite devastating to a person who heretofore scored straight A’s in all previous academic pursuits.44

Further adding to the angst is that a student needs a minimum C average, or a 2.0 grade point average, in order to graduate from law school.45 This is quite paradoxical in effect. On the one hand, a student

40 See, e.g., R. Stephanie Good, Law School 101: Survival Techniques From Pre-Law to Being an Attorney 106-07 (2004) (“There is no doubt that law school exams and stress are synonymous, but the anticipation is much worse than the reality.”).

41 Gordon, supra note 11, at 1686.
42 See, e.g., Michael I. Swygert, Putting Law School Grades in Perspective, 12 Stetson L. Rev. 701, 708-09 (1983) (“[U]nderstand that a ‘C’ grade signifies at most schools a ‘professionally competent’ level of work . . . .”).
43 See Gordon, supra note 11, at 1686 (stating students who receive C’s in law school “never recover from this act of evil genius”).
44 Id.
consistently hears that a C on a law school exam is quite good.\textsuperscript{46} However, the grading chart of a typical law school lists a C as average, and a 2.0 is usually the minimum grade point average required for a student to continue in good standing.\textsuperscript{47} A typical student might legitimately ask himself, “Which is it? Am I a good student because I have a C average? Or am I one bad test score away from falling below a C average and getting kicked out?”

Having said that, I must acknowledge that what I just described was an old law school prototype as it relates to feedback during the semester and final examinations. Someone recently informed me that law schools have started giving midterm exams during the semester in order to show students their academic progress.\textsuperscript{48} In fact, looking back at my own experience, several of the courses that I took gave midterm exams as well. This approach shows students whether they are grasping the subject matter, or at least helps them identify and correct any potential problem areas prior to final examinations. Lawrence Krieger, a professor at Florida State University, explains the overemphasis on grades. One year, he asked his first year class who would like to finish in the top ten percent, and the class responded nearly unanimously in the affirmative.\textsuperscript{49} As he sees it, the potential problem is that “if this want is perceived as a need, most of the class must eventually see themselves as failures.”\textsuperscript{50}

Similarly, J.C. Oleson’s article explains that when a student shoots for a top grade on an exam, but instead finds mediocrity, the experience can create a mental scar.\textsuperscript{51} The article also takes the position that if this happens too many times, “[e]ventually, these scars add up

\textsuperscript{46} Swygert, \textit{supra} note 42, at 708.
\textsuperscript{47} \textit{See}, \textit{e.g.}, \textit{Touro Law Student Handbook}, \textit{supra} note 45, at 9, 14; \textit{Pace Law Rules}, \textit{supra} note 45, at 13-14.
\textsuperscript{48} \textit{See}, \textit{e.g.}, \textit{Aizen}, \textit{supra} note 29, at 766 n.4 (explaining that some professors at Duke Law School gave practice midterms to allow students to receive feedback prior to the final exam).
\textsuperscript{50} \textit{Id}.
\textsuperscript{51} Oleson, \textit{supra} note 13, at 1145.
and disfigure the souls of students who are accustomed to being the brightest pupils in the room.\textsuperscript{52}

I saw this kind of grade-related pressure take place during my first year of law school. My class discovered that the registrar mailed all of the fall grades on a Friday. Thus, depending on where a student lived, they received their grades on either Saturday or Monday afternoon, at the latest. I was one of the lucky few to receive my grades on Saturday, and thankfully, I was not feeling any pain.

Unfortunately, a large majority of the class would not receive its grades until Monday afternoon. Our spring semester Property II class was on Monday and Thursday mornings at 10:00 a.m. On the following Monday’s class, our professor walked in, called the roll, and then announced that the overall grades were not exceptional. To this day, I can hear the air being sucked out of the room after he made that statement, because the students who had not yet received their grades automatically assumed the worst.

Adding insult to injury, the professor commenced the day’s lesson, complete with Socratic questioning, perhaps wholly oblivious to the fact that he had just lost most of the room (or was he?). As we know, answering questions under the Socratic method requires a student to think on his feet.\textsuperscript{53} This can be stressful—even traumatic—under certain conditions. I witnessed firsthand how impossible it is for a student to confidently engage in Socratic dialogue when he is firmly convinced that he failed a course.

III. What Happens in Actual Law Practice

A. Competition Between Attorneys

Another level of competition comes after law school, in actual practice. The practice of law has always been adversarial.\textsuperscript{54} In recent

\textsuperscript{52} Id.

\textsuperscript{53} See Rubin, \textit{supra} note 6, at 621; see also Schlag, \textit{supra} note 7, at 1683.

\textsuperscript{54} See, e.g., Cynthia K. Heerboth, \textit{The Legal Practice Glass: Half Full or Half Empty?}, \textit{Precedent}, Summer 2008, at 7-8, available at \url{http://members.mobar.org/pdfs/precedent/aug08/half-full.pdf}. (describing one attorney’s struggle to maintain a balance in his life).
years, however, the practice of law has become more contentious than ever—taking on an increasingly pervasive us versus them mentality. Many perceive this to be a part of the reason for the overall decline of attorney professionalism. Several legal commentators, including Supreme Court Justices Sandra Day O’Connor, Warren Burger, and William Rehnquist have commented on the perceived decline of attorney professionalism.

They point to the following as evidence: (1) a decline in civility and courteous conduct between lawyers, an increase in unethical or uncivil behavior among lawyers and judges, frequent lapses of appropriate ethical and professional conduct, and increasingly aggressive, competitive, and money-oriented legal battles, fought with a “win at all costs” approach; (2) increased competition and pressure to win . . . .

Thus, it appears to be more likely than not that some attorneys are more interested in annihilating the other side than in upholding their clients’ interests, which might be rendered incidental in the process. For me, Jack McCoy, the prosecutor in the television series Law and Order, comes to mind because he strikes me as a prosecutor who is more concerned with winning convictions than he is with seeking justice. Such a person does not make a respectable attorney, and I would not even employ him to represent me in the least important of matters.

There is a very good book by Hindi Greenberg called The Lawyer’s Career Change Handbook: More Than 300 Things You Can Do With a Law Degree. A portion of the book discusses the fact that the legal practice has become overly contentious, and that some lawyers


57 See, e.g., Law and Order: House Counsel (NBC television broadcast Jan. 4, 1995) (depicting McCoy saying that “justice is a by-product of winning”); see also Law and Order: Progeny (NBC television broadcast Jan. 25, 1995).

58 Greenberg, supra note 55.
increasingly try to (a) bulldoze the opposing parties, (b) outsmart and trick opposing parties, or (c) both.\textsuperscript{59} “Today, more than a few lawyers seem to use the pit bull as a role model for their legal personas. . . . [T]hat is the style these individuals choose, believing that intimidation and bullying are effective methods for dealing with other attorneys.”\textsuperscript{60}

Law is the only profession in which a bright and well-trained individual is expressly paid to counter another bright and well-trained individual’s every move and to prove that the other is wrong. In litigation, the opposition attorney is hoping to make the other lawyer look foolish. In transactional deals, the lawyers representing each party advocate their client’s interests, always alert for a winning edge. In either case, lawyers must always be on the defensive so that another attorney won’t trip them.\textsuperscript{61}

Greenberg also writes about a disgruntled attorney who now despises what his experience of law practice has become.\textsuperscript{62} In the attorney’s words:

I dislike (1) the interpersonal nastiness of litigation, (2) the combativeness of litigation, (3) the win-at-all-cost attitude of litigation, (4) the crisis mentality of litigation, (5) that my goal is to defeat my opponent and my opponent’s goal is to defeat me, (6) the pressure of being expected to do work that my opponent can never criticize—an unreasonably unrealistic expectation, (7) that I am always around people who are angry at someone, (8) that I cannot be fair or reasonable, as I see fairness and reason, but have to fight for every advantage I can get out of a situation, (9) that I cannot spend my life working with a group of dedicated people to achieve a

\textsuperscript{59} See id. at 11-12.
\textsuperscript{60} Id.
\textsuperscript{61} Id. at 12.
\textsuperscript{62} Id.
common goal but instead must constantly fight other people to achieve success.\textsuperscript{63}

**B. Trying to Find that Glamorous “Dream Job”**

1. My Experience as an Accountant Looking for Such a Dream Job

As an undergraduate student, I majored in accounting.

Accountants specialize in measuring, reporting and interpreting the financial aspects of business, governments and institutional activities. Accounting provides the information necessary to determine and evaluate both present and projected economic activities of organizations. Professional accountants develop and apply their skills in auditing, taxation, management policy, information systems, computer operations and many other areas.\textsuperscript{64}

I learned that one can further specialize in a particular area of accounting. I enjoyed the accounting academic experience and decided to specialize in taxation. My ultimate goal was to pass the Certified Public Accountant (CPA) exam, work at one of the Big Four CPA firms,\textsuperscript{65} and live happily ever after. In the alternative, my goal was to obtain a good job in a smaller CPA firm. I was determined to achieve these goals. Unfortunately, because I was both impressionable and uninformed, I found out the hard way that career success and fulfillment were not immediately forthcoming. On top of that, it turned out that it would take more than a decade, plus a career change, before I finally found career fulfillment as a college instructor.

My problem was quite simple: I could not obtain a job with a good CPA firm to save my life. I had my heart set on getting into the tax department of a good CPA firm, and my finest hour as an under-

\textsuperscript{63} Id. at 12-13.


\textsuperscript{65} The “Big 4” CPA Firms are: PriceWaterhouse Coopers, Deloitte and Touche, Ernst & Young, and KPMG (formerly Peat Marwick Mitchell).
graduate student was scoring an A in Federal Income Tax. What made matters worse was that my friends had very little trouble getting good public accounting jobs. The reasons, or excuses, why I kept getting rejected ranged from not having the requisite experience, other applicants allegedly being a better fit for the jobs for which I applied, and employment agencies grossly overstating their ability to help me find a job. Whatever the reason, I could not obtain a decent job. Needless to say, I was increasingly self-conscious about the fact that my friends seemed to be tripping over job offers, and I could not buy one. During my futile job search, with my dissolving confidence already on the brink of ruin, the kill shot then came which destroyed what little confidence I had left, and set the tone for the career frustration I wrestled with for the next ten years.

I went on an interview with a small CPA firm on a Friday morning. The interview went very well, and the managing partner seemed to be very impressed with me. In fact, he gave me a payroll chart and tested me on withholdings and payroll deductions, which I passed without making a single mistake. I left the interview feeling confident for the first time in my job search and feeling I had finally landed a job. The following Monday at 8:00 a.m., I received a call from the managing partner. He called me that morning to tell me that the firm decided to hire someone else. I was never as thoroughly crushed as I was at that one moment. In fact, that incident bothered me for years afterward; the despair and disillusionment from that one incident was indescribable. I knew right then that my fledgling career as a CPA was mortally wounded before it even began, and I knew there was absolutely no way I was going to take the CPA exam. What for? Why should I have gone for the crown jewel of a profession that would not give me a chance to prove myself? Eventually, after about five fruitless months, I finally got a job as an auditor with the New York City Department of Finance, as further discussed below.

2. How Attorneys are Taken in by the Lure of the Glamorous Dream Job

Similarly, the lure of a high paying job with a big name law firm, with all the trappings—corner office, a six figure salary, living in an upscale neighborhood, etc.—often seduces law students. In his arti-
On Being A Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession, former Notre Dame Law professor Judge Patrick Schiltz writes an amusing hypothetical about how a new associate is lured by the big firm lifestyle.66

Judge Schiltz tells the story of a new associate being invited to a barbecue at the senior partner’s upscale suburban home.67 The only similarity between this barbecue and the ones that many of us have attended is that they both take place outdoors. At the partner’s barbecue, the grill is nowhere to be found, and expensive liquor is served by bartenders wearing black bow ties.68

The story goes on to describe the senior partner mingling with junior partners and associates while wearing designer attire.69 Finally, the partner introduces the new associate to his much younger wife.70 After leaving the partner’s house, the associate thinks to himself, “This is the life.”71

I think this description of the partner’s barbecue is nothing short of comical. While it drives home the point that this is the kind of lifestyle outside of the office that associates should strive for, it also brings to my mind several interesting questions:

- What kind of workday did that partner put in to achieve and maintain that upscale lifestyle?
- Is the partner’s wife his first wife?
- If the answer to the previous question is no, how much of his cut of the partnership profits is taken up by alimony?
- At this stage of his career, does the partner truly enjoy the fruits of his labor, or is this shindig just for show?

66 Schiltz, supra note 1, at 912-13.
67 Id.
68 Id. at 913.
69 Id.
70 Id.
71 Id.
Do the associates in attendance really understand the sacrifice that is necessary to reach this lifestyle, if they ever get there?

If an associate does make it to partnership, will he become so burned out by the experience that he cannot enjoy his success?

Again, this serves to underscore the myth that one can get a lucrative job, become a rainmaking machine, become a major player in the profession, and live happily ever after. Unfortunately, however, some attorneys discover that living happily ever after is the true myth, and their professional lives end up crushing this hope.

C. The Bad, No, TERRIBLE Public Perception of Attorneys

Q: What is the difference between a catfish and a lawyer?
A: One is a bottom-dwelling, garbage eating scavenger. The other is a fish.

Q: What is the difference between a lawyer and a rooster?
A: The rooster clucks defiance . . .

Q: What do you get when you cross the Godfather with a lawyer?
A: An offer you can’t understand.

Q: What is the difference between a terrorist and a lawyer?
A: The terrorist has supporters.
And finally,
Q: What is the difference between a lawyer and a tick?
A: The tick drops off you when you’re dead.

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72 See id. at 905, 913.
73 See, e.g., DEBORAH ARRON, RUNNING FROM THE LAW: WHY GOOD LAWYERS ARE GETTING OUT OF THE LEGAL PROFESSION 86 (2004) (recalling the experience of a new attorney who found herself working grueling hours and living a miserable life).
74 WARNER ET AL., supra note 12, at 129-30.
75 Id. at 128.
Generally speaking, the public does not hold lawyers in high esteem. Jokes poking fun at the profession abound. Shakespeare even went so far as to suggest killing lawyers. It is truly horrible going to work everyday in a profession that most people consider to be hired guns (i.e., a necessary evil) at best, unethical at worst, and money hungry and two-faced in general. “A comprehensive 1993 study of public perceptions of the legal profession found that people perceive lawyers as motivated primarily by money, and as less caring and compassionate than attorneys in the past.”

I see it everyday in my personal life. My own brother wastes no time telling me at every opportunity that he thinks most attorneys are on the take and the legal system is nothing but organized thievery. In fact, the only thing he likes about jury duty is that he might have a chance to tell a lawyer or a judge what he thinks about the legal system. When I try to tell him there are very good, ethical attorneys in practice, he always responds that there are in fact good, ethical attorneys . . . both of them.

I actually have been guilty of adding to the bad perception of lawyers. In my last semester of law school, I took the required course Legal Ethics. One day, the professor made a passionate case about how lawyering is in fact a noble profession. He was in the process of naming some of the most revered figures in legal history when I had a rather mischievous inspiration. I raised my hand and asked him the following question: “Weren’t the Watergate co-conspirators attorneys also?” My question got a big laugh out of the class, but my professor looked at me as if I had just shot his best friend.

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77 See William Shakespeare, The Second Part of King Henry the Sixth act 4, sc. 2 (Dick says, “The first thing we do, let’s kill all the lawyers.”).

IV. THE REALITY OF CAREER FRUSTRATION

A. The Routine, Daily Grind

There are few experiences as emotionally draining as going to a job everyday that is unrewarding, unfulfilling, and that one just does not like. What makes matters worse is that it is not always easy to escape and start over. This problem seems to be particularly acute among lawyers. “Unfortunately, many lawyers are not satisfied with their chosen career. If every lawyer in the country were sitting in a (very) massive auditorium, and I asked who really, really, liked their legal practice, studies show that less than one-half would raise their hands!” 79

I believe this to be true from my own experience. In my previous career, it seemed that the only reason I went home after work was to take a shower and change my clothes before the next day’s round of failure. There were a great many days where I left for work before sunrise and got home well after dark every single night. I did this for a career that I could not stand, and where I was wholly unappreciated. Frankly, on many workdays I felt complete and total hopelessness. Exacerbating the hopelessness was my insultingly low (compared to similarly situated accountants) level of compensation. Today, I am still embarrassed to say how much my peak salary was in those days, even holding a master’s degree.

B. How the Job Becomes All Consuming

Greenberg’s text speaks of the mind-numbing, soul-crushing experience of another attorney:

[He] began to dislike the numbing details and repetition that practice required, as well as the voluminous paperwork, contentiousness, stress, competition between the firm’s attorneys, and long billable hours. He now has to force himself to get out of bed in the morning to go to work, and he doesn’t have time for any life outside the office. He looks at the partners in his firm and sees that

79 GREENBERG, supra note 55, at 9.
they don’t seem very happy; he doesn’t want to be like them.\textsuperscript{80}

That kind of work life is debilitating, and can suck the energy out of anyone. The lifestyle becomes almost robotic. It gets to the point where one does not know where one day ends and the next day begins. An old adage suggests that we either “work to live or live to work.”\textsuperscript{81} I can say, however, in that kind of working lifestyle, one is not living, but rather barely existing. An attorney with this type of lifestyle often goes onto auto pilot, and his desire to have a balanced life outside the office is overridden by the employer’s bottom line.\textsuperscript{82}

Again, I speak from experience. On one otherwise nondescript morning, I woke up around 6:30 a.m. and by rote got ready to drag myself to the salt mine as usual. I picked out a suit and was getting dressed before I suddenly realized that it was Saturday.

\textbf{C. How Employers Can Be Adversarial to an Employee’s Personal Life}

Exacerbating the problem of career frustration is the fact that some employers do not let a little thing like common decency get in the way of turning a profit. One former attorney described some of the indignities perpetrated by the large firm where he worked: “A friend of mine was forced to miss his sister’s wedding. . . . I remember seeing sixth year associates humbly swallow insults like ‘s**thead’ and ‘jerkoff’.”\textsuperscript{83} Another former attorney recalled how her firm paid its associates decent salaries, but the trade off for the financial perks was bad treatment and partners’ failure to nurture job satisfaction.\textsuperscript{84}

\textsuperscript{80} Id. at 10.

\textsuperscript{81} See, e.g., John Florez, Fixation on Work Leads to Unbalanced Life, Deseret News (Salt Lake City), Aug. 6, 2007, at A13.

\textsuperscript{82} See, e.g., Melanie Jester, Work/Life Balance in the Legal Profession, 79 Okla. B.J. 1119, 1119 (2008) (“All work/life initiatives prosper, however, only when compatible with the ultimate concern of the bottom line.”).


\textsuperscript{84} Arron, supra note 73, at 79.
I suffered a similar humiliation in my previous career. After I left the Department of Finance, I landed a job in the accounting department of a corporate firm. I had been working at this firm for quite a while when I was out sick with the flu. The entire week, I received phone calls at home from supervisors, and I kept thinking that somehow they did not believe that I was home in bed with a 102 degree temperature. Against my better judgment, I dragged myself to work on Thursday morning. When I got in, the controller started asking me questions about a Florida sales tax return. When he did not like the answer to one of his questions, he responded, “You’re a God-damned idiot!” Frankly, the only thing that kept me from responding in kind was that I had nine months remaining on my car loan. Luckily, I got another job several weeks later.

Along those lines, some firms are not exactly sympathetic to employee requests for a reduced work schedule for reasons like child care, tending to an elderly parent, or taking night classes. In fact, some employers expressly deny requests for part-time or other alternatives. For example:

[A]t a program sponsored by the Young Lawyers’ Section of the State Bar of California, a partner from a medium-size prestigious national law firm was asked what a law firm’s response should be to a request for a reduced work schedule from a fourth-year male associate who wanted to write a book. The partner said the associate should be fired, because the associate obviously was not dedicated to either the interests or work of the firm! Of course, the partner was oblivious to the fact that this response neither exhibited much dedication to the associate nor much willingness to be flexible in order to accommodate his personal career goals.85

D. How One Can Become Hopelessly Trapped

Another reason for career dissatisfaction among attorneys stems from the fact that relatively new members of the profession may be

85 GREENBERG, supra note 55, at 16.
eligible for high levels of compensation. For example, a first-year associate at the Los Angeles firm of Irell & Manella makes an annual salary of $88,000. A sixth-year associate at the New York firm of Dewey & LeBoeuf (formerly Dewey Ballantine) makes an annual salary of $166,500, plus a bonus of $26,500. As of May 2007, the Bureau of Labor Statistics reported that attorneys earned an average national salary of $118,280. The Bureau of Labor Statistics also identified the five states with the highest annual average salaries of attorneys as follows:

- District of Columbia: $143,520
- California: $137,300
- New York: $136,900
- Delaware: $132,950
- Georgia: $130,530

As a comparison for the same time period, the Bureau of Labor Statistics reported that accountants earned an average national annual salary of $63,180. The Bureau of Labor Statistics also identified the five states with the highest annual average salaries of accountants as follows:

- New York: $75,860
- New Jersey: $74,040
- District of Columbia: $71,170
- Connecticut: $68,780
- Maryland: $68,450

86 See Schiltz, supra note 1, at 914.
87 Id.
88 Id.
90 Id.
92 Id.
As an additional comparator, the most recent survey of the Chronicle of Higher Education shows annual salary data for full-time professors as follows:

- Doctoral Institutions: $118,444
- Master’s Institutions: $87,272
- Baccalaureate Institutions: $83,560
- Two Year Institutions: $71,779

However, attached to the attorneys’ higher income is a higher standard of living that is both high maintenance and difficult to relinquish upon a career change. Greenberg’s book provides an example:

[The attorney] feels trapped in his job because it pays well—he just bought a house and is still paying off student loans—and he doesn’t know what other work he could do and still earn good money. His legal training narrowed his focus and made it even more difficult for him to envision an alternative career.

Feeling stuck in such a rut is not limited to attorneys; members of numerous professions such as marketing, management, and even personal trainers feel the need to switch careers. While the old adage “a paycheck is better than no paycheck at all” might be true, I am of the opinion that going through chronic disillusionment on the job might not be worth that paycheck, no matter how big or steady. In the past, I made a steady living, I paid my bills, and I still hated getting up every morning to go to work. And quite frankly, for a while I was still scarred from my initial job hunting experience, so I was not exactly looking forward to yet another job search. I was in a position where I had to pick my poison: either endure the mediocrity of my current job or run the risk of more job search failure. To put it another way, do I take a

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94 GREENBERG, supra note 55, at 10.
bullet between the eyes or do I get pushed out of a fiftieth floor window? This illustrates how bad things were for me career wise.

1. Trying for Partnership Status and Not Getting There

Then there is the matter of status. As Judge Schiltz’s piece shows us, the object of the game is to make a ton of money and eventually become a partner in a law firm.96 So, what happens when an associate does not reach the exalted level of partnership status? In legal practice, the arrangement was *up or out*:

Under traditional “up-or-out” arrangements, associates are employed on a probationary basis for a fixed period, usually between [six] and [ten] years from law school graduation. Through on-the-job training, associates are expected to develop practical skills that are not taught in law school. Upon the expiration of the probationary period, firm partners consider the associate for admission to the firm’s partnership. If the associate is “passed over,” or rejected, he or she is expected to leave the firm within a reasonable period of time.97

The question remains: what happens when an associate loses out on his bid for the exalted level of partnership status? Presumably, the associate could consider this a slap in the face and the epitome of career failure. He might consider that all of his effort—from law school, to working in a firm, trying for a partnership and not getting there—turned out to be a waste of time. On top of that is the possibility that his continued career in law practice might be irrevocably crippled by his failure to make partner, and the potential negative implications resulting therefrom.

For example, in the traditional *up or out* scenario, an associate leaves law firm number one. When the associate interviews at law firms number two through ten, he risks being confronted with the question of why he has yet to become a partner at firm number one, or why

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he is looking to leave firm number one before becoming a partner. It is not beyond the realm of possibility that all of the firms that the associate interviews with will reject him for the same reason: if he is not a partner already at firm number one, why should we believe that he would make partner here? Do we really want to take on some other firm’s reject or problem child?

Recently, in moving away from the up or out model, some large firms have rearranged their organizational setup in a way that allows them to hire and retain employees on a permanent basis.98 “Some permanent employees hold titles that clearly indicate the permanent nature of their employment, such as ‘senior attorney,’ ‘principal attorney,’ ‘counsel,’ ‘of counsel,’ ‘senior counsel,’ and ‘special counsel.’”99 However, these titles are viewed as inferior to partnerships.100 Consequently, there will be those who “are likely to view a permanent-employee position as a signal of career failure.”101

2. The Curse of Billable Hours

One major reason why attorneys hate the daily grind of law practice is because law practice is no longer perceived to be a noble profession, but just one more bottom-line-oriented business.102 Furthermore, the usual economic consideration of any business is to maximize profits. In order to maximize profits, it is also necessary to minimize expenses.

Unfortunately, in recent times law firms have adopted an almost slavish emulation of the general business model.103 In law practice, this takes the form of maximizing law firm profits (i.e., each partner’s pro rata share after overhead and salaries), and reducing business ex-

98 Id. at 637.
99 Id. at 637-38.
100 Id. at 638-39.
101 Id. at 638.
102 See Burton Lehman, Business Forum: An End to Collegiality; When the Law Becomes Big Business, N.Y. TIMES, Feb. 5, 1989, at 3 (“[T]he stress on bottom-line profitability has sometimes led to a sacrifice in the quality of legal services . . .”).
103 See id. (describing the current trend of assigning specific limited tasks to attorneys rather than allowing them to think and act as lawyers).
Reduction of business expenses takes the form of laying off associates not on the track to becoming partners. Some larger firms have even resorted to making “a decision to ask unprofitable partners to leave.”

By the early 1990’s, individual attorneys’ money-based decision making—traveling among firms in search of the highest possible compensation—has added a new twist to the fees/cost squeeze. Faced with declining profits, law firms downsized rather than reduce partners’ take-home pay. . . . These actions were widely denounced within the legal community as making law practice resemble business. Second Circuit judge Irving Kaufman accused: “the largest law firms have acquired the characteristics of the corporations they have represented. . .” Nine months later, as if to prove Kaufman correct, the New York Times reported that AT&T chairman Robert E. Allen had his salary increased by 15% in the same year that 100,000 employees were laid off.

Consequently, the engine of the typical law firm’s profit machine is billable hours. The idea of billable hours is that an attorney should engage in some activity connected with his client’s representation precisely so that the firm can bill the client for services rendered. Why the overemphasis on billable hours? Once again, the answer is to generate more revenue and turn a bigger profit.

There are 168 hours in a seven-day week. There are 8760 hours in the calendar year. There are firms that expect their associates to bill

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104 See id. (stating that increasing efficiency is often achieved by training young attorneys in specialties rather than a broad range of disciplines).
105 Holmes, supra note 78, at 385-86.
106 Id. at 386.
107 Id. at 386.
108 Id. at 385-86.
110 Lehman, supra note 102, at 3.
anywhere from two thousand to twenty-five hundred hours per year.\textsuperscript{111} This would represent an average of 38.46 to 48.08 hours per week just of billable time. This means that one spends anywhere from twenty-three to twenty-nine percent of one’s life during the calendar year accumulating billable hours. Thus, that is the basic numerology of the issue. Remember—accountants know numbers.

The legal profession is notorious for demanding unbalanced lives on the part of its practitioners. The constant push for billable hours will mean that most associates will have to put their families and communities on hold while they struggle for professional success and eventual elevation to partner hood. And there is little an individual can do to change this professional culture. He or she must either bite the bullet and make a virtual idol of work, or look for employment elsewhere. Conform, or quit.\textsuperscript{112}

If an attorney spends time in the office focused exclusively on billable hours, this by necessity will limit other things that the attorney normally does in the office. Like it or not, when one is in the office, he does not spend every waking moment working. Sometimes he is making coffee. Sometimes he is calling home to check on a sick spouse, child, or other close relative. Sometimes he is reading his office mail. Sometimes he is having his lunch in the office. Sometimes he is chatting with his co-workers about the NCAA Tournament. Sometimes he is checking his e-mail. Sometimes nature calls. And the list goes on—I have done many of the same things in my corporate experience. All of these other things take away from billing activity.\textsuperscript{113}

The overemphasis on billable hours now results in another problem in which an associate who wants to have a life outside of the office is often branded as an underachiever, a malingerer, and probably expendable.\textsuperscript{114} For example:

\begin{itemize}
\item \textsuperscript{111} Id.; Schiltz, supra note 1, at 893.
\item \textsuperscript{112} Lee Hardy, \textit{A Larger Calling Still}, 32 Pepp. L. Rev. 383, 388 (2005).
\item \textsuperscript{113} See Schiltz, supra note 1, at 894.
\item \textsuperscript{114} See Deborah L. Rhode, \textit{Balanced Lives For Lawyers}, 70 Fordham L. Rev. 2207, 2211-14 (2002).
\end{itemize}
Parents who distance themselves from their workplaces for any significant period often discover that their career commitment is questioned . . . . A pervasive attitude is that captured in a recent New Yorker cartoon. It features a well-heeled professional explaining to his younger associate: “All work and no play makes you a valued employee.”

3. My Experience Stuck on the Career Treadmill

My first accounting job was as an auditor for the New York City Department of Finance. I was so thrilled with finally landing a job after such a long and fruitless search that things went fairly well for about a year. I had not yet realized that I was starting at the bottom and had nowhere else to go. Auditors normally check what other people do; they do not originally do the work themselves. My job was to audit business tax returns. Taxation has always been my favorite area as an accountant, and I figured this job would give me some rather valuable experience. Unfortunately, I could not have been more wrong.

First, I did not think I could effectively learn the nuances of tax preparation as an auditor checking up on someone else’s work. I would rather have been in a position where I could prepare tax returns myself. Also, New York City had a policy that prohibited auditors from preparing tax returns on the outside, which only exacerbated my lack of practical experience. It would take subsequently working in the tax department of two multimillion dollar corporations before I could try to reverse my stunted career growth.

Second, the job itself was quite boring. It is bad enough to do the same thing, day in and day out. Relatively speaking however, at least you are doing the job yourself. My job of looking for mistakes someone else made became rather excruciating. I believe that one learns best by doing, and I was not doing much of anything. The boredom and lack of fulfillment on the job eventually got to the point where I just did not look forward to going to work. In fact, I felt it the most on late Sunday afternoons, at around 5:00 p.m. That is when the depression started to set in, because I knew that all I had to look forward to

115 Id. at 2211, 2214.
was just another week of career failure. I could be having a late lunch, taking a walk, or standing in center field during softball season, and the dread of Monday would sink in. Adding to my frustration was the fact that my friends were starting to pass the CPA exam and receive lucrative promotions. I, on the other hand, started at the bottom and stayed there. Similarly, a former attorney described her experience this way:

I can’t tell you how many times I woke up in the morning when I was practicing and made a mental list of the of the things I dreaded that day, that week, that month; even three months down the road . . . . It was a terrible way to start the day. The absence of that dread as a daily reality was the first thing I noticed when I quit.\footnote{ARRON, supra note 73, at 100.}

Third, I eventually realized that whatever else I did in my academic life would be useless as long as I had this job. My decision to pursue a master’s degree in taxation early in my working life drove this point home. I had been working at the Department of Finance for about a year when I started graduate school. Once I started taking graduate level tax courses, I saw almost immediately that I was not on a level playing field with my classmates. All of my classmates were CPAs already, and the professors were either CPAs, tax attorneys, or both. Then there was me. Once again, I felt the now familiar pangs of self-consciousness and insecurity regarding my complete lack of professional credibility. Whenever my classmates got together to talk shop (especially during tax season), I had to make a run for it because I knew I could not intelligently contribute to the conversation. Also, I did not want all of the CPAs to know that I was not one of them, but rather that I was a lowly civil service auditor who was nowhere near the CPA track.

\textbf{E. Is Law Practice Really That Bad?}

The answer to this question depends on who one asks. As we know from studying the law, there are two sides to every legal issue. Much of the commentary on this point comes from attorneys who sorely
regret their decision to pursue a career in law, as well as from one (former-ly) disgruntled ex-accountant (yours truly). 117

However, there are practicing attorneys who enjoy what they do and who actually find meaning in their work. So, despite all of the research on lawyer dissatisfaction that shows gloom and doom, there are many attorneys who come home from work everyday knowing that their efforts were not in vain, but actually made a difference.

In the online article, Find Satisfaction in the Law: Taking Control Over Your Career and Your Life: Happy Lawyers, 118 attorney Ronald Fox takes issue with the perception that having a meaningful legal career is all but hopeless:

Thousands of lawyers have found satisfaction simply by helping someone being treated unfairly—someone who has been wrongly denied some basic human right or service. Lawyers have felt good about standing up for disabled children, abused women, wrongfully evicted tenants, children who have ingested lead paint, AIDS patients denied health benefits, individuals denied social security and other benefits, homeowners whose land was polluted, victims of police brutality. 119

When one stops focusing solely on the money, and refocuses on one’s personal values, then there are many opportunities to find satisfaction in one’s legal career. Further, to find such a station in life is not a fluke. 120 Fox mentions there are meaningful legal positions available when one “become[s] aware of the breadth of options . . . and make[s] a commitment to taking a position only if it is consistent with [one’s] personal values and professional goals." 121 Once that happens, one is

117 See, e.g., id.; Schiltz, supra note 1, at 951; Foreman, supra note 83.
119 Id.
120 See id. (stating there are many opportunities that provide an intellectual challenge, which can outweigh the potential negative effects of the legal profession).
121 Id.
better able to handle the less positive aspects of the job, and the overall work experience will be more favorable.\footnote{122}

Despite the stress that comes with the job, there are attorneys who enjoy their chosen profession, whose satisfaction has very little to do with wealth or status.\footnote{123} The Wyoming Lawyer interviewed several attorneys who attributed their satisfaction to reasons ranging from problem solving, to helping others, to working on new, different, and interesting cases.\footnote{124} One of the interviewed attorneys described the rewards of the profession:

\begin{quote}
I enjoy being able to resolve things in a way that people think is fair, whether we have to litigate or not . . . . The biggest (reward) is when you help someone who would not have gotten legal representation from the private Bar, someone who has been ignored by the legal system, and you are able to straighten out his problem . . . . It’s rewarding helping people—or at least giving a voice to your client whether you win or not . . . .\footnote{125}
\end{quote}

The Wyoming Lawyer also interviewed attorneys who acknowledged certain pressures that came with the job, such as time constraints and dealing with unreasonable or upset clients.\footnote{126} However, these pressures have not adversely affected these attorneys’ personal lives or general well-being.\footnote{127}

In her article Living a Full Life, attorney Marsha Griffin Rydberg characterized being an excellent lawyer and serving others as

\footnotesize{122} Id.
\footnotesize{124} Mary Angell, Career Satisfaction Among Wyoming Attorneys: Fact Or Fiction, WYO. LAW., June 2001, at 19, 19 (The official publication of the Wyoming Bar Association).
\footnotesize{125} Id.
\footnotesize{126} Id. at 20.
\footnotesize{127} See id. at 21 (describing activities undertaken by attorneys in their spare time to cope with stress).
two established priorities of her legal career. Rydberg also emphasized the benefits of optimism when seeking career and life satisfaction.

Optimism is wonderful. It is difficult to be satisfied when one constantly believes that the worst will occur or that somehow one has been deprived of benefits that are due. The half-full glass is a wonderful metaphor. It allows a person to be satisfied with his or her lot while continuing to strive for improvement. The half-empty glass focuses on what was not given and expects that more will be lost. The distinction is obvious. The optimist is far more likely to succeed than the pessimist. Indeed, only the optimist has any incentive to meet the challenges of life; the pessimist necessarily believes that success and achievement are unlikely.

Meeting each day with gratitude for the glass, which is at least half full (and more often overflowing), provides an extra dollop of energy and enthusiasm for the tasks at hand. When one believes that life is positive and fulfilling, the daily challenges are far more surmountable.

Thanks to the benefits of hindsight and objectivity, I can now appreciate my professional life from both sides of the fence. Doing so, I certainly agree with the sentiments of Byers, Fox, and Rydberg. Due to my less than stellar accounting days, I was admittedly a card carrying cynic, just waiting for the next disaster. In those days, it was a struggle for me to get out of bed and go to the salt mines everyday because the very first thing I would do upon waking up is ask myself—why?

Since then, I can definitely relate to the sentiment that when one has fulfillment and optimism, the positives of life and career easily outweigh the negatives. I know this is true because I love my current job, I enjoy going to work, and life is very good. At this point in my life, I

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129 Id. at 1248-49.
130 See Byers & Fox, supra note 119.
131 See Rydberg, supra note 128.
cannot complain. It seems impossible considering where I was in my career eighteen or twenty years ago, but today I am extremely happy. This comes from loving what I do for a living. All I can say is: Thank God.

V. FINDING CAREER SATISFACTION

A. Getting Off the Treadmill

Sometimes, the daily fruitless grind can crush one’s spirit to the point where the only alternative is to get out and try something entirely different. For any number of reasons, this decision may be both daunting and potentially life altering. It may demand venturing into uncertainty—what happens if I do this and it does not work out? It may require financial sacrifice. It may entail going back to school after several years away. It may even mean being unemployed for a while.

Despite the challenges involved, it may become necessary to get off the treadmill just to regain one’s equanimity before it becomes irretrievably lost. For example, Judge Schiltz and his wife were partners at the lead firm for the plaintiffs in the infamous Exxon Valdez oil spill case where the plaintiffs won a five billion dollar jury verdict in 1994.\textsuperscript{132} Since the case would be tied up in appeals for years, it would be awhile before the plaintiffs received their damage award.\textsuperscript{133} In the meantime, the Schiltzes began to reassess their continued participation in the rat race.

At about the time of the Exxon Valdez verdict, my wife and I were beginning to feel that, somewhere along the line, we had lost our way. We were working constantly. We were under constant pressure. We were constantly feeling guilty about the hardships we were imposing on each other and on our children. The life we were leading was not the life we had envisioned. We had strayed from the values with which we were raised.

In early 1995, we decided to leave big firm practice, and to leave the Exxon money behind. We decided to give

\textsuperscript{132} Schiltz, \textit{supra} note 1, at 950-51.

\textsuperscript{133} See id. at 951 (explaining that even the smallest partners in the firm would receive a substantial amount of money from the judgment).
up a ton of money in return for work that was more enjoyable and less stressful, and for more time with each other and our children.134

Along those lines, I made a similar decision to do something else with my life and career, and I did not give up nearly as much money as the Schiltzes did to do it. I wasted years of my life in a dead-end career with nothing to show for it, but I was not sure what else I really wanted to do either. Well, that is not entirely accurate. I knew that I wanted to go to law school. I was not sure however, as to what I would do after law school. But I decided that I would cross that bridge once I got to it. I knew I had gone as far as I was ever going to go as an accountant—which unfortunately was nowhere. As far as finally deciding to go for broke and make the move, I did not have an earth-shattering epiphany so much as I had a realization that the rat race was over, and the rats had won. Thus, I applied to several law schools and was fortunate enough to get accepted by two law schools—one in California and the other in Massachusetts. I ended up going to law school in Massachusetts, and it turned out to be one of the best experiences of my life.

B. Starting Over, if Necessary

When one decides to change careers, one must understand that it will usually mean starting all over again.135 In making this decision, one may also confront certain relevant considerations: (1) the potential loss of income, (2) trying to prevent alienation from one’s spouse, (3) trying to convince skeptical friends and colleagues that starting over is a worthwhile decision.136 The “[t]wo key prerequisites for pursuing this type of change include a degree of comfort with the unknown and a financial situation that permits leaving behind the world of purchase agreements, motions, deeds, or whichever Miller-Davis products help to define your practice.”137

134 Id.
135 See Arron, supra note 73, at 100-01; see also Greenberg, supra note 55, at 211.
136 Arron, supra note 73, at 101.
When I decided to quit my job and go to law school, several of these factors weighed in my favor. First, my family supported me both financially and emotionally. More than once, they endured my complaints about my dead-end career, so they were genuinely happy when I did something about it. Even my closest friends from my accounting days told me to go for it.

Second, I did not—and still do not—have a spouse or children to support. I gave up my job and moved out of town to go to law school. Thus, I did not have to justify my decision to a spouse who might not have understood. Additionally, I was courting bankruptcy in order to accomplish this. I had already reconciled with the fact that debt service would finance the next three years of my life, and I would figure out how to pay for it after graduation. However, since I was free from any of the encumbrances or responsibilities of a family to support, it was much easier for me as a single person to take that step. Thus, this was a less consequential decision without the responsibility of supporting a family. Third, I had no fear of the unknown. I was not fearless because I was cocky or overconfident. In fact, it was the opposite. I had been so thoroughly beaten down by the corporate life that I needed to do something else. As I said before, I was giving up a steady paycheck. However, by that point I knew that I was working just to pay my bills. I really had little time for anything else.

The fact that law school was going to be a new experience and I had to relocate did not discourage me. I looked forward to it. Compared to the corporate world, it could not be that bad, despite its alleged horrors. My mindset was, bring it on. Law school, here I come.

I always enjoyed academic life, from the day I started college until the day I graduated from law school. It was while in law school that I decided to seek a professorship after graduation. After all, academia had always been good to me. Three factors contributed to this decision. First, my experience in law school helped me develop the confidence necessary for public speaking. Second, due to my professional experience, I figured I could stand in front of a classroom twice a week and convincingly discuss the nuances of Commercial Law or Corporate Income Taxation. Finally, the excellent professors who helped me along the way inspired me to do the same thing for other students.
C. Rediscovering that There is More to Life Than the Job

In my current profession, I am fortunate to have a flexible work schedule, rather than being a slave to my job, as I was in the corporate world. I enjoy sleeping late on my days off—I have never been a morning person. I enjoy having time off built into my work schedule, and I am thankful for not being at someone’s beck and call during my personal time. Because of my low maintenance lifestyle, I do not jump every time my phone rings. There is no supervisor calling with another get-it-done-yesterday project or a crisis that I have to solve immediately.

Moreover, I enjoy the fact that I get paid reasonably well for something I enjoy doing. Honestly, having a decent, competitive salary certainly does not hurt. However, a large salary is not the *sine qua non* of my career today. I probably could make a lot more money if I practiced law or went to a Big Four CPA firm. I am also convinced, however, that I would have to take a ninety-hour workweek and accept heightened stress to get the bigger paycheck. No thanks. What I may lose in gross income, I recover much more in the form of a more relaxed, happy lifestyle. In fact, several years ago, while completing my master of laws (LL.M.), I took a course in estate planning where my accounting background proved advantageous. One evening after class, a classmate approached me and explained that her law firm was desperately looking to hire someone with my accounting, tax, and legal background. She asked if I would be interested in interviewing for the position. Flattered, I declined her offer by explaining that I was quite happy with my postcorporate life and that I had absolutely no desire to go back into an occupational pressure cooker.

I cannot say enough how blessed I feel because I no longer work in an environment where I feel perpetually locked in an office and chained to a desk. I can honestly enjoy the simple things in life. For example, on a recent day off I went to the bank, to the post office, and picked up my dry cleaning. When I arrived home, the sense of satisfaction I found by completing such simple tasks when there was no occupational pressure looming overhead was wonderful.
D. One CAN Actually Enjoy One’s Career

Two months after graduating from law school, I accepted a position at a small college where I now teach Taxation, Business Law, and Financial Accounting. Interestingly enough, the chairperson of the Accounting Department mentioned at my interview he was impressed with the fact that I was both an accountant and a law school graduate. The irony of that was not lost on me, considering that I spent the better part of ten years struggling with the fact that my accounting career had been a failure.

During a recent conversation with a friend, who is also a law professor and a CPA, we discussed the role academia played in our current career paths. He remarked that his CPA credential was the deciding factor in his school’s decision to hire him. I replied that I had the same story in reverse. I was a would-be attorney who could teach accounting and that was the reason the school offered me a teaching position. Again, the irony of my previous career failure was not lost on me.

I also began to understand that things happen for a reason. I slowly realized, all these years later, that I was not meant to work for a large CPA firm. Rather, my career niche was in academia. Additionally, in a unique way, the disappointment and frustration of my failed accounting career actually helped make my law school experience quite enjoyable.

As mentioned previously, I believe my professional background gave me the intestinal fortitude to deal with the daily life of law school. I had already honed skills such as prioritizing, multitasking, and working under time constraints. Therefore, preparing for classes and exams was not a big deal, relatively speaking. More so, law school turned out to be a therapeutic, three-year vacation, because it provided a much needed escape from corporate life. Remarkably, my previous career failure—in its own unpredictable way—made me a virtually pressure-proof student. I can never prove this, nor explain it logically, but I know it in my heart.

How about this for irony—the illogic and the intuition that helped make my law school experience so successful happened to be the direct antitheses of what is meant by thinking like a lawyer. Why is
that? I was able to escape the disappointment of my failed accounting
career by making a fresh start in law school. This second chance gave
me a psychological lift. Yes, I was definitely going to make the most of
it.

I have been teaching for eleven years now, and I truly enjoy
what I do. Because I have so much fun at my job, my workdays fly by.
This is true even on Saturdays, when the workday starts at 8:45 a.m. In
addition, my students, my colleagues, and the school administration ap-
preciate my work, which is a tremendous blessing.

VI. My Experience: Before and After Law School

Knowing what I did about the law school workload, competi-
tion, and the possibility of working ninety hours per week in a law firm
after graduation, why did I decide to go to law school? In fact, upon
acceptance to law school, an attorney friend of mine wondered why I
would want to put myself through that. That was a good question.

Part of the reason was that I always wanted to go to law school.
Additionally, I felt my time in the accounting profession had gone to
waste, and I wanted to go into another line of work. For years, people
told me that being both an accountant and an attorney would make an
unbeatable combination of academic and professional credentials. I was
always skeptical because my years as an accountant were not exactly an
unqualified success. Later, I discovered three unique circumstances,
which ultimately reconciled the discord between my failed accounting
career and the absolute pleasure of law school. This in turn led to sub-
sequent professional success.

While my undergraduate studies in accounting prepared me to
take the CPA exam—if I had been so inclined—they were conducive to
the law school curriculum as well. One-fourth of the CPA exam covers
regulation, which entails certain legal subject matters that accountants
normally encounter.138 These include, but are not limited to, Contracts,
Sales, Business Organizations, Federal Taxation, and Negotiable Instru-

138 AM. INST. OF CERTIFIED PUB. ACCOUNTANTS, UNIFORM CPA EXAMINATION:
CPA_Exam_CSOs_revised_10_05.pdf (last visited Aug. 30, 2009).
ments.\footnote{See id. at 11-13.} In law school, my prior accounting experience placed me well ahead of the curve when I took those courses. Consequently, class preparation and exam performance came much easier because of my prior knowledge of the subject matter.

Second, I did not have as much stress as some of my classmates because I viewed law school strictly as an academic pursuit. In other words, performance in law school was not the sole determinant of my professional future. Thus, I was much more relaxed and better able to roll with the punches than were my less experienced classmates.

Third, while I knew that I had to attain another job, I did not want to have another 8:00 a.m. to 7:00 p.m. work schedule. I did that for years as an accountant to see my efforts wasted, with almost nothing to show for them. However, I knew that attorneys generally put in long workdays, which is necessary when one wants to stay on the partnership track. As such, I was quite afraid of getting burned by a second failed career.

During my first year, I filled out a questionnaire regarding law school. Its topics included why I decided to go to law school, which areas of law I was interested in practicing, and so forth. One question in particular struck a nerve. “Is there anything that concerns you about the practice of law?” My response to that question was nearly instantaneous. I answered: “My biggest concern is that I might be making a second career mistake.”

Thus, I went to law school with the mindset it was going to be an academic pursuit, rather than a professional one. I knew I did not want to practice law, and I was not going to sell my soul to the partnership track in any manner. I also knew there were other law school graduates that lead happy, fulfilled lives with careers having nothing to do with the legal practice.

The legal and lay communities are finally waking up to an issue that many lawyers have known for some time— we do not all want to be like Perry Mason. Although there are many lawyers quite satisfied with their choice
of profession, not all law school graduates want to appear in court, work for a big firm, handle large or complex cases, spend the majority of their waking hours in their offices, or even earn top dollar. Instead, many want the opportunity to explore and pursue alternative options, both in and outside of the law. They want to do work that they love, or at least work that they feel good about.\textsuperscript{140}

\section*{A. My Suggestions for Law Students: Before and After Law School}

I agree with the above quote wholeheartedly. Based on conversations I have had with former attorneys, including my boss, I am aware there are other law school graduates who have pursued alternative careers. In the political arena for example, former Presidents who were attorneys include Abraham Lincoln, William Howard Taft, John Adams, Richard Nixon, Gerald Ford, and Bill Clinton.\textsuperscript{141} Some current and former senators who were attorneys include Robert F. Kennedy, Jacob Javits, Hillary Clinton, Charles Schumer, Arlen Specter, Fred Thompson, and current president Barack Obama.\textsuperscript{142} I am not suggesting that any of these people had the same motivation for change as I did; I am merely suggesting that a career change by attorneys is neither uncommon nor impossible. Some other well-known people who have changed careers in nonpolitical areas include the following: Geraldo Rivera (\textit{broadcast journalist}); Tony LaRussa (\textit{current St. Louis Cardinals manager}); Mortimer Zuckerman (\textit{owner of U.S. News &}

\textsuperscript{140} GREENBERG, \textit{supra} note 55, at 8.

\textsuperscript{141} THE INTERNET PUBLIC LIBRARY, POTUS: PRESIDENTS OF THE UNITED STATES, http://www.potus.com (last visited Aug. 30, 2009). The Presidents and their law school graduations are as follows: Taft (Cincinnati Law School, 1880); Nixon (Duke University School of Law, 1937); Ford (Yale Law School, 1941); Clinton (Yale Law School, 1973); Lincoln (self-taught; admitted to Illinois Bar in 1837); Adams (admitted to Massachusetts Bar after legal apprenticeship, 1758).

\textsuperscript{142} BIOGRAPHICAL DIRECTORY OF THE UNITED STATES CONGRESS 1774-2005, H.R. DOC. NO. 108-222, at 1373-2037 (2005). The Senators and their law school graduations are as follows: R. Kennedy (University of Virginia School of Law, 1951); Javits (New York University Law School, 1926); H. Clinton (Yale Law School, 1973); Schumer (Harvard Law School, 1974); Specter (Yale Law School, 1956); Thompson (Vanderbilt Law School, 1967); Obama (Harvard Law School, 1991).
World Report); Erle Gardner (creator of Perry Mason); Howard Cosell (sportscaster); Fidel Castro (politician); Otto Preminger (film director); and Ralph Nader (consumer advocate).143

For me, law school was a means to an end. Getting a law degree led me to a job that I enjoy. Consequently, my work schedule allows me to enjoy other areas of my life—namely going to ballgames, taking mini vacations, or just taking an afternoon nap.

With that, I would like to offer suggestions that may be helpful to law students. After all, if I can find success in the law, despite my failures in accounting, then anyone can. While each person’s circumstances are unique, I believe these suggestions can help anyone, whether it is a second-career law student, a recent college graduate, or even a practicing attorney.

1. Law School Can Be Fun

I may be insane, but I absolutely loved law school. Yes, law school gave me an escape from the corporate world, and the opportunity for a new occupation. That aside, I must reiterate that I had a wonderful time during law school. It can be a worthwhile experience unto itself. Contrary to many previous conceptions about the experience, law school can be fun and enjoyable. This can be the case for a corporate escapee—like yours truly—or anyone else for that matter, who had positive career experiences before law school.

Where is it written that law school has to be all work and all tedium all the time? Of course, law school requires a great deal of hard work, but it should never get to the point of excluding all else. Whenever possible, law students should have some laughs throughout their law school experience. With that said, I found law school to be a most enjoyable, therapeutic experience for two major reasons.

First, as a native of New York and lifelong Yankees fan, attending law school in Massachusetts enhanced my classroom experience. As baseball fans know, the rivalry between the Yankees and the Red Sox is rather intense. I wore Yankees attire daily, and became an easy

143 GREENBERG, supra note 55, at 212-13.
target of the faculty and the dean—who turned out to be the biggest Red Sox fan I know. I have to clarify that all of this was in the spirit of fun. When I took Trusts and Estates, for example, the professor made sure to require me to give an oral brief of every New York case, regardless of how many other cases I had already briefed in class.

Eventually, my professors threw playfully disparaging comments about New York or the Yankees my way, but I was always quick to fire right back at them. The mention of Bucky Dent, Bill Buckner, or 1918 was usually enough to stop them in their tracks. Sadly, the Red Sox’s 2004 and 2007 championship seasons forever neutralized all of that. The ongoing comedy relief took the edge off, not only for me, but for my classmates as well. Why? It got to the point that whenever I was called upon to discuss a case (which was quite often), it would turn into a comedy routine (most of the time), where I would play Dean Martin to the professor’s Jerry Lewis. In addition, I think it saved some of my classmates from feeling the brunt of the Socratic questioning on any given day, since I was usually the (seemingly) preferred target.

Needless to say, I had to be prepared for every class. Making jokes with faculty members about their favorite baseball team further incentivized me to be a good student. Like everyone else, I played by the rules and learned to think like a lawyer. Luckily, my professors and peers recognized me as a pretty good student who just happened to play the part of a joking misfit. During my time in law school, I was fortunate to become good friends with most of the faculty members. I think that being a bit of a class clown helped me to be a better student. Additionally, as an older student with practical experience, the enormity of the law school experience did not intimidate me. Thus, I was lucky to have all of these factors in my favor, and I did not have the fear factor that many law students have in the beginning.

Regardless, all the goodwill in the world would have meant nothing if I could not cut it academically. This was still law school. I was still burdened by preparation and studying, but since I was not under constant duress, I was able to succeed. In addition, I still consider the faculty to be dear friends to this day.

Further, I had fun living like a college student again. During my undergraduate studies, I was a full-time student. My schedule was not
very demanding; all I had to do was fall out of bed, ride the express bus into Manhattan, and go to class. Then, I would ride the express bus back to Brooklyn, and go home. For me, it was ideal, but I took that lifestyle for granted until I started working for a living.

When I started law school, I went back to being a full-time student. All I had to do was fall out of bed, get into my car, and drive two and one-half miles to school everyday. Then all I had to do was drive two and one-half miles back home. Studying was my only focus. Again, it was rejuvenating. Best of all, getting out of the rat race recharged my batteries and renewed my spirits. It meant everything for me to no longer have to wake up early every single day, get home at a decent hour in the afternoon, and not be in a high pressure situation every second of everyday.

2. Setting a Study Schedule and Sticking to It

As mentioned previously, the study of law is very demanding, and requires dedication. If one were to focus solely on the overall enormity of the task, it would be easy to be defeated before even starting. In law school, the average reading requirement is approximately 100 pages per week, per course—my own conservative estimate. An article in *Legal Assistant Today* describes the reading requirement this way: “For a three-hour class that meets weekly, expect to have about 50 to 100 pages of cases to read and brief.”

In my opinion, without planning and prioritizing, keeping pace with reading assignments would become overwhelming.

In addition, the best way to keep up with the readings is to complete them in small, manageable time blocks. The optimum way to do this is to set a schedule, and follow it consistently. I realize that for those students with work and family obligations this may be a challenge, but it is an absolute necessity for success in law school.

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145 See Ramy, *supra* note 17, at 169-71 (explaining how to create an effective and manageable study schedule).
I also think it is a good idea to stay one to two weeks ahead in the readings and case briefs for every course. This is helpful for two reasons. First, one will always be prepared to discuss a case in class when called upon to do so. Second, reading ahead will provide a suitable cushion if one wants to take a guilt-free day off from studying. Remember, it will be necessary to take a day off periodically, if only to maintain one’s equilibrium.

I treated law school as I would treat a full-time job. Every Monday through Friday, I devoted the hours from 10:00 a.m. to 7:00 p.m. to classes and studying. Any down time after that was my time. Once I finished everything that was on my schedule for a given day, I turned my free time into a reward. If I wanted to go out and shoot pool, watch cartoons, or anything else, I did so with a clear conscience.

3. How to Handle Law School Exams: Before and After

I believe one can adequately study for law exams without being overprepared. This is possible by setting a manageable schedule at the start of the semester. Studying for exams will not be an overwhelming endeavor when one follows a study schedule during the semester. Exam preparation should consist of reviewing the subject matter already learned during the semester, which is decidedly different from trying to learn it for the first time during reading week.146

Knowing when to stop, based on feelings and intuition, is the key to preparing for a law school exam.147 Ultimately, when one feels ready to take the exam, this will be the point where exam preparation is maximized. This has nothing to do with thinking like a lawyer, because an overemphasis on logic and analysis during the semester must give way, and students must be physically well rested and psychologically prepared for exams.148 This approach worked for me while I was in law school. As I prepared for exams, I reached the point where I felt as ready as possible. At this point, I knew further efforts would become counterproductive.

146 MUNNEKE, supra note 39, at 80.
147 Id. at 82.
148 Id.
While law school exams are quite stressful, I think doing one important thing after the exam can minimize stress. That is to leave campus as soon as possible, in order to avoid discussing the exam with your peers until finals end. This is especially crucial when taking exams on consecutive days. Why? Because it would be a disaster to go into your Evidence exam on Tuesday still worrying about your Constitutional Law exam from Monday. In that situation, there is not enough time to obsess and panic, so it is better to roll with the punches, do as well as possible, and see what happens.

This approach definitely worked for me. As soon as I finished an exam, I left immediately. I never discussed the exam with anyone until a couple of days later. I needed this time to settle down and avoid overanalyzing the exam. Therefore, my postexam routine consisted of eating out, watching cartoons, and then going to sleep.

After taking an exam, a student needs time to decompress. If there is anything that will add to one’s anxiety after an exam, it is discussing the exam with classmates right away. There will be plenty of opportunities to discuss final exams later on. In the meantime, confidence in one’s ability to do well on any exam is a necessity.149

4. Do not Worry About the Competition While in Law School

A large part of my frustration as an accountant was rooted in how well my friends were doing on a daily basis. Unfortunately, I saw my friends’ success as a reflection of my own failure. However, I did not begrudge them for their accomplishments. I simply questioned how the same career choice could be so right for them, yet so horribly wrong for me. In law school, I think the single most important thing is to prioritize one’s own performance and not to worry as much about everyone else. Sometimes, this is more difficult than it sounds. Besides, worrying about someone else’s performance will not offer any consolation if your academic well-being suffers as a result.

Law school is a tough enough endeavor without worrying about how someone else may have done. In the end, it is not about how one

149 Ramy, supra note 17, at 192.
does against other students; it is about whether one satisfies the academic requirements and graduates. We have already seen how the competitive nature of law school leads to a distrustful, kill or be killed mentality.

Law schools exemplify such low-trust environments. Lawsuits over grades, anxiety over job opportunities and future financial rewards, shortcuts to academic success through the use of study aids, academic envy toward those ranked in the top of the class or toward members of Law Review . . . are examples of common activities that result in such low trust environments.¹⁵⁰

During my first year, a couple of lesser-minded classmates accused me of being a teacher’s pet because I earned an A in my first semester Contracts class. I did not give them the time of day, because they failed to realize that I put my time into getting ready for that exam. Their poor performance was neither my fault, nor my problem. Unknownst to them, I walked out of that exam thinking I may have failed. As far as I know, they never graduated, and I never heard from them again.

While in law school, I never obsessed over how other people may have done. I out performed people in certain classes, while some people out performed me in others. That is the nature of the beast, and it is to be expected. Graduating first in my class, earning an invitation to join Law Review, and giving the valedictory address at graduation would have been rewarding, but that did not happen. It would have even been gratifying to have graduated in the top ten percent of my class, but that did not happen either. I did not consider that to be a personal failure, nor did I think that my friends, family, professors, or classmates thought any less of me. I may not have finished in the top ten percent, but I did finish in the top third of the class with a B average. So, I did not exactly embarrass myself either.

5. Follow Your Instincts in Making Career Choices

If nothing else, the best thing to do is to engage in a career that one truly enjoys. A well-paying career would then be considered an added bonus. However, do not be pigeonholed into a career that turns out to be all drudgery. Instead, it is necessary to pursue one’s instincts and interests when seeking a career, whether it is in law or elsewhere. If an opportunity arises to pursue a dream job, by all means, go for it. Even if that dream job is not quite as lucrative as other jobs, if that is the job that would make one the happiest, one should take the opportunity and run. Not only that, do not let anyone else say otherwise.

Many people, including loved ones, will tell you that you would be crazy to turn down higher paying work to chase a dream. Fine. Be a little crazy. But do not let someone else tell you what should be important to you, and never forget to pursue happiness. Others will suggest that you should simply put your dreams on hold for a while by saying, “Take the high paying job, at least for a while. If you still want to tilt at windmills three years from now, you can do it then.” Be careful with this route because once you start earning the “big bucks,” it will be very difficult to then deny yourself that income. Never becoming accustomed to a large income in the first place is easier.\(^{151}\)

VII. Conclusion

If there were any moral to this Article, it would be that career fulfillment is not a fairytale. Making a living and pursuing one’s dreams are not mutually exclusive. I will be the first to admit that it takes work, perseverance, and some soul searching to find a fulfilling career. I am not going to use the word luck because I believe that people make their own luck.

In any line of work, not just in law or accounting, a person may have to put his foot down and say “enough is enough” when profes-

\(^{151}\) Easton, \textit{supra} note 32, at 262.
sional life becomes emotionally draining. Yes, it may mean a major financial sacrifice and having to endure the doubts of the naysayers. It may even mean confronting one’s own self-doubt.

However, remaining in an unfulfilling career can produce potentially devastating results. It took me more than ten years to get out of my rut. It is not easy to make the decision because every person faces a different situation; however, it is not impossible. I can honestly say that getting out of the rat race put me on the path to a relaxed lifestyle and to a completely new career that I enjoy. Not bad for a burned out, washed up, former accountant, if I do say so myself. If I can do it, anybody can. It is not hopeless.