

## Are There Too Many Law School Applicants?

*By: Vanessa Vidal*

We have seen the layoffs, the salary cuts, and the deferred employment offers all resulting from one thing: too many lawyers for too little work. But apparently, that's not curbing the law school application rates. This begs the question: Are there too many law school applicants?

According to new data from the Law School Admission Council. The number of students applying to law schools is up 3.8 percent for fall 2009, and the number of applications filed by those individuals is up 6 percent.

During an ABA Journal interview, LSAC president Daniel Bernstine said the economic downturn was the likely the reason for the increase. "In recessionary periods, people tend to go back to school if they are out of work. They're trying to upgrade their current education." He noted recent law firm layoffs and said the publicity could affect next year's numbers. "The question will be whether next year there will be a similar kind of interest" in law school, he says. But he remained a law school booster, despite the recent layoff gloom and doom. "The reality is that a law degree provides a person with a myriad of opportunities, not just practicing law," he says. Unfortunately for the 3,381 law firm attorneys who lost their jobs in 2009, Bernstine did not go into details as to what those "myriad of opportunities" were. And why should he? Law school is a big business, and an increase in law school applications means bigger profits. Whether or not these graduates can actually secure a job after graduation does not seem to be much of a concern.

So why the increase in law school applicants?

Certainly it's not in response to the 1.2% growth in the legal sector. Perhaps as Bernstine suggested, more people are looking to go back to school because they are unemployed. Although what they are looking at are hefty school loans and debts. The real answer to this question is money. Law schools are a very lucrative business. Since 1985, the average law school tuition has more than tripled. A year of tuition at a public law school is now over \$20,000 a year, and average tuition at private law schools is over \$40,000 a year.

It's not just the rising cost of tuition that is generating big profits, but the rising numbers of law schools as well. Since 1995, the number of ABA-accredited schools has increased by 11% to 196. In 2008, as many as 10 new law schools were in the works, with the majority of them proposed in the eastern part of the country (source: National Law Journal). The new law schools come at a time when demand for legal services is declining. However, that is not slowing them down.

Law schools are partly to blame for the influx of lawyers entering an already saturated workforce.

According to the American Bar Association, there are roughly a million active attorneys in the United States (ABA Source: 1,143,358 resident and active attorneys in the United States in 2007). A million is a big number; one that the market is telling us is too large for present demand. As a result, the majority of law school graduates are suffering from a supply-and-demand imbalance that's suppressing pay and job growth.

The lack of knowledge about the industry and job prospects for law school graduates by prospective applicants also contributes to the problem. While Big Law is in a salary-reduction mode, it long dazzled law school applicants with starting salaries ranging from \$145,000 to \$160,000. The lure of a lucrative

six-figure practice just three years following graduation has been irresistible to many applicants. The reality, unfortunately, is a lot less golden for the majority of law school graduates:

About 50% of law school graduates make less than \$60,000 a year  
27% make between \$40,000 and \$55,000  
23% make \$100,000 or more

What are a law school graduate's prospects of making \$145,000 to \$160,000 a year? Of the 1M+ attorneys practicing in the U.S., only about 43,000, or 6% of U.S. lawyers work at Am Law 50 according to the ABA. The rest of the Am Law 250 is comprised of 70,000, or 9% of U.S. lawyers. That leaves nearly 91% of all practicing lawyers out of that coveted golden circle. For the majority of law school graduates in second, third, and fourth tiered schools - even those who graduated at the top of their class - the positions they find often do not enable them to pay off their loans and make a living. And if you cannot pay it back, you risk disbarment, as in the case of Santulli, a 1998 graduate of Texas Southern University Thurgood Marshall School of Law, who failed to repay his \$67,000 loan debt. Nationwide, law school debt in 2007 averaged \$87,906 for private law school graduates and \$57,170 for public law school graduates, according to the ABA. Loan payments often exceed \$1,100 a month.

And those who are working are the lucky ones.

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