

A DECISION-MATRIX FOR PROSPECTIVE LAW STUDENTS

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1. Do you have a specific idea regarding an area of practice that is of interest to you?

Most pre-law students coming straight out of college may not know enough about what lawyers do to have a firm understanding of what type of lawyer they may want to be. Moreover, some pre-law students who do have a sense of what type of lawyer they may want to be will change their minds once they get into law school and discover other possibilities. Nonetheless, practice area interest should have some impact on the choice of law school because some practice areas are less remunerative than others and therefore are not likely to justify an investment of over \$100,000 in law school.

a. I want to be a prosecutor or public defender or do public interest work or work as a family law attorney or work with children or the elderly.

These answers should lead one to a least cost option and might suggest schools with strong clinical programs. Loan repayment assistance programs may help, but may not be sufficient to justify pursuing higher-ranked and more expensive options.

b. I want to be an intellectual property attorney or an environmental law attorney or an immigration attorney or a personal injury attorney (plaintiff or defendant).

These answers might support a slightly higher cost option and might suggest law schools with specific areas of expertise.

c. I want to be in a large law firm doing a sophisticated corporate practice.

This answer might support a higher cost option, but there is a significant risk that this opportunity ultimately will not be available. Top-tier schools will enable this option as significant percentages of their graduates work in large firm settings, but top-tier law schools generally come at a significant cost. Middle-tier and lower-tier schools might enable this option (if in or near a major metropolitan area, but only for a smaller percentage of very high performing law students). Nonetheless, highly credentialed students might have more success creating this option at middle-tier schools at which their objective criteria suggest that they are likely to perform near the top of the class.

d. I want to be in state politics or national politics or want to be an academic.

If interested in state politics, going to school in state can be important in building a network. If interested in national politics or in a position as a law professor, a more prestigious school is helpful and may be a necessary option (for the legal academy), but there is a significant cost to preserve an option that is far from guaranteed.

e. I really don't know what I want to do with my law degree.

Option maximization might seem to suggest that the student should go to the highest ranked school, but the cost of the highest ranked school might actually limit options because of significant debt obligations. So those who don't know what they want to do with a law degree should consider not going to law school or should consider a least cost option.

2. Where do you want to live when you are done with law school?

a. I want to be in a specific city.

This answer suggests a very limited focus on schools in that city where you can really begin networking while in law school. That said, those interested in a specific learning environment or who also may have an interest in larger firms or the legal academy might consider going “away” to school (for prestige or for specific curriculum) because the value of the experience may outweigh the value of getting a jump start on networking (and they might be able to do some networking during summers).

b. I want to be in a specific state.

This answer allows for a wider geographic range – schools in the state or adjacent states (with the same caveats as noted above).

c. I want to be in a specific region.

This answer allows for an even wider geographic range in a region (with the same caveats as noted above).

d. I am very flexible.

This probably allows for a national scope, but challenge the student to think seriously about places he or she would be more comfortable to narrow the scope a little bit. This also suggests that other aspects of the decision – costs, specific components of a program, prestige, may weigh more heavily in the decision.

3. How much debt will you have coming out of college? Are you independently wealthy (or is your family independently wealthy)?

a. I will have \$30,000 or less.

b. I will have \$30,000-\$50,000

c. I will have \$50,000-\$70,000

d. I will have more than \$70,000.

These answers present an inverted array of options. Unless someone is independently wealthy, the less debt coming out of college, the more debt capacity one has and the more flexibility one has in choosing a law school, the more debt coming out of college, the less debt capacity one has and the more one should focus on a least cost option for law school.

Loan calculators are available to help students conceive of and better appreciate what burden they will face in terms of repaying loans upon graduation from law school.

4. What are your grades and what is your LSAT score?

a. I have a GPA less than 3.0 and an LSAT less than 145

Very limited range of options – should consider not going to law school

b. I have a GPA of 3.3 and an LSAT of 148

Slightly greater range of options, but likely full price – should consider not going to law school or going to cheapest law school possible.

c. I have a GPA/LSAT of 3.0/155, 3.0/162 or 3.7/155 or 3.0/169 or 3.7/162 or 3.7/169

This is the large population with whom pre-law advisors have the greatest contact -- all of these have a greater range of options, which creates a more complex set of questions. Using the ABA-LSAC Guide, students can search schools to identify those at which they are likely to be admitted.

The present bias among many pre-law students is toward the highest ranked school, regardless of cost, geography, anticipated practice area, or pre-existing debt load, a framework shaped by U.S. News and World Report and a sense that there is some inherently greater value in higher-ranked schools. With respect to top-20 schools that place a significant number of graduates in large firms with large salaries, this value proposition may have some accuracy, but this rankings value associated with employment opportunities dissipates significantly outside top-tier schools.

This rankings bias is triply problematic.

- i. It functions to place students in a competitive context in which they are likely to be at competitive disadvantage as many who choose the highest ranked law school to which they are admitted will be in the bottom half of the class at a “stretch school”. To the extent the LSAT is a meaningful predictor of first-year performance, students in the bottom half of the class are going to struggle to find themselves in the top ten percent or top quarter of their class.
- ii. It functions to place students into a financial context in which they are paying full tuition to subsidize scholarships of more qualified candidates against whom they will be competing. Given that merit scholarships generally go to those in the top-third of the class in terms of a law school’s first-year class profile, and given that most law schools are internally funding these merit scholarships (as opposed to using endowed funds), the reality is that bottom-half students are paying more in tuition to subsidize the scholarships for top-third students.
- iii. It may remove students from the geographic location in which they ultimately may want to develop their professional network and where they have family support and social support that would make it easier for them to thrive in law school.

This means students incur significant expense, perform less successfully than they might desire, and come back to the community in which they want to practice with few contacts and no network.

I am suggesting that the orientation for most pre-law students should be toward the least-cost school at which the student is most likely to be a very successful student in a region in which the student wants to practice and can be building a network.

- i. Geography matters and should be considered more prominently because of the value of networking while in law school and having a network upon graduation from law school.
- ii. Cost matters and should be minimized (take lower-ranked school with scholarship rather than higher-ranked school where you are subsidizing the education of others). Make sure scholarship is renewal for three years on conditions you are likely to be able to satisfy.
- iii. Competitive context matters – go where you are in top-half of profile so that you are more likely to succeed and have additional opportunities (law review, clerkships, etc.)

5. Intangibles – Atmosphere, Community, Special Programs

In choosing among schools, pre-law students should consider intangibles. Is there a special academic program or extracurricular program that is of particular interest to a student? Is the building one in which the student feels really comfortable (or uncomfortable)? Is there a real sense that the faculty members are student-centered or emphasize teaching more than scholarship? Is the student community one that manifests significant competitiveness or is it a collaborative and supportive learning community? Does the building/school/community just seem to be a real good “fit” for the student?

CONCLUSION --

If a prospective law student is uncertain about the goal of legal education the student should give serious consideration to deferring admission, should go work for awhile or volunteer or live life and learn about the world and then consider law school when the student has more of a focus for the investment of time and money.

If a student has performed sufficiently well in college and on the LSAT to gain admission to law school, that is not enough. It is insufficient to do something just because one can, particularly given the significant cost of legal education.

Prospective law students should reflect upon practice areas of interest, geography, current debt load and cost/projected debt load, and competitive profile, and not get too invested in “rankings” or “prestige”.

If the opportunities available to a student are only “high-cost” opportunities, particularly if at schools at which the student is in the bottom-half of the student profile, and particularly if the student is interested in large firm practice (which may be a real stretch) or career options that are less remunerative, than the prospective student should consider deferring and reapplying to a broader array of schools that includes some less costly options.

Each student is going to interact with a matrix like this in an individual way – weighing some components of this matrix more than others.

What is your perspective on pre-law advising? Are you a non-directive counselor really supportive of student autonomy? Are you an educator who wants to make sure students have considered all relevant information, even if they assess it differently than you would? Are you a directive counselor, cognizant that not all pre-law students are as mature and circumspect in their decision-making as might be ideal? Your perspective will shape how you raise some of these issues for consideration by a prospective law student. Your perspective also will “model” a form of client-interviewing and counseling for your pre-law students.