The Legal Profession

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- I chose to go to law school because....
Justice Harold Clarke:

- What is professionalism and why does it matter
  - For you
  - And for others?
Kronman, Living in the Law

- What is it about the life of a lawyer that justifies the very large commitment which the decision to pursue it entails?
- What do these questions have to do with law school and with being a lawyer?

- What do they have to do with this course?
How does law school affect students’ development of their professional and personal identities?
Students report:

- Gaining valuable analytical and reasoning skills ("thinking like a lawyer")
- Increased confidence and independence
- Improved ability to articulate arguments and to see an issue from multiple perspectives
- Ability to depersonalize disagreement
- Pride in successfully completing challenging educational tasks
But also:

- Competitive environment affects relationships both in and out of the classroom

- Winning the prizes of law school becomes the goal

- Because the prizes are defined narrowly, the emphasis on winning can create feelings of inadequacy and failure for many law students
- The emphasis on the cognitive devalues other matters, including emotional reactions and relationships.

- The result may be isolation and lack of collaboration.

- Students perceive that good lawyers do not feel fear or anxiety and that they do not make mistakes.
Consequences:

- Loss of self
- Loss of purpose
- Taking on the professional identity of a lawyer can come at the expense of one’s personal identity and important relationships; it can have a negative effect on well-being and satisfaction
What does this have to do with professionalism?
Research demonstrates:

- Those values and motivations that promote or attend professionalism have been empirically shown to correlate with well-being and life satisfaction, while those that undermine or discourage professionalism empirically correlate with distress and dissatisfaction.
Values and Motivations

- Intrinsic: choosing an action one genuinely enjoys or which furthers a fundamental purpose
Extrinsic: choosing an action because of
- External rewards (money, grades, honors)
- Avoidance of guilt or fear
- To please or impress others
Consequences:

- When intrinsic values are *primary*, one experiences satisfaction and well-being.

- When extrinsic values are *primary*, one experiences angst and distress.
AND

- Intrinsic motivations are likely to produce professional behavior while extrinsic motivations result in a loss of professionalism
Research Involving Lawyers (Krieger and Sheldon)

- 7805 lawyers responded to surveys that examined relationship between work, personal life, and law school factors and well-being/life satisfaction
Results

- The factors that contribute the most to lawyers’ well-being (.50 and above) were:
- Autonomy
- Relationships/connectedness
- Competence/effectiveness
- Internal motivations for work
Results

- The factors that contribute less (.20 or less) to lawyers’ well-being are:
  - Income
  - Law school debt
  - Class rank
  - Law journal participation
  - Billable hours
Research involving law students

- Incoming law students experience well-being and satisfaction at a higher level than their peer groups.
- There is a significant loss of well-being and satisfaction during the first year of law school.
During the first year of law school, students shifted from being intrinsically motivated to primarily extrinsic motivations. This shift continued during the next two years of law school.
What to do?

- Reflection
- Connection
- The “wisdom of naïveté”
John McShane, Dallas lawyer:

“I want lawyers to know that it is not only possible to have a joyful, meaningful law practice, but that there isn’t another activity around that offers more opportunity for both personal growth and making a difference in other people’s lives.”
I want to be the kind of lawyer and person who....
THE END