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Class of 1974 Fifteen Year Report Alumni Comments

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RESPONSES FROM THE MEMBERS OF
THE CLASS OF 1974
TO THE LAST QUESTION ON SURVEY ASKING FOR
"COMMENTS OF ANY SORT ABOUT YOUR LIFE
OR LAW SCHOOL OR WHATEVER"

* * * * *

Law school worked very well to teach the academic/intellectual aspects but not the business aspects of a law practice. Law office management should be recognized and discussed, if not taught.

I enjoyed the education I received, and feel it was beneficial to me in my career development and success.

I am very proud to be a graduate of the Law School. It has also been very helpful. I owe a great deal of gratitude to U of M Law. Thanks.

I came to Michigan to study international law and had intended to go into the foreign service. I flunked the physical and eventually took up private practice. While specific course work at law school was not too helpful (I didn't pay attention and wasn't very interested), a great deal of what I found of benefit from the experience was attitude and approach I learned there. It left me fearless (a bit too much at times) to suggest change in a rather traditional legal setting.

The Law School environment was stifling and intolerant. Differences, including racial differences, were barely tolerated. Intellectually, some of the professors and courses were stimulating and enthusiastic. Others appeared to regard teaching as a necessary evil.

Law school was less a place for serious intellectual inquiry and debate than a rite of passage into a world of greed and unethical activities.

Law students let their lives get out of balance by studying too much -- and then proceed in a similar manner by practicing law for too many hours each day.

Lawyers need to spend more time doing civic jobs, pro bono work, having a favorable impact on the community. The habits for this type of balance in life should begin in law school.

In my years at Michigan I spent much time and effort preparing for a career in corporate law, a career I never had. I would like to see the Law School make some effort to guarantee that all law students get a balanced, general education in the law. From my perspective now, I believe that more emphasis on more general, enduring themes such as the place of law in society, the evolution of legal thought, and competing theories of justice

might have served me better. Sometimes when I see the proliferation of so-called clinical courses, I fear that the law schools are moving closer to trade schools and away from notions of graduate education.

Law school utterly failed to warn students about the economic side of the practice of law. For example, students have no concept of billable time or generating new clients. However, these skills are needed as partnership decisions at most firms are heavily weighted upon an individual's (a) marketing success, and (b) ability to supervise and deliver cost effective legal services. As economic competition forces clients to become more efficient, lawyers also face many of the same competitive forces. The legal educational system needs to catch up to a market for legal services that is evolving.

I didn't appreciate the demeaning aspects of the Socratic method of law school. I preferred the more modern, informative classes on technical subjects, taught by instructors who had actually practiced law. I feel that law school should provide more sophisticated, efficient and practical training in how to be a lawyer, instead of endlessly plodding through the facts and holdings of outdated judicial cases, in a classroom setting devised to show how clever the professors are.

I did not enjoy law school. I now think I got good training for my career.

I have tried to be completely candid in answering the survey and will do so here as well on the assumption that candor is sought. My comments do not detract from the great esteem and respect I have for the Law School or its faculty.

It is my judgment that law school generally does a relatively poor job of preparing graduates to practice effectively and competently. While improvements in curricula and methodology have occurred since my graduation in 1974, my observation of the new associates we hire today makes it apparent that no fundamental changes have occurred. The thrust of legal education still appears to be academic in orientation, even though only a small minority of graduates go on to academic careers. As a result, most of the real training and acquisition of skills occurs in an ad hoc fashion in the first years of practice, with the burden falling on the private and public employers (and clients) of new lawyers. The fact that most real learning occurs after graduation adds to the stress that new lawyers experience and, I believe, contributes to the low esteem in which the profession is held by the public.

It is my impression that such an arrangement was the accepted rule until the late 19th century, when law school graduates underwent a sort of apprenticeship for the early years of their practice with an attorney or law firm doing the type of tasks now relegated to paralegals or even clerical staff. The financial

and competitive exigencies of contemporary practice preclude this and compel the new lawyer to be made as productive as possible from day one. This makes it all the more imperative that law schools rise to the challenge of producing graduates who are truly ready to practice in the real world they enter upon graduation. I also believe that the University of Michigan Law School is particularly well equipped with its outstanding faculty and resources to confront this challenge and to take a leadership position in doing so.

My comments are offered in a spirit of constructive effort and, I hope, are taken in that vein.

The Law School method of teaching is entirely at odds with the learning process -- a stupid exercise in arrogance by the faculty. Change it. Help people to learn substance instead of attacking and stressing them.

I value the opportunity to have studied at the University of Michigan Law School. I thought that the opportunity to listen to the ideas and views of other students was most worthwhile, and that such exchanges would have been facilitated by a reduction in the adversarial tone of some faculty. Warmth and goodwill facilitate learning and inquiry. The adversarial faculty-student attitude, though on the wane during my years, did some harm to the spirit of responsiveness and intellectual daring. Moreover, such attitude is not reflected in most judge-attorney encounters.

Law school study, typically focusing on leading, published appellate court opinions, does not convey the reality of litigation. For individuals having meritorious claims against the government or other powerful defendants, but whose claims do not entitle them to a jury trial, life in the courts for the most part consists of summary trial court denial of their claims in conclusory, poorly reasoned opinions which distort the record, followed by appellate affirmance without opinion. Only the most egregious, unconscionable law violations by the government result in the aggrieved individual having a slender, fighting chance to win. Victories in such cases come only after hard-fought proceedings in which the plaintiffs' evidence and legal memos utterly destroy government positions and overcome the judge's inclinations toward rejection of the claim. Most individuals litigating against the government face two adversaries, the government and the judge. Many judges rule against plaintiffs on grounds never raised by the government, and which should have been deemed waived, and distort plaintiffs' clearly stated positions, then reject the positions thus distorted. I state these observations from the standpoint of having succeeded in obtaining relief for many of my clients. I have been complimented many times on the quality of my advocacy. I know many other lawyers who handle cases similar to mine, and whose abilities I believe exceed mine. We all feel the same way about how our clients' claims usually get treated by courts. We acknowledge exceptions, but we emphatically maintain that life in

the courts is for the most part as described above. Of the cases my clients have lost, I have a distinct memory of each of the very few in which the judge accurately stated all of our arguments, accurately stated the evidence, addressed each argument, and rejected them in a logical opinion reflecting intellectual honesty, and thus warranting respect, despite my disagreement.

Overall, life has been good for me: not perfect, not stress-free, not without some very difficult times -- but I have what's really important in life: a loving, healthy, meaningful family life (wife and 3 children). The most difficult thing is trying to juggle a demanding legal practice with a solid family life, as well as contributing to the community. I'm very lucky.

The best thing about law school, like college, was the friendships that developed, even though I'm not close to many of those friends today. It was an exciting time, a time of challenges and goal-setting.

As is often said, the U-M Law School does not teach one how to practice law, but it does teach one how to think -- which is probably more important. It was a great time in my life. It's a great school.

I believe one of the most important qualities of a good attorney is the ability to think creatively about the law. To do this, you must have a sound knowledge of the basic principles of the major areas of the law, ...torts, contracts, civil procedure, etc. I urge the Law School to continue to emphasize the basics. While knowledge of practical skills is certainly necessary, ultimately those are best learned in the practice. The Law School does not need to graduate complete lawyers.

We are fortunate people don't need attorneys like they need health care because only the wealthy can afford an attorney, particularly if the problem requires litigation. New associates at large, urban law firms start with a salary larger than most law professors. As the 100th or 150th attorney in the firm, they settle into a secure niche with little sense of or relationship to our system of justice. For those attorneys willing to do so, there are great and rewarding battles to be fought. I suggest a program that brings practitioners who have fought such battles to the Law School for a few days to meet and talk with students. Maybe a few more students will choose a different way as they take the path of life and law.

I was impressed with my colleagues in law school, especially a few very talented and humble people. I'm pleased to be associated with the Law School and that I happened to stumble into the legal profession.

Life has a way of whittling down one's expectations and, though I didn't expect to replace F. Lee Bailey, I had envisioned a bit

more glory and not to be so controlled by my job rather than the reverse.

Coming from a legal background, and now dealing with attorneys as advisors to my clients, I'm forever amazed at the problems lawyers create. They're an economic drag to business. 90% see their role as obstruction, not facilitation, of business deals and dealings. The legal system has become self-perpetuating, and lost touch with reality. Those within that system would be amazed how deeply (and widely) the legal system is perceived to be artificial, political and "back-room" driven. A true counsellor is rare. Lawyers are ubiquitous.

I believe I suggested last time that professors be recruited from other law schools rather than hiring U.M. Law Review editors immediately after they complete their judicial clerkships.

The reason for this is that no matter how brilliant a person is he/she needs some experience as a teacher before he/she becomes an effective communicator of ideas.

I am not blaming Michigan per se, because I feel this is a national problem: I do not feel law school in any way, shape or form prepares one to be a lawyer; at best, it teaches one how to begin to be a lawyer. I feel sorry for people who did not have the excellent training that I received at Shearman & Sterling (which is where I actually learned how to draft contracts, deal with clients, etc., rather than reading and memorizing cases, which is all I feel I really did at law school).

When I began to practice law, I felt my law school education was lacking in practical applications. As I've acquired my own store of practical knowledge, I've come to value the intellectual training. As a general practitioner, my clients need me to analyze their problems, which often don't fit neatly in any pigeonhole. Michigan Law School taught me to do this, and I'm constantly amazed at how many lawyers have not learned (or at least don't use) this skill.

I think this is a good idea.

I recently changed careers to high school science teaching. The main reason was that I could no longer put up with the corrupt people and corrupt practices that typify the legal system. My experience of practicing law over a number of years was: you are considered a sap if you obey the court rules; you are deemed subversive if you criticize the enormous bill-padding of law firms; and generally you must operate at a constant disadvantage if you are honest.

Fine. But does the Law School have any culpability for the situation?

It must be acknowledged that students whose values are already

warped, say, by money and privilege, were not made so by the Law School. On the other hand, the Law School's amoral presentation of law practice -- how to get around the rules for your client -- reinforces the warped values.

Moreover, the Law School's position that a mighty (and stylish) struggle of lawyers will produce truth and justice in and of itself, without ethical underpinnings, sends a clear message to morally uncertain students: not to worry; do whatever you have (or are told) to do because the "system" automatically validates the propriety of the result.

Such laissez faire legalism is in fact only as good as the collective character of the participants -- and it isn't very good.

Based upon 15 years of practice, I view lawyers as problem solvers. The more my practice centers around the middle class, the more I recognize the need for flexibility and creative means for resolving my clients' problems. Blind advocacy on behalf of one's client can often lead to nothing but a large unpaid bill and a problem "resolved" by exhaustion, as well as a lost client.

In my estimation law students should hear more from actual practitioners in all areas who can tell them what they are going to face and how that practitioner has learned to deal with his/her problems. (A guest lecture series, possibly as part of a required seminar program for juniors).

When I took this job with the City Law Department, I never expected that I would still be here fourteen years later. While there have been a few times that I have felt a bit restless, by and large the job has been very satisfying. I handle cases involving interesting legal principles, with large dollar amounts at stake, and I have the satisfaction of influencing City policy in a substantial way. The salary, while not extravagant, is ample for my needs. Now that I have three children, I very much appreciate having a job that generally lets me be home by 6:00 pm, with evenings and weekends generally free. I have become very involved in the planning and administration of our neighborhood public elementary school, which my three boys attend. My husband has always been an (at least) equal partner on household and child care issues, which makes this all possible for me.

My 1969-1971 and 1974 years at the Law School produced a J.D. degree -- they were also the least "educational" educational experience I've had and convinced me I would not be happy practicing law.

More instruction in the business of law would have helped, e.g., billing, working with staff, time planning, etc. Also more hands on work in drafting documents and pleadings.

What is the product of a great law school? The books, articles and speeches of its professors or graduates with superior education and training? When I was in law school, Dean St. Antoine, in a report to the University, made clear his disdain for the students and his reverence for the faculty. The institution is, of course, primarily measured by its faculty. Everything possible should be done to ensure that the Law School has the finest faculty.

But can the fact be escaped that the purpose of a law school, or a school of any kind, is to educate its students? Is a law school faculty truly superior if it is unable to provide an education, that is, to teach?

A Kauper, a Kamisar or a Wright know how to teach. White knows how to teach, to lead, to train. Too many of the faculty don't know, don't care and aren't required to have the skills to teach. Those who are unskilled at teaching could learn much from those who are and they should be required to do so. It's not enough to be an authority on a topic. The Law School must develop teachers. It owes its students that, at least.

I didn't enjoy law school but thought then that time would mellow my views as it had with every other school I attended. It has not. The place was not given to intellectual stimulation and provided no practical training whatever. I'm still unsure of its purpose. Close it.

1) Most students at law school have no idea how hard a lawyer must work to be professionally and financially successful. This remains true regardless of where the lawyer practices or the area of law practice (with very few exceptions due to special circumstances).

2) Law schools do an inadequate job of preparing their students to be counselors. The education is too narrow. Now schools should require their students to take some basic business school courses or at least have a basic understanding of the financial side of a corporation.

3) I had a great time at law school, enjoying the courses and the professors.

The key to "big city" law practice is "rain-making." Even if you have better knowledge of the law, the person who brings in the business advances over the person who stays in the office and does the work.

Unfortunately, law school does not even discuss this practical fact of economic life. It is a problem for a person who comes from a "working class" background. You know how to sit, study and work hard, but you do not know how to "entertain" and "puff" your expertise. Since you only have a couple of minutes to "impress" a client, a personal "presence" is the key. The large

city courts are so busy the judges reply to force of personality and not "the law."

Therefore, the Law School should consider development of a lawyer's "force of personality" not just intellectual development.

Law school should incorporate into its curriculum a substantial segment teaching lawyers how to practice law, especially drafting skills (pleading, motions, contracts, wills, etc.) and the anatomy of a trial (what do I do once I get there -- jury selection, opening statement, elements of a cause of action, burden of going forward, burden of proof, introducing evidence, closing, etc). The great emphasis in law school is on intellectual discipline and substantive areas of law, rather than how to apply it in the real world. I believe that lawyers in private practice are placed in the very difficult situation of representing clients in a trial setting without much practical experience. There is no "internship" and guidance from firm members is haphazard at best due to their own responsibilities.

One significant aspect of being a lawyer that I did not realize while in law school (and I do not fault the School for this) is the business side of the profession. I simply did not realize then how important selling yourself and your firm is to your and your firm's success. The demand the profession places on those who practice law to be a "salesman" changes the nature of the profession dramatically. It is an ability (that of being a successful salesman) that is substantively and substantially different from the ability to do legal work well. Given its significant role in the lives of private practitioners, the Law School may want to consider, at a minimum, at least alerting students to this aspect of the practice of law.

As a person interested in legal services work, I felt pretty isolated at the Law School. At the time, I was sceptical about the utility of what I was learning. In retrospect, I am well-satisfied.

I did not enjoy law school, but don't know how it could have been much better. I have taught as an adjunct at a law school and didn't like that much either. It was certainly harder to do well than I had anticipated.

The more time that passes the more I appreciate what it means to have graduated from such an institution. (This should not be translated to mean "absence makes the heart grow fonder.")

I continue to believe that the Law School provided an excellent foundation for the practice of law. While I regret not having taken certain substantive courses, the analytical skills I gained from my three years at the University of Michigan have served me well, not only in drafting documents but in advising and counseling clients on both legal and nonlegal matters. The

intellectual rigor to which we were subjected established standards for myself and my practice which I continue to demand not only of myself but of those with whom I work. I salute the faculty on their continued dedication and commitment to these standards of excellence.

It is becoming imperative for lawyers to be adept in use of personal computers, not simply for legal research but also for drafting, outlining of documents; database organization and management; and artificial intelligence. A student coming out of Michigan would be well served to understand this and to be trained to utilize a personal computer with some mastery.

Having attended U of Michigan as undergrad I loved the Law School -- professors were approachable and cared about teaching. This was in contrast to LS&A. Also, having left Vietnam 3 weeks prior to my first class, I found the intellectual atmosphere more stimulating and the physical environment considerably more pleasant.

I regret not using the School as a vehicle for career preparation more than I did -- I was there to get my ticket punched and get a job with a large firm.

I also regret not taking a more thoughtful look at my future while I was in law school. My goal of becoming a partner in one of the larger firms in the country was achieved. Unfortunately I was unhappy when I got there and resigned. After two years of playing businessman I came back to the practice in a 20 lawyer firm and love it.

The tensions and time demands are always there [it's Saturday] but I'm forced to admit I like law. I like lawyers and I'd do it all again.

It is important to me that my legal practice not interfere with my family life. That can't always be accomplished, but fortunately my position is such that I have the flexibility to do what I wish (i.e., take time off during the day to attend a school function).

I believe that law school and the practice of law are 180 degrees apart, and school should be more focused on training and educating from a practical point of view.

For me, as a non-practitioner, the lasting benefit of law school has been in the development of critical thinking -- inductive reasoning, identification of issues -- and the ability to write and speak clearly and precisely.

Not clear on my answers because I am currently trying to decide whether I want out of my current work situation or in addition whether I also want out of law.

I have been a partner in 3 large firms -- and now have started my own firm. In many ways, lawyers in large firms are very well paid clerks. Maybe that is why so many surveys find that most lawyers hate what they do.

I came to U-M because I considered it to be the second best law school in the country. (Doesn't everyone want to go to Harvard?) Maybe it still is. I have always believed that I received a superb legal education there, and I have the warmest recollections of faculty, students and curricular and extra-curricular activities. I have always been proud of my affiliation with the School.

I remember having one gripe then, and I have one gripe now, although, sad to say, I haven't followed happenings at the School too closely since leaving. The gripe then was the discrimination by the University I experienced for being an out-of-stater. I seem to remember paying (that is, my father paying) at least three times what Michiganders were paying for the same education, even though I licensed my car in Michigan and did everything I could to establish residency. Shortly after I left, class actions changed the policy, but I remember.

It seems that law faculties in general have become rabid redoubts of radicalism. The faculty seemed politically more balanced when I was at U-M -- was it? Anyway, my second gripe is Dean Bollinger's testimony, which I watched on television, at the Bork hearings. I frankly don't respect the Dean's opposition to an eminently qualified jurist because the latter's First Amendment views were not in agreement with the Dean's particular position. Moreover, I am offended that he used his position as Dean to advance a partisan political agenda ("partisan" not relating to a party, but to a political philosophy). The faculty of Princeton (my undergraduate alma mater) must be as liberal as any, but I can't imagine President Shapiro campaigning against Presidential nominees.

I also have an M.B.A. I don't have the above gripes with respect to either of the other universities I have attended. I make a token gift to the Law School every year and can't really afford more at the moment. But in the competition for my loyalty as an alumnus and my financial support, the other schools win.

Read Nietzsche. Play chess. Invest in the next generation.

When I was in law school at the University of Michigan in the early '70's, it seemed that the standard objective upon graduation was to land a position with a large law firm. A judicial clerkship with a federal judge was perhaps the only acceptable alternative. I would hope that law students today have moved away from this narrow focus and recognize the broad range of available alternatives. Many of the best lawyers I know today began their careers in small law firms, prosecuting or public defender offices, corporate law departments and

governmental agencies. In fact, I believe that a large law firm may be one of the poorer places to begin one's legal career from a long term perspective. While large law firms of necessity provide multiple layers of oversight and direction (thus continuing to a certain degree the insular process of law school), these various alternative situations afford the new young lawyer much greater flexibility and opportunity to take on early responsibility. I would, therefore, encourage new law school graduates to consider many of these alternative opportunities and not be guided solely by the prestige and/or remuneration associated with large law firm practice.

Reflecting on my ten years in private practice with a large firm and on the questions in Part E, our firm had about 20% women, worked mainly on hourly rates (mine was \$120 when I left 3 years ago) and most of the practice was for medium to large corporations. My practice was in energy and environmental law. This is the area I concentrated on in law school and is still my area of concentration, even though I now work on government policy, not law. I have never felt discrimination in my practice.

Law students need exposure to quality of life issues. Large firm and heavy work commitment versus alternatives (and less pay).

By far, one of the best investments in time a person could make. Frankly, you can have the weather. I'll endure the earthquakes.