Misrepresented
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Why are there so many lawyers? Are lawyers only practicing law in order to make money? Why do there seem to be so many ridiculous lawsuits over negligence and malpractice? Why do more lawyers seem to be working against the system instead of working for it? What does a lawyer do? These are all valid questions that many people ask themselves when first looking at the field of law and its practitioners. After interviewing my Business Law Professor Elizabeth Gingerich and doing some research of my own it is obvious to see that I, along with many other people, are ignorant when it comes to knowing what a lawyer truly is, what they actually do, and the vast amount of opportunities a law degree can provide besides actually practicing the law. The reality is that every law school student may be an attorney, but not every attorney is part of a private practice. The amount of opportunities and careers open to a new law school graduate are endless, with passing the bar and practicing law in an actual firm being one small part of the entire field. Holding these many fallacies and generalizations about the occupation, it is easy to see how the profession has in many cases, become inflated and misrepresented. With
people either thinking of a hot shot lawyer fresh out of an Ivy League school, or a greedy crooked lawyer only out to make money it’s time to set the measure straight; finally representing the profession for what it truly is.

The first question that must be answered when discussing the law profession is: what is a lawyer? Or better yet, what makes a lawyer? A lawyer is a person whose profession it is to give legal advice and assistance to clients and represent them in court. Finally understanding this concept will help discriminate between a person who graduated from law school that can actually be categorized as a “lawyer” and one that cannot. Now that we can see what “lawyer” means, how does a person actually become one? The first requirement which is the most important involves a person’s education. Almost every person that enters law school has a high school and college degree. When analyzing the best ways to prepare for law school there are some questions that come to mind as to what skills, majors, and extra-curricular activities a law school applicant should possess. The truth of the matter is that it depends on which law school a person decides to apply to. Any major can suffice and in some cases the school of your choice could very well only care about your GPA and LSAT scores. Law schools actually look to acquire a student body possessing a variety of different backgrounds and majors to help diversify
their class (Morkes 126-127). Elizabeth Gingerich went to college without really any main goal in mind only seeking to learn and expand her base of knowledge.

I went to school to learn.
I didn’t really have any career in mind after college only taking classes and studying things that I was interested in. I decided to go to law school after graduating and I absolutely fell in love with it.

She studied what interested her and obtained a major in Latin American History and two minors in Religion and Spanish at Indiana University. Elizabeth Gingerich did exactly what many law schools suggest applicants do, which is study what you are most interested in. Due to the overwhelming number of different areas a law school graduate can go into, having a unique undergraduate degree can help you specialize later, obtaining a job that is more tailored to your wants and needs. For my Business Law professor, she now does speeches in Brazil on copyright infringement and contracts, an opportunity possibly lost
without her knowledge of the region and background in language.

After finally deciding on a major, a person applies to law school and hopefully gets accepted. Competition to get into the 183 accredited law schools is sharp. Even though the number of applicants to law school since 1978 has leveled off and somewhat decreased, any mistake of the slightest during a semester or within a course could result in your inability to get accepted to the law school of your choice (Opportunities 87). It is often suggested that every pre-law student take courses to help prepare for a career in law and the LSAT. There is no sure fire way to ensure acceptance into law school but there are some general guidelines that if followed will help you get in. Try and take a curriculum that is beneficial, rigorous and somewhat preparatory for a career in law. This could simply entail obtaining the major of your choice with a few courses dedicated to pre-law. Going to a school that is both recognized and selective will also help your chances, with any work experience and extracurricular activities outside of class always adding an extra plus (Opportunities 89). Now if a person gets accepted to law school and obtains a law degree that does not automatically make them a practicing attorney. The second main requirement for any person to become a lawyer is to obtain the appropriate certification.
Achieving the needed certification to become a lawyer involves passing the bar exam in the states that a person wants to practice law. Each state has different requirements for taking the bar, but the test is rigorous and usually requires intense amounts of studying to pass. Once completing the bar a graduate of law school is capable of practicing law in the state they choose to take the test. Since jurisdiction is so stringent and most lawyers do not want to restrict their practice of law to a limited area, law school graduates usually work to pass the bar in many different states so that their consumer base is not abnormally small. Passing the bar in many different states may be difficult but it could easily give a lawyer precedence over a given case due to the fact that they are capable of practicing law in many different areas across the country (Morkes 127).

As stated earlier a person that graduates from law school does not automatically go into the practice of law. There are many different routes that a person can take. When I was first thinking about applying to law school I also held the belief that all lawyers (or graduates of law school) either worked for a private practice, or the government. This belief is simply not true with lawyers capable of taking two different paths after graduation including the traditional path; practicing law, advising, and representing clients, or the alternative route; obtaining a
career in a non-legal or non-traditional field (Opportunities 58). If a person decides to take the traditional path, the lawyer goes to a given state, passes the bar exam and is then capable of practicing law in any given area except Patent law (which requires passing a specialized test in order to qualify for work in its particular area of Intellectual property). Areas a lawyer is capable of practicing law in, within the state they have already passed the bar include: business, computer, criminal, elder, environmental, family, health, immigration, intellectual, international, labor, property, public interest, taxation, and tort law with many other more specific and emerging areas. (Career iv-v) When discussing where a lawyer could find employment when practicing law, five main employment opportunities come up which include: private practice, corporations, the government, public interest, and the academic world (teaching at a law school) (Opportunities 23).

The alternative path that a person is capable of taking is non-legal. The various areas people not actively practicing law are capable of entering into include: Administration and Management, Money Management and Banking, Planning and Organizing, Insurance, Administration of Justice, Real Estate, Legislation, Communications, Education, and Entrepreneurship (Opportunities 59-63). After interviewing Elizabeth
Gingerich I was able to get a taste of both sides of the legal profession because she has taken both the traditional and non-traditional paths. At first Professor Gingerich took the traditional path, entering a partnership and practicing law in the areas of real estate, contracts, corporations, intellectual property, family law, bankruptcy, criminal law, personal injury, civil litigation, collection, employment, labor law, appellant work, and taxes. Practicing everything but medical malpractice and social security Gingerich stated, “Having a variety of different cases to deal with helps me keep up with current trends within law, keep my job interesting, and help me avoid burn out.” Although she said not narrowing her scope of litigation to a few areas of practice most likely cost her money, forgoing money to maintain sanity seems as though it was a wise decision. Besides taking the traditional path of litigation, Elizabeth Gingerich also decided to start teaching three years ago and informed me that by August 1st she would be becoming a full-time teacher, finally deciding that she has had enough litigation after nineteen years of practicing law. Now deciding to take the non-traditional path, teaching undergraduate students, she looks forward to being off the clock, having more one-on-one time with students and obviously more free time for her family. Elizabeth Gingerich demonstrates how practicing law in many cases causes lawyers to make major changes within
their careers before retirement. Making a move from litigation to teaching is a major step, but for her a step she is willing to take stating, “Teaching is my first and foremost love.”

As stated before there are many fallacies and myths that are held by the public dealing with lawyers and their occupations. These myths include a lawyer’s salary, the overwhelming view that all lawyers are crooks and thieves, and the idea that there is an overwhelming surplus of lawyers in America. The first and foremost misunderstood aspect of the legal profession is their salary and the amount of money lawyers actually receive. On average, the starting salary for any lawyer fresh out of school is 45,000 dollars in private practice and 36,000 when working for the government. After obtaining experience their salary usually jumps to around 78,800 dollars a year (Morkes 129-130).

Now obviously there are exceptions to the rule. A few people make it big with illustrious cases and important jobs at big firms, but on average lawyers aren’t as rich as everyone suspects. The average income may be higher than most people within America but the overwhelming belief that lawyers are automatically rich is wrong. More often than not, lawyers just live a comfortable life with an above average standard of living. You must also remember most lawyers have quite a bit of outstanding debt from various
expenses such as law school. On average it takes a lawyer fifteen years or more to overcome another person’s accumulated income who only obtained an undergraduate degree (Career 8). Elizabeth Gingerich also touched upon this myth when we were discussing the overwhelming cost of legal advice.

Many people think that the hourly rates we charge are outrageous and they are. Legal advice should not be so expensive but most practices can only expect to receive ¾ of the fees their clients actually owe. We have to make-up for our losses somehow, and unfortunately that translates into higher prices for everyone else.

Due to bankruptcies and other problems, many times law firms have to raise their prices because of their customer’s inability to pay. After adding up the costs of secretaries and rent, a lawyer doesn’t actually make out with that much
money. It has definitely been made obvious that if you want to become rich, don’t automatically assume that becoming a lawyer will bring you unlimited fortune.

Another misleading notion that many people hold is the belief that all lawyers are crooked and dishonest. It seems as though when most people think of lawyers the words honesty and integrity do not come to mind. Instead things such as money laundering, Watergate, and other significant events tend to cloud people’s perception of the profession. The truth is there are some honest lawyers out there. You must remember that there are 850,000 lawyers in America and only a minuscule percent of them are actually involved in misleading clients and other various felonies. Although you will always run into a bad apple, don’t let one incident allow you to generalize against the entire group. Lawyers may defend convicted criminals and do things many consider immoral, but they are only doing their jobs (Career 9-10). Generalizing about the entire group because of a few people’s mistakes just proves how uninformed the general population is about the profession and how often they tend to focus on the rare occurrences that get captured by the media, rather then focus on all the good the legal profession has managed to accomplish. The last fallacy is the feeling that America has too many lawyers. Now it is true that the profession has been constantly growing with an ever
increasing number of lawyers within the country every year. As of 1993 there were an estimated 800,000 to 900,000 lawyers in the United States with the ratio of lawyers to the relative population going from 696 – 1 in 1950 to 250 – 1 in the early 1990’s (Opportunities 8). The attorney field has grown fast but so has the job market. Many allegations have been made that the occupation of being a lawyer has grown too fast, with even political figures, such as Dan Quayle, asking the American Bar Association for reform. This is simply not true. With the number of areas that lawyers are capable of entering into besides litigation, there is always opportunity for new law school graduates. It is also easy to see that the price of legal advice is still too high for most people to afford, leaving a significant portion of the middle and lower class within America’s population without adequate legal services. This would mean that the nation needs more lawyers instead of fewer (career 11-12).

There are a high number of lawyers within the country and it has made the job market very competitive, but taking into account the number of graduates that don’t even enter litigation the idea that our country is producing too many lawyers is absurd. Right now the speculation is that only the students capable of staying in the top ten percent of their class in the top ten law schools will actually get a job in a major law firm. Everyone else is usually forced
into other careers due to the few amounts of jobs available for the current lawyers flooding the market from law school (Opportunities 103). The fact is that these statistics are skewed. Most of the figures that state the country as having an abundance of lawyers only accounts for graduates going into the legal profession, but as shown before many people who graduate from law school do not go into the actual practice of law. The numbers also don’t account for the 20 percent of people that actually go to law school but already have a job. They aren’t searching for a job once they graduate because they already have one. Taking these factors into account, the current trend is that about 86 percent of all lawyers find a job after graduation. The competition in the field is very fierce, but with constant population growth and new areas of law emerging every day, the outlook of the career appears good. There will always be jobs for lawyers (Opportunities 104).

Now obviously some areas of law will be hot and others won’t with current trends within the economy dictating the types of litigation that are in demand. With everything subject to change at the drop of a dime some areas currently hot in the marketplace are all forms of litigation, intellectual property, and in particular energy, education, bankruptcy, immigration, biomedical, and employee benefits. Firms are also seeing an influx of bright
new talent because of the recent 18% increase in law school applicants allowing the companies to become more selective in their hiring practices. On the down side, presently mergers and acquisitions are low due to the lagging economy (Blumenthal).

Now that we know what it takes to be a lawyer, where a person with a law degree gains employment, and have gotten rid of some of the most popular myths about the legal profession, it's also important to see what lawyers do in an average day, and the implications on a person's life that arise from being a lawyer. Considering that there are so many different places a lawyer could gain employment, we will focus on a practicing attorney using insights from the life of my interviewee Elizabeth Gingerich. To get started, lawyers work indoors and spend a significant amount of time at law libraries, record rooms, and depending on the type of attorney they are jail cells, court houses, and homes of their clients. Accompanied by extremely long hours lawyers can be accountable to go to court at all hours of the day and expect to spend weekends and nights preparing cases for their next appearance in court. There is very little free time found within an attorney's life which makes it hard on a person trying to balance a home life while also trying to become a successful practicing attorney (Morkes 130). This brings up one of the most negative aspects of the career.
There is no free time. Expressed by the New York Law Journal it seems as though you can sacrifice time at the office for your family, but too often the action is looked down upon and you are automatically deemed as not cutting it. It is shown that currently 1 of 2 women and 1 of 5 men want reduced hours so they could spend more time with their families, but the legal profession does not have time to spare. Women tend to work harder to prove that they are as good employees as men, and men don’t speak up because it would entail crossing the gender line. With an increasing number of women and men being faced with the time bind, once again the family seems to sacrifice time for the job. If people were willing to take a stand maybe the legal profession would become more sympathetic to the family (Work). Elizabeth Gingerich was also no stranger to this time bind.

I work 60 hours a week or more. I wake up at six in the morning, and usually go to bed at midnight. I am in a constant search for extra time but my family always comes first. If my kids need me I am always there. I always make time
for my kids.
Ultimately deciding to take up a career that would give her more leeway with time, Elizabeth Gingerich will no longer actively practice law full time after August 1st, giving up money for leisure time and family Quality Time. The time bind is everywhere, but it can only be solved through sacrifice. If no one is willing to make a change or take a stand everything will remain the way it is. It is not the legal profession that has the problem but the very people in it willing to work the ridiculous hours.

Besides never having free time, the career of being a lawyer also tends to not satisfy the soul. Too often lawyers feel as though they have accomplished nothing in their lives of litigation becoming unsatisfied and feeling unimportant. Having to deal with long hours and unruly clients, many decide to run away from the law wondering why they ever put up with the career. Being a lawyer is grueling work, and frequently causes burnouts among many of its practitioners (Opportunities 112-113). One thing Elizabeth Gingerich stated during my interview was the fact that a person in this profession has to keep the faith. “You may deal with personalities you do not like, and cases that are overbearing but you must always remember that the people you serve are coming to you for help.” Elizabeth also stated that most of the people that come to her or any other attorney for
help are at a low point in their life. A lawyer must work hard not to lose the compassion that brought them into the field. You must be quick, clever, tough, and logical, but if an attorney loses his or her sense of compassion, and sensitivity to everyday life it will become impossible for that attorney to feel satisfied after a hard day's work. You truly have to love the field to become a lawyer. The occupation does not pay enough and is too grueling to go into without truly loving what you do. Even Elizabeth Gingerich has decided that she has had enough of full time litigation after nineteen years moving on to education.

After researching the field of law, I have easily seen that there are many myths held about lawyers, and in many respects the legal profession is not given the credit that it deserves. Having to put in long hours, work with unruly people, and basically give up any type of social life while employed, lawyers give their life to helping people solve problems that might otherwise go unresolved. There are many different areas in which a person can decide to work after obtaining a degree, but the type of job you get all depends on the amount of work you are willing to put in and the kind of law you enjoy to study. With competition unmatched by any other profession and applications once again on the rise, law school is a field only for the gifted. Not everyone can become a lawyer but not everyone is
meant to be a lawyer. With very little in return but a comfortable lifestyle anyone looking to enter into the field of law must be ready to fight for and truly love what they do. The opposition is too high and the tasks too strenuous for anyone not dedicated to the field to become successful. It's a life that is draining but as Elizabeth Gingerich said, "you must keep the faith; everyone should know their rights, practicing law takes everything out of you but I wouldn’t have lived my life any other way."