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| **LAW SCHOOL AND STRESS****(Why it’s so hard and what to do about it)****Professor Barbara Glesner Fines University of Missouri** **- Kansas City School of Law****©1999** |

*(This is a version of an orientation speech I have given every year for the past twenty years.  It has become known, variously, as "The Eat Your Vegee's" speech or the "Get a Life" speech.  Students have remarked that they have found it helpful to them during the first year of law school.  I present it here in the hopes it may help law students elsewhere have a more successful and enjoyable law school experience.  A more extensive examination of the issues raised here can be found at B.A. Glesner,  Fear and Loathing in the Law School,  23 Connecticut Law Review 627-68 (1991). )*

Welcome to the profession of law. I will probably meet most of you in the three years ahead in professional responsibility or family law classes.  But today, I'm here to teach a different subject -- the study of law.  And there will be a test.

The test will come tomorrow, and next week, and next month, and at the end of the semester, and in three years and at regular intervals for the rest of your professional career.  The test will cover your ability to achieve balance and perspective in your professional career.

Sadly, many in the profession are not faring well on this test.  Many attorneys do not enjoy their work -- an ABA survey in 1991 indicated that 40% of newer attorneys were dissatisfied with the practice of law.  The percentages are even higher for women and minorities.  No wonder lawyers are depressed -- three and a half times more so than people in other occupations, according to a 1990 study released by Johns Hopkins University. This means that attorneys have higher levels of negative coping behaviors: alcoholism, drug abuse, and others.

Now please keep in mind that I am not a psychologist.  I have read and researched and written about the process of legal education and its effect on students, but much of what I know about law student stress, I know based on what I see.  What I see is distressed law students.  So today, I would like to explore with you the sources of that stress in law school, some of the ways in which that stress manifests itself, and some suggestions for stress management.

SOURCES OF STRESS IN LAW SCHOOL

One of the major sources of stress in law school is the shift from undergraduate to professional education.  Consider why people value the work of attorneys.

* An attorney is expected to master large amounts of complex materials in a short amount of time.  It's often said that a lawyer is a quick study.
* Attorneys are looked to for solutions to complex and novel human problems.
* Attorneys do hard hard -- independent, critical reading, listening & thinking -- and lots of it (many attorneys work over 2000 hours a year).
* Attorneys are noted for their ability to articulate a position confidently in the face of equally confident and articulate opposition.

Hard work.... Incisive analytical and problem-solving abilities.... Confident articulation under pressure.

It's no wonder that these characteristics of an attorney's work are also the characteristics of legal education.   Moreover, legal education is, for many of you, unlike any educational experience you have had to this point.   You will soon discover that the volume and intensity of work is much greater.  In undergraduate programs, most of you could work hard (or maybe even not-so-hard) and complete all your assignments or even stay ahead of your assignments.  In law school, you will likely feel like Alice in Wonderland, taking all the running you can do just to stay in the same place.  As a general rule, you should plan on studying four hours for every class hour.  (For those who aren't math majors, that means that in a 15-credit hour semester, you will be spending 60 hours a week studying outside of class).  This is not an exaggeration.

Moreover, there is always more you can do.  In law school, as in legal practice, there is always one more possible way to view a problem; one more possible source of authority or enlightenment; one more possible solution; one more possible way of communicating your ideas.

In addition, for most of this work you are on your own.  In any educational setting, you are responsible for your own learning.  However, in law school, one of the primary skills you should be learning is how to exercise that responsibility.  How to learn actively and independently.  At first, you may feel like there is a secret you haven't been told and you will be searching for answers.

Yet this, too, is one of the differences about legal education.  In undergraduate education, you could usually come to class reasonably familiar with the assignment and leave class with greater clarity and certainty about the materials.  That won't happen in law school as often.  Rather, you will sometimes come to class believing that you understand and have mastered the materials and leave class feeling as though you really don't understand at all.  Why is that so?  Because law school is designed to develop your critical thinking skill.  That skill requires that you be able to generate as many questions as answers.  That uncertainty, that sense of suspended learning, can be extremely stressful.

By the way, I can help with some of that stress.  You will often find yourself, in the first weeks of the semester, asking yourself, or each other "But what's the answer?"   I'll tell you the answer right now.  The answer is "IT DEPENDS."  It depends on the facts, the politics and the cultural context, it depends on which jurisdiction, it depends on which time,  it depends on which decision maker, IT DEPENDS....

There is another sense in which legal education can be stressful.  Even if there were clear answers to most legal questions, you will be receiving less specific, evaluative feedback than in undergraduate education.  Most faculty in the first year give mid-term exams, but few (outside of perhaps your legal writing instructors) provide the type of weekly, graded homework that you might have received in undergraduate education. Instead, your entire grade for most classes is based on a final comprehensive exam.  And those grades count for so much -- becoming a source of considerable stress as you engage in a more competitive, explicit ranking process than many of you have faced since junior high.  Think about it -- you are all at the top of your class, you are all highly talented and intelligent people, you are all outstanding students -- but you can't all graduate with a 4.00 grade point average.  (You can all graduate, but 90% of you will not graduate in the top 10% of the class).

So you can see, many aspects of the educational process can be sources of stress.

There is another process going on in law schools that also can cause stress.  It is the subtle but pervasive process of being socialized into a profession.  I can't say that I know much about this process from an academic or theoretical perspective, but I do know what I see.  Every year I see the process of legal education change students in some rather fundamental ways.  Some students take the new skills they are learning as law students and absorb these skills as fundamental parts of their personality.  In other words, these law students learn the role of lawyer.  Which isn't bad, unless the lawyer role becomes the only role one then ever adopts.  For example:

* being able to see and advocate for both sides of any argument is good;

losing your own personal moral, ethical or aesthetic judgment about right and

wrong, true and false; that is bad.

* being confident in stating a position and sticking to it is good;

being arrogant, overbearing, and unable to listen to others is bad.

* wanting to work in a high-paid, high-status, corporate law firm is good;

wanting that because it seems like any other choice is second-rate, and in spite

of all the contrary goals or expectations you have coming into law school... well,

I think that's bad.

It's easy to lose yourself in the process of legal education.  And holding on to yourself can be a significant source of stress.

Finally, there are all the personal sources of stress that are made worse by law school.

Few of us has enough time.  Law school takes all the time you have and then

some.

Few of us has enough money.  Law school is enormously expensive -- for most

of you, the debt you will take out of law school will be the equivalent of a

mortgage on your first home.

Few of us are in the kind of physical shape that we would like to

be -- imaginethe results of  a diet consisting heavily of coffees, donuts and

Wednesday pizza, and a workout program that consists entirely of carrying 100

pounds of law books from locker to library. (it isn't pretty)

Few of us are crystal clear about why we came to law school -- that question

looms even larger when you are sitting up at midnight reading a totally

incomprehensible piece of legal writing from the late 19th century.

So plan now to reduce or eliminate as much of this ordinary stress as

possible.  Think about your timing.  I believe that the major reason many

students do not succeed in law school is that they started at the wrong

time:  Don't start law school on the same day you are also beginning major

medical treatment, a divorce, or have just had a new baby.  Don't start law

school without a decent plan for financial support.  Do not - unless you are in a

part-time program - try to "work your way through law school."  You will work

your way right into academic failure.   Now you might be saying to yourself –

yeah, but I'm different.  I'll be able to handle it.  Well, maybe you will.  But

maybe you won't and there's little room for a second chance.  And even if you do

manage to get through, your education will not be the fulfilling, exciting, and

truly successful experience it could be if you would just wait one more year and

sort out your problems first.

Stress from the educational process; stress from the socialization process;

stress from living while in law school.  These are the sources of stress in law school.

Now before you all go running for refunds, let me say that nearly all law

students manage this stress without major problems.  Some even thrive (though I've noticed that many of those folks become law professors).  How will you know if stress has become a problem for you?  There will be some rather obvious symptoms.

SYMPTOMS OF LAW SCHOOL STRESS

You'll get sick: more colds and headaches.

You'll worry more than you work.

You'll notice more problems with your family and friends.

You'll have some significant change in your personal habits: you'll lose your appetite or you'll want to pig out all the time;  you'll want to sleep all the time or you won't be able to sleep;  you'll want sex all the time or you'll never want sex again.

You'll go into survival mode: fight, flight or freeze:

You'll fight: You'll find yourself speaking words of excuse and anger -- like "All lawyers are asses" or "All law professors are pompous, arrogant fools." or "Professor Glesner Fines is out to get me!"

You'll flee:  You'll start skipping classes, skipping assignments, or -- just as much a problem -- doing the reading and coming to class but neglecting to think about either.

You'll freeze:  You'll find speaking words of desperation and despair -- like "What am I doing here?" and "Everyone's smarter than me." or "I'll never keep up." or  "I'll never catch on.";

So what do you do to keep from becoming overwhelmed by the stress of the legal education and socialization process piled on top of ordinary stressors?

First, let me say a word about one coping mechanism that is NOT a

solution.  Some students try to cope with the stress of law school through

chemistry: caffeine (or stronger) to keep them up; alcohol and other substances

to help them down.  Not only is this strategy guaranteed to interfere with your

studies, but it is a sure-fire way to guarantee that the Board of Bar Examiners

will refuse your application for admission to the bar.  Substance abuse and

criminal records are major red flags on any application -- and yes, that little DUI

ticket counts, even if you went through a diversion program and were told that

your record was "clean."  You need more than a "clean" record to be a lawyer –

you need a "clean" brain.   If you think you may have a problem with substance

abuse already, here's what you need to do -- as soon as I'm done speaking,

leave the law school, go get treatment, and come back when you are in

recovery.

Now, what about some better solutions.  Here is my four-point, sure-fire,

guaranteed (well, maybe not guaranteed, but I think it works) method for coping

with law school stress.

COPING WITH LAW SCHOOL STRESS: A FOUR-POINT PLAN

First, have faith.  Have faith in God (however, you may envision God) and

pray.  Have faith in the process.   (We really mean it when we say we would not

have admitted you if we did not believe you could succeed.   You are an

investment -- we would not squander our resources unwisely).  Have faith in

yourself.  Become  your own best cheering squad and reassure yourself with all

the success you have already had that brought you to this point.

Let me ask you a question.  Why are you here?  Watched enough

episodes of "LA Law" that you just knew that being a lawyer would be the career for you?  Well, maybe you'd better schedule your study schedule to free up that programming hour each week.  Following in the footsteps of a role model in your life?  Better take him or her to lunch or read his or her biography regularly.  Have a hunger for justice?  Look around you and see all the desperate need for lawyers hungry for justice.  Carve out a bit of time to volunteer.  You get the picture.  Have faith that law school will help you meet (or even find) your goals.

Second, live outside the law.  You will have less time and energy for your

family and friends -- but be sure not to neglect these important people in your life.  They are your buffer against stress -- your link to the rest of your life and self.  And for heaven's sake, when you are spending time with them, don't "lawyer" them.  Watching a football game with your buddies is not a good time to review your knowledge of the tort  doctrine of assumption of risk.  Don't use an discussion with your spouse as an opportunity to practice rephrasing the issue.  Instead, keep track of yourself and nurture the relationships that will nurture you.

Have faith, live outside the law,

Third, take care of yourself.  Follow the advice your mother gave you (or

should have given you).  Pack a nutritious lunch -- don't make breakfast three cups of coffee and two chocolate doo-wahs out of the vending machines -- eat your vegees.  Get enough sleep -- especially during the times you think you can least afford it.  Get some exercise -- the Law Book Bench Press is not enough. Take twenty minutes a day to go for a walk at least. Keep a positive mental attitude. Don't let yourself fall victim to cognitive self-defeat and negative imagery.

Have faith.

Live outside the law.

Take care of yourself.

and fourth, if you do have problems, get some help.  Ask one of your professors,

ask our student support staff, ask our assistant dean, ask the campus counseling

center (by the way, you should know that law students and medical students are

their largest clientele, so don't think you're the only one).   The law school has

helped many a student, with truly horrendous crises, navigate their way through

this process to graduation.  But those students asked.  They asked before it was

too late to find effective solutions.

So there you have it.  For many of the same reasons that law school can

be stressful, it can also be one of the most exciting, challenging, enriching experiences you will ever have.  I wish you all the greatest success.

Every year at graduation, I see students become hooded with the

academic  garb that signifies a master.  And every year, I see students who have a variety of academic achievements about which to boast. I also see students who have equally important achievements:  That student read a bedtime story to his child every night for three years.  That student learned to play the piano during his second year of law school.  That student worked at the local soup kitchen every Tuesday night.  I wish you academic success of course.  But even more, I wish you the success of growing through this process, so that you will truly succeed as lawyers -- as the agents of justice and peace in our society.