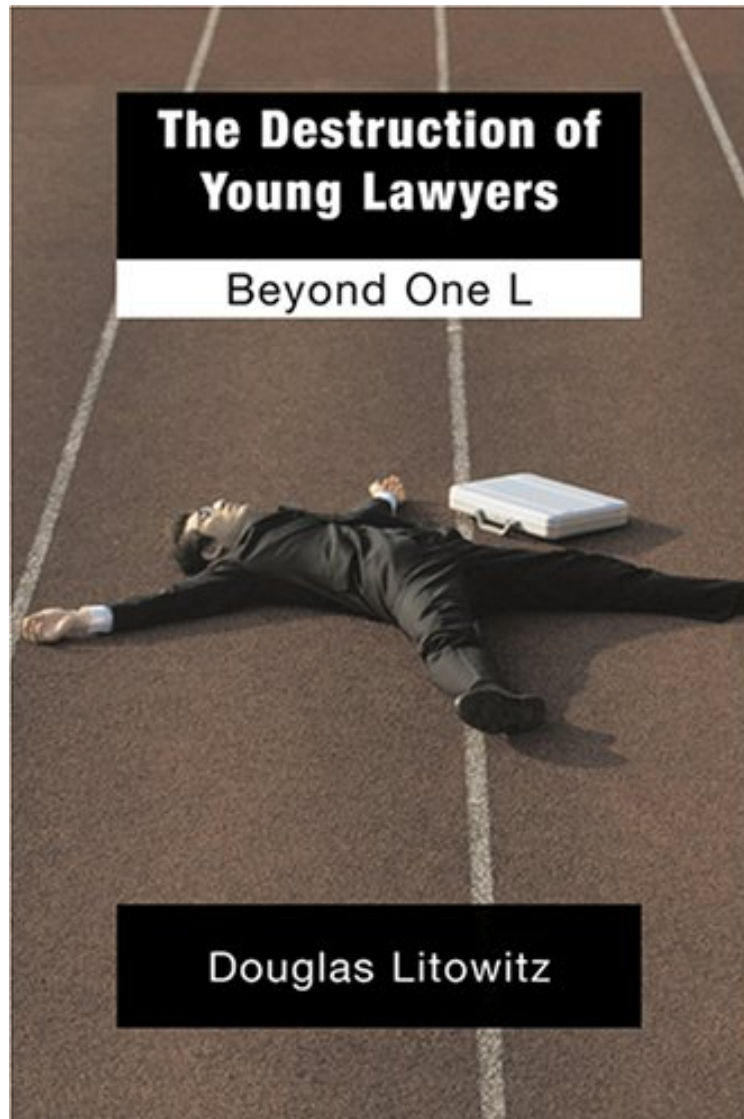


[Mobile ebook] Destruction of Young Lawyers: Beyond One L (Series on Law, Politics, and Society)

Destruction of Young Lawyers: Beyond One L (Series on Law, Politics, and Society)

Douglas Litowitz

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Douglas Litowitz : Destruction of Young Lawyers: Beyond One L (Series on Law, Politics, and Society) before purchasing it in order to gage whether or not it would be worth my time, and all praised Destruction of Young Lawyers: Beyond One L (Series on Law, Politics, and Society):

2 of 2 people found the following review helpful. Tour de forceBy BeingQuaBeingThe book was incredibly persuasive and beautifully written. Litowitz makes it practically untenable to contend that the current American legal

system is anything but an immoral game, and he presents reasonable and good faith solutions to the problem. Based on my interaction with attorneys and law students, Litowitz's account is accurate, even though his delivery is often hyperbolic. I was impressed by how engaging Litowitz's tone was. His sentences are so eloquent and forceful that they carry a subtle degree of humor to them. In fact, when my friend (a recently minted JD) recommended the book to me, he would quote passages as though they were parts of a comedy sketch rather than a brilliantly researched treatise. This is a must-read for anyone who is on the fence about going to law school. But it is also valuable as social scientific commentary in and of itself. The applications of Marxian alienation were particularly on point. As other reviewers have noted, this Marxian framework was not particularly radical. On the contrary, a capitalist would have a hard time arguing that the framework is inapplicable to the legal status quo, irrespective of whether the framework applies to society more generally. Another aspect of the book that deserves recognition is its autobiographical sincerity. As a lawyer who left the profession for a PhD in philosophy, Litowitz is courageously forthcoming in his anecdotes about what it's like to go to law school, take the bar, and work in a prestigious firm. It's worth noting that since the publication of this book in 2006, mainstream publications such as the New York Times have echoed a handful of the arguments made. In the decades to come we'll see how prescient this book really was.

6 of 6 people found the following review helpful. Superbly points out the absurdity of the legal profession

By B. Mckee Though Litowitz points out the obvious--that law school, the bar exam, and many aspects of legal work are boring, nonsensical, and morally disturbing--he does so in a convincing manner with supporting references. This is not a rant, this is a well-reasoned book. This book has been criticized as "radical" and referring too much to the philosophy of Marx. But when you consider (1) how deficient legal education is (e.g., not knowing how to draft a complaint after three years of law school), (2) how the bar exam tests rote memory and not legal skill (e.g., not testing you on your ability to negotiate, manage funds, draft legal documents, etc.), and (3) how most lawyers would not go to law school again if they could go back and redo their lives (Litowitz cites the surveys showing this), I think the book seems less radical than the existing system. Litowitz suggests--as one possible alternative to the existing system--abolishing the bar exam and instituting an apprenticeship program instead. This may be radical, but it also makes perfect sense and would provide better lawyers to the public. Think about it: Would you feel more comfortable with a young lawyer who just finished an apprenticeship program with an experienced attorney, or with a young attorney who passed a multiple choice, multiple essay test but who doesn't know how to draft the most simple of legal documents? This book should really be read by people considering law school. Wide-eyed law school applicants think that being a lawyer will be similar to being Ally McBeal, that law school will be intellectually stimulating, and that the bar exam weeds out people who would not make good lawyers. But, as the book correctly points out (and backs up with evidence), this is all a lie. For a profession that prides itself on reasoning and logic, it is surprising how deficient it is in both categories. The book is a fantastic read--a real page turner. Hopefully, some of Litowitz's suggestions will come to fruition. But greed-based capitalism and an "I'm-more-tricky-than-you" adversarial system are such concrete institutions in America, that I don't see any fundamental changes occurring for a very, very long time...if at all. And so lawyers will continue to create Enron-type situations, poor people will continue to be unable to pay for a good lawyers, and law school will continue to turn social do-gooders into bitter people.

17 of 18 people found the following review helpful. Litowitz on unhappy lawyers

By H. F. Gibbard Douglas Litowitz is an attorney, law professor and former associate at a large law firm. In this book, he describes the emotional, spiritual and financial pressures that have made many young lawyers desperately unhappy with their line of work. Litowitz makes many good points about the kinds of stresses that result from structural factors that are fairly new to the profession. While some of his recommendations are unnecessarily radical, he does seem to have a sound grasp on the malaise that faces the American legal profession at the dawn of the twenty-first century. Young lawyers, he says, are suffering from high rates of depression and other forms of mental illness and substance abuse. There are several reasons for this. They come out of law school with little or no training in the practical realities of the law, saddled with enormous debts, steered toward practice in large firms that represent big corporations, spending long hours doing mindless and sometimes unethical work, chained to their jobs by technology that was supposed to liberate them. I think the diagnosis is fairly accurate. While many of the cures he suggests seem worthwhile, I'm not sure all of his recommendations are worth following. Litowitz surprised me with his old-fashioned liberalism, bordering on radicalism. Whether describing the "alienation" of associates with reference to Karl Marx's theories, or deploring the inability of young lawyers to devote themselves to a career in public service, Litowitz seems to be calling out to us from the past. He is strongly opposed to nearly every feature of the present-day legal system. Litowitz recommends, for example, that we do away with the Socratic method in law schools, and the bar exam. He would prefer a more "user friendly" approach to law school classes, and a less "Mickey Mouse" approach to the conditions for entering the profession. The problem with radicalism is that it tends to undervalue existing institutions. Could there be a reason for the "unfriendly" Socratic method? Let's face it, the law is not a touchy-feely profession. A lawyer in litigation practice is going to be pounded regularly with tough questions by unsympathetic judges. He or she will have to defend his or her client's position, even when it seems untenable, against constant attack by counsel on the other side. As much as we hate it, learning to read cases and answer tough questions about them, getting pushed into untenable positions, is part of learning how to be a lawyer. It's more like boot camp than an encounter group. I'm

all for his recommendation about learning more practical skills in law school. When I was there, nearly twenty years ago, I volunteered for just about every practicum and clinical experience I could get. And still, of course, found myself lost when I actually started practicing law. Reducing debt loads for people just entering the profession so they have some control over their lives just makes sense. But we have to realize that being a practicing lawyer is never going to be easy, and that lawyers will never be loved for what they do.

Young lawyers are morosely unhappy by every conceivable standard. They arrive at our law schools brimming with enthusiasm, but a decade later they are reporting staggering levels of anxiety, drug addiction, and depression. In legal circles there is talk about a crisis of professionalism and a decline in civility, but the problem goes much deeper. Through ignorance and greed, the legal profession has designed a complicated system of education, licensing, and practice that drives young lawyers into fear, alienation, and self-hatred. The author of this book---a law professor and practicing attorney---argues that young lawyers face a series of institutional absurdities built into the fabric of law school, the bar exam, and law firm practice. The current system is churning out a tidal wave of disaffected and bitter lawyers who see the legal system as a Byzantine maze, an endless artificial game totally disconnected from considerations of justice. *The Destruction of Young Lawyers* shows how these struggles can be reversed through massive structural change and is the first step toward diagnosis and treatment of the specific problems facing young lawyers.

"Litowitz makes some interesting points, and ultimately, I found the book deeply thought-provoking. You should read it. It might surprise you, it might infuriate you, but I doubt that it will bore you." --Kathryn Sarvak, *The Vermont Bar Journal*

From the Author: If you are interested in law, you better read this book. It tells the scorching truth about law schools and the so-called profession better and more honestly than any book I know. ---Gerry Spence, renowned trial lawyer and founder, *Trial Lawyer's College*. Easily the best of lawyer books, *The Destruction of Young Lawyers* is tightly reasoned, clearly and lucidly written, full of examples and anecdotes, and well-paced. I found myself getting lost in it; the story drew me right along so that when I looked up it was hours later. the book is a real page turner. ---Richard Delgado, Distinguished Professor of Law, University of Pittsburgh

From the Inside Flap: Lawyers are pathologically unhappy. The problem reached public consciousness about fifteen years ago with initial warnings that lawyers were experiencing mental health problems and "running from the law." In 1991, the American Bar Association acknowledged that the legal profession was at the "breaking point" due to an "emerging crisis in the quality of lawyers health and lives." By 1995, the chair of the ABAs Committee on Professionalism admitted that lawyers were leaving the profession because it had become "a nasty business" and was "no longer fun." By the mid-1990s, the *Wall Street Journal* was consulting psychoanalysts to figure out why lawyers had become "depressed, anxious, bored insomniacs," and newspapers on both coasts were reporting that lawyers were "miserable with the legal life." Books with ominous titles such as *The Betrayed Profession*, *Law versus Life*, and *The Lost Lawyer* started to appear. Even Justice Sandra Day O'Connor of the United States Supreme Court proclaimed that lawyers were becoming "a profoundly unhappy lot," and that they were "dissatisfied with their professional lives." When she attended the thirtieth anniversary of her Stanford law school class, she was shocked that the vast majority of alumni responded to a questionnaire by saying that they would not enter the profession if given another chance. And fellow Supreme Court justice Stephen Breyer noted that "lawyers increasingly describe their profession in negative terms" and have a "negative contemporary image" as hostile, narrow, and detached. These gloomy assessments come from the mainstream of the legal profession, not from an underground band of disgruntled outcasts. And the bad news is buttressed by a mountain of empirical data. It is now well established that public perception of lawyers is at an all-time low; lawyers are reporting record levels of dissatisfaction, substance abuse, and mental illness; one-third of attorneys appear to be clinically depressed, alcoholic, or addicted to drugs; and attorneys are reporting anxiety levels at least double (and perhaps up to five times greater than) those of the general population. For the first time in recent memory, a cottage industry has sprung up to help lawyers find ways to leave the profession, and indeed a recent survey by the *New York Law Journal* found that 40 percent of young associates at large firms plan to leave the profession. All of the available evidence---anecdotal and statistical---points to the inescapable conclusion that the legal profession makes young people unhappy, anxious, depressed, and desperate. The problem is particularly acute for young lawyers, who shoulder most of the misery within the profession. Unlike their older counterparts, young lawyers cannot reminisce about the good old days when lawyers were "civil" and "professional." In fact, young lawyers are morosely unhappy and pessimistic, often buried under a mountain of debt, and scraping to get! jobs that offer very little long-term security yet require immense personal sacrifice. No matter how much complaining we hear from older lawyers, there is no question that younger lawyers have it worse.