



“A Great Devourer of Good Men” and Women

By Deborah D. Thornton

The sad thing about lawyers is not that so many of them are stupid, but that so many of them are intelligent. The craft is a great devourer of good men; it sucks in and wastes almost as many as the monastic life consumed in the Middle Ages.¹

H.L. Mencken (1880-1956), American journalist

Mencken’s words sum up the current situation of many of today’s law school graduates. Even *The New York Times* recently featured an article on the college tuition debt sucking in and wasting many law school graduates, and the lack of jobs allowing them to pay that debt.

Becoming an attorney has long been viewed as a fast track to the American Dream. Most American Presidents (26 of 43) and 40 percent of current members of Congress are attorneys. Prior to the 1800s, you became an attorney by “reading” law. Today you attend the “best” law school you can get into, and pay for it with student loans totaling as much as \$250,000.

According to the U.S. Bureau of Labor Statistics (BLS), jobs in legal occupations from now to 2018 will be only 0.86 percent of all jobs nationwide. The total, including lawyers, judges, arbitrators, magistrates, paralegals, court reporters, law clerks, and title examiners, will be less than 1.5 million. For lawyers the expected growth is only 12.9 percent, representing 240,000 new jobs. The largest growth area will be paralegals and legal assistants, at 28 percent.² This estimate does not reflect the significant downturn in hiring over the recession of the last two years.

The headline of the National Association for Legal Career Professionals (NALP) fall 2009 hiring report reads, “Entry-Level Recruiting Volumes Plunge.” As James Leipold, Executive Director of the NALP wrote, “it is taking students longer to find a job. More law graduates are taking either part-time jobs, a string of part-time jobs, or taking temporary jobs.”³ The NALP shows an overall employment rate of 88.3 percent for the class of 2009. This is a drop of almost 4 percent over the last two years and the lowest employment rate in the last ten.⁴

Yet law school tuition keeps climbing. According to the American Bar Association, average in-state public-school tuition and fees are increasing at 9 percent per year, resulting in a 2009 average of \$16,836. Out-of-state tuition is growing at 7 percent to over \$28,280 for 2009. Average private-school tuition and fees were \$33,985, increasing at 6 percent per year.⁵

There are two law schools in Iowa, at Drake University and the University of Iowa. Iowa, with a consistent top-tier rating by *U.S. News and World Report* (26th), has been prominently mentioned as one of the schools with significant tuition increases, implementing a 20 percent in-state increase and 13 percent out-of-state increase in 2009. Dean Carolyn Jones characterized the tuition increase as an “unusual situation” and justified it as being necessary to “maintain our progress, reputation, and the strength of our degrees.”⁶ The current out-of-state tuition at Iowa, almost \$38,000 annually – paid by over 50 percent of their students – is significantly higher than average out-of-state tuition nationwide, and higher than the \$30,750 tuition at Drake, a private school.

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These increases are becoming the norm, as the current proposal by the Board of Regents is for an in-state tuition and fee increase of 9.1 percent to \$26,348 for the 2011-2012 school year, and 7.3 percent for out-of-state students, to \$46,056.⁷ In the meantime, the national Higher Education Price Index (HEPI), which measures inflation, rose less than 1 percent.⁸

Students are primarily paying their tuition with student loans. For 2009-2010, the average government student loan debt of private law school graduates was just over \$100,000. For public schools it was over \$66,000.⁹ The regular (10-year) monthly repayment amount on this debt is \$1,310 and \$832 respectively, as much as many house payments. Under the extended repayment plan of 25-years, it drops to \$807 and \$504.¹⁰ A 25-year repayment plan means that a law school graduate would not pay off their loans until they were over 50 years old. The total amount paid by the public-school graduate under this scenario would be over \$151,000. For a private-school graduate the total paid is over \$242,000.

Drake University law school graduates are currently carrying a median debt of \$91,576, and Iowa graduates \$87,891 – of government loans only.¹¹ Even before the proposed tuition increases, Iowa graduates have over \$21,000 more in debt than the average student, and correspondingly higher payments. This does not include any private loan, credit card, or undergraduate loan debt. If the averages hold true, including those amounts would result in real debt of \$125,000 to \$150,000, plus interest. A great devourer of good men and women, indeed.

Public Interest Institute's Policy Study "A Great Devourer of Good Men' and Women," can be viewed at www.limitedgovernment.org.

(Endnotes)

¹ H.L. Mencken, "The American Mercury (January 1928)," *A Second Mencken Chrestomathy*, ed. Terry Teachout, The Johns Hopkins University Press, 2006, p. 35.

² "Employment Projections: Employment by Occupation," U.S. Bureau of Labor Statistics, November 2009, <http://www.bls.gov/emp/ep_table_102.htm> accessed on November 12, 2010.

³ Jack Crittenden and Karen Dybis, "Who is Hiring Now," *The National Jurist*, September 2010, p. 28.

⁴ "Market for Law Graduates Changes with Recession: Class of 2009 Faced New Challenges," National Association for Legal Career Professionals, November 2010, p. 2.

⁵ "Law School Tuition 1985 – 2008" American Bar Association, <<http://www.abanet.org/legaled/statistics/charts/stats%20-%205.pdf>> accessed on December 1, 2010.

⁶ Karen Sloan, "At Public Law Schools, Tuition Jumps Sharply," August 8, 2009, <<http://www.law.com/jsp/law/LawArticleFriendly.jsp?id=1202432727154>> accessed on December 1, 2010.

⁷ "Proposed 2011-12 Tuition and Fees," Board of Regents, State of Iowa, Agenda Item 9, February 3, 2011.

⁸ Rachael Louise Ensign, "Higher Education Price Index Barely Rises, Thanks to Drop in Utility Costs and Flat Salaries," *The Chronicle of Higher Education*, September 16, 2010, <<http://chronicle.com/article/article-content/124456/>> accessed February 9, 2011.

⁹ "Legal Education Statistics, Average Amount Borrowed 2001-2009," American Bar Association, <http://www.americanbar.org/groups/legal_education/resources/statistics.html> accessed February 8, 2011.

¹⁰ Christopher P. Chapman, "The Impact of the Recent Economic Crisis on Law School Borrowers," *The Bar Examiner*, November 2010, pp. 21, <http://www.ncbex.org/uploads/user_docrepos/790410_Chapman.pdf> accessed on January 11, 2011.

¹¹ Susan Palmer (s.palmer@uiowa.edu), "Law school debt and repayment information," e-mail message, December 30, 2010; and Trisha Fillbach (trisha.fillbach@drake.edu), "Information," e-mail message, December 21, 2010.

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