

Law Ain't what it Used to Be...

By [Joseph B. Altonji](#) on June 25, 2013

Yogi Berra once famously remarked, “The future ain’t what it used to be.” I couldn’t help but be reminded of that remark yesterday, as I was talking to a good friend at my son’s high school graduation party. This successful lawyer was talking about how his son wanted to go to school to study pre-law, and how he’d like to dissuade him from going down the legal path. I was struck by how often I have heard conversations like this in the last year or so. What does it say about the state of the profession when so many successful lawyers don’t want their children to follow in their footsteps? At a minimum, it says that many lawyers today do not believe life in the law will be anywhere near as rewarding (monetarily, personally or otherwise) as it was for their generation. That is sad, on many levels.

We all know – and have repeated endlessly – that the business of law is changing. It’s becoming harder to compete and run a good firm; harder to build and maintain a client base; harder to make a living; harder to – well, it’s all just *harder*. But something else seems to be happening as well. It’s becoming less fun, less personal for many lawyers, and even when it hasn’t happened yet, there is a sense that that significant change is coming. If you are a successful lawyer in your mid-50’s you’ll make it through – but what of your kids and their friends? Will they ever really have a chance to be the “trusted advisor” for their clients? Or the ground-breaking lawyer inventing new ways of solving some particular problem? Or is it more likely that the bulk of corporate legal work (at least) in the future will be done by lawyers whose jobs more closely resemble highly trained auto-technicians than the highly creative, client counselors of the last generation? Maybe the most client-oriented of them will become customer service representatives, facilitating the resolution of whatever the issue of the day may be and moving on in rapid succession to the next client and her issue.

These will be good jobs, to be sure, but they will be more like jobs than the callings of the past. That change alone will require massive changes in the architecture of the business of law, beginning with the personalities of the people entering law school. The older generations grew up on *Perry Mason* and later *LA Law* and went to law school to learn how to think. Then they learned to practice on the job. The future ones will go to school to learn how to “do” and be instantly employable by a client. They will likely practice in a relatively narrow field of specialty, at least if they are working for larger companies. The required personality is not the same and the trusted advisor relationship will be far more narrowly developed. The orientation and thinking of most law schools will also need to change, and change dramatically. A far greater share of the lawyers entering the workforce will enter understanding that they are starting a job, and may have a bunch of them before they retire.

There will be room, of course, for a limited number of true legal artists in the provision of corporate and other legal services, who may still be able to command both client attention and creative license. This will be a more limited segment of the business of law, accessible primarily by those who possess an exceptional combination of intellectual and client service skills. Some schools might ultimately be the providers of the foundational legal education needed in this role – while others morph to more closely resemble technical schools. Law firm structures could evolve to accommodate this dichotomy.

Paradoxically, the opportunity for real client interaction might actually lie in the less lucrative but nevertheless greatly satisfying arena of serving the legal needs of actual people – who today usually can’t afford the level of client attention that they wish they could when they need it. It would be far better if people could prepare for such a career as an undergrad, perhaps with a one-year extension as some specialties require today.

The future of law ain't what it used to be – but it can still be good, albeit in a different way. Different people with different personalities might be drawn to it, and training might be far different for one track than for another. Just as people can have good lives doing good work in a regular job, or like so many doctors today who have become employees of their hospitals rather than owning their own practices, so too can many of the future lawyers have a positive and satisfying career employed by a company (aka “firm”) that efficiently and effectively fixes legal problems. There is no doubt though that my friend, and many others like him, is right to be concerned. Their children entering the legal industry will not have anything like the same experience they enjoyed themselves.