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The Importance of the Third Year

7,146. That is the number of law students who are now studying at our Texas law schools. For some of them, the future is very bright; for others it is, perhaps, bleak. We are all aware of the significant indebtedness that 90 percent of our law school graduates have accumulated during their years of study: an average of \$98,000, which can be retired at the rate of \$1,200 a month for ten years.

So, what is an alternative to our current regime of the study of the law? What about letting law students take the Texas Bar Examination after only two years of study? This is a concept that has been discussed nationally for more than 40 years.

In 1972, the American Bar Association's Section on Legal Education and Admission proposed shortening law school to two years. The discussion continued in Peter Lattman's "N.Y.U. Law Plans Overhaul of Students' Third Year" (*New York Times*, Oct. 17, 2012). Mr. Lattman discusses how New York University School of Law is looking at the utility of the third year of legal education. He also discusses how other well-respected law schools, including Stanford and Washington and Lee, are permitting students to pursue joint degrees or are replacing the academic classroom with clinics and outside internships.

Daniel B. Rodriguez and Samuel Estreicher authored a piece entitled "Make Law Schools Earn a Third Year" (*New York Times*, Jan. 18, 2013). Their lead paragraphs read as follows:

Today, leaders of the New York bar, judges and law school facul-

ty members will gather at New York University to discuss a proposed rule change. If adopted by the state's highest court, it could make law school far more accessible to low-income students, help the next generation of law students avoid a heavy burden of debt and lead to improvements in legal education across the United States.

The proposal would amend the rules of the New York State Court of Appeals to allow students to take the state bar exam after two years of law school instead of the three now required. Law schools would no doubt continue to provide a third year of legal instruction—and most should (more on that in a bit)—but students would have the option to forgo that third year, save the high cost of tuition and, ideally, find a job right away that puts their legal training to work.

If I had only read about this two-year proposal, I would have had no concern about this being a potential issue here in Texas; however, recently, the dean of one of our Texas law schools asked what my attitude would be about such a two-year program. I was not enthusiastic. (Note: I shall not mention the individual's name because ours was a private conversation.)

In January, I attended the Southern Conference of Bar Presidents and the two-year program was a topic of discussion. The presidents of all of

the state bars represented were unanimously opposed to this concept.

These are my thoughts. To begin with, this is primarily a societal issue. Our citizens deserve the very best in legal representation. By analogy, I would not be comfortable as the patient of a less educated physician. Why should anyone trust a less educated lawyer? Then there is the survival issue. How does a less educated lawyer compete in the marketplace with those who are not only more experienced but also better educated?

If the issue is ever raised in our state, the lawyers of Texas should aggressively oppose any program that would permit law students to sit for our bar examination after only two years of formal study.

MythBusters

The Myth: The State Bar does not encourage mentoring to young lawyers.

The Problem: Texas does not have mandatory mentoring for lawyers and because of this, many are unaware of existing programs.

The Truth: The State Bar created the *Transition to Practice* program for local bars to foster mentoring relationships between newly licensed and tenured lawyers. The program provides materials, topics, and structure for ease of implementation. TYLA offers *Office in a Flash*, a resource that offers practice management guidance for new sole practitioners, and the *Ten Minute Mentor*, which provides ten-minute video segments about practice areas, ethics, and other topics.