

6-28-2011

Should You Study Law?

Leisha Browning
Bond University, Leisha_Browning@bond.edu.au

Follow this and additional works at: <http://epublications.bond.edu.au/nle>

Recommended Citation

Browning, Leisha (2010) "Should You Study Law?," *The National Legal Eagle*: Vol. 16: Iss. 1, Article 4.
Available at: <http://epublications.bond.edu.au/nle/vol16/iss1/4>

This Journal Article is brought to you by the Faculty of Law at ePublications@bond. It has been accepted for inclusion in *The National Legal Eagle* by an authorized administrator of ePublications@bond. For more information, please contact [Bond University's Repository Coordinator](#).

Should You Study Law?

Leisha Browning
Senior Teaching Fellow
Faculty of Law
Bond University

The aim of this article is to assist high school students to determine whether law may be an appropriate course to study. This article discusses the two law degrees that are available in Australia. It considers research into the social and economic backgrounds of law students and identifies factors that may influence whether or not a high school student will be accepted into law and complete a law degree. It discusses the experiences of law students, and considers areas of legal practice that are in demand within Australia. The article concludes by considering the generic skills that

are obtained from completion of a law degree. It is intended that the information set out in this article may assist high school students to determine whether or not a law degree may be useful to their careers.

Law degrees – LLB and JD

There are two ways in which a student may complete the academic requirements to practice law in Australia. One way is to complete an undergraduate law degree – a Bachelor of Laws (LLB). A student may commence a LLB straight out of high school, either as a degree on its own, or as a combined degree (such as law and commerce/arts /science/ engineering).

The second way in which a law degree may be obtained in Australia is to complete a graduate degree – a Juris Doctor (JD). To enrol in a JD, a student must satisfy the entry requirements of the relevant University that include the completion of a non-law degree. A high school graduate may not be a JD candidate.

A JD is generally faster to complete than a LLB. However a JD is not a ‘short cut’ way of obtaining a law degree, since JD students have already spent between three and four years at a university completing a non-law degree.¹



Most likely to study law

Who is studying law in Australia?

Research indicates a correlation between social and economic factors and the likelihood of a student to:

- be accepted into an Australian university to study law; and
- complete a law degree.

Relevant socio-economic factors include the type of high school attended, the careers of the student's parents, the ethnic origin of the student, and whether or not English is the student's first language.

Private vs government schooling

Studies carried out during the 1980s indicate that the majority of students who are accepted into a LLB attended a private high school.² During the late 1990s, a further study was carried out into the socio-demographic of law graduates – that is of the students who had completed a LLB.³ This study showed that, by a small majority, law students who attended a government (non-fee paying) school were more likely to complete their degree than the law students who had attended a private school.

Occupation of parents, familial connection with the legal profession

Another factor that may influence whether or not a high school student will be accepted into and complete a law degree is the occupation of the student's parents. If a student's parents have a highly regarded, well-paid professional career, the more likely it is that the student will be accepted into and complete a law degree.⁴ The statistics improve if a high school student's parent is in the legal profession – children of lawyers are more likely to become lawyers than children with parents in other professions.⁵

Ethnic origin

The ethnic origin of a high school student may also influence whether or not a student studies or completes a law degree. Research indicates that the majority of students who commence a law degree are of Anglo/Celtic origin (68%). Other significant ethnic groupings are students of European origin (17%) and Asian origin (11%). However, by the time these student's complete their law degree, these statistics changed. The number of students within the Anglo/Celtic grouping had declined by 9%, and those within the Asian grouping had increased by 4%. There were no significant variances for those students of European origin.⁶

English as a first language

It is commonly understood that language, being the use and interpretation of the written word, is integral to the study of law. Perhaps then it is not surprising that research indicates that a significant majority of law graduates (85%) speak English as their first language.⁷ However, a comparison of the graduate cohort to the general population showed that whilst students who spoke English as a first language were more likely to complete a law degree, the country of birth for the graduate group (79%) was similar to that of the general population (77%).⁸

So, what does this research mean for a high school student who is considering studying law? The studies that have been considered in this article may be interpreted to suggest that the most likely high school students to be accepted into a law degree are those who are attending a private school, are of

Anglo-Celtic origin, who speak English as a first language, and have a parent (or parents) in the legal profession. But the research may also be interpreted to suggest that whilst this type of student may be accepted into law, other students are more likely to complete their degree. In particular, the research suggests that a law student who attended a government school is more likely to complete their degree than a privately-schooled student.

However, the outcomes of this research cannot be applied to all students who are currently studying law in Australia. This is because the data that was collected from these studies was carried out when the only law degree offered in Australia was a LLB.

As yet there is only a limited amount of research that considers the socio-demographic backgrounds of JD students. However there has been research into the experiences of LLB and JD students. Let's take a look at this research to determine what (if any) differences may arise for a LLB student as compared to a JD student.

Experiences and outcomes of LLB and JD students

A study carried out in 2007 at the University of Melbourne focussed on LLB students' experiences and academic outcomes. The research indicated that the student's interest in law, attitudes towards their studies, and expectations of their course strongly correlated with the student's first semester academic results. A student who demonstrated a high interest in law at the commencement of the course was more likely to obtain a higher academic outcome at the end of their first semester than a student with less interest in law. Similarly, a student with a realistic and positive attitude towards the course was more likely to have a higher academic outcome at the end of their first semester than a student with less realistic and a more negative attitude toward the course.⁹

Whilst the study was limited to a single year's cohort and considered only the academic results at the end of the first semester of a LLB, it may be that a student's 'mindset' – that is a student's understanding of why they are studying law, of how they will be studying law, may influence the results the student will receive.

The 2007 study of LLB students was repeated in 2008 with students who were about to commence a JD.¹⁰ The JD students were surveyed and their responses were interpreted by the researchers to determine what factors may influence academic outcomes. The study looked at various factors such as:

- the students' interest in law;
- what the students intended to do when they completed their degree;
- the students' expectations of academic study; and
- whether or not the students demonstrated readiness for the study of law.¹¹

The outcomes of the survey were compared to the 2007 results for the LLB students. The findings indicated that the JD students were more likely than the LLB students to have a realistic expectation of what it is like to study law. The JD students also expressed higher level of commitment to their studies than the LLB students. This commitment applied to specific topics as well as general issues that are relevant to the study of law.¹²

Interestingly, the research did not demonstrate that it was

'easier' for either a JD or a LLB student to obtain high academic results. Many of the JD students were juggling other commitments, such as paid work and family responsibilities. Whilst the JD students appeared to better understand what amount of independent study was required for them to complete their degree, they appeared to have an unrealistic expectation about their ability to manage the workload.¹³

What types of careers interest Australian law graduates?

To assist a high school student to consider whether law may be an appropriate course to study, it may be useful to understand the types of careers that are pursued by Australian law graduates.

Much of the research into the career choices of lawyers focuses on the distinction between men and women. Key studies indicate that whilst traditionally more men than women became lawyers, social change has led to a higher intake of female law students than male law students in the twenty first century.¹⁴

A study involving law graduates from New South Wales indicated that there are differences between the type of legal practice that men and women choose. The research indicated that men are more likely to work in private practice (that is in law firms). Of the women who are in private practice, it appeared that most were an employee of a law firm, that is, a solicitor, senior associate, or general counsel as compared to a partner. The size of the legal practice in which men and women work also differed. Women who were partners tended to work in smaller to medium sized firms, rather than large national firms.¹⁵

There is a notable lack of academic research into career outcomes for Australian law graduates. However data that is available from legal recruitment companies may be considered to look at what areas of legal practice are most readily available in Australia. Some data indicates that there is a variance between the cities as to which areas of legal practice are most in demand. It appears that Melbourne has the highest demand for lawyers practicing in banking and finance, mergers and acquisitions, litigation, and private equity. Sydney has the highest demand for lawyers practicing in corporations law (mergers and acquisitions), as well as construction law, employment and finance.¹⁶

But what about law graduates who do not practice law? To date, there is very little data about the career choices of lawyers who have obtained a law degree in Australia. However the choices of careers outside of law are numerous. Lawyers are employed within many industries - commerce, politics, media, health, building construction, IT, property, art, sport, design, and project management. Legal skills are useful, highly coveted, and include:

- the ability to analyse and express complicated ideas;
- keen problem-solving abilities;
- proficiency in legal research;
- powers of reasoning;
- clarity of thought; and
- advanced communication skills.¹⁷

It may be helpful for you to consider how these skills may be useful you, even if the practice of law does not seem appealing. Remember that law may not just be appropriate to study when you finish high school. The graduate JD degree may be an option for you sometime in the future.

References:

- ¹ JD programs are currently offered at several Australian Universities. For information about the JD program at Bond University, including requirements for admission, see <http://www.bond.edu.au/degrees-and-courses/postgraduate-degrees/list/juris-doctor/index.htm>. For information about JD programs at other tertiary education institutions in Australia, contact individual Universities. See also <http://www.oztrekk.com/programs/law.htm>.
- ² Weisbrot, D *Australian Lawyers* (1980), 98-101 citing studies by Hetherington (1981), Tomasic (1983) and Zeigert (1983); Pearce, D (Chair) et al *Australian Law Schools: A Discipline Assessment*. (1987) AGPS, Vol 3, Appendix 4, Report by Goldring, J 'An Updated Profile of Students Entering Law Courses'.
- ³ Karras, M & Roper, C 'Career Destinations of Australian Law Graduates' (2000) Centre for Legal Education, University of Newcastle, Ch 3.
- ⁴ Lamb, A & Littrich, J *Lawyers in Australia*, (2007) 14-16.
- ⁵ Above n 3.
- ⁶ Above n 2.
- ⁷ Above n 2.
- ⁸ Above n 2.
- ⁹ Larcombe, W, Nicholson, P, & Malkin, I 'Performance in Law School: What Matters in the Beginning?' (2008) 18 (1-2) *Legal Education Review* 95 at 122.
- ¹⁰ Larcombe, W, Malkin, I & Nicholson, P, 'Commencing Law Students' Interests and Expectations: Comparing Undergraduate and Graduate Cohorts' (2008) 1(1) *Journal of the Australasian Law Teachers Association* 227.
- ¹¹ Above n 10 at 227.
- ¹² Above n 10 at 236.
- ¹³ Above n 10 at 234, 235 and 237.
- ¹⁴ Above n 4 at 20.
- ¹⁵ Above n 4 at 69-71.
- ¹⁶ Mahlab, *Private Practice* (2007) as cited in 'Careers for Law Graduates' by the College of Law at <http://www.graduatereers.com.au/content/view/full/2698>.
- ¹⁷ Rey, C 'Why Not Consider a Career in Law?' (2009) 39(2) *Black Collegian* 71.

For you to consider...

Many Australian universities offer two types of law degrees – a LLB and a JD. What is the difference between a LLB and a JD?

Is there any truth to thinking that a student who attends a private high school will, relative to a government school student, be more likely to either commence a law degree or complete a law degree?

What types of generic skills may be obtained by studying law?