In a *Texas Lawyer* article on the surplus of new attorneys Dean Nimmer comments on the concept of lawyer surplus, how we prepares our students for the job market, our reduction of enrollment, and our graduation and employment rates.

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**Survey: Texas Has Seventh-Largest Lawyer Surplus**

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Texas has the seventh-largest lawyer surplus compared to other states, with nearly 900 more newly minted lawyers than available lawyer jobs, according to a consulting firm's research.

Recently, Economic Modeling Specialists Inc., an employment-data and economic-analysis consulting firm, researched and compared the numbers of law graduates passing the bar exam in 2009 with estimates of lawyer job openings through 2015. The consulting firm says nationally, 53,508 people passed the bar exam in 2009 but the estimated attorney job openings annually from 2010 through 2015 is only 26,239. Texas came in with the seventh-largest lawyer surplus, with 3,052 people passing the bar exam, but only 2,155 lawyer job openings annually. The study says Texas will have an 897-lawyer surplus every year from 2010 through 2015.

According to the report, the average hourly wage for Texas lawyers is $41.55, which is lower than the national average of $44.22 an hour. The consulting firm found wide differences in median wages state by state: lawyers in the District of Columbia earned the highest median wage of $70.96, while Montana lawyers were paid the least at $24.96 an hour.

Economic Modeling Specialists used Texas bar exam data from the National Conference of Bar Examiners, and job-estimate data from the U.S. Bureau of Labor Statistics, the U.S. Census Bureau and the Texas Workforce Commission. [See the report.]

Representatives from four of Texas’ nine law schools answered questions e-mailed by *Texas Lawyer* reporter Angela Morris about the numbers and what their schools do to prepare graduates for the job market. Here are their e-mailed answers, edited for length and style.

**Texas Lawyer:** What are your thoughts on what this report says about Texas' supposed lawyer surplus?

**Charles E. Cantú, dean, St. Mary's University School of Law, San Antonio:** We are facing this surplus issue head on and the most important move we have made is intentionally reducing the size of our entering class. . . . For example in fall 2007, we had 268 incoming students in our full-time day program and 50 in our part-time evening program. For fall 2011, we have 210 entering day students and 45 incoming evening students.
Darby Dickerson, dean, Texas Tech University School of Law, Lubbock: Texas Tech University School of Law has enjoyed a 93 [percent] employment rate for its 2010 graduates. Texas Tech graduates pursue both "J.D. required" and" J.D. preferred" positions in law firms, courts, academia, business and industry, government, and public interest organizations. Given the nature of legal compliance in today's society, legal training can be beneficial for a wide range of positions in a wide range of areas. Also, the J.D. degree is a versatile one. It trains individuals how to think clearly, to develop logical, reasoned positions, and to write clearly and concisely. Skills gained during law school can thus be applied in many positions.

Donald J. Guter, president and dean, South Texas College of Law, Houston: That there is a surplus of lawyers in Texas at the current time is not news. In fact, this report confirms a key finding of an October 2010 report by the Texas Higher Education Coordinating Board. . . . Despite the reported surplus in virtually every state, the number of law schools accredited by the American Bar Association has increased from 182 to 200, during the last ten years, and enrollment across all law schools increased 17 [percent] last fall. Thus, the demand for a J.D. degree remains strong.

Raymond T. Nimmer, dean, University of Houston Law Center: The idea of a surplus makes many assumptions about what is the best level of legal services and those assumptions are not necessarily sustainable. For example, how many lawyers are optimal for middle- and lower-income persons in cities? What number in rural counties? I do not think the surplus idea as applied in the study is a useful standard. On the other hand, it is certainly a difficult job market for law graduates. Availability of jobs is tight and traditional placements are increasingly difficult to obtain. Some believe this is a permanent shift, while others think it is temporary. I believe it reflects a permanent restructuring of the legal marketplace and the University of Houston has been adjusting its program accordingly.

TL: What is your law school doing now to prepare students for the tough job market?

Faye Bracey, assistant dean for career services, St. Mary's University School of Law: We are doing a number of things to prepare our students for the job market. This includes continuing traditional methods of career placement such as on-campus interviews and résumé collects as well as expanding programming throughout the year. We are constantly working to get our students in front of employers; for example, we have tripled the number of job fairs we sponsor in the spring and dramatically increased the participants in our leader-to-leader initiative and our judicial clerkship program resulting in increased job placement at graduation. In addition, we have revamped our internship/externship program and are currently hiring a full-time coordinator for this program.

Dickerson: Texas Tech provides realistic information to students and potential students by discussing the challenging job market. The Career Services Center provides one-on-one counseling to students about career objectives, provides job acquisition skills training, and provides career choice information to students throughout the law school experience. Recently, the number and variety of these programs has been strengthened and reinforced. The career choice programs include significant focus on alternative careers and opening solo law practices within the state. Texas Tech Law offers dual-degree programs and certificate programs that
expand the expertise of the graduate and more directly prepare graduates for specific job types. [The] Texas Tech Law Career Services Center has undertaken employer outreach programs to assure that Tech law graduates enjoy an opportunity to compete for jobs in Texas and beyond.

**Guter:** . . . [W]e believe that the best way to deal with the surplus is to make our graduates the best prepared to compete in this market. Thus, we have incorporated into our new strategic plan the following objectives: to create and continuously improve learning opportunities for diverse practice areas to take our students from theory to practice (the term practice-ready is often used) while sustaining the breadth of our curriculum; to create and continuously refine the learning outcomes for individual courses; to embed skills and values education throughout the law school experience; to develop faculty in terms of diversity and substantive areas of the law that will enhance our reputation; to educate our students about career choices, opportunities and resources from the beginning of their relationship with South Texas; and to enlist our alumni in all phases of the law school to maximize opportunities to network and to find mentors . . .

**Nimmer:** We have expanded our skills training programs and increased our career development office by over 40 [percent] in the last [one-and-a-half] years. We have expanded our public service fellowship program by over 100 [percent] from three years ago and created what we describe as an apprenticeship course (involving over 40 students) focused on individual externship placements with small law firms, which are burgeoning in the Houston area. We revised our first-year curriculum and are reviewing our third-year requirements to ensure that all graduates receive exposure to needed skills and theoretical concepts for the use of their law degree. We do a variety of events involving outreach to potential employers in other parts of Texas for our graduates.

**TL:** What are your law school’s plans to help your graduates deal with a possible lawyer surplus in the future?

**Bracey:** In addition to reducing incoming class sizes to reflect the employment rate, we have several new programs for recent graduates, including a mentorship program that places new solo practitioners with practicing attorneys in the San Antonio area and matches solos in other parts of the state with alumni in that area. Also, we have developed a Bar Takers' Power Breakfast Series . . . on topics related to transitioning from student to working lawyer.

**Dickerson:** Tech Law provides lifetime career services support for its graduates. The computer job-posting system primarily used for student access may also be used by graduates who seek job changes and/or new employment without increased overhead costs. The staff of Career Services provides counseling and job-search document review to Tech Law graduates. The employer outreach effort on behalf of students also results in licensed attorney job postings. This effort services law and law-related employers, encouraging further positive relations with Tech Law.

**Nimmer:** Four years ago, we began a process of reducing our enrollment by 15 [percent to] 20 [percent]. The process was completed with this year's entering class. This was done without reducing faculty or student support systems . . .

**TL:** What are your law school’s most recent graduation and law grad employment statistics?
Beth Barbee, spokeswoman, St. Mary's University School of Law: Information on the class of 2010: 89.1 [percent] employed; 6.93 [percent] seeking; 2.16 [percent] not seeking; 1.7 [percent] enrolled in a full-time degree; 2.12 [percent] unknown.

Dickerson: The 2010 ABA report to be delivered in October reflects employment of 2010 graduates as of February 2011 and indicates 93 [percent] employment.

Guter: As reported to the American Bar Association for the 2010 Annual Questionnaire, for the 338 graduates whose employment status is known, 299 were employed; [six] were enrolled in a full-time degree program; 17 were unemployed and seeking work; and 16 were unemployed and not seeking work. Breaking these 299 graduates down by employment type, 184 were employed in law firms; 58 in business and industry; 37 in government; [two] in public interest; 10 in judicial clerkships; [seven] in academia; and [one] was unknown.

Nimmer: Our graduation rates are over 95 [percent]. Our employment rate for the most recent class was 94 [percent] nine months from graduation, a drop from prior years because of the difficult economic conditions. Most of the other graduates were employed in nonlaw jobs.