

THE HEALING PRESENCE OF CLIENTS IN LAW SCHOOL

Angela McCaffrey[†]

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I. INTRODUCTION

William Mitchell College of Law is celebrating the thirtieth anniversary of the Law Clinic. As a beneficiary of clinical legal education at William Mitchell, I write this essay to reflect on the value of clinical legal education to law students, to the clients served, and to the community at large.

In my view, clinical legal education is timeless—as valuable to law students today as it was thirty years ago when William Mitchell started its first clinic. Although many things combine to make clinical education valuable, three aspects are particularly noteworthy. First, clinics give law students the chance to represent clients under supervision, creating an opportunity for experiential learning. This kind of learning is a particularly effective teaching methodology for adult learners because it allows those students to draw on broad, diverse bases of knowledge and apply that knowledge as they develop legal skills and shape their legal careers.

Second, the opportunity to represent clients in the clinic

[†] Clinical Director and Associate Clinical Professor, Hamline University School of Law.

makes law school relevant for students. Generally, clinic clients cannot afford to pay for legal services. In focusing on the legal needs of low-income clients, students learn through direct experience that the law can be—and should be—accessible to everyone regardless of income. This message is particularly meaningful to students from low-income backgrounds because they feel more included in the law school when they see persons like members of their family or community receiving legal services in the clinic.

Finally, the transformative experience of helping clients solve legal problems allows students to realize concretely the value of their legal education. Clinic experiences reveal that law school is about more than grades, law review, and class rank—it is also about becoming a good listener, a healer, a peacemaker, a problem solver. While each law student will not be ranked number one in the class, students working in clinics can all be ranked number one by their clients. They can all excel as student attorneys and be empowered by the realization of the good they can do for others. This is a healing antidote to the problem of depression and alienation facing law students and lawyers. The community benefits from the representation of the underserved by law students in clinics and by law school graduates who carry on the clinic tradition in providing pro bono services. Students who take clinics have the chance to develop the empathy and skills necessary to develop an effective pro bono practice after graduating from law school. They learn it is good for the soul to use their skills to help those in need, and at the same time provide a valuable service to their communities.

II. HISTORY OF CLINICS AT WILLIAM MITCHELL COLLEGE OF LAW

I attended William Mitchell College of Law from 1974 to 1978. During my time as a law student I was able to participate in five clinics: Poverty Law, Legal Assistance to Minnesota Prisoners, Criminal Law, Juvenile Law, and Housing Law clinics.¹ The opportunity to take so many clinics was very unusual at the time, since the existence of clinics in most law schools is a more recent development. William Mitchell began its clinical program in the

1. Three were clinics with full classroom components and two (Poverty Law and Housing) were fieldwork experiences for credit with a supervising legal services attorney.

1972-73 academic year² and, once started, clinical education at William Mitchell expanded rapidly. The first two clinics offered spring semester of 1973 were “a criminal law clinic and a civil practice clinic.”³ In 1973-74, Welfare Law, Criminal Appeals, Consumer Law, Civil Rights, and Legal Assistance to Minnesota Prisoners clinics were added.⁴ These were followed by clinical and fieldwork opportunities in prosecution, bankruptcy, poverty law, felony law, juvenile law, workers compensation, military law, mental health issues, family law, and corporate law.⁵ “Over 300 students participated in one or more of the clinical fieldwork courses offered during the 1978-1979 academic year.”⁶ This early and rapid development of clinics made William Mitchell a leader among law schools. A directory of law schools published in the 1970s by the Council on Legal Education and Professional Responsibility (CLEPR) “consistently ranked the William Mitchell Law Clinic at the top among all law schools with respect to the number of clinic courses offered each academic year, the number of clinics offered in different areas of the law, and the number of students who received credit for clinical experiences.”⁷

I am currently the Director of Law Clinics at Hamline University School of Law. As I look back upon my legal education from this vantage point, I am amazed by the opportunity I had to participate in five experiential courses in law school in the mid-1970s. I represented a teenager in a trial in juvenile court. I helped prepare defenses for two adults charged with crimes and participated as a certified student attorney in the prosecution of a person accused of speeding. I defended tenants in housing court. I participated in a bilingual education class action case by researching and writing options for consent decrees. I represented inmates at St. Cloud Reformatory in a variety of civil matters, including family law and prison discipline hearings. I lobbied for more appropriate medical care for a teenaged inmate. With this

2. Roger S. Haydock, *Clinical Legal Education: History and Development of a Law Clinic*, 9 WM. MITCHELL L. REV. 101, 106 (1983). In this article Professor Haydock provides a detailed history of the development of clinical legal education at William Mitchell.

3. *Id.* at 106.

4. *See id.* at 108-109.

5. *See id.* at 109-115.

6. *See id.* at 114.

7. *See id.* at 118 (citing CLEPR, SURVEY AND DIRECTORY OF CLINICAL LEGAL EDUCATION, 1976-77).

much experience, I left law school ready and anxious to practice law.

III. EXPERIENTIAL LEARNING IS AN EXCELLENT TEACHING METHODOLOGY FOR ADULT LEARNERS

Experiential learning, the cornerstone of clinical education, is a particularly effective teaching methodology for adult learners. Due to their experience and maturity, adult learners differ from children in several ways that should be taken into consideration by educators.

First, adults see themselves as self-directing human beings, as opposed to child learners whose self-concept is one of depending on an instructor's will. Second, adults' greater reservoir of personal experience can be used as a basis for learning. Third, adults' readiness to learn is quite high if the subject of learning is related to their developmental tasks, i.e., the performance expected of them in their social role. Finally, adult learners are much more inclined than child learners to acquire knowledge that is able to be immediately applied rather than acquiring knowledge that has some future benefit. In other words, adults approach learning with a "problem-centered" frame of mind.⁸

Clinics are closely related to law students' developmental task of becoming lawyers. Students need to integrate everything they have learned in their courses and apply that learning to an immediate legal problem facing their clients. The motivation to learn is high because there is a direct correlation between tasks students perform in clinics and the tasks they will perform as attorneys.

Clinical legal education provides not only experience, but the opportunity to reflect upon that experience and formulate a plan for ongoing learning and development, which helps law students become reflective practitioners who continue to learn and grow as lawyers.⁹

8. Fran Quigley, *Seizing the Disorienting Moment: Adult Learning Theory and the Teaching of Social Justice in Law School Clinics*, 2 CLINICAL L. REV. 37, 47 (1995) (citing MALCOLM KNOWLES, *THE ADULT LEARNER: A NEGLECTED SPECIES* 57 (1990)).

9. See Nina W. Tarr, *The Skill of Evaluation as an Explicit Goal of Clinical Training*, 21 PAC. L.J. 967 (1990) for a methodology for teaching law students to be reflective.

[L]aw schools cannot hope to begin to teach their students “law” in a scant three years. The students who spend three years in law school will spend the next thirty or fifty years in practice. These thirty or fifty years in practice will provide by far the major part of the student’s legal education [T]hey can be a reflective, organized, systematic learning experience—if the law schools undertake as a part of their curricula to teach students effective techniques of learning from experience.¹⁰

Three of the clinics I took at William Mitchell—Criminal Law, Juvenile Law, and Legal Assistance to Minnesota Prisoners— included a classroom component with the opportunity for group reflection devoted to discussion of law, policy, and individual cases. These clinics provided time for all students to share their experiences and for all to benefit from one another’s stories and insights. This model, in place at William Mitchell in the 1970s, is currently standard at most law schools.

Two of my experiential courses, Poverty Law and Housing Law, were externships rather than clinics. These courses did not have a classroom component. Rather, I was assigned, one on one, to a supervising attorney at a legal services office doing fieldwork for credit. While there was not an opportunity for group reflection in these courses, the experience was, nonetheless, very helpful, as I received significant feedback from the supervising adjunct faculty members.

Adult learners are very inclined to decide for themselves what they want and need to learn.¹¹ One of my two fieldwork “clinics,” Housing Law, was developed individually for me. As a law student, I was very interested in landlord-tenant law. I decided to research whether there was a way to gain practical experience in that area of law. I spoke to Roger Haydock, the director of the clinic, about my interest and the lack of a landlord-tenant clinic in the curriculum. He quickly teamed me up with Eric Janus, who was then a staff attorney at Minneapolis Legal Aid Society, to assist with landlord-tenant cases for credit in my own individualized Housing Clinic.¹²

10. Anthony G. Amsterdam, *Clinical Legal Education—A 21st Century Perspective*, 34 J. LEGAL EDUC. 612, 616 (1984).

11. STEPHEN D. BROOKFIELD, UNDERSTANDING AND FACILITATING ADULT LEARNING 30 (1986); see also DAVID A. KOLB, EXPERIENTIAL LEARNING: EXPERIENCE AS THE SOURCE OF LEARNING AND DEVELOPMENT (1984).

12. See Haydock, *supra* note 1, at 111-12 for a description of other independent clinics fostered by student interest.

Even at the time I was amazed. Professor Haydock's approach exemplified the best aspects of the educational psychology I learned in college when studying to become a teacher. In those courses, I learned to individualize instruction, to take all students where they were and help them achieve their individual learning goals.¹³ "Adults learn best when they feel the need to learn and when they have a sense of responsibility for what, why, and how they learn."¹⁴

IV. THE PRESENCE OF CLIENTS MAKES LAW SCHOOL RELEVANT FOR ALL STUDENTS

Law school was a strange experience for me. I was in the first wave of women in law school and our numbers were small.¹⁵ In addition, I came from a very low-income family, with no college graduates and no lawyers. My mother and extended family came to the United States from Germany after World War II as refugees, fleeing from a part of Germany that became part of Poland. They came to the United States with very few possessions and limited English ability. For me, law school was like being on another planet. I found it strange to be in class with fellow students who wore suits and carried briefcases. I was fascinated with the content of the law school curriculum even as I felt somewhat detached from it. Much of the content was about matters of concern to businesses, banks, and people with a great deal more money than we had. At the time I thought to myself, "This is all very interesting but it is not really about people like me or my family."

I found a vocabulary to describe the strangeness I felt in law school in Professor Lani Guinier's book, *Becoming Gentlemen*.¹⁶ This book emerged from a study Professors Guinier, Michelle Fine, and Jane Balin conducted, which focused on female law students at the University of Pennsylvania. They found that women entering

13. See ALBERT CULLUM, PUSH BACK THE DESKS (1967) (espousing a progressive, interactive teaching methodology); see also Gerald F. Hess, *Heads and Hearts: The Teaching and Learning Environment in Law School*, 52 J. LEGAL EDUC. 75 (2002) (suggesting innovative teaching techniques that can be used in law school).

14. BROOKFIELD, *supra* note 11, at 30.

15. I graduated in 1978. The percentage of women in the graduating class of 1976 was 14%, 23% in 1977 and 33% in 1978. Interview with Cathy Peters Martell, Development Director, William Mitchell College of Law, in St. Paul, Minn. (May 5, 2003).

16. LANI GUINIER ET AL., BECOMING GENTLEMEN: WOMEN, LAW SCHOOL AND INSTITUTIONAL CHANGE (1997).

previously male-dominated institutions can feel like “outsiders.”¹⁷ They “found that women come to the school with credentials virtually identical to those of their male counterparts, but that many women do not perform as well academically, do not participate as much in class, and do not graduate with comparable honors and awards.”¹⁸ Among the problems women faced was a competitive approach to education and a “peer culture that . . . intimidates and silences many women”¹⁹ They found that many women do better in cooperative, participatory learning environments as opposed to competitive settings.²⁰ “Interestingly, the preference of some women students for cooperative styles of learning parallels findings about members of other underrepresented or marginalized groups.”²¹

The authors suggest that law schools should not just “add women and stir”²² but should fundamentally change the law school from the inside out to appeal to all learners. They suggest “a reinvention of law school itself . . . [and] fundamental changes in teaching practices, institutional policies, and social organization.”²³

As a woman at William Mitchell in the 1970s, I did feel like an “outsider.” At the same time I also felt welcomed, largely due to my experiences in the clinic. I found a home, a haven there. The clinic provided the kind of collaborative, participatory learning environment that Professor Guinier’s study concludes many women prefer.

There was another reason the clinic made me feel welcome at William Mitchell. My personal feeling of being an “outsider” in law school was due partially to being a woman in law school when our numbers were so few. It also was due, probably in greater part, to a significant difference I perceived in my socioeconomic background as compared with other students. While the number of women in the school was small compared to men, women were in the law school door and the numbers were increasing every year. It was harder to find classmates of a similar socioeconomic background.

17. *See id.* at 2.

18. *Id.* at 1, 2; *see also* ROBERTA M. HALL, *THE CLASSROOM CLIMATE: A CHILLY ONE FOR WOMEN?* (1982); *THE CLASSROOM CLIMATE REVISITED: CHILLY FOR WOMEN FACULTY, ADMINISTRATORS, AND GRADUATE STUDENTS* (1986).

19. GUINIER, *supra* note 16, at 2.

20. *See id.* at 2, 3.

21. *Id.* at 3.

22. *Id.* at 77.

23. *Id.*

I gravitated to the clinic, in part, because the subject matter was always the legal concerns of poor people. This helped me believe that the faculty members at William Mitchell cared about these issues and that there was something in the law for everyone. As a law student from a low-income background, this made the curriculum, as a whole, coherent and relevant for me. The clinic dramatically increased my comfort level in law school.

V. THE PRESENCE OF CLIENTS PROVIDES A HEALING OPPORTUNITY FOR STUDENTS

A substantial number of articles have been written recently about the hazards of law school and lawyering to the mental health of law students and lawyers. The opportunity to represent clients in the clinic is an antidote to a stressful and competitive environment and a boost to the self-esteem and mental health of law students. Positive experiences in the law clinic can carry over to students' lives as lawyers.

Several studies have measured the mental health of law students. In one study 320 alumni and students from the University of Arizona Law School were interviewed several times for signs of psychological distress.²⁴ The study found that law students came into law school scoring within the normal range compared to the general public.²⁵ The study showed that law students experienced "a significant symptom increase between the period before law school begins and the few months after the start of law school; symptoms significantly worsened as law students proceeded from the first year to the third year of the program; finally, the elevated symptom levels did not lessen significantly between the spring of third year and the next two years of legal practice."²⁶ Students who scored normally when entering law school showed significant psychological stress within a few months of starting law school, particularly in the form of symptoms of depression and hostility.²⁷

A three-semester study conducted by Lawrence Krieger and Kennon Sheldon had similarly troubling conclusions. Their study

24. G. Andrew H. Benjamin et al., *The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers*, 2 AM. B. FOUND. RES. J. 225, 228 (1986).

25. *See id.* at 240.

26. *See id.* at 241.

27. *See id.* at tbl.4, tbl.5.

showed law students demonstrated normal mental health at orientation. Later, in the first and second years, they showed significant anxiety, depression, a “dulling of . . . motivation,” and “shifts away from initially positive motivation and altruistic values toward external, imposed values and motives.”²⁸ The Krieger/Sheldon study confirmed the results of other studies showing anxiety levels among law students higher “than comparison groups, including medical students . . . [and] [i]n some cases . . . comparable to psychiatric populations”²⁹ and showing a higher “incidence of clinical depression” among law students, at 20 to 40%, as compared to the general population.³⁰

Other studies reveal significant stress among lawyers. A 1990 Johns Hopkins study found that lawyers suffer from major depressive disorder “at a rate 3.6 times higher than non-lawyers who shared their key sociodemographic traits.”³¹ “A study of Washington lawyers concluded that ‘[c]ompared with the 3 to 9 percent of individuals in Western industrialized countries who suffer from depression, 19 percent of . . . Washington lawyers suffered from statistically significant elevated levels of depression.’”³²

What are the reasons for the significant signs of malaise among law students and lawyers? Researchers who have attempted to identify the reasons that law school is so stressful for some students have identified several possible causes including: “the confrontation techniques in the classroom (the so-called ‘Socratic Method’), the heavy work load, the high level of competition, isolation and loneliness, the educational system’s emphasis on professionalism rather than humanistic or philosophical issues, and

28. Lawrence S. Krieger, *Institutional Denial About the Dark Side of Law School, and Fresh Empirical Guidance for Constructively Breaking the Silence*, 52 J. LEGAL EDUC. 112, 114 (2002).

29. *Id.* (citing Matthew M. Dammeyer & Narina Nunez, *Anxiety and Depression Among Law Students: Current Knowledge and Future Directions*, 23 LAW & HUM. BEHAV. 55, 63 (1999)).

30. *Id.* (citing Dammeyer & Nunez, *supra* note 29, at 65; Benjamin et al., *supra* note 24, at 236).

31. Patrick J. Schiltz, *On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, Unethical Profession*, 52 VAND. L. REV. 871, 874 (1999) (citing William W. Eaton et al., *Occupations and the Prevalence of Major Depressive Disorder*, 32 J. OCCUPATIONAL MED. 1079, 1081-83 (1990)).

32. *Id.* at 874-75 (quoting G. Andrew & H. Benjamin et al., *The Prevalence of Depression, Alcohol Abuse, and Cocaine Abuse Among United States Lawyers*, 13 INT’L J.L. & PSYCHIATRY 233, 240 (1990)).

the paucity of ongoing positive feedback reinforcement.”³³ Further, students who come to law school with straight A’s or close to straight A’s can be very stressed if they cannot achieve those scores in law school, particularly when they find their self-worth primarily in grades.³⁴ Krieger describes the cause of law student distress as being their enculturation into a “failing paradigm” with four parts:

The top-ten-percent tenet—the belief that success in law school is exclusively demonstrated by high grades, appointment to a law review, and similar academic honors . . .

The contingent-worth paradigm—the corollary sense that personal worth, the opinions of one’s teachers and potential employers, and therefore one’s happiness and security in life depend on one’s place in the hierarchy of academic success . . .

The American dream—the belief that what is good in work and in life is defined by financial affluence, influence, recognition, and other external indicia of achievement (and that the dream will be secured by academic success in law school).

Thinking “like a lawyer”—defining people (or “parties”) primarily according to their legal rights, and trying to understand, prevent, or resolve problems by linear applications of legal rules to those rights, usually adopting a zero-sum competitive approach to outcomes. This process requires the closest scrutiny of spoken and written thought to identify any defect that may undermine an adversary’s position or create future problems for one’s client. Thinking “like a lawyer” is fundamentally negative; it is critical, pessimistic, and depersonalizing. It is a damaging paradigm in law schools because it is usually conveyed, and understood, as a new and superior way of thinking, rather than an important but strictly limited legal tool.³⁵

Law students influenced by these beliefs may become isolated, extrinsically motivated, and stressed. Researchers have defined basic human psychological needs as “self-esteem, relatedness to others, authenticity, competence and security.”³⁶ The high level of depression among law students and lawyers suggests that these fundamental needs are not being met and “the common

33. Phyllis W. Beck, J.D. & David Burns, M.D., *Anxiety and Depression in Law Students: Cognitive Intervention*, 30 J. LEGAL EDUC. 270, 285-86 (1979).

34. *See id.* at 287.

35. Krieger, *supra* note 28, at 117.

36. *Id.* at 119.

observation that students lose self-confidence and self-esteem after beginning law school, and became insecure and isolated, provides confirmation.”³⁷

In other words, law students experience a conflict between becoming a lawyer and retaining an ethic of care.³⁸ To the extent law school fosters concern for extrinsic “goals such as money, power, and image”³⁹ over intrinsic goals of “personal growth, intimacy and community integration,”⁴⁰ the life satisfaction of law students and ultimately lawyers decreases.⁴¹

Similar concerns about the education of medical students were expressed by Larry Dossey, M.D. He noted that young people with a deep desire to become healers go to medical school but unfortunately, “our medical schools, which of all our institutions should be most attuned to nourishing and developing the natural healing talents of young people, seem adept at extinguishing them.”⁴² Dossey suggests that medical students’ angst is not solved by presenting new information or information with a new slant. “The young protohealers are not hungry for more facts but for experiences that can help them connect with those deep psychological and spiritual urges that have manifested throughout history as a commitment to the healing arts.”⁴³

Similarly, law students need experiences to reconnect them with the noble reasons that brought many of them to law school—the search for justice, the desire to use the law as a tool for social betterment, the desire to serve others. Law clinics provide these experiences. The law clinic provides a healthy antidote to the malaise students may be feeling in law schools. Students rarely feel isolated in clinics because the classes are small and they frequently work on cases in teams. Additionally, student directors in my clinics at William Mitchell provided peer support and supervision. The classroom component provided a chance for students to work together to brainstorm for the good of each client. Students

37. *Id.* at 120.

38. Susan Daicoff, *Lawyer, Know Thyself: A Review of Empirical Research on Attorney Attributes Bearing on Professionalism*, 46 AM. U. L. REV. 1337, 1401 (1997).

39. Krieger, *supra* note 28, at 121.

40. *Id.* (citing Kennon M. Sheldon & Tim Kasser, *Goals, Congruence, and Positive Well-Being: New Empirical Support for Humanistic Theories*, J. HUM. PSYCHOL., Winter 2001, at 30).

41. *See id.*

42. LARRY DOSSEY M.D., HEALING BEYOND THE BODY, MEDICINE AND THE INFINITE REACH OF THE MIND 23 (2001).

43. *See id.* at 29-30.

benefit from getting to know their supervising attorneys well due to the small class size. Law clinics are essentially a collaborative effort on behalf of clients, the antithesis of an isolating or competitive experience.

Students realize their intrinsic worth in law clinics as opposed to their contingent worth, based upon grades, law review, and so on. It becomes apparent rather quickly in a clinic that pre-law experiences and expertise of students are important. For example, foreign-language skills, medical background, accounting skills, and so on can be useful in certain cases. As students in clinics get acquainted they see how their own expertise can help other members of the clinic law firm for the benefit of clients. Furthermore, in client interviewing, students quickly realize that interpersonal skills are key. Their listening skills, empathy, and compassion all play roles in developing a positive relationship with their clients. Often in legal representation peacemaking skills can make a positive difference, and students in clinics come to that realization.

Students in clinics receive a great deal of positive reinforcement. They are positively reinforced by other students, student directors, their supervising attorney, and, most importantly, often by their clients. They may even have the joy of a positive decision from a judge. Students learn that they cannot all be number one in their class but they all can excel in their representation of their clients if they are diligent, hardworking and compassionate. This realization contradicts the faulty paradigm suggesting that success depends on being in the top ten percent of the class.

Finally, students in clinics have the tremendous satisfaction of helping someone in greater need than themselves. They see the value to others in what they are learning. The presence of the client adds a human element to what law students are learning. The students see how legal principles play out in a real context, in the lives of their clients. The fact that a client has confidence in them and is relying upon them is highly motivating to students. They want to do the best they can for their client. Students in clinics are encouraged to continue this service to those in need upon graduation through the volunteer attorney programs. Linton B. Smith, 1910 graduate of St. Paul College of Law, in describing the college's first legal clinic, stated that "[t]he value of this clinic to the student goes beyond the legal experience which [s]he gains.

It gives him [her] a perspective of social conditions, and of the obligation of the legal profession to the public welfare, which the average busy lawyer is likely to forget.”⁴⁴

Having been exposed to legal needs of low-income persons in clinics, law graduates are better able to understand the need for pro bono services by lawyers. Legal work by both law students in clinics and attorneys on a pro bono basis makes a big impact on the unmet legal needs of the poor in Minnesota.⁴⁵

VI. CONCLUSION

For thirty years William Mitchell clinics have provided law students with rich opportunities to learn from experience, while serving the legal needs of low-income persons. These experiences add much value to a student’s legal education. An Australian law professor, Kirsten Edwards, spent two years at Yale Law School.⁴⁶ She was perplexed by all the American law review articles about the terrible state of the legal profession.⁴⁷ As she researched the American legal system she came to believe clinics were “educating and inspiring students to be ethical, practically wise and caring professionals.”⁴⁸ This is the “kind of lawyer that everybody not only wished for, but appeared to think was lost long ago.”⁴⁹ Professor Edwards indicated in her article that the ethical, wise, caring lawyer who commentators thought was lost⁵⁰ had been spotted in the basement of Yale Law School’s Ruttenberg Hall in the clinic offices.⁵¹ Note that the “Lost Lawyer”⁵² has also been spotted in the William Mitchell clinics! William Mitchell clinics have been challenging law students to become ethical, caring lawyers for thirty years. Congratulations and thank you!

44. Linton B. Smith, *Our Legal Clinic*, The Judgment Roll (1921).

45. See generally Susan J. Curry, *Meeting the Need: Minnesota’s Collaborative Model to Deliver Law Student Public Service*, 28 WM. MITCHELL L. REV. 347 (2001) (chronicling the history of Minnesota Justice Foundation, a student public service program that also prepares law students to provide pro bono legal services as attorneys).

46. Kirsten Edwards, *Found! The Lost Lawyer*, 70 FORDHAM L. REV. 37, 38 (2001).

47. *Id.*

48. *Id.*

49. *See id.*

50. *See id.* at 37 (citing ANTHONY T. KRONMAN, *THE LOST LAWYER: FAILING IDEALS OF THE LEGAL PROFESSION* (1993)).

51. *See id.*

52. *See* KRONMAN, *supra* note 50.