

PRO BONO SCHOLASTICI: GETTING OUT OF THE BUILDING
WHILE REMAINING IN THE CLASSROOM

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I. INTRODUCTION

After a mediocre semester followed by a disaster of a semester, I was beyond ready to give up after my first year of law school. I couldn't believe what I had gotten myself into. I couldn't comprehend why I would subject myself to this intellectual and emotion torture. I didn't feel like I was on the right path, or heading in the right direction in my life. I had terrible grades, so I didn't even bother applying for summer work. Why would anyone hire me?

This despair marks the height of my professional identity crisis. Marked by feelings and experiences I was assured were "normal." I kept hearing, "things will get better", "1L year is the toughest," on and on. But no one, including myself, really understood. I was not falling behind because of the rigor, the pace, or the volume of expectations—I adjusted to those. I was not becoming disillusioned with practicing law because of my shortcomings in the classroom.

What I lost in the hustle and bustle of law school was my sense of purpose. I forgot where I came from because I was so focused on where I was and what was expected of me. It felt as though my personality was stolen because I had to mask true elements of myself to show the characteristics favored by the system. This turned from a struggle to negotiate identity to what was seemingly a hostile takeover. How did this happen? It all started with a simple seed.

II. LOSS OF PURPOSE AMONGST THE ENDLESS NOISE: A GARDEN OVERRUN

I was welcomed to University of Richmond School of Law with open arms. During orientation, the diversity of my entering class was celebrated, yet, at the same time, I was told that the whole law school experience would be transformative. I would change; I would learn to "think like a lawyer." It came with some pathos of feeling like I was being initiated into some exclusive club; that I would have secrets revealed to me that escape the comprehension of the masses. At the same time, it was almost an invitation to wipe my slate clean; to forget who I was and rather, focus on who I would become.

In essence, I was about to be taught how to fit into a mold—how to embody the caricature of a successful attorney. This invitation was merely a seed planted right there on the first day of orientation; an idea, something that was not yet real nor threatening. In the months to come, this seed sprout-

ed growing ever so slowly as it was cultivated by the nature of law school itself. Before I knew it, a vine had completely enveloped everything I once knew.

My focus slowly moved from my own professional goals and the ideals that originally led me down the law school path to other details that, in the moment, I believed had more importance than ever. It started with mastering the cold call in class, then grades, then public speaking, all just keeping my head above water. When I found myself in the middle of this dismay, it was hard for me to see the problem. I felt entangled in the vine.

To be successful, I have to do well in law school, right? To be happy I must be successful, correct? Indeed my whole future depends solely on these three years? That is, exactly how it seemed. It is suggested that being the best law student will cement your success and therefore your lifetime happiness. The problem is, this just is not true.¹ Law schools know this, but do the students? As laudable and innocent that seed planted during orientation may have been,² it affects many students negatively. The vine overruns their mind; it becomes a parasite.

III. RECONNECTING WITH PURPOSE: FINDING BEAUTY IN THE LANDSCAPE

After wrapping up my first year of law school, I went home. I'd like to say it was for some profound reason like to collect myself or to get back to my roots, but truly it was because I needed to eat during a jobless summer.

Even at home, I felt slightly ashamed of my shortcomings. I dared not speak of it, despite my family's impeccable ability to not care and be proud no matter what. At home, seeing all of my old books from undergrad made me wish more than ever that I had gone to get that "useless" Ph.D. in Philosophy. I felt I was so naïve to pursue law for its practicality; for its ability to make tangible differences in the lives of others. I'd like to say home is where I had that enlightening moment of why I opted for law school in the first place and that my decision not to drop out was after some grand revival of my innermost ambitions. But it was more pragmatic than that: I ran the

¹ See also, Jill Chanen, *Are You Happy Now?*, A.B.A. J., Nov.1, 2010, available at http://www.abajournal.com/magazine/article/are_you_happy_now/ (highlighting common misconceptions between happiness and the legal profession). See generally Lawrence S. Krieger, *What Makes Lawyers Happy? Transcending the Anecdotes with Data from 6200 Lawyers*, 83 GEO. WASH. L. REV. 554 (2015) (arguing, among other things, that law school success is not indicative of future satisfaction and happiness).

² Like parents suggesting you major in business or become a doctor; law schools want to give the tried and true method to a successful career. It is hard to remember, at times, that there are other avenues to success.

numbers. At this point, one more semester wasn't going to sink the ship financially. I decided if I was miserable at Christmas, then it was time to go. No solace came with this decision; only more stress. I hadn't worked this summer. I felt so far behind. How would I get a job next summer? How would I get a job when I graduate?

After deciding I would return to school in the fall, I checked the law school's job posting website for a few days, but had to ask myself why I was wasting my time looking for a summer job in the middle of July. Then, I came across a lawyer who inherited too many pro bono immigration cases for him to handle alone. His desperation gave me a shard of confidence, and I applied. I came back to Richmond for the interview and was hired on the spot. To my surprise, he had forgotten to ask about my grades. How could I be so lucky?

I later realized it wasn't luck. He genuinely did not care. He gave me small assignments at first—I guess to test my ability—and within three weeks he assigned me my own clients.

I'll never forget my first client "Rosa." Rosa and her daughter fled the horrors of El Salvador after gang violence ripped apart her family. One night Rosa's house was raided by Calle 18, a prominent Salvadorian gang. Her husband, Angel, was a small farmer. He would tend his garden by day and sell his produce at the local market in the evenings. Money was tighter than ever with his new daughter being born, so when a pusher from Calle 18 came by and demanded Angel pay "rent" to the gang, he refused. One night they came in, tied him up and slit his throat while Rosa was forced to watch. The torture was not over when the gang members, drunk on power, turned to her next and each had their way with her.

Rosa fled that night with no plan in mind but to get her daughter out of that forsaken place. She travelled by foot into Southern Guatemala and hoped rides and trains up through Mexico. After finally arriving in the United States, illegal and undetected, she made her way to the only person she knew in the country here in Virginia.

Faced with deportation, Rosa came to our clinic. Despite the gravity of her situation, she was always so cheerful. Her presence was palpable; you could feel the warmth. She seemed so grateful that anyone would help her and her daughter. The day we finally got her immigration status adjusted she teared up. She was so happy and so relieved that she was lost for words. She simply said, "You will always be in my prayers; I can never thank you enough." It was in that moment I realized that she had helped me just as much as I had her.

Rosa reminded me that vines will only overtake a garden if you let them. In the face of all that she had gone through, things that I will never understand, she still approached people with joy and hope. She was able to tend her garden keeping the weeds pulled, the vines neatly trimmed, and the roses blooming. She wasn't overtaken by some idea, rather she noted it and made it exist beautifully in the landscape of her self.

It was at this time that I realized that I too could tend my mind's garden. I just had to get this vine under control. I had to accept it for what it was, I had to remember how it got that way. With time, I too was able to retake my landscape. I felt as though if I had only kept a few things in perspective, then I certainly would have had an easier time getting to this point.

IV. CULTIVATING PURPOSE

Rosa reacquainted me with my internal sense of purpose. She reminded me that there is more to being a good lawyer than simply the technical skills. She showed me that the client is not simply a hypothetical, not just a problem to be solved. Moving forward, I was able to keep that sense of purpose in mind and my experience of law school changed both academically and personally. I felt as though I had regained sight of something lost in the hustle and bustle of law school's demands. Reflecting on my experience, I can think of a few pieces of advice I wish I had heard as a 1L.

First, keep law school in perspective. It is three years of your whole life; a blip in the grand scheme. Sure your time in law school will be transformative, and you will truly learn to think lawyerly. However, you do not have to let go of your past. Law school is not truly the foundation of your future career; you have been working your whole life to lay that foundation. Law school is merely the support structure to a tiny part of your whole. Law school is here to polish your technical skills at practicing law. Try not to lose sight of what drove you to the practice of law. It is that sense of purpose that will help you to excel. Feed off your passion, bring in your own unique narrative, and you will amplify your educational experience.

Second, do not get caught up in only external markers of success. Law school highlights external markers of success (e.g. grades, speaking, journal work, etc.). It seems the successful lawyer is the one who had good grades, spoke like Cicero, and could masterfully format a real lawyer's citations in perfect Bluebook form. When in reality, maybe he had none of these things, but he was able to develop them. I heard a speaker at a student conference for finding your legal niche remark, "As a managing partner, I'm not really looking for someone who can do the work. I could eventually train a non-

key to do that...I am looking for someone who will connect with our clients and fit well within our team. I want to feel passion and I don't want to feel like I am being played. Just be yourself in an interview."³

It is easy to get caught up in the external markers of success and the constant reach to excel. While these standards have their place, they should not be seen as the only path to success. The practice of law is so much more than the logic absent. We are human not Vulcan. Successful practice requires more than merely applying the law to hypothetical clients in hypothetical situations. In many instances, allowing for emotion provides the most favorable resolution. Consider a movement in restorative justice, which brings together the interests of the victim, offender, and the community to directly address the issue and look for agreement to make amends.⁴ Also consider how helping a client manage emotions can lead to a more favorable outcome for all parties.⁵ For instance, managing a victim's anger can result in more rational decision making in how to proceed.⁶ Approaching others with compassion and remembering that clients are more than their problems will create a more dynamic, engaging, and rewarding law school experience.

Third, take your skills outside of the hallways of the law school. You can learn just as much outside the classroom as you can spending hours in the library. Work in the community. It will help you keep your internal sense of purpose. You will be able to see some tangible results of all your hard work. You may be able to more clearly understand the significance of what you are studying; allowing you to engage the theory in a whole new way. And most importantly, you will stay grounded in reality and not in the realm of hypothetical.

Finally, do not be afraid to advocate for yourself. Everything you are feeling, everything you are experiencing is real and is valuable. As hard as a law school's administration may try, they cannot read your mind. They

³ http://www.americanbar.org/content/dam/aba/administrative/law_students/4cirnews-15feb.authcheckdam.pdf

⁴ For a more in-depth discussion of restorative justice and a fascinating story of restorative justice, forgiveness, and murder, see Paul Tullis, *Can Forgiveness Play a Role in Criminal Justice?*, NY TIMES, Jan. 4, 2013, http://www.nytimes.com/2013/01/06/magazine/can-forgiveness-play-a-role-in-criminal-justice.html?_r=0.

⁵ See Deborah J. Cantrell, *Re-Problematizing Anger in Domestic Violence Advocacy*, 21 J. GENDER SOC. POL'Y & L. 837 (2013).

⁶ *Id.*

cannot know what it is like to be in your shoes, yet they want to.⁷ It isn't until you reach out that you'll find you're truly not alone.

V. CONCLUSION

If you feel like you are reading this too late, you're not. Your own satisfaction will begin once you change your perception. Once you take back your narrative;⁸ your mind's landscape. Remember, in the end, you'll graduate with the same degree and receive the same license to practice as the people who lived and bled law school for three years. Moving forward, the only thing holding you back is the weight you are trying to carry from your past.

You may ask why I am writing this. It may be that I just needed to get it all out in the open. Why have I decided to make it so public? Because there is an immediate need for me to reach out. Law students are unhappy and a startling number are depressed.⁹

When you are depressed you feel incredibly, profoundly alone. You feel that you are the only person on earth who has felt the way you do. You feel like no one out there in the world understands what you are dealing with. You feel like you will never feel "normal" again. But you are **not** alone. You are not the only person to feel this way. There are lots of people who understand. I understand. I have been there. I got better. So can you.¹⁰

What causes this unhappiness? I do not have a definitive answer, but I do know that unhappiness in law school can lead some to more significant problems;¹¹ problems that are well documented in the profession. I am also

⁷ Even if you don't buy that your administration truly cares about your success, applying purely Vulcan, draconian reasoning shows that their success as an organization is directly tied to yours as a prior student.

⁸ See John J. Osborn, *Bleak House: Narratives in Literature and Law School*, 52 N.Y.L. SCH. L. REV. 339 (2008).

⁹ Entering law school, law students have a psychological profile similar to that of the general public. After law school, 20-40% have a psychological dysfunction. Depression among law students is 8-9% prior to matriculation, 27% after one semester, 34% after 2 semesters, and 40% after 3 years. See Davenee Foundation, *Lawyers and Depression*, <http://www.daveneefoundation.org/scholarship/lawyers-and-depression/> (last visited May 20, 2016); see also Lawrence S. Kreiger, *Institutional Denial About the Dark Side of Law School and Fresh Empirical Guidance for Constructively Breaking the Silence*, available at <https://lawyerswithdepression.files.wordpress.com/2010/11/institutional-denial-about-the-dark-side-of-law-school.pdf>.

¹⁰ Brian Clarke, *Law Professors, Law Students and Depression...A Story of Coming Out (Part 2)*, THE FACULTY LOUNGE, Apr. 2, 2014, <http://www.thefacultyounge.org/2014/04/in-part-i-of-this-little-series-i-laid-out-some-of-the-statistics-regarding-the-scope-of-the-problem-of-depression-and-anxie.html>.

¹¹ See Brian Clarke, *We Need To Start Talking To Law Students About Depression And Suicide*, BUSINESS INSIDER, Apr. 07, 2014, <http://www.businessinsider.com/we-need-to-start-talking-to-law-students-about-depression-and-suicide-2014-4#ixzz3XmjltS9> (stating that "if a person suffers a single

not alone in my belief that students are set up for an identity crisis the moment they walk into the law school. *Paper Chase* author, John Osborn, writes that law students are not happy:

Because law students are told something about narrative when they come to law school. They are told that they are entering a completely different world. Everything that they have done up to law school is irrelevant. They are going to think a different way. They're going to think like lawyers... What I am suggesting to you is that their narrative has been taken away from them. Their narrative has been stolen... law students must find a way to get that narrative back and to be able to tell it in their own language.¹²

All and all, speaking out allows not only me for to express my narrative, but for others to connect with my experience and possibly gain something from it. Ultimately, my hope is that my narrative lets others feel that they do not have to remain silent—that they are not alone. It spreads the invitation for connection and adds legitimacy to the work of others who have been brave enough to speak out. So for the good of the student and for the good of the school, get out, get involved, and speak up.

incident of clinical depression, he has a 50% chance of experiencing another even if he takes antidepressant medication. After 3 incidents, there is a 90% chance of recurrence...”).

¹² Osborn, *supra* note 8, at 342-43.