



Failing Law Schools (Chicago Series in Law and Society)

By Brian Z. Tamanaha

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On the surface, law schools today are thriving. Enrollments are on the rise, and their resources are often the envy of every other university department. Law professors are among the highest paid and play key roles as public intellectuals, advisers, and government officials. Yet behind the flourishing facade, law schools are failing abjectly. Recent front-page stories have detailed widespread dubious practices, including false reporting of LSAT and GPA scores, misleading placement reports, and the fundamental failure to prepare graduates to enter the profession.

Addressing all these problems and more in a ringing critique is renowned legal scholar Brian Z. Tamanaha. Piece by piece, Tamanaha lays out the how and why of the crisis and the likely consequences if the current trend continues. The out-of-pocket cost of obtaining a law degree at many schools now approaches \$200,000. The average law school graduate's debt is around \$100,000—the highest it has ever been—while the legal job market is the worst in decades, with the scarce jobs offering starting salaries well below what is needed to handle such a debt load. At the heart of the problem, Tamanaha argues, are the economic demands and competitive pressures on law schools—driven by competition over *U.S. News and World Report* ranking. When paired with a lack of regulatory oversight, the work environment of professors, the limited information available to prospective students, and loan-based tuition financing, the result is a system that is fundamentally unsustainable.

Growing concern with the crisis in legal education has led to high-profile coverage in the *Wall Street Journal* and the *New York Times*, and many observers expect it soon will be the focus of congressional scrutiny. Bringing to the table his years of experience from within the legal academy, Tamanaha has provided the perfect resource for assessing what's wrong with law schools and figuring out how to fix them.

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Editorial Review

Review

“Even those who disagree with Brian Z. Tamanaha and challenge his analyses will be participating in a conversation shaped by his contentions. *Failing Law Schools* presents a comprehensive case for the negative side of the legal education debate and I am sure that many legal academics and every law school dean will be talking about it.”

(Stanley Fish, Florida International University College of Law 2012-03-01)

“Legal education is a broken, failed, even corrupt enterprise. It exalts and enriches law professors at the expense of lawyers, the legal profession, and most of all the students whose tuition dollars finance the entire scheme. With hard numbers and piercing insights, Brian Z. Tamanaha tells the disturbing, scandalous truth. His book is essential reading for anyone who is even contemplating law school, much less committing to a career in law teaching. With any luck, his book will inspire law professors and law school deans who have no other career options to subject themselves to the deepest levels of ethical introspection, the better to lead legal education back into the service of its true stakeholders.”

(James Chen, University of Louisville)

“*Failing Law Schools* is destined to have an enormous impact on the future of legal education. … [T]his will turn out to be the definitive account of just how out-of-balance the existing model of legal education has become.”

(William Henderson, Indiana University Maurer School of Law)

“Tamanaha’s book is both thoughtful and damning, made all the more persuasive because he is an experienced and respected academic who builds his argument carefully step by step with an insider’s understanding. It’s definitely worth a careful read—and for defenders of the status quo, a thoughtful response.”

(Orin Kerr *The Volokh Conspiracy* 2012-05-06)

“I would certainly encourage a prospective law student, especially one not likely to get into one of the very top schools, to read this book.”

(Brian Leiter, University of Chicago 2012-05-10)

“An essential title for anyone thinking of law school or concerned with America’s dysfunctional legal system.”

(*Library Journal* 2012-07-01)

About the Author

Brian Z. Tamanaha is the William Gardiner Hammond Professor of Law at the Washington University School of Law and the author of six books, including *A General Jurisprudence of Law and Society*, *Law as a Means to an End*, and *Beyond the Formalist-Realist Divide*.

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