

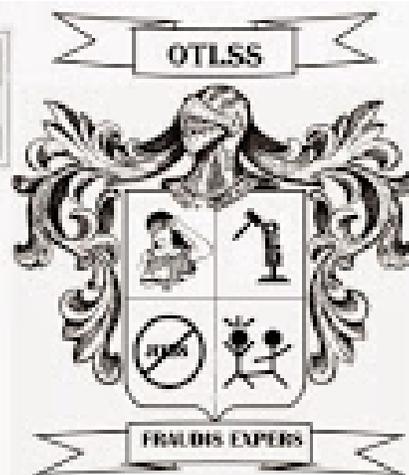
OUTSIDE

THE LAW SCHOOL SCAM

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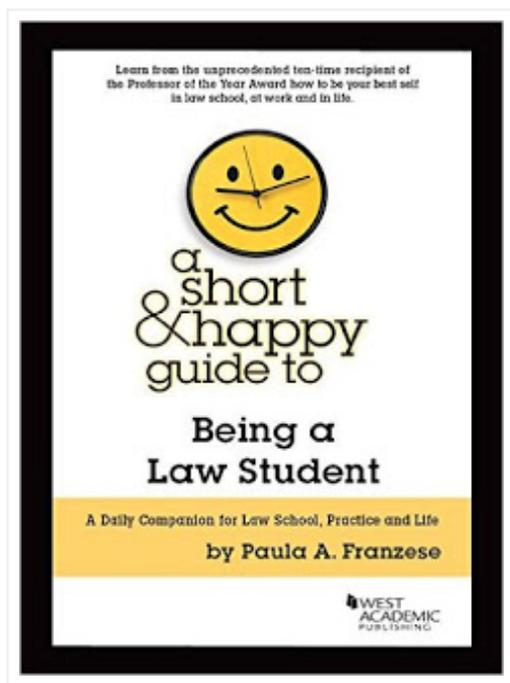
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Wednesday, April 20, 2016

Seton Hall Law Prof. Paula Franzese advises law students to "[e]mbrace a Forrest Gump-like view of the world and the people in it."



To Seton Hall Law Professor Paula Franzese, of BarBri and "[Loving the Law Day](#)" fame, goes the distinction of being the first law professor to write a book recommending that law students and lawyers imitate fictional movie character Forrest Gump. See Franzese, Paula (2014-03-20). *A Short and Happy Guide to Being a Law Student* (Short and Happy Series) (pp. 78-79). West Academic Publishing. Kindle Edition. ("Embrace a Forrest Gump-like view of the world and the people in it. Do not overcomplicate things. Be guileless and refuse to dwell on the

negative. Stay positive as you focus on the good. When the cynics say, "Well, that's just stupid," smile and reply, "Stupid is as stupid does").

Forrest Gump, for those who have not seen the hit movie, is a fictional mentally-deficient platitude-spouting innocent, a person who would be an unwitting menace to self and everybody around him but for a lifelong streak of improbable good fortune somehow generated by his simple and trusting good nature.

In Franzese's view, the Gumpish lemmings who fill today's non-elite law schools are similarly destined to be "instruments for greatness." They need only be reminded, via strategically-placed notes bearing words of inspiration, of the existence of their protective lucky star. See *Short & Happy* at pp. 84 ("Surround yourself with messages of hope to remind you of the mightiness of your mission and the multi-dimensional magnitude of your abilities. There is a star you are under, and you are precisely where you are meant to be. Keep words of inspiration in places where you can see them regularly").

Franzese's book purports to have structure. It is divided into 8 sections, which are in turn divided into 63 chapters (each bearing a smiley-face-with-clock-hands illustration, identical to the one on the cover), which in turn are sectioned into multiple half-page to two-page-long subchapters, each of which provide some tidbit of advice or inspiration. In fact, the identical smileys are a truer guide to the book's organization and content than the section or chapter titles. The entire book consists of bromides and banalities and anecdotes drawn from motivational literature and Franzese's own life of pampered ease, which are presented over and over and over again, in only slightly reworded form.

For instance, Part 1 is entitled "You are Going to Be a Lawyer. Be Excited and Feel Proud." Chapter 1 is entitled "Dreams Brought You here. You are Now Making Them Come True." The subchapter headings of Chapter 1 include the following: "The world is yours."; "Your degree will equip you to use the rule of law to advance the cause of progress."; "You will teach others that kindness comes from strength."; "The most significant lawyers and law students value the gentler virtues. They know that wisdom and compassion are indivisible."; "You will teach others that kindness comes from strength."; "As a lawyer, you are uniquely trained to ordain positive outcomes and alter the course of history for the better."; "The law is a noble profession."; "A good lawyer defies the push of the crowds and takes a stand for decency." and "You will lead with both your mind and your heart."

Somewhat similarly, Chapter 3 is entitled "The Majesty of the Law and Your Place in It: Ten Reasons to Be Really Happy About Becoming a Lawyer." The subchapter headings present the ten reasons. Among them are "REASON ONE: Law school will teach you a method of analysis and hone your powers of discernment so that you can and will become a ninja for the good."; "REASON TWO: The law is a magnificent career path. It will allow you to do well and, most essentially, to find meaning in the work you do."; "REASON SEVEN: You will help the clients and constituencies that you serve be governed by what inspires them, rather than what makes them small."; "REASON NINE: You will resolve to love the law and to treat it as if you love it. You will promise yourself that you will persist in loving it, no matter the disappointments and occasional disenchantments."; and "REASON TEN: You will change your life by speaking only

good things about it and others."

Isn't this stuff already beginning to sound tedious, repetitious, and even dehumanizing--reminiscent perhaps of a vain and untrustworthy boss who expects enthusiastic appreciation plus sky-high morale from his staff of exploited drones? Well settle in, reader (or shall I say, "ninja for the good"), because as noted the book goes on like this for 63 chapters, the only consolation being that the chapters seem to get shorter in length as the book progresses. To me, the movie analogy suggested by Franzese's book is not "Forrest Gump," but rather, "The Blob." Reading this book is like being engulfed and smothered by a relentlessly expanding mass of sweetly-scented toxicity.

The most insidious thing about this book is not the recycling of cheery platitudes and cutesy phrases. Rather, it is Franzese's repeated injunctions to be "be grateful," "be thankful" and "be glad" and to "refuse to heed the cynical and the jaded," even if you have to "fake it until you make it" because "gratitude is the way to joy."

All this gratitude and thankfulness, along with the pre-making fakery, has a deeply practical purpose in Franzese-world, where rhetoric and attitude alchemize into material success. Consider the following quotes:

* "Your experiences in law school, at work, in love and in life will match your level of rhetoric about your experiences in law school, in love and in life. The world rises (or falls) to meet your level of expectation. Every day, state emphatically that you love the law, law school, your job and the people in your life. Fake it until you make it. Sure enough and soon enough, reasons to be right about your declaration will start showing up." *Id.* at pp. 161

* "[E]ven if you have to fake it for now, you should begin to enthusiastically declare your passion and admiration for everything about the legal education that you are (or are about to) receive and the job that you have (or will have). . . In school and at work, relentlessly say thank you to everyone who is a part of your path." *Id.* at pp. 79

* "You are learning to harness the power of your mind to think about and talk about everything that is good, honorable and right with the world and your place in it. As a lawyer, you will have the stature to teach others to do the same. Your life will move in the direction of your predominant thoughts." *Id.* at pp. 18

* "The faultfinders seem so prevalent because they are so noisy. Move away from that cacophony of grievance and lead the team of cheerleaders for the good." *Id.* at pp. 149

Franzese is too gracious to spell out the implications of her positive thinking philosophy, but I think they are clear enough. Consider all the young persons whose lives have been severely damaged, if not ruined, by law school debt and legal market saturation. Their failure is not the fault of the aforesaid structural problems in legal education. Their failure cannot even be attributed to their own recklessness in enrolling in the first place. No, their failure must be

due to their unwillingness to think happy and thankful thoughts.

Franzese's eloquence has the profound moral force of a sated glutton kindly advising a starving person to celebrate, in word and thought, the glutton's self-satisfied joy at her recently-devoured feast. For the starving person's own good, mind you, because through a "persistent attitude of great gratitude," his or her life will inevitably move in the direction of a delicious meal.

Chapter 61 of *A Short and Happy Guide to Being a Law Student* is entitled "The Pony" and is a recitation of the old story or joke about the kid who plays delightedly in horse manure in the belief that with all that manure around there must be a pony in the vicinity. (Does Franzese think this chestnut is unfamiliar to anybody?) I first heard this joke when I was about six years old, and even then had a sarcastic laugh at the delusional logic of the shit-covered optimist. But Franzese admires the child's "great sincerity and strength of purpose" and wants you too to believe that the ponies of joy are sure to arrive, perhaps with the very next turn of the law school scammy-go-round. See *Id.* at pp. 270 ("Do you see the analogy to your present circumstances? Amidst the volumes that you must shovel and store and sanitize, there are ponies. I promise you that. There will be joys and privileges in your life's chosen work that will astound and delight you").

The number of law school applicants has risen slightly this year, following five consecutive years of steep decline. So there may be a base level number of persons per year willing to disregard all caution and gamble six figures of nondischargeable borrowed money on the value of a JD degree. In other words, to spend a small fortune to buy a pile of manure because the manure peddler has provided earnestly-expressed but non-legally-enforceable assurances that there will be ponies too. To those contemplating law school attendance this fall, I can only quote the wisdom of Forrest Gump and Prof. Paula Franzese: "*Stupid is as stupid does.*"

dybbuk123 at 06:00

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27 comments:



Nando April 20, 2016 at 6:39 AM

ŞeTTon Haul certainly employs several pigs who want every law student to just shut up, take it up the ass, and smile. After all, the swine need to keep up the swindle.

[Reply](#)

 **dupednontraditional** April 20, 2016 at 7:23 AM

Wow. This is some absolutely tone-deaf, weapons-grade-level Boomerism, folks, aimed at those with the least level of life-experience. It ignores all the reasonable caution of the data in the trenches in favor of super-winner platitudes. I'm sure Franzese is taking her "gratitude" all the way to the bank.

Go ahead. Be a lawyer if you want to be. But do it with your eyes wide open to the debt and the difficult prospects. Not with visions of sugar-plum fairies dancing in your head. As other lawyers have said, work at a firm for 6-12 months. Go shadow a prosecutor. See how it really is, and how the fight for "justice" is a turbulent road, if you can even get there.

"A Special One? What a bunch of hippy...dippy...baloney."

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 **tricia dennis** April 20, 2016 at 3:31 PM

These people have become parodies of themselves. I have practiced law now for thirty years---thought I'd heard it all, yet these people continue to leave me gob smacked at their utter lack of self-awareness.

Anonymous April 20, 2016 at 7:20 PM

Exactly; there is no way to parody this drivel. The subtitle of the book ought to be "Don't worry, be happy...so long as you keep sending that federally insured loan \$\$\$ my way."

Anonymous April 20, 2016 at 7:46 PM

Yeah it really is full of Boomerism.

It's kind of funny though. Boomers were the generation that invented Don't Trust Anybody Over 30. They're obviously all over 30 now, and these specific law school pigs while preaching this nonsense take as much as they can from their marks.

Personally I've reached the point of complete apathy. I don't care at all, about anything really. Life just is. I can't win, I can't reason with anybody, and it's obvious that everyone, although especially the Boomers, will always have a hand out to take from you and a forked tongue to attack you with at the same time. And the second you turn around, there's a knife to stab you in the back with as well.

It's better just to not bother. I'm glad you guys are still posting stuff up, and it's a little easier on the internet especially in a controlled area like this. But in person, and

in general internet areas? Why bother? Just not worth the effort anymore. Better to keep quiet and ghost through life at this point.

Anonymous [April 20, 2016 at 9:13 PM](#)

A lack of self-awareness or awareness of the real world sadly isn't all that rare. Things need to change.

Anonymous [April 22, 2016 at 9:32 AM](#)

Utter crap.

Fake It 'Till You Make It??

Really???

That may work in fields where they don't thoroughly probe your colon 10 years out asking what your LSAT score was, let alone for transcripts, class rank, etc.

You can't "fake it till you make it" in law because the credentials and necessary pedigree are either there or they're not. It's completely binary and the opportunities presented flow from this without exception (I'm omitting having all-important family wealth / connections here.. For 99% the above IS the absolute Rule..)

No amount of bullshit positive thinking will open doors in the legal field that weren't already open based on the above. Conversely, negative thinking won't do much damage, IMO. In fact, it just *might* help a Lemming or two, i.e. persuade someone that law just might not be a viable career choice OR push a practicing lawyer to move out of this shit "profession", if they can, and on to greener pastures.

She's hit the 30 year mark in academia feasting at the trough. This is the person dispensing advice to people about practicing law?

She's the goddamn Tony Robbins of the industry.

Affirmations, positive thinking, and pep talks mean SHIT without a solid well-researched Game Plan that has a high degree of success and then implementing that plan into action and then finally results.

The analogy to law would be: Mom is a Partner at a large firm. Dad is a CEO of a small \$50 million+ company. Mom and Dad decide to donate some cashola to some T14 school. They sent me to some elite recognized exclusive prep college. I have the grades. I'm being tutored for the LSATm etc.

That's a Game Plan for law vs. your average lemming who is so far behind the above

example in the Power Curve it's not even funny..

The above hypothetical person, btw, will likely Reverse Robin-Hood her classmates, etc. because this is how the Real 'Murica works: The 1% Top Take All. YOU get what's left - the scraps. You're the one gambling with, maybe, a 2-3% chance of success vs. the above person who, through her family wealth and contacts plus excessive constant grooming, will CRUSH you like a Bug..

"Exactly; there is no way to parody this drivel. The subtitle of the book ought to be "Don't worry, be happy...so long as you keep sending that federally insured loan \$\$\$ my way.""

Bingo.

This is pure Boomerism in all it's glory.

I had to sit through her drivel in Bar Review. That was bad enough.. Now this?!??

This makes my brain want to blow up..

[Reply](#)

X-RWU [April 20, 2016 at 7:47 AM](#)

This could be considered an insult to Forrest Gump; even he was smarter than this. (Not just the movie version which showed him as a retarded man who just got lucky as he meandered through life, but even the original book version in which he was a mathematical savant.)

Anyway, nice to see another book review; I remember how much fun we had months ago when you fine folks here at OTLSS exposed and skewered that one professor's sorry excuse for a novel.

Hm, I wonder if this book will be mandatory reading for Seton Hall law students...?

[Reply](#)

Anonymous [April 20, 2016 at 8:41 AM](#)

Shockingly irresponsible. If people actually read that book, it could ruin a lot of lives, and not only financially.

[Reply](#)

Anonymous [April 20, 2016 at 10:50 AM](#)

"Life is like a box of chocolates; you never know what you're going to get."

Yup, the same can be said for law school. You never know what type of job you're going to get.

So why spend \$150K or more on a crappy box of chocolates?

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Old Ruster from JDJunkyard [April 20, 2016 at 4:26 PM](#)

At first glance, I thought this blog entry was about a book of jokes! Only after finding the thing on Amazon did I realize that such a book as titled "a short & happy guide to Being a Law Student" (capitalization in original) actually exists and, moreover, is published by the eminent legal publisher West for marketing to law students.

And then I was surprised to find there is a whole series of these books on various law school subjects! And each with a happy-face clock on the cover. Talk about dumbing-down law school subjects, maybe this is the new "study aid" for the less-than-150 crowd now pouring into the nation's law schools.

Maybe I'm too old to really want to find out . . .

By the way, this blog entry is a really great piece of writing by dybbuk123!

[Reply](#)

Anonymous [April 20, 2016 at 6:05 PM](#)

It's like Mao's Little Red Book but for Law students.

[Reply](#)

Captain Hruska Carswell, Continuance King [April 20, 2016 at 6:34 PM](#)

If you need a book like this to guide you through law school and the profession, you really shouldn't be here. To be an effective lawyer, you need a solid core of self, purpose, judgement and values. Why? Because being a lawyer is like selling crappy used cars (criminal clients) at the best possible prices to cynical, hardened customers (think Judge). You do not want to get sucked in to your clients or their game.

[Reply](#)

Anonymous [April 20, 2016 at 7:29 PM](#)

I read this and knew it was authored by dybbuk before confirming. Dybbuk has established he has a genius IQ. Don't know where he went to law school but it should have been YHS.

[Reply](#)

Anonymous [April 20, 2016 at 7:31 PM](#)

As for this book, could it be anymore patronizing?

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Captain Hruska Carswell, Continuance King [April 20, 2016 at 9:01 PM](#)

It is patronizing to us Solos who chase after 3 bill retail thefts and don't know if we will have our next Obama Care payment next month. However, its inspirational to a twenty something. It will resonate with an attorney who has a secure salary, health care benefits and is a "master of the universe" shopping for a new Audi and a nice cycling vacation across Europe. These people don't live in our world.

 **Old Guy** [April 21, 2016 at 10:53 PM](#)

Any twenty-something who finds that garbage inspirational should be presumptively inadmissible to university. Franzese's shit is foul enough to make Pollyanna blanch.

Captain Hruska Carswell, Continuance King [April 22, 2016 at 9:04 AM](#)

When I was twenty-something, I had a subscription to Soviet Life. I was inspired to kick Ronald "Deficit" Reagan in the ass. Anyway, these "masters of the universe" need to believe they have found meaning in their work. The only reason that chasing after 3 bill retail thefts is meaningful to me, is because I find it fascinating and challenging to represent mopes. The worse, the better. I may not make my Obama Care payment, but it is a hoot. Folks who read this book are trying to purchase this "hoot."

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Anonymous [April 20, 2016 at 9:11 PM](#)

Oh come on! Yet another example of the huge disconnect between academia and the real world. There needs to be an imposed requirement that all professors and administrators spend some number of years as lawyers.

[Reply](#)

Anonymous [April 21, 2016 at 7:04 AM](#)

West Academic should be ashamed.

[Reply](#)

 **Old Guy** April 21, 2016 at 8:47 PM

Someone's scamming, Lord, kum-ba-ya...

[Reply](#)

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Anonymous April 22, 2016 at 7:51 AM

Someone who seeks this book to discover meaning and themselves, has not and never will. I once had a girlfriend who tried to search for meaning and purpose not from her life, but from art and paintings that OTHERS did. She never figured out it's what you do and how that shapes you... She would find this book "inspirational." I broke up with her when she told me "let's make a baby." I thought, Holy Shit? With this chick? Is was my Seth Rogan moment.

[Reply](#)

 **Old Guy** April 21, 2016 at 9:03 PM

Fifty times as asinine as *Jonathan Livingston Seagull*. Which in turn is ten times as asinine as *The Little Engine that Could*.

Just one quick comment on the substance—such as it is—of this steaming pile of horse shit:

"The world rises (or falls) to meet your level of expectation", quoth scamster Paula "Zig Ziglar" Franzese. In other words, if you get a bad outcome, you have only yourself to blame. Certainly don't blame the law-school scam.

Far better advice from one of my favorite professors in law school: "The key to law school is to lower your expectations".

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Captain Hruska Carswell, Continuance King April 22, 2016 at 7:34 AM

The Little Engine was marketed to children with a nice moral tale. The touchy feely Law Happiness book is a sales pitch to attorneys and students who can't find meaning in what they do. This professor cynically knows that they don't belong in the Law, so

she wrote a hammer for these square pegs. In other words, not a good fit.

Reply

Anonymous April 22, 2016 at 6:35 AM

I can't fathom why happiness is discussed in this book.

The vast majority of people looking at law school see it as a path to some sort of a way to make a living. Earning a living is rooted in being of use to others. But developments occurring over the past 25 years, including irresponsible overproduction of lawyers, advancing technology, and the 2008 economic downturn, have led to a desperately bleak situation where thousands of excess lawyers cage fight for work in a stagnant market. To top it off, the glut has led to further restrictions like tort reform and jury hostility to claimants.

We simply don't need any more lawyers now. Now and for the foreseeable future, there's no point in becoming a lawyer. Today, people don't seek out lawyers.... lawyers impose themselves on people and drum up claims. Watch TV. People who actually need lawyers have a host of desperately competing solos and microfirms from which to choose. Why wade into this troubled situation? You won't make anyone happy. You won't be fulfilling any needs that can't already be met, and then some. "Taking a stand for decency" is hard when you're trying to undercut another solo for a two-bill DUI.

Understanding you're neither needed nor wanted in law and then redirecting your efforts is surely the foundation for personal happiness and self worth. These feelings are promoted by working for people who genuinely want and need your help and can compensate you for it. (No, not make you rich, but enough to allow you to eat and buy clothes).

Look at it this way. The act of helping an elderly person across a street is a kind, helpful and useful gesture. Happy face. But when 17 young men compete over one elderly lady at the corner, the picture turns ugly. She is likely threatened and possibly feels harassed. Frown. Seventeen people are neither wanted nor needed for the task. You can't force yourself on others and expect happiness on either side of the equation. Today's backlash is not against the concept of helping the proverbial "old lady" across the street (that's still ok); it's against the growing horde of "crossing helpers" whose numerosity threaten her.

Be of true service to others, and help to fill their genuine needs. Now THAT'S something to be excited about and feel proud of. And yes, you will find meaning in that work. Forcing yourself into a hopelessly glutted market where you're neither needed nor wanted cannot lead to happiness for anyone involved. Law's not that rainbow today. Used to be. Maybe in 25 years (????). But not today.

As I said, I can't understand why anyone promoting happiness would urge law school at this particular point in time. The mention of "dreams" and concepts of "majesty" and "nobility"

point to self-imagined grandeur, not service to others.

Reply

▼ Replies

Captain Hruska Carswell, Continuance King [April 22, 2016 at 7:43 AM](#)

Anon at 6:35 am:

You must practice in Illinois. Among the miles of magnificence, one will come across MASSIVE billboards schilling \$49.00 for traffic court representation. The Ticket Clinic--
-DON'T PAY THAT TICKET!!!! And to think just a few years ago, attorneys were getting 5 Bills for a petty traffic ticket....and that was considered cheap.

Anonymous [April 22, 2016 at 8:30 AM](#)

Excellent comment from the trenches. Prospective law students (and LawPros/administrators, hello) would do well to read this.

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