

University of New South Wales Law Research Series

Law Student Lifestyle Pressures

ALEX STEEL AND ANNA HUGGINS

In Field, Rachael M, Duffy, James, & James, Colin (Eds) *Promoting Law Student and Lawyer Well-being in Australia and Beyond* (2016 Ashgate)
[2016] UNSWLRS 45

UNSW Law
UNSW Sydney NSW 2052 Australia

E: unswlrs@unsw.edu.au

W: <http://www.law.unsw.edu.au/research/faculty-publications>

AustLII: <http://www.austlii.edu.au/au/journals/UNSWLRS/>

SSRN: <http://www.ssrn.com/link/UNSW-LEG.html>

Law Student Lifestyle Pressures

Alex Steel and Anna Huggins

Introduction

One significant factor influencing student wellbeing is the degree to which their studies are subject to external lifestyle pressures. This can be compounded by choices students make around study, work and leisure, and studying. This Chapter considers results from a survey of UNSW Law students in 2012 and compares them to results from a similar US law student survey, and comparable data from the UK and Australia more broadly. In addition, the UNSW study compares key lifestyle choices of undergraduate (LLB) and graduate (JD) law students.

The UNSW survey was based on the Law School Survey of Student Engagement (LSSSE). LSSSE is a national survey of US law schools run annually since 2004.¹ In 2012 the survey was conducted for the first time outside of North America, at the University of New South Wales, Sydney, Australia. Slight modifications were made to the wording of some items to ensure consistent meaning.² Beyond this, the items were left identical to the US version to enable direct comparisons between the UNSW and US results.

In this Chapter we examine student responses to questions regarding the amount of time spent reading and preparing for class and assessments, the amount of paid and volunteer work students do outside of the classroom, the extent to which they have family caring responsibilities, and the time they devote to leisure activities. Importantly, whilst many other studies on law students' wellbeing have focussed on students' course-based experiences,³ recent research has cast doubt on whether improvements in students' course experiences

¹ For an overview, see Carole Silver and Lindsay Watkins, 'The Law School Survey of a Engagement: Helping Law Schools Understand What's Working (And What's Not)' [2012] *The Bar Examiner* 14. The data from the LSSSE surveys is increasingly being used to identify issues and trends in US legal education. See eg Carole Silver et al, 'Gaining from the System: Lessons from the Law School Survey of Student Engagement About How Students Benefit From Law School' [2013] *University of St Thomas Law Review*; Carole Silver, Amy Garver and Lindsay Watkins, 'Unpacking The Apprenticeship Of Professional Identity And Purpose : Insights From The Law School Survey Of Student Engagement' (2011) 17 *Journal of the Legal Writing Institute* 373.

² For example, 'faculty' was altered to 'academic staff members'. In Australia, 'faculty' refers to the organisational body, rather than the people who constitute it.

³ See, eg, the overviews provided in Penelope Watson and Rachael Field, 'Promoting Student Wellbeing and Resilience at Law School' in Sally Kift et al (eds), *Excellence and Innovation in Legal Education* (LexisNexis, 2011) 389, 392-3, and Kennon M Sheldon and Lawrence S Krieger, 'Understanding the Negative Effects of Legal Education on Law Students: A Longitudinal Test of Self-Determination Theory' (2007) 33 *Personality and Social Psychology Bulletin* 883, 883-4.

reduce law students' distress levels.⁴ This highlights the desirability of better understanding the range of lifestyle patterns and pressures beyond students' course-based experiences that may be impacting their sense of balance and wellbeing during their time at law school.

The survey data allows us to draw comparisons between LLB and JD students at UNSW, and with average US JD students' results.⁵ Additionally, for some questions comparable data is available from other Australian surveys and from a 2013 UK survey. These comparisons provide important context for understanding the similarities and differences between trends in Australian law students' wellbeing, and those of law students in other education systems. The body of Australian research on law students' elevated distress levels is relatively small and recent,⁶ particularly compared to the long-documented and extensive literature on this phenomenon amongst American law students.⁷ As evidenced in the discussion in other chapters in this book,⁸ American research has thus played a crucial role in informing recent Australian research on these issues. To better appreciate the utility and limits of drawing on findings from other education systems to inform research about Australian law students' experiences, it is important that the contextual variations influencing students' experiences are more fully understood.

The basis for comparison

There are a number of similarities between the US and Australian legal education systems including a 'predominant focus on doctrinal legal theory and analysis, emphasis on "thinking like a lawyer",⁹ and privileging of academic grades and honours as the chief predictors of

⁴ Specifically, Larcombe et al's recent research at Melbourne Law School found that 'improved levels of course satisfaction and engagement did not result in reduced levels of depression, anxiety and stress',⁴ which indicates that 'various program features that improve students' experience of law school do not automatically result in improved levels of student well-being': Wendy Larcombe et al, 'Does an Improved Experience of Law School Protect Students Against Depression, Anxiety and Stress? An Empirical Study of Wellbeing and the Law School Experience of LLB and JD Students' (2014) 35 *Sydney Law Review* 407, 409, 432.

⁵ The 2012 US LSSSE collected over 25,000 student responses from 81 US Law Schools. Data reported on in this chapter represents the mean scores across that full set of data: Law School Survey of Student Engagement (LSSSE) (2012) <http://www.lssse.iub.edu/pdf/2012/LSSSE_2012_AnnualReport.pdf>.

⁶ The first major study to provide empirical evidence that Australian law students are at increased risk of psychological distress compared to the general population was Norm Kelk et al, *Courting the Blues: Attitudes Towards Depression in Australian Law Students and Lawyers*, (BMRI Monograph 2009-1, Brain & Mind Research Institute: University of Sydney, January 2009) <<http://www.cald.asn.au/docs/Law%20Report%20Website%20version%204%20May%2009.pdf>>.

⁷ Key studies include G Andrew H Benjamin et al, 'The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers' (1986) 11 *American Bar Foundation Research Journal* 225; Matthew M Dammeyer and Narina Nunez, 'Anxiety and Depression Among Law Students: Current Knowledge and Future Directions' (1999) 23 *Law and Human Behavior* 55; Mary E Pritchard and Daniel N McIntosh, 'What Predicts Adjustment Among Law Students? A Longitudinal Panel Study' (2003) 143 *The Journal of Social Psychology* 727; Kennon M Sheldon and Lawrence S Krieger, 'Does Legal Education Have Undermining Effects on Law Students? Evaluating Changes in Motivation, Values, and Wellbeing' (2004) 22 *Behavioral Sciences and the Law* 261; Sheldon and Krieger, above n 3.

⁸ See, eg, Anna Huggins and Alex Steel, 'The Relationship Between Class Participation and Law Students' Learning, Engagement and Stress: Do Demographics Matter?', Chapter X, and ...

⁹ There has, however, been an increasing emphasis in recent decades on teaching generic skills in Australian legal education: for an overview, see Sally Kift, '21st Century Climate for Change: Curriculum Design for Quality Learning Engagement in Law' (2008) 18(1) *Legal Education Review* 1.

subsequent success'.¹⁰ However, significant differences between the two education systems have led to criticisms of attempts to transfer broad student engagement surveys from one educational culture to another. In particular, criticisms have been made of the use of the National Survey of Student Engagement (on which LSSSE is based) as a basis for an Australian and New Zealand survey – the Australian Survey of Student Engagement.¹¹ Hagel et al have pointed out that there are significant differences between Australian universities and US colleges – including that the average size of Australian universities is four times that of US colleges, Australian universities are overwhelmingly public rather than private, Australian students are much more likely to live at home and commute to university rather than live on campus, and Australian students undertake more paid work off campus while studying.¹² Similar differences exist between US and Australian law schools and students.

Such differences mean that it is likely that many direct comparisons between US and UNSW law students would be quite tenuous if it was claimed that the results were able to objectively measure comparative student engagement, or other aspects of students' experiences. However, the aim of this Chapter is not to comparatively examine engagement levels but rather to compare the external environment within which students study. As such, while the different educational environments would be important to analyse in order to understand how study-related pressures have come about, and in order to effect real change in the student experience, they are not necessary for a comparative stocktake of the pressures themselves. Such a stocktake provides important background to contextualise the issue of law students' wellbeing.

Profile of the UNSWLSSE Survey Respondent Sample

The UNSWLSSE survey achieved overall response rates of 31% of all JD students, and 20% of LLB students. The JD respondents represented a similar proportion of students across all three years,¹³ whilst for the LLB students, across the 5 years of enrolment the response rate rose from 16% of 1st year to 33% of final year students (a combination of those in their 5th or 6th year of study).¹⁴ While these response rates are lower than the US average of around 50%,¹⁵ the rates are significant enough to be indicative of student preferences. Some caution is needed in

¹⁰ Colin James, 'Seeing Things as We Are. Emotional Intelligence and Clinical Legal Education' (2005) 8 *International Journal of Clinical Legal Education* 123, 127.

¹¹ Erik Brogt and Keith Comer, 'Interpreting Differences Between the United States and New Zealand University Students' Engagement Scores as Measured by the NSSE and AUSSE' [2012] *Assessment & Evaluation in Higher Education* 1; Pauline Hagel, Rodney Carr and Marcia Devlin, 'Conceptualising and Measuring Student Engagement Through the Australasian Survey of Student Engagement (AUSSE): a Critique' (2012) 37 *Assessment & Evaluation in Higher Education* 475.

¹² Hagel, Carr and Devlin, above n 11, 508.

¹³ The respondents represented 29% of 1st year students (>48 UOC; 51/176); 28% of 2nd year students (>96 UOC; 46/167); and 28% of 3rd year (>144 UOC; 38/135).

¹⁴ The respondents represented 16% of 1st year students (48/306); 16% of 2nd year students (55/352); 18% of 3rd year students (54/301); 19% of 4th year students (58/310); and 33% of 5/6th year (86/257).

¹⁵ The average was 48% in 2013, and 46% in 2012: LSSSE Annual Report (2013) <http://www.lssse.iub.edu/pdf/2012/LSSSE_2012_AnnualReport.pdf>.

interpreting the responses from the early years of the LLB given the lower rates, but tentative trends across those years may be deduced.¹⁶

While enrolment patterns by gender approximate parity in the Law School, almost 2/3rds of LLB respondents were female. There was parity in the JD responses. In the LLB there are different numbers of students enrolled in each concurrent degree program. As some concurrent programs have small enrolment numbers, the programs were collapsed into three categories – Arts/Law, Business/Law, and Science & Engineering/Law. On this basis, the response rate exhibited a bias in favour of Arts/Law students (45% of responses compared to 34% of total enrolments), and against Business/Law (48% of responses compared to 57% of total enrolments). Numbers in Science and Engineering were too small to be significant (both in terms of responses and total enrolments).

There was also a potential bias in the respondents' reported average grades. Amongst both the JD and LLB respondents, 50% saw themselves as Distinction students, and 40% as Credit students.¹⁷ This is likely to be a higher percentage of better performing students than in the total population.¹⁸

In summary, the response levels appear to be significant enough to be indicative of student attitudes. This is also true for analysis of the students by year cohort – other than the early years of the LLB, and by Arts or Business co-degree. There are potential biases in the LLB responses on the basis of gender, co-degree, and on overall grade averages.¹⁹

Learning habits

In determining the types and extent of external pressures on UNSW law students, it is necessary to first understand how much time students spend preparing for class.

The data provided by the survey allows for some comparative examination of the time and effort students put into their studies and assessment. The LSSSE questions ask for time spent

¹⁶ The method for determination of what year cohort respondents were in varied between degrees. For US respondents, the cohort was supplied by their law school. A small percentage of law schools had a four year JD. In this analysis, 4L students' responses have been discarded. For UNSW students, Ethics restrictions meant we were required to rely on the students' self-reporting of their year of study. LLB students reported their year of enrolment. Because some dual degrees take 6 years to complete, responses indicating students were in year 5 or 6 cohorts were recoded as a combined 5/6 year cohort. As UNSW JD students can enrol in a less than a full time load, they were asked to report the nominal year they would be in by indicating the relevant number of Units of Credit they had completed. Thus, <48UOC is equivalent to 1st year, <96 UOC to 2nd year and <144 UOC to final year. Students who responded 'Other' were discarded.

¹⁷ In the JD 3rd year, the proportion of respondents who identified themselves as Distinction students jumped to 70%.

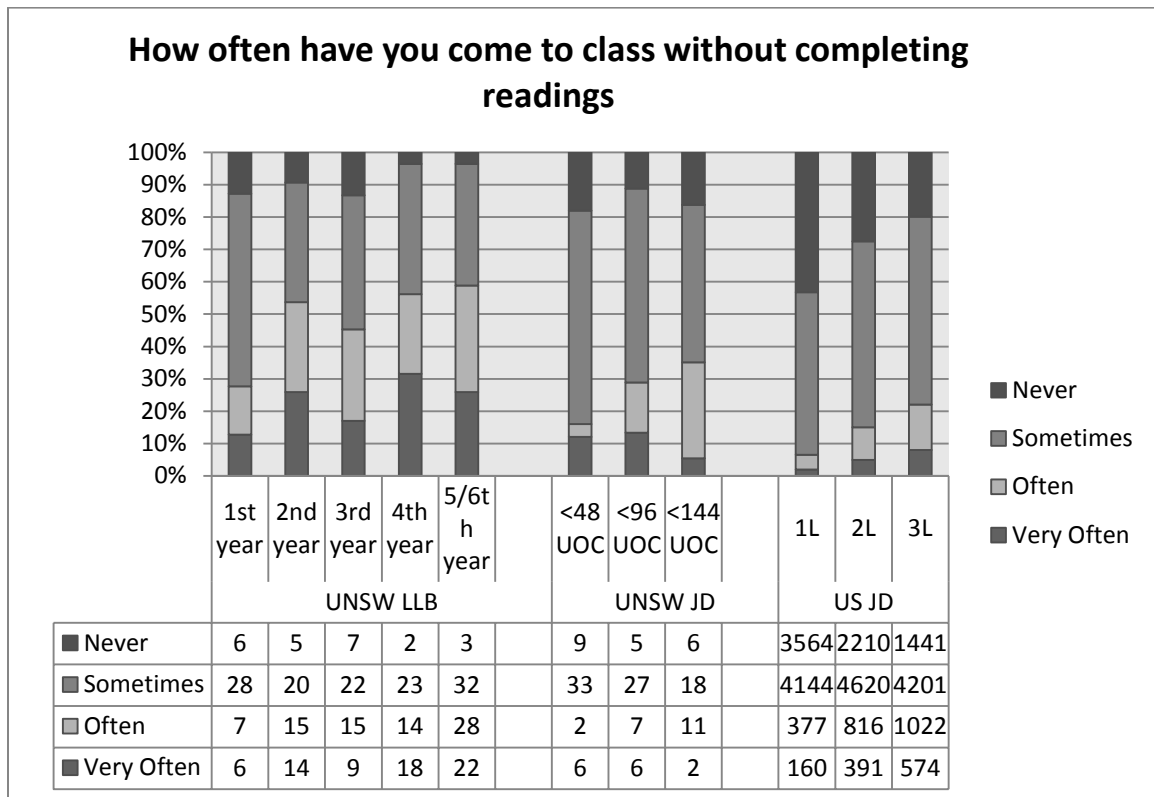
¹⁸ The precise extent of this variation is difficult to determine as the question asks for student impressions of their grades overall, and we have statistical records only of the overall average grades. Thus a student who considers themselves to be a Distinction student might well have only 50% of their grades as Distinction. Such a mix of grades might well see them with an overall average mark in the Credit range. But the reported percentages are higher than the School's guide to markers concerning banding of grades.

¹⁹ These biases have not been fully accounted for in this paper, which amounts to a preliminary analysis.

preparing for class, how often students skip their readings and how many drafts they complete before handing in assignments.

Level of preparedness for class

Law is taught, both at UNSW and in the US, on the assumption that students have completed assigned readings before coming to class, and that class discussion assumes the knowledge gained from the reading. However, the practice of teaching at UNSW may not consistently require that degree of conscientiousness from students. One of the LSSSE questions asked students to nominate how often they failed to complete readings.



The responses indicate that UNSW students are more likely not to have completed their readings than their US counterparts. Compared to other Australian law students, UNSW students' reading levels are unknown but an interesting comparison is available from Larcombe et al's study of Melbourne University Law School students.²⁰ That study found that in response to the statement 'I regularly come to class without completing readings or assigned work', 72% of LLB survey respondents either agreed or were neutral, and 46% of JD respondents agreed or were neutral.²¹ These figures are not directly comparable, but they do suggest that UNSW

²⁰ Larcombe et al, above n 4.

²¹ Ibid 421. The survey involved students across Melbourne's transition from an LLB to a JD program.

students are not reading less than in a comparable LLB program. Students are increasingly likely not to conscientiously prepare for class as their degree progresses. The fact that, by the final year of the LLB degree, nearly 60% of respondents often do not read for class suggests that there is a strong sense that one can pass courses without significant ongoing preparation. This is strikingly different to the much smaller 13% of JD students who often do not complete readings.

It could be expected that undergraduate law students would be more relaxed about their study habits than their postgraduate counterparts. LLB students predominantly come straight from high school and are experiencing the freedoms of adulthood for the first time. They are likely to have less family responsibilities and no real sense of an educational debt that is being created to achieve their degree. Early in their degree they may not even be certain they wish to be lawyers.²² By contrast, JD students are likely to have made significant sacrifices to come back to university, they are likely to be more aware of the educational debts involved, and many will be paying full tuition fees. Thus, the extent to which UNSW JD students do not prepare for class is much more likely to be due to other workload and lifestyle pressures, discussed below.

The significantly higher rate of students who never fail to read for class in the US, particularly in 1L, may also be a reflection of teaching practices that cause deep embarrassment for students who are unable to answer questions in Socratic dialogue through lack of pre-reading.²³ However, when compared to the UNSW JD first year cohort, another possibility arises. Whereas US JD students are likely to have moved cities and live on campus in their first year, UNSW JD students are overwhelmingly from Sydney and remain in their previous accommodation, and often employment, in their first year. Given the seriousness of the step to enrol in the JD, the extent to which UNSW JD students do not read as conscientiously as US JD students may very well be because of lifestyle pressures, discussed below.

Increasing the extent to which students prepare for class is likely to be complex. Direct attempts to examine students on their preparation and understanding, if not undertaken in a supportive manner could well lead to the deleterious effects of student stress and fear of humiliation that have been documented with extreme forms of Socratic teaching.²⁴ However, exploring methods where the expectation to have prepared for class comes from student peers rather than from teacher expectations has potential to be effective.²⁵

²² In their 2009 study, Tani and Vines found that relative to students from nine other faculties, UNSW law students were, inter alia, more likely to have chosen their degree for external reasons, including to please their parents, and were less motivated by learning and intrinsically interested in the content of their degree than students from other disciplines: Massimiliano Tani and Prue Vines, 'Law Students' Attitudes to Education: Pointers to Depression in the Legal Academy and the Profession?' 19(1) *Legal Education Review* 3, 12-25.

²³ See eg Elizabeth Mertz, *The Language of Law School: Learning to Think Like a Lawyer* (Oxford University Press, 2007).

²⁴ Ibid.

²⁵ Alex Steel, Julian Laurens and Anna Huggins, 'Class Participation as a Learning and Assessment Strategy in Law: Facilitating Students' Engagement, Skills Development and Deep Learning' (2013) 36(1) *University of New South Wales Law Journal* 30.

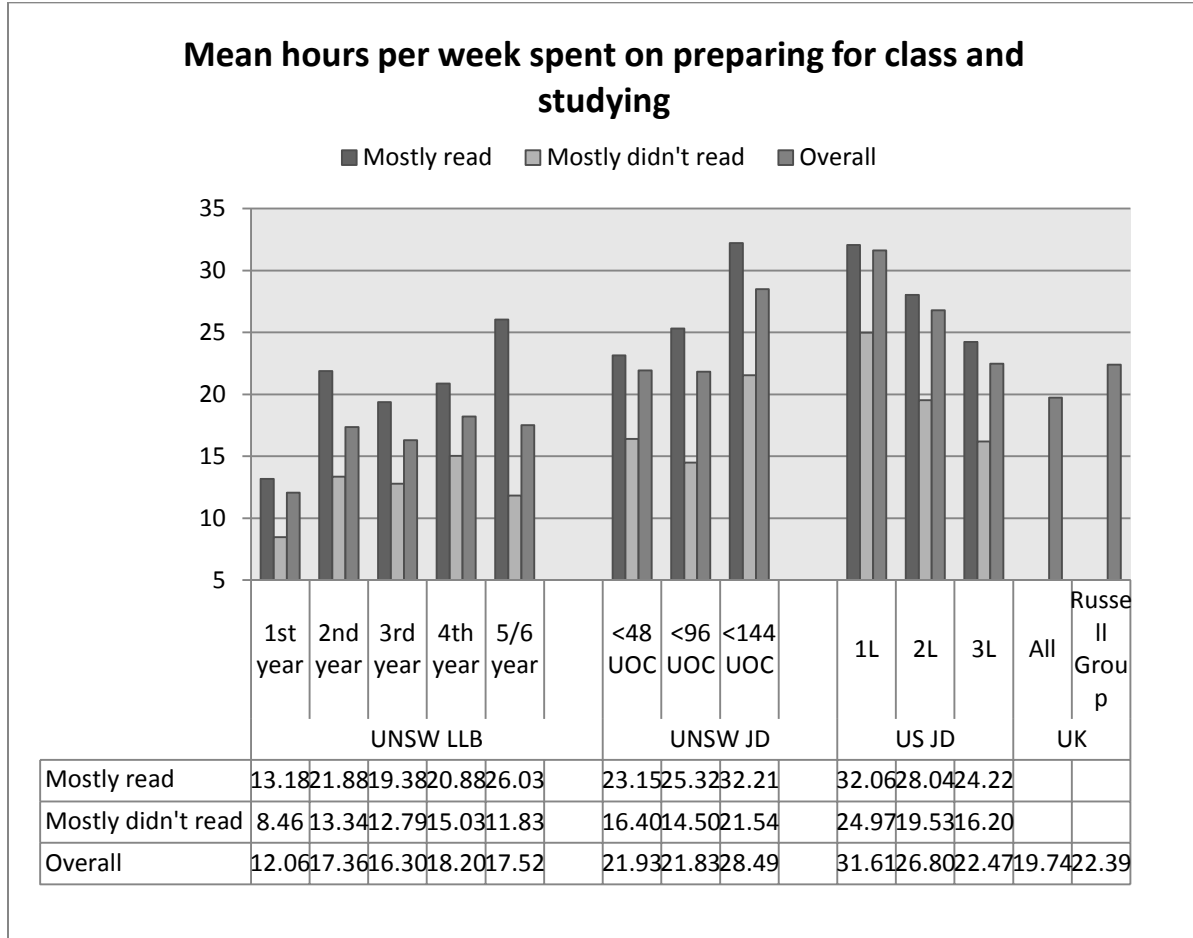
Time spent preparing for class and studying

Both LLB and JD students at UNSW also spend less time preparing for class and studying than US students. Relevant LSSSE questions ask for both the time spent reading set materials and on other preparation such as studying, writing, doing homework, etc in an average week. For the purposes of this analysis, student responses indicating the time spent on these types of activities were merged.

In order to determine how much time conscientious students spend preparing for class, the responses to this question were split into those respondents who also answered that they either 'never' or 'sometimes' failed to do the reading (those who 'mostly read') and respondents who either 'often' or 'very often' failed to do the reading (those who 'mostly didn't read'). The mean scores for each group across year cohorts are set out below. Additionally, data from a recent survey of British law students has been included for further comparison.²⁶

When one looks at the means for the conscientious students, it becomes clear that across both UNSW degrees the amount of reading increases with each year, but for the US decreases each year. Despite that decrease, US students still spend more time preparing for class than UNSW students. UNSW JD students also spend more time preparing than LLB students.

²⁶ Derived from underlying data available from HEPI and Which, 'Student Academic Experience Survey' (2013)
<<http://www.hepi.ac.uk/455-2154/2013-Student-Academic-Experience-Survey-produced-jointly-by-HEPI-and-Which.html>>.



One possible explanation for this difference may lie in the teaching methods at UNSW. Because readings are discussed in class, there is an expectation that students are not set readings in excess of what is able to be discussed in a two hour class. If a degree of student discussion and interaction is expected, the amount of reading is necessarily limited. UNSW has a policy guideline stating that ‘students are expected to do between 1 and 2 hours of reading for every hour taught, but no less than 1 hour of reading for every hour taught’.²⁷ That would equate to a range between 16 - 32 hours of reading per week for a full time load, with a nominal average of 24 hours. Conscientious UNSW JD students meet or exceed that mark. The mean reading time in the final year of 32 hours suggests later year electives are setting higher reading requirements than compulsory courses.²⁸

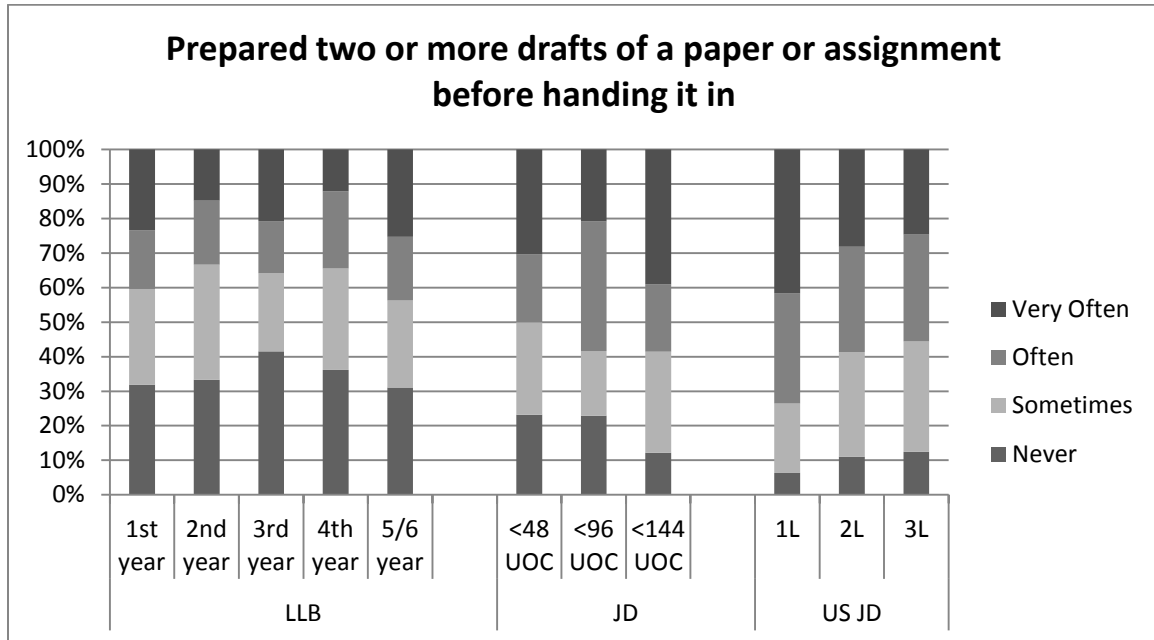
The much lower LLB hours spent on largely the same reading requirements imposed on the UNSW JD students reinforce the impressions discussed earlier of cultural differences in approaches to study between students in both degrees.

²⁷ UNSW Faculty of Law, Law School Assessment Policy, 2009.

²⁸ The school policy pre-dates a reduction in the teaching hours of electives to 3 hours per week. If applied correctly in the final year, students would only be expected to read up to 26 hours per week.

Time spent on assessment

In addition to time spent preparing for class, students spend significant time completing assignments. The LSSSE questions do not ask students how long they spend on these assignments but it does ask whether they prepare multiple drafts of assignments. Anecdotally, many UNSW students would be just as likely to complete the assignment as a single draft the night before it is due as to prepare multiple drafts.



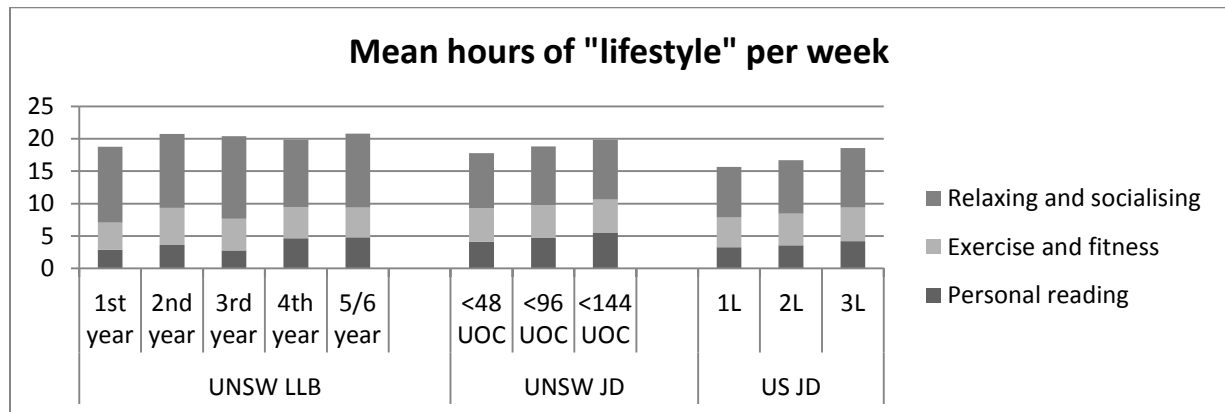
The data from the survey confirms that UNSW students are less likely to do multiple drafts than is the norm in the US. Again, the likelihood of multiple drafts is higher for UNSW JD than LLB respondents. But the data does suggest that UNSW students are more likely to do multiple drafts as they progress through the later years of their degree, in contrast to US students. This raises the interesting notion that UNSW students put less effort into their reading but more into assignments as their degree progresses. This might be evidence of strategic approaches to learning.²⁹ If final examinations are not set for subjects, and there is no or little by way of graded class participation, it would be likely that students with competing time pressures, and a lower level of interest in the subject would spend less time preparing.

Across the LLB, the percentage of those who both 'never' wrote multiple drafts of assignments and mostly did not prepare for class fell from over 60% in 1st year to under 40% in 5/6th year, and from 50% in the first year to under 20% in final year of the JD. Conversely, the percentages in the US rose from under 20% to the mid-20s throughout the degree. This again demonstrates the significant differences between Australian LLB and JD students, and between Australian and US JD students.

²⁹ See, eg, Graham Gibbs, 'Using Assessment Strategically to Change the Way Students' Learn' in Sally Brown and Angela Glasner (eds), *Assessment Matters in Higher Education: Choosing and Using Diverse Approaches* (SRHE & Open University Press, 1999) 42.

Lifestyle choices

UNSW students also appear to have busier lives away from study than is the norm for US students. The chart below sets out the mean number of hours spent on diverse activities by students in each year of the degree. There are some interesting trends.



Relaxation

Three questions in the LSSSE provide an indication of the amount of time students spend relaxing. Personal reading – that is reading unrelated to study and somewhat quaintly described in the relevant LSSSE question as ‘Reading on your own (not assigned) for personal or academic enrichment’³⁰ begins at a low level with first year LLB respondents but increases throughout the degree, and also increases throughout the JD. Later year students in both UNSW degrees read more than US students, though the meagreness of a mean of 4 ½ hours a week is most probably testament to the increasing competition reading now faces from electronic entertainment. That reading increases throughout the degree might, however, suggest an increasing development of a reflective turn of mind.

	UNSW LLB					UNSW JD			US JD		
	1st year	2nd year	3rd year	4th year	5/6 year	<48 UOC	<96 UOC	<144 UOC	1L	2L	3L
Personal reading	2.88	3.60	2.77	4.63	4.78	4.09	4.70	5.56	3.29	3.58	4.22
Exercise and fitness	4.21	5.76	4.89	4.81	4.60	5.18	5.06	5.07	4.55	4.85	5.17
Relaxing and socialising	11.69	11.36	12.76	10.45	11.43	8.53	9.08	9.21	7.83	8.26	9.17
Total 'relaxation' hours	18.78	20.72	20.42	19.89	20.81	17.8	18.84	19.84	15.67	16.69	18.56

There are no significant differences in the levels of exercise undertaken by UNSW students in both degrees. UNSW LLB students do, however, spend more time relaxing and socialising, perhaps reflecting their stage in life and comparatively lighter family responsibilities.

³⁰ The use of the word ‘enrichment’ may have led to underreporting.

Unpaid work and community involvement

Three other questions sought information about the amount of time spent on non-paid volunteer work – whether legally, university or community related. The data suggests that UNSW students are more strongly engaged with community volunteering than US students – perhaps because they predominantly still live in their local communities. US JD students are more engaged with university activities, but UNSW JD students undertake more pro-bono work.

	UNSW LLB					UNSW JD			US JD		
	1st year	2nd year	3rd year	4th year	5/6 year	<48 UOC	<96 UOC	<144 UOC	1L	2L	3L
Pro bono legal work	.13	.31	.78	1.47	1.17	.45	2.27	2.14	.81	1.62	2.12
Co-curricular activities	2.42	2.09	1.66	1.53	2.31	1.02	1.08	.90	2.45	5.21	5.38
Contributing to community organisations	2.55	4.58	2.77	1.98	2.85	2.15	1.69	2.07	1.63	1.71	1.81

Commuting

Commuting has a significant time impact on LLB students in particular. This is most probably connected to many LLB students continuing to live at home, and relying on public transport.

	UNSW LLB					UNSW JD			US JD		
	1st year	2nd year	3rd year	4th year	5/6 year	<48 UOC	<96 UOC	<144 UOC	1L	2L	3L
Commuting to university (hours/week)	8.26	9.29	9.19	7.79	6.98	6.55	5.94	6.07	4.88	4.78	4.87

Family responsibilities

UNSW JD students have higher levels of family responsibilities, with an overall mean of 6.14 hours per week compared to 2.49 hours for LLB students and 3.72 for US JD students. In terms of the overall impact on the student body, 45% of UNSW JD respondents had caring responsibilities, compared to only 30% of US JD students and 39% of UNSW LLB respondents. The UNSW figures are comparable to those reported by Larcombe et al in a 2008 survey of Melbourne University law students.³¹ That study found 37% of commencing JD respondents had family responsibilities compared to 34% for LLB respondents. By comparison, the UNSW LSSSE figures for first year were 41% for JD respondents, compared to 27% for LLB respondents.

³¹ Wendy Larcombe, Pip Nicholson and Ian Malkin, 'Commencing Law Students Interests and Expectations: Comparing Undergraduate and Graduate Cohorts' (2008) *Journal of Australasian Law Teachers Association* 9.

	UNSW LLB					UNSW JD			US JD		
	1st year	2nd year	3rd year	4th year	5/6 year	<48 UOC	<96 UOC	<144 UOC	1L	2L	3L
Caring for dependants	1.54	2.93	1.21	3.10	3.15	7.66	4.52	6.48	3.39	3.59	4.05

These figures tend to further support the idea that because metropolitan Australian law students are overwhelmingly from the city of their law school, they carry greater family responsibilities than interstate students would.

Paid work

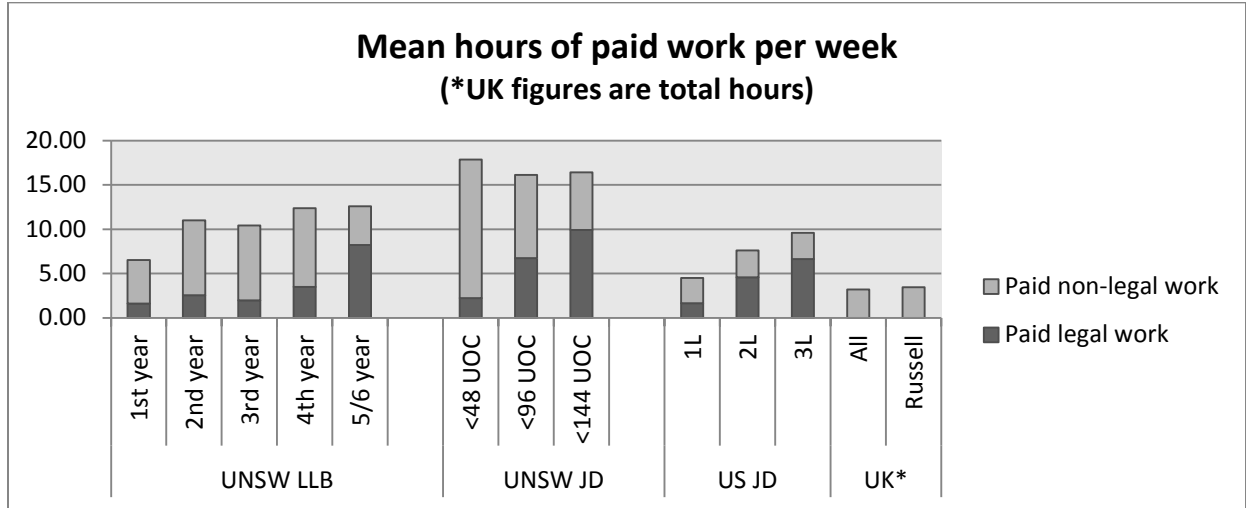
UNSW students work significantly longer hours per week than US students, and importantly most of those hours are in non-legal work.³² A recent survey of UK students also reported that those studying law in the UK worked even less hours – a mean of 3.44 hours per week for students enrolled in Russell Group universities.³³

	UNSW LLB					UNSW JD			US JD		
	1st year	2nd year	3rd year	4th year	5/6 year	<48 UOC	<96 UOC	<144 UOC	1L	2L	3L
Paid legal work	1.63	2.56	1.98	3.50	8.22	2.25	6.73	9.91	1.65	4.58	6.63
Paid non-legal work	4.90	8.45	8.45	8.86	4.40	15.61	9.40	6.52	2.86	3.02	2.97

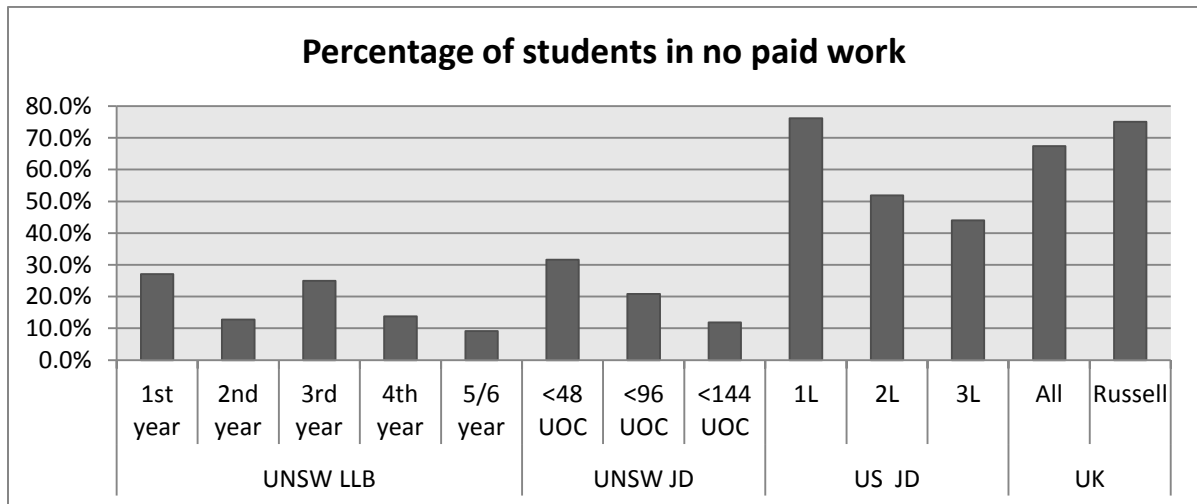
This suggests that there is a strong pressure on UNSW students to earn income alongside study. This may be for lifestyle reasons for many LLB students, but is likely to be an economic necessity for most UNSW JD students. The JD figures in the following chart should be treated with caution as UNSW JD students are able to enrol on a part-time basis. However, an analysis of those commencing students enrolled in a full-time or close to full time load indicates that around 30% work more than 16 hours per week. In the 2008 study of paid work by commencing students at Melbourne University Law School, while the spread of hours worked by LLB students was comparable to that of the UNSW LSSSE respondents, only 15% of commencing JD students worked 16 hours or more. Further research is needed to determine whether JD students continue to maintain the hours of paid work they enter law school with, and what impact that amount of work has on their grades and well-being.

³² In terms of volunteer work, UNSW students have a higher mean number of hours per week in unpaid contribution to the community – but less in terms of legal pro bono work. These lower levels of pro bono work are not surprising given the lesser prominence such volunteering currently has in Australia. The difference in community work is unclear.

³³ See above n 27. This figure was derived from the underlying data set for Russell Group students who selected Law as their Subject group.



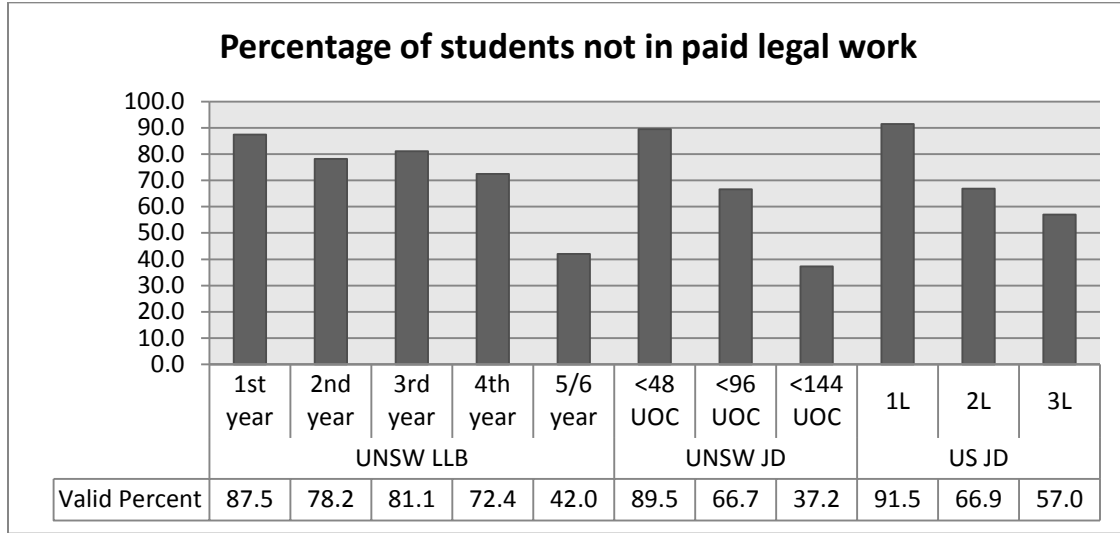
Just as striking is a comparison of the percentage of students in no paid work. It is clear that for most US students, law school is an all-encompassing undertaking, and UK students do even less paid work.³⁴ By contrast, most UNSW law students look to pick up paid work at a rate that is higher than national figures suggesting that around 75% of later year students from diverse disciplines are in paid work.³⁵



UNSW students also have a greater likelihood of being employed by law firms than US law students, with the percentage of those not employed as paralegals falling to 42% for LLB and 37% for JD student in their final years. Employment as a paralegal is increasingly seen as a safer path to graduate employment in Australia.

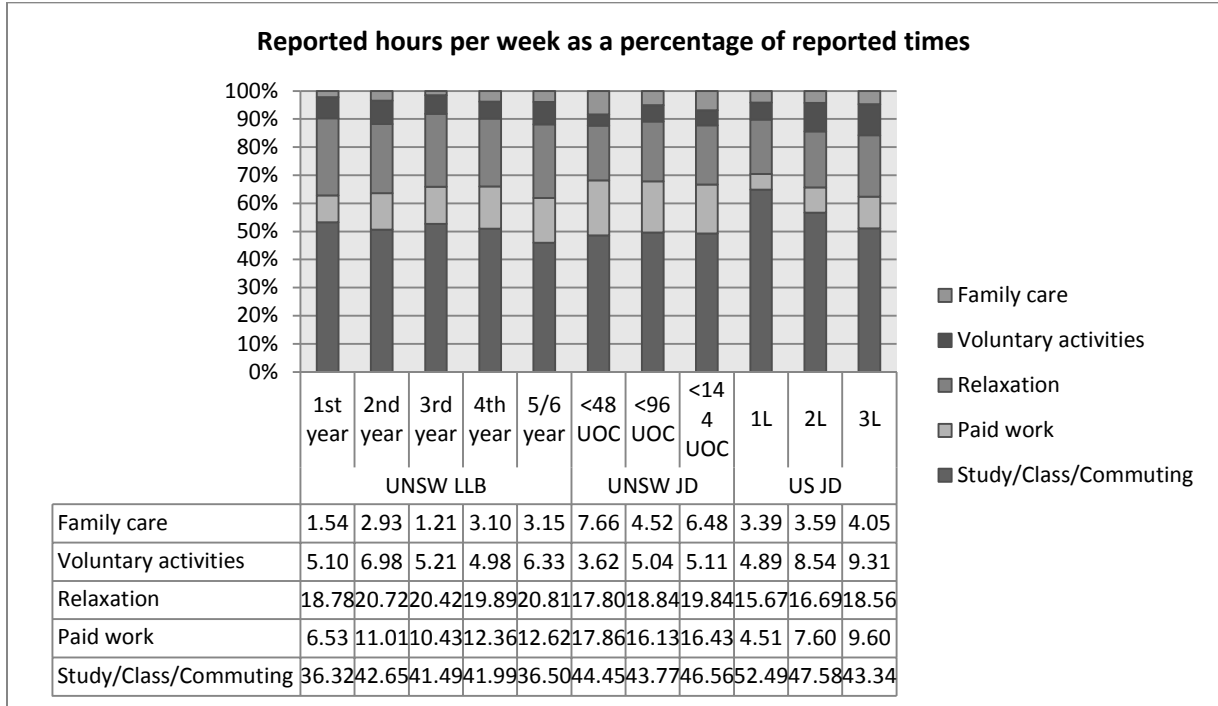
³⁴ These means are derived from responses to the question: 'In an average week during term-time, roughly how many hours have you spent in paid employment unrelated to your course?'

³⁵ Hamish Coates, 'Working on a dream: Educational returns from off-campus paid work' (2011) 8 AUSSE Research Briefing.



Conclusions

This Chapter suggests that there is much similarity between UNSW law student lifestyle patterns and pressures and those of US law students, but there are some important differences. As the summary table below demonstrates, UNSW students do not devote as much time and energy to their studies as US students, but despite this, their levels of preparedness appear to increase throughout the degree. UNSW students appear to have high, and possibly unsustainable work hours outside of university, and this may be impacting on the degree to which they prepare for class. However, the extent of preparation appears to also be attributable to broader cultural differences – possibly because of the undergraduate setting of the LLB. On the data presented here, it appears to be fruitful to further compare UNSW JD students against UNSW LLB and US JD students, and to obtain more widely based Australian data.



The broader significance of the analysis in this Chapter for understanding law students' wellbeing is that comparing American and Australian law students' lifestyle patterns provides insights into significant contextual variation between both groups, which is important to bear in mind when comparing American and Australian research on law students' wellbeing, and appreciating the limits of such comparisons. Significantly, much of the wellbeing literature to date has focused on course-based stressors,³⁶ but in light of Larcombe et al's research indicating that improvements in students' course-based experiences do not have a direct effect on law students' elevated levels of psychological distress,³⁷ it is important to understand the broader life pressures and stressors that may be impacting law students' wellbeing. A valuable focus for future research is to empirically link particular lifestyle pressures experienced by law students with specific symptoms of elevated distress.

³⁶ See above n 3.

³⁷ Larcombe et al, above n 4, 409.