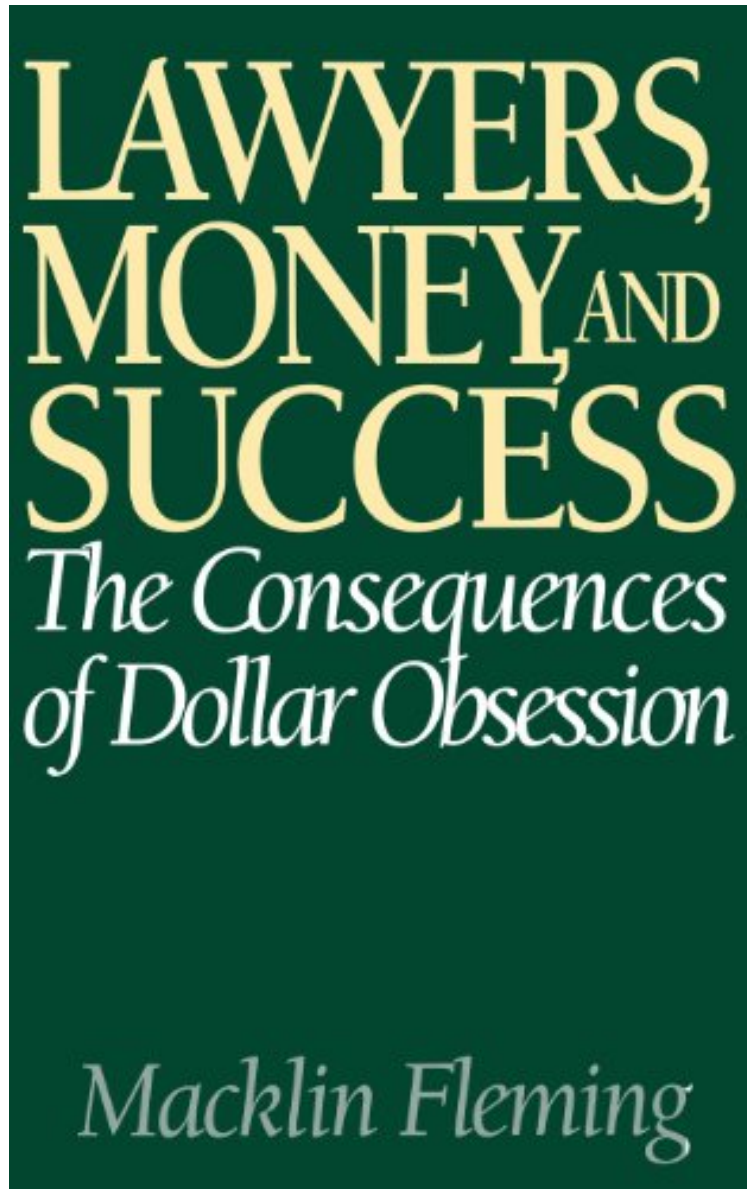


[Ebook pdf] Lawyers, Money, and Success: The Consequences of Dollar Obsession

Lawyers, Money, and Success: The Consequences of Dollar Obsession

Macklin Fleming

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Consequences of Dollar Obsession:

Retired Justice Macklin Fleming argues that in its quest for money, the legal profession has lost sight of its true tasks and responsibilities, with the result that the profession is rife with client dissatisfaction, public distrust, and individual lawyer discontent. Money is now the measure of success, he says, and honesty has been diluted, while fiduciary responsibility has eroded. Fleming elaborates his case with unusual rigor. In the quest for the brass ring of financial success, corner-cutting, absence of candor, and distortions of fact have become increasingly tolerated, to the extent that clients, the public, and lawyers themselves no longer have a sense of trust and confidence in the legal profession. Obviously, changes are needed, and unless they come from within the firms themselves, lawyers can be sure that they will come from individuals, agencies, and organizations outside these firms. Attorneys in all kinds of practices, their clients in all sectors of the economy, and academics concerned with the practice of law in all its dimensions will find Fleming's book informative, challenging, and certainly provocative reading. Fleming starts by examining what he sees as a paradox: a large increase in lawyers' fees despite a fourfold increase in lawyer numbers and a threefold increase in their proportion of the general population. What happened to the law of supply and demand? he asks. After tracing the history of the large corporate law firm and its dominance within the profession, he shows how cost-effectiveness within large firms has declined while at the same time what he calls the magic of the emperor's new clothes has suspended the law of supply and demand. He discusses excessive legal fees, their resistance to client and court controls, and relates his discussion to the present pervasive distrust of lawyers among the public. Fleming outlines the four existing challenges to business-as-usual by lawyers and law firms, and then ventures his own analysis of the needed future changes in law firms. These include professional law firm management under a less archaic structure, effective integrity and quality controls, cost-controlled delivery of legal services, and increased job satisfaction for its working lawyers.

"Drawing on his 55 years as a lawyer and a judge, Fleming offers a shrewd, sober critique of modern legal practice, exposing economic injustices that the market must inevitably iron out....Fleming quotes from the classics--Aesop, Milton, Burke--but he writes with the rigor and insight of Thorstein Veblen."-The New York Times Book "An interest in law is not essential for enjoying a splendid narrative, but readers familiar with the legal profession will be rewarded with rare insights presented in fine style."-Business Library "For a detailed diagnosis of what ails the profession, and a prescription for a cure, you couldn't do better than this slim book by a retired justice of the California Court of Appeal."-The National Law Journal "This is an important contribution to the continuing debate about the growth and role of law and lawyers. Although the focus is the megafirm, the author's trenchant observations about the decline of integrity and the loss of public confidence in legal practice apply to the entire legal profession."-Choice? An interest in law is not essential for enjoying a splendid narrative, but readers familiar with the legal profession will be rewarded with rare insights presented in fine style.?-Business Library ?For a detailed diagnosis of what ails the profession, and a prescription for a cure, you couldn't do better than this slim book by a retired justice of the California Court of Appeal.?-The National Law Journal?This is an important contribution to the continuing debate about the growth and role of law and lawyers. Although the focus is the megafirm, the author's trenchant observations about the decline of integrity and the loss of public confidence in legal practice apply to the entire legal profession.?-Choice? Drawing on his 55 years as a lawyer and a judge, Fleming offers a shrewd, sober critique of modern legal practice, exposing economic injustices that the market must inevitably iron out....Fleming quotes from the classics--Aesop, Milton, Burke--but he writes with the rigor and insight of Thorstein Veblen.?-The New York Times Book "Justice Fleming's lucid explanation of the relationship between spiraling costs of legal services and the growth of very large law firms will evoke cheers in corporate board rooms and dismay in big law offices. Whatever may be the reactions, however, neither lawyers nor their clients can afford to ignore the lessons he teaches about the once and future legal profession."-Honorable Shirley M. Hufstedler former Judge of the United States Court of Appeals "Justice Macklin Fleming has written an important book, a must-read for every lawyer, for almost every client, and for everyone interested in how our law works. He shows what may well happen to the economics of the practice of law, and how the system can be changed for the better, with a resulting improvement in the image of lawyers and the whole system. I urge everyone who is in any way involved in the civil justice system, directly or indirectly, to read this exceptional book."-Chief Justice Malcolm M. Lucas California Supreme Court, Retired "Macklin Fleming has written a wise and well-informed book about the pervasive role that money plays in the contemporary practice of law. How do legal fees get set and why have they grown so large? What effect has the pursuit of money had on lawyers' relations with their clients, on the organization of law firms, on the legal profession's values, and on its public image? These are the questions that Fleming pursues in this absorbing and important book, and from his varied experience he has drawn some striking conclusions that anyone interested in the future of the legal profession must seriously study."-Anthony T. Kronman, Dean Yale Law School About the Author MACKLIN FLEMING is a retired Justice of the California Court of Appeal,

currently sitting by assignment on the Los Angeles Superior Court. A graduate of Yale College and Yale Law School, he has divided his 55 years of legal experience between public and private practice in California, New York, and Washington, D.C., and trial and appellate judging on the California bench. He is the author of two previous books, *Of Crimes and Rights* (1978) and *The Price of Perfect Justice* (1974).