

**RICHARD RE:** All right, let's take it away. So I'm Professor Richard Re.

**PAVYAND** I'm Pavyand Ahdout.

**AHDOUT:**

**RICHARD RE:** Pleasure to see all of you today. I'm so glad you came out to this meeting. I just want to say a couple of introductory things briefly about the series of events that we're starting today. So we are both members of the Academic Placement Committee here at UVA, something that I want every UVA student to at least know about.

And we're going to start to have events about every three to four weeks during the school year that are going to give you a variety of different bits of information or perspective about the Legal Academy, why to do it, what are paths to do it, how to do it successfully. Part of the lesson of these events is going to be applicable to your regular legal careers, paper writing, agenda writing, and stuff like that.

And I encourage anyone who is even possibly interested in being a law professor, which I think includes everyone because the title of this event is should I consider being a law professor. By being here, you have demonstrated that you are already considering it. It's like a moot issue at this point.

Just send one of us an email. And we'll get you on this mailing list so you can get updates because later down the road, you might decide, I might want to learn more about being a law professor. I might have wanted to something. And the email list will help you get that information. And one last brief thing, which is that we are recording this event, as you can tell, to be posted online so that alums can take advantage of this and other events that we're going to be holding. You want to say introductory remarks?

**PAVYAND** Yeah, also that I too, when I was a law student, would come to these, should I be a law professor, events. And it wasn't until maybe like five years after graduating that I proceeded down the path of actually becoming a law professor. And it was really helpful to be aware of the terminology and some of the steps that I might choose to take along this path even though it was while after graduation that I started taking the concrete steps that we'll learn about through the series.

**RICHARD RE:** Great, I might start us off by just saying some of the things that I really like about being a law professor and why I chose this career path. And then you can jump in whenever. And we can just maybe find out if we like the same things or different things. So the four big things that I love about being a law professor.

Number one, I like being able to set my own intellectual agenda. So I like being able to say one day, you know what? I'm really interested in this area of law. I'm going to go study that and research that myself. Whereas by contrast, when I was in practice, which I actually did for a few years. It would be other people telling me, to a great extent, not totally but to a great extent, what I needed to spend my time on.

I really like the flexibility and autonomy of being a law professor. This is probably something you've discerned by watching your own professors in action. It's a very time unstructured line of work. That doesn't mean there's not things to do, but it means that the order in which you do them is substantially up to you. Again, if you have clients, for example, that may not be the case. Clients may tell you-- that's happened to me, for example, one time at 11:00 PM, how I'd be spending the next 12 hours of my conscious life.

I really like being able to answer questions when I say an opinion the way I think it's correct. Whereas again, by contrast, when you have a client, it may be a great thing. But very often the range of expressing views is sharply curtailed by who you're representing or who you might represent in the future.

And lastly, I like that-- related to that, when I write something, I can at least tell myself that I'm trying to write something that is deep and lasting. And it has a somewhat broader range of audience interest. Whereas again by contrast, when I was in practice, which is great as well. But very often, I was writing things that were of interest to the parties in the litigation and the case. And they would be forgotten as soon as the case was decided. So those are some pros on my end.

**PAVYAND AHDOUT:** I, personally, have an agenda that's informed by the time that I spent in practice. And there were all these questions that I had when I was in the Solicitor General's office or when I was practicing, where I really wanted to know the answer. And there was no time to figure it out and learn. And so my favorite thing about my job is that I actually get to learn what I want to learn. And I'm continuously learning about different areas of the law for my colleagues. And so I think, if you don't use it, you lose it. And I get to use it in this job.

**RICHARD RE:** Yeah. Are there any things you don't like about being a law professor?

**PAVYAND AHDOUT:** I mean, everybody's going to complain about grading, but it wasn't as bad as I thought it was going to be. And sometimes-- I mean, when you put an idea to rest, I found it really hard to figure out when I'm done with something or what it's done with me. And so that's something I'm still figuring out and struggling.

**RICHARD RE:** Yeah, for sure. It's like you're so invested in what you're doing, it's hard to know where to draw the line. Yeah, I'll say, so we both also had some previous experience. I'll say, when I look back at my practice years, few though they were. One of the things I miss and that maybe sometimes in my current job, I'm like, wow, I wish I could have a little bit more of that, kind of flip side for me.

So it's almost like mirror images of the things I just said. When you're in practice, there's usually at least one person who really, really, really, really, really cares about what you're doing. Maybe more than one person. Especially if you have a pro-bono client. I mean, it could be the fate of someone's career or freedom at stake in the case you're working on.

Whereas by contrast, there's a lot of time being a law professor, I'll just say it, you're writing, you don't know if anyone's going to read it. It's writing into the void. And there's a hope they'll have an influence, but you don't know. And I think some people, maybe even me sometimes, I'm like, maybe I'd rather be doing something that has a very focus immediate appeal to people.

I would say that the Legal Academy has a degree of market rigidity that is related to the tenure dynamic that creates flexibility. But the market rigidity means that you may not be able to move when you want to or where you want to when you're looking for a job. And that can be quite frustrating for many people, especially if they're geographically constrained.

A third thing I'll say, that I didn't really realize until I got a few years into the legal Academy. And maybe you'll disagree with me about this. Maybe others, Professor Cope. I see Kevin Cope is in the back, maybe he'll disagree with me on this. But I think that as compared with a lot of other types of work, there's a fundamentally static structure to being a law professor, at least for many law professors, because you're teaching, and you're researching, and you're writing.

And that could be happening in the 40th year of the job or the first year of the job. Whereas at least many other careers, you could become a dean of a law school. You could do other things. You could go into the government. But in many other careers, by the time you're in your 40th year, you're just doing something very different. You could be a manager. You could be running a firm. You could be consulting the president or something like that.

And I think, as I'm going through this, I'm realizing, wow. Some of my peers who are doing other career paths, their jobs seem more transformative over time. Maybe that's something good. And the last thing I'll say, I think also maybe is disputable, but I think as compared to the alternative medium job, being a law professor is pretty cerebral. A lot of the work is in your head. If you're like an appellate lawyer, maybe that's also true in practice. But a lot of lawyers, I think, are talking to people, talking to clients, hustling for business, arguing in court, talking to witnesses. I don't feel like I do a ton of that. What do you think?

**PAVYAND**  
**AHDOUT:** I will respond and say, I feel like student interaction is something I really enjoy a lot. And that's not like the same thing as direct services of being a lawyer, right? But like, I have cerebral time. And then I also have student time. And not to say it's not cerebral, but it's not sitting in a room thinking to myself.

And I think that there are a lot of openings to being able to consult the president or do other sorts of things. But maybe I just don't feel like it's a static job because I've only been doing it for few years, right? So I might feel that way in a few years if I haven't figured out another way to channel an itch if I have it.

**RICHARD RE:** Yeah, [INAUDIBLE] you want to say anything else or I bring in-- yeah.

**PAVYAND**  
**AHDOUT:** I was going to ask, Professor Cope, you want to come up and say--

**KEVIN COPE:** I'm still on the fence about being a law professor. That's totally right. I for one, I co-author most like [INAUDIBLE] you to exclusively, so often. So I get a little bit more of that engagement so often, which is a little bit more common in areas adjacent to social science and so forth. But I also do this having a dynamic law office, coming in [INAUDIBLE]. That's why you'll see me sitting in a stone dining room in [INAUDIBLE] I'm still around people, rather than just in my office all day.

**RICHARD RE:** Indeed, right now, maybe that helps explain why you're here right now.

**KEVIN COPE:** You're [INAUDIBLE] in contact.

**PAVYAND**  
**AHDOUT:** I also feel like this is something that I should mention because I heard it at my first should I become a law professor. One of my law professors was in the room. And he said, I should just say that law professors get paid mostly in utils. That someone was, at the end class raised-- at the end of the thing raised a pen and was like, can you talk about those oodles that the law professors are being paid?

He was like not oodles, utils. So that's just something to note and know. I've never felt the need to figure that out in like weird ways, but it's something I heard at the very first meeting. And I think a lot of people locked away after that. I like utils.

**RICHARD RE:** I love that comment. I love the whole thing.

**STUDENT:** What's a util?

[LAUGHTER]

**PAVYAND** A utility, employment.

**AHDOUT:**

**STUDENT:** Oh, I see.

**RICHARD RE:** Yeah, I mean, ideally, you want to align what gives you satisfaction with whatever you're doing. But I think the comment is insightful because there are a lot of people in practice, I know some of these people. I've worked with some of these people. I've been some of these people sometimes, where they're literally saying I'm not enjoying what I'm doing, but I'm making cash. And I think, not everyone who practices like that, thank goodness, by any means. But you don't see many law professors saying that, I'll just say. Either half of that equation.

**PAVYAND** Yeah, you should like what you're doing. And I do.

**AHDOUT:**

**RICHARD RE:** Yeah, all right. We've been talking for a while, does anyone have any questions for us?

**STUDENT:** Yeah, so when you're a law professor, do you or do some law professors maintain like a bar membership and maybe still help some clients on the side, or pro-bono, or that kind of thing? Are you exclusively dedicated to this [INAUDIBLE]?

**PAVYAND** So the question is when you are a law professor do you maintain an active-- do some professors maintain an active bar membership, and participation, and litigation, and things like that?

**AHDOUT:**

**RICHARD RE:** You want to take that? [INAUDIBLE]

**PAVYAND** I'll say that there are different ways to be a law professor that we'll explore throughout the year. Clinical professors, obviously, have an active roster that's part of their job. I have an active bar membership. I'm not active in using it right now, but I did take my talents, I guess. I testified before Congress last semester. I do other sorts of things. And I know lots of folks who write pro-bono briefs, or amicus briefs on issues that they really care about. And at least one member of our faculty who is actively involved in major litigation against-- is it the state of Louisiana? Is it a County within Louisiana?

**RICHARD RE:** [INAUDIBLE] yeah. I'm not sure, a lot.

**PAVYAND** Yeah, so I think you can have it be a part of your career, and a part of your teaching, and your writing. But if you are a doctrinal professor, the expectation is that you are producing research and writing. And you can do other things as an adjunct to it but not instead of it.

**RICHARD RE:** Yeah, I think, especially the last thing there was exactly on point. For me, I feel like, especially as I'm getting a little bit further along the line here, I want to do a little bit more practice-ish stuff, whether it's consulting. A few years ago, I wrote an amicus brief for the Supreme Court, representing myself just as a scholar talking about something I was researching as they're hearing a case exactly what I was researching on. And that was a really rewarding cool thing, that revisit practice, and being a brief writer after taking several years away.

It was, I'll just say a brief anecdote about that. It was a very, very [INAUDIBLE] in rewarding in many ways. But one thing that was weird about it was, I was like, OK. I got to write a brief. I haven't done this in a while. First thing I should do, I should master the record. So I start reading the record. And I was reading the opinion below. I was like, why is the opinion below saying all this stuff that-- this is obviously wrong. And this is obviously wrong.

And this is-- oh, the court law is trying to follow precedent. And it's like snapping back into gear about that. And then filing-- and then was crafting a brief that was at least a little bit practice aware while trying to make an independent, freestanding, scholarly contribution. So that's my main example doing that.

But I would personally would like to do more. I'd like to do more that's in the pro-bono space, or consulting, or testifying, or things like that. Different people strike that balance differently. But again, I think the point is exactly right, that I think for most scholars and for most institutions, it should be in tandem with doing deep, independent research, not in the alternative OK, yeah.

**STUDENT:** So during both of your times in practice beforehand, did you come across specific research areas that you knew you wanted to explore as an academic? And to what extent do you think it's important to have identified specific areas you want to pursue before entering the process, generally?

[INAUDIBLE]

**RICHARD RE:** Yeah, so I think the question would be, what is the relationship between work and experience in practice and then subsequent work in the academy? Now, obviously, some people go to the Legal Academy without doing any legal practice. Both of us, I think, have done significant legal practice before being academics. And I agree very much that, for me, practice was critical for having an initial agenda. It gave me awareness of things, and problems to be interested in, and a little bit of expertise.

So I think it can definitely be, especially, valuable at the beginning. So I have noticed sometimes people-- sometimes people's research agendas almost get-- are most interesting at the beginning or when they've just come out of government or something, because they've seen all these things that people reading public source materials can't easily see.

So that's definitely the case for me. Just to give one example, but it's related to the amicus brief I was talking about. The brief's on something called the Marks rule. Don't worry about it if you don't know what that is. But I had encountered as a clerk and in practice, Marks rule questions. And it just really struck me as a bizarre, horrible feature of our legal system. And so that propelled me to write about it later and try to contribute to that debate.

**PAVYAND  
AHDOUT:** I also heard a broader question, what you asked, which is to what extent should I know what I want to do and study when I become a law professor? And I actually think that that's something you should spend time figuring out. I think the most valuable thing that you can do while you're in law school, some people will say is start writing.

I would say, figure out, like is this something you want to do all the time? Is there some part of the law that you've picked up on where you're like, that's really interesting. I want to do this. And I want to dedicate my life or a substantial portion of my life to figuring this out and teaching other people about it. And so I figured out, in law school, man, I love fed courts. And I think Professor Re figured out the exact same thing, right?

**RICHARD RE:** Not in law school, but we'll--

**PAVYAND** Not in law?

**AHDOUT:**

**RICHARD RE:** Yeah.

**PAVYAND** OK, and I was like, how do I do fed courts all the time? This is a problem none of you will have. But I can only do fee courts all the time if I'm an academic. Otherwise, I can do it 30% of the time. And that just wasn't enough for me.

**RICHARD RE:** Yeah, just to respond to that question you asked me, that's interesting for me to remember that. When I was in law school, I was not interested in fed courts. I took the class. It was fine. It didn't really click for me as being something that I should understand or appreciate in a big way. It was actually the practice experience where I was like, well, actually these somewhat arcane, technical procedural issues-- First off, I'm capable of understanding them, which wasn't obvious to me in law school.

And second, once I've understood them, I realized, wow, a lot actually turns on this. And maybe the amount that people are thinking about them is not in proportion to their significance. And so by then, I had a little bit of the knowledge. I had gotten a little bit of confidence, a little bit of interest, and a little bit of sense that maybe I can contribute to this in a way that I hadn't realized. So it's actually very responsive to your question that my own path, I hadn't even appreciated when you first asked it. That my practice experience led me to this when law school had not.

**PAVYAND** Yeah.

**AHDOUT:**

**STUDENT:** So what does your typical week look like? For instance, how many hours do you spend on writing, teaching, preparing for class? What is the breakdown? I guess, those different [INAUDIBLE].

**RICHARD RE:** Great question. [INAUDIBLE]

**PAVYAND** So what is your typical week look like? I think my typical week depends on whether we're in the semester and I'm teaching or if it's a time over the summer where I'm focusing mostly on research and writing. Typical week, there is a significant amount of class prep. At least for me, I'm only in my second year of teaching. And I'm in class. I'm figuring out what to teach in class, how to teach it better, things like that. Probably for at least half or maybe more of the week.

I also have peppered in certain deadlines on my writing within the semester because I think that I love it like a firm date to get something out. So I have to get something out today. So I was working all weekend and also much later today on my research. But after I get this thing out, I probably won't focus on my research again for another couple of weeks.

**RICHARD RE:** Yeah, I'm trying to think how to-- if I even have a pattern, but I'll try to give it like a representative week. So I guess I would do-- for every hour of class, I would do probably two hours of focused prep on that class session, having already pre-gamed it coming into the semester to some extent.

And I spent a lot of time reading stuff that looks interesting from the Twitter, or people sending me stuff, or asking me to referee stuff, or comment on stuff. So a large fraction is just browsing the area. And then, I think on a good week, I'm spending a lot of time trying to write stuff. I'm spending several hours a day outlining stuff, jotting stuff down, writing stuff in the margins, maybe working on a draft, especially as an imminent deadline to get something out.

And so then, those are like the floatable times. And then there's class, and office hours, and events like this. So I think-- I'm not sure that's like an hour by hour breakdown. But that's how I feel about it. There's these things out there that I can allow myself to get sucked into when the time permits. And it permits a lot. I'm not sure that was a coherent answer. Yes.

**STUDENT:** Have a follow-up question on the question about research topics. It's two parts. The first is, are there any other mechanisms that you use other than what you talk already about your practical experiences to identify holes in the legal research that you would be interested in writing something about that hasn't already been written about by lots of people? And the second aspect is, I think it's easy to identify what's interesting to you, but how do you figure out what's also going to be interesting to others so that if you write about it other people will actually want to read or read what you wrote?

**RICHARD RE:** Why don't [INAUDIBLE] try to repeat that?

**PAVYAND**  
**AHDOUT:** Two questions. The first question is, other than practice experience where else are you getting the interesting ideas and figuring out spaces that other people haven't exhausted in the literature? And number two, how do you find ideas that are also interesting to other people, and that they'll want to read your papers when you write them?

**RICHARD RE:** What's the answer to that?

**PAVYAND**  
**AHDOUT:** I haven't figured it out. I would say that for the first one, one piece of advice that I got is when you are writing like a student note, people tell you write about something that no one has written about before. And fill this discrete category where you're making a contribution. Legal scholarship is different, where you want to be part of a discussion.

And so it doesn't mean that you should run away from a topic that other people have spent their time also in. You just have to have a unique point of view, perspective, and contribution to make to an already existing discussion. If you're saying, no one has ever theorized about any of this stuff ever before, you're going to have a really hard time finding people to read your work on the back end, I think.

**RICHARD RE:** Yeah. I mean-- I'm not sure there's one answer to these questions. A lot of these questions are-- your mileage may vary. I think one interesting thing is the difference between a paper for law school, and a note, and an entry level market paper, and a post tenure paper. There's lots of different-- those are themselves different genres. And there's different genres within that space, within each space.

So I think some are consistent with what Pavyand just said. I guess, I would say that the most generalizable answer I can think of is if you're reading a lot in the genre that you want to contribute in, that's the way to find out. That's a way to find out how to shape your intervention, whether your intervention is the right kind of intervention for that genre.

But it goes back to the practice question and some of the other things we were talking about. You don't want to just be recycling the stuff that people have already said, which believe me, everyone, this happens so much. I mean, so many fields are just recycling the same ideas over. Ideally, you want to say, I saw something in the world, or I counted something in the world, or I heard something in the world. I've seen something in the world that is new and that I can bring to this existing conversation. Prof, do you want to give an answer, or maybe you have a different take?

**KEVIN COPE:** On where to find?

**RICHARD RE:** Good ideas, I guess.

**KEVIN COPE:** It's a little bit different because I did a PhD. So I spent five years just reading stuff and conversation. Part of my research agenda and my job talk paper is sprung on what my dissertation advisor was doing and trying to take it in new direction. So I'm not sure if that's such a good model, although I'll just say doing a PhD is probably a good model to bolster your chances.

But other than that, it's basically the same. I'm reading what others have written in the area, just sitting around, thinking deep thoughts, and sometimes you'll read things. And people will point out, oh, we really need more research in this area. And you can springboard off of that. And other times, we just-- something just occurs to you. And usually it's a combination of these two things. It's really hard to answer in the abstract. It's much easier to answer as to a particular set of questions because different questions will probably have different answers depending on the study.

**PAVYAND  
AHDOUT:** For those watching on the internet, Professor Cope has underscored getting a PhD as a good way into the academy and also has doubled down on Professor Re's read lots of stuff.

**RICHARD RE:** Yes. And we'll do more on paths to the academy in a later event. I think just got yourself an invitation to that panel. [INAUDIBLE]

**PAVYAND  
AHDOUT:** I think I know what he's going to say.

**RICHARD RE:** Yeah.

**KEVIN COPE:** I don't know. I went to Northwestern. So they had a manual for how to get into law teaching. And I'm not kidding, the person who wrote it said, the best way-- the one thing you could do to get into law teaching is to get a JD from Yale Law School.

[LAUGHTER]

[INAUDIBLE]

That person was from Yale. So yeah, we'll save that for the next one.



**RICHARD RE:** Yeah, it's a good thing that advice is not just inapt in the context, but seriously flawed on its own-- on its own terms. There are many paths. I think different people like their own path or actually, sometimes they don't like their own path. It's actually interesting. People either-- all advice, in my personal experience, is either I did the X. And it was awesome. And so should you. Or I did X, it was horrible. And you should never should. So all these different perspectives, you got to put them in a blender and figure out what works for yourself.

I'll just say, briefly, getting somewhat ahead of the occasion here is we're talking about how to become a law professor. I don't think there is one path as Prof. Cope's anecdotes just indicated. I mean, there's a PhD path. There's a fellowship path. There's a straight from practice path. Each of us represents one of those paths. Each of the three faculty members in this room. And they have pros, and cons, and different odds of success, but it's complicated. So whatever path you think might work for you, let's talk about it.

**PAVYAND** Come to the set [INAUDIBLE].

**AHDOUT:**

[LAUGHTER]

**RICHARD RE:** Yeah, right.

**STUDENT:** I'm not sure if this question is relevant, but if a professor or someone who is giving a lecture receives a hard question on spot, how should he handle this? Because I know as a legal advisor, for example, if a client is asking a question in a meeting on spot, it's OK to say, I'll have to do further research on this [INAUDIBLE]. But if it's in a lecture or a class and a hard question on spot--

**RICHARD RE:** I have to look into that, one second. What's the right answer to this question?

**PAVYAND** So the question is, [INAUDIBLE] how do law professors answer hard questions on the spot? Should they answer them or not? Sometimes I just answer them with my--

**STUDENT:** I mean if you just doesn't have the answer in your head.

**PAVYAND** I never don't have the answer in my head.

**AHDOUT:**

**RICHARD RE:** I mean, I think what you said, your own experience, it sounds like is exactly right. If you don't know you don't know. And you say that. And you maybe think through it in the moment. I think one of the great things that prepping for law teaching can do for anybody is help them be comfortable being honest and thinking creatively in the moment to work through an answer in a way that lets people see you think.

The worst thing, I'll just say, it's not great, in the classroom, if you say the wrong thing. But if you're in practice, when things actually matter, I think your anecdote and your expression suggests you already realize this, but I'll just say it. Someone says something. And you're not sure of the answer. And you say the answer like you think you know and you're wrong, it can be very bad.

**PAVYAND** It's even worse if you're arguing in front of a court, OK?

**AHDOUT:**

**RICHARD RE:** Yes, yes.

**PAVYAND** Just some advice from a teacher to student. Don't do it. I have seen others do it. Don't be the liar.

**AHDOUT:**

**RICHARD RE:** Yeah, or just make a mistake. Is that responsive?

**STUDENT:** Yeah, but I mean, this does not give an impression that the audience will just lose confidence in the [INAUDIBLE].

**RICHARD RE:** Well, so the follow-up is, does a teacher have to worry about losing the confidence of the students? And there's a lot in there that we could maybe unpack in a session on teaching, but I would just say briefly that what would, I think, be more likely to lose anyone's confidence is hubristically saying something with confidence that's false. So you can be comfortable making mistakes. That's one of the great things-- a lot of professors are saying a lot of things out there. They can't all be right, but most of them have a lot of confidence and comfort. We can all learn something from that.

**STUDENT:** As a large group of people that are just starting out on our, what we hope to be, legal careers down the road, what sparked your interest? I know you alluded to this earlier of like you went to sessions. You explored topics that sparked your creative thinking in law school. What courses or what activities that you got involved in really are very beneficial for where you sit now? And what encouragement would you give to people that are somewhat interested in this idea, other than going to these sessions, getting involved with other things that explore this as well?

**RICHARD RE:** Great, so the question is what things in law school help us become on the path that we're on now in the academy apart from sessions like this? So I'll just preliminarily say, sessions like this are good. Being on the mailing list is good. If you're here, you should be on the mailing list. It may become valuable few years later. You don't even realize. I just want to plug that.

**PAVYAND** That's actually totally true. That's how I figured stuff out, because I was on this mailing list that I ignored for five years.

**RICHARD RE:** Yes, I'm still on some of these mailing lists. And they're still teaching me stuff sometimes. So it's worth it. But to answer your question more directly about what you can do, I think in my opinion, looking at my own experience. I was not looking to be a law professor even at the end of law school.

I was frankly-- it's funny. I arrived at law school planning to be a law professor. And then became disillusioned with it. And fell in love-- thank goodness, fell in love with the practice. I fell in love with criminal procedure practice. Completely unplanned, unintentionally. I'll tell the full story later.

And so the thing that eventually got me back to the academy was the fact that I had found something that I loved thinking about and researching about. And then later in time, I realized, wow, I'm actually spending a lot of time researching and writing on this topic that I had planned to do in practice. And I was doing a practice. Maybe I should consider a career change.

So I think that's another way that these sessions are just multipurpose. Well, it's not just-- they're not just about becoming a law professor as though we know we all want to be law professors. It's useful for finding something you love and can be intellectually engaged in, however you ultimately express that interest professionally.

**PAVYAND**

I would say, I went to these sessions, but I also went to other sessions of how to start a business with your law degree and things like that. I think like Andrew Yang came to talk about starting a giant business before he was, I guess, who he is today. And I was like, uh. That would be an interesting thing to do with a law degree. So I was exploring alternative kinds of paths.

**AHDOUT:**

And then I always thought to myself, what is the most interesting set of classes that I can take next semester? I wasn't planning it out of like, I have to take one corporate-based class. And I have to take one of these base classes. And if I graduate without taking evidence-- which I took by the way. But if I graduate without taking evidence, I'm going to not pass a big piece of the bar.

And I think-- I don't know if that's just how I think which makes me-- like reveals myself as a law professor. But I think you're given a whole host of really interesting talks, and classes, and clubs to join that you should do what you think is interesting, especially because right now, I don't think the stakes are really that high for you in choosing something. I also made the decision when I graduated, what is the most interesting job I can do right now?

And eventually, that became getting a fellowship and becoming a law professor. And I've never regretted that sort of path. But in law school, the stakes are really low for you to ask yourself the question, what am I most interested in? Do I want to go to this lunchtime talk or do I want to like hang out with friends? And maybe it's hang out with friends. That is the thing you're most interested in. But that has been extremely valuable as a guidepost. And I think you can do it here.

**RICHARD RE:** When you looked over me, when you talked about evidence, is that because you know I didn't take evidence?

**PAVYAND**

No.

**AHDOUT:**

**RICHARD RE:** I didn't take evidence. I was going to talk about that at the time too, maybe not the best choice. Yeah.

**STUDENT:** So if you couldn't be a law professor what would you be doing? And do you think you'd enjoy it as much as you enjoy being a professor?

**RICHARD RE:** Can you do that one? I could do it.

**PAVYAND**

Go for it.

**AHDOUT:**

**RICHARD RE:** OK, question is, if I weren't a law professor, what would I be doing? And would I be enjoying it as much/ So the path I was on when, I abruptly, went on the academic job market was to be some firm associate, or maybe DOJ, criminal division attorney. I'd done both of those jobs for some period of time.

And so I think that's probably the natural alternative timeline for me. And I will say that after I went on the market and had secured a job on the teaching market, I then got the most exciting case work I had gotten at the firm. And I remember thinking at the a party we had for concluding one of our big matters.

I remember thinking, wow, if I had had this experience a year ago, would I have gone on a teaching market? So that makes me think that if you are interested in the law for its own sake and legal reasoning and you find people who are good people that you can work with and learn from, which I had definitely been fortunate enough to do, then I think maybe the delta is not as big as it might seem. But I would not be as happy. I like this job.

**PAVYAND** I mean I was also at a firm. And I was doing appellate advocacy. And I loved argument. I loved argument. It was  
**AHDOUT:** one of the greatest things that I could do, but it was like such a small percentage of my day. So the highs are really high, but the normal was not something that I would enjoy.

**RICHARD RE:** Oh, how interesting.

**PAVYAND** Yeah, I love appellate advocacy.

**AHDOUT:**

**RICHARD RE:** I like it as much as I expect it to. That was a surprise for me. Yeah, that's interesting. Right here, yeah.

**STUDENT:** Going back to the previous question, and like looking back to your law school times, what are something that you wish you spent more time on and wish that you would have done when you were at law school?

**RICHARD RE:** Evidence, I knew it. So the question is, looking back at law school, what did you wish you had spent more time on? What do you think? Do you have any regrets?

**PAVYAND** My choices all made sense to me at the time. I ended up disliking some of them. But when I made the decision, it  
**AHDOUT:** made sense to me. Oh, my 3L year, I also worked at a law firm while I was doing 3L. So up to 20 hours a week doing that. I wish I hadn't done that.

**RICHARD RE:** Wow.

**STUDENT:** And you were paid?

**PAVYAND** Yeah.

**AHDOUT:**

**RICHARD RE:** What do I-- I don't know. I mean, it's hard. It's hard to imagine. It's so long now. I will say that the time that I was least happy in law school was when I was at the beginning, when I was disillusioned, and disengaged, and wondering what I was doing there. And things got really good for me when I started seeking out things that I liked and pursuing them.

And so by the end, I was very active in a bunch of stuff that I didn't expect to like, including moot court, which is why I thought I would like appellate advocacy, but it didn't excite me ultimately as much as I expected it to. So I guess, what that suggests is maybe I shouldn't have spent that time in the beginning. Maybe I had to. Maybe I had to. Maybe I had to go through a period of being unhappy and dissatisfied in order to get motivated to change my circumstances. Prof. Cope, can you help us with this? What do you regret? Do you have regrets? Are you--

**KEVIN COPE:** I spend way too much time on the Northwestern version of the libel show.

[LAUGHTER]

With more follies [INAUDIBLE] But I actually don't regret that. So I think from a career perspective, it was a mistake. But it turned out all right.

**PAVYAND** I have a regret. I did not like being on *Law Review*. And I spent a lot of time doing the law review stuff thinking  
**AHDOUT:** that I should do this, but I hated it. And I wish that I had just spent less time on it and given it what it deserved, which was like none of my time.

**RICHARD RE:** What position did you have?

**PAVYAND** I had no position because I was so bad at it. My school year, I spent like a lot of time as an editor. And I just  
**AHDOUT:** hated it. And just because UOU hate journal work, doesn't mean that you shouldn't be a law professor. My job is not just journal work. The journal editors job is journal work.

**RICHARD RE:** That's interesting. I really liked law journal though. I saw people had positions that would have made me not like it if I had had their positions. I will say, I didn't do the libel show equivalent in law school, but I had occasion to do, basically, the same concept when I was working at one year. And I had to be dragged into it. I don't even how they got me to do it, but it was the greatest thing I ever did in my life. It's one of the happiest experiences. So I'm actually-- your regret makes me jealous. I wish I had done stuff like that earlier. Oh, yeah.

**STUDENT:** I know you're going to touch on this in a later session, but can you just briefly explain how Law Academy works?

**RICHARD RE:** How the Law Academy works?

**STUDENT:** Yeah.

**PAVYAND** Like getting a job or being in it?  
**AHDOUT:**

**STUDENT:** Being in it.

**PAVYAND** How does the--  
**AHDOUT:**

**STUDENT:** And also the process to get into it.

**PAVYAND** How does the Law Academy work, both the process of getting in and staying in?  
**AHDOUT:**

**RICHARD RE:** You want to answer it?

**PAVYAND** Broadly speaking, there's an academic job market. And you sign up over the summer to go on to the market. And  
**AHDOUT:** you prepared a bunch of materials that we will tell you exactly what those things are at a later session. And you go through a big year, if you are lucky, doing interviews with lots of different schools until you place with one they-- you are mutually happy with.

**RICHARD RE:** Yes, and again, you said it your question, but and Pavyand just said the same. We're going to have a whole series of events on this. But I would just say that apart from the process, both the process and the actuality of being a law prof, the big thing, I think, people on your side of the podium don't appreciate, I mean people telling me when I was a student, it's a lot of research and writing.

I mean, it's obvious. But fully contemplating that, you have to love researching and writing stuff. The final straw that made me go on the market was when I was at that firm I keep referring to. And I was spending all my free time writing a law review article. And I thought, I'd rather make that my main work instead of my side hobby. I don't even what they call it. But that's what it is. That's the big ingredient that is hard to fully grasp, I guess.

**PAVYAND** And Professor Re and I spent a lot of time writing law review articles. That doesn't have to be your main output.  
**AHDOUT:** You could write books. You could write different sorts of articles that go into specialized journals that are not law review articles. But researching, writing, and contributing to a field of study is your job.

**RICHARD RE:** Right, yes.

**STUDENT:** So if we're interested in an area of law that's not exactly offered at the time here, like for me that's federal Indian law. How do we get our foundations for that if we would like to have that be either practice, or interest, or probably more specifically an academic interest down the line?

**RICHARD RE:** Fabulous question, yeah.

**PAVYAND** How do you get involved with subject of the law that you are interested in but is not really offered here? So I  
**AHDOUT:** sometimes get emails from students at other schools who tell me, hey, I read this article of yours. And I'm really interested in it. And then we talk about stuff.

And I think that, especially in niche fields, some of those emails are welcome. You're probably going to send a lot more than our answered because not everybody is super nice or not busy at a particular moment in time. But I would reach out to people who write in the field that you're interested in and just ask them about it.

**RICHARD RE:** I totally agree with that. But I would also encourage you and anyone else with a similar situation to reach out to us and the Academic Placement Committee because we have an incredible faculty here at this law school that knows a ton of stuff. A lot of people here who are experts in like three things that you know about are also quasi experts or experts in two things you don't know about.

And so I'm sure that research opportunities and educational opportunities here, as well as at other faculties could be created to develop that kind of knowledge. And I think this is built into your question, but I also just say, finding practice opportunities in the summer or after graduation is incredible. It's an incredible opportunity to deepen and develop those knowledge bases and networks. So I think all three-- it's practice, it's other faculty, it's our faculty. It can be done.

**PAVYAND** And there is someone on our faculty who knows a ton about federal Indian law.  
**AHDOUT:**

**RICHARD RE:** Indeed, indeed. So maybe we'll chat after here.

**PAVYAND** Yeah.  
**AHDOUT:**

**STUDENT:** So as much as I like the idea of repaying my student loans in utils, did student loan repayment factor in your decision at all? Can you talk a little bit about that process?

**PAVYAND** Did student loan repayment factor into our decisions at all?

**AHDOUT:**

**RICHARD RE:** So I think it factored into me, for me to some extent, that was a contributing factor for me going into practice for a while, for sure. But I'll say-- the main, I think it was sincere but I thought was the main reason, was I didn't have a PhD. And I was really curious at practice. As I mentioned, I was really in practice by the time I graduated from law school. I thought I would really like that.

So I just wanted to try it. I didn't want to be someone, not there's anything wrong with that, but I didn't want to be someone who was a teacher or whatever and had never even tried it. And that was just really important to me. And going back to the other question, it was transformative for me-- those experiences in practice later or practice for me. But yeah, money, debt is debt. You pay money. It's good to have no debt.

**PAVYAND** I mean I remember the day I stopped having debt. And I was like, oh. I have my financial freedom now. And I can choose other things, but it was important to me to pay off my debt before taking a fellowship.

**AHDOUT:**

**STUDENT:** Can I follow up on that?

**RICHARD RE:** Yeah.

**STUDENT:** So do you think that would have looked into the academia sooner if you had left that or was that a prohibitive factor on the front end?

**RICHARD RE:** The question is, did the existence of student debt for us or for me change what we did? For the reasons I said, I think it was overdetermined for me. So I don't think it actually-- but in a different-- if things had worked in a different way, I could see it affecting what I actually did, yeah.

**PAVYAND** I think I would have just enjoyed having lots of money.

**AHDOUT:**

[LAUGHTER]

I still would have gone to the firm.

**RICHARD RE:** Yeah.

**KEVIN COPE:** So I mean, you can look up our salaries online. I make about as much salary as a mid-level Skadden associate. So we're not talking about poverty wages here. It helps to be at a [INAUDIBLE] law school too. You go down to [INAUDIBLE] go down [INAUDIBLE]. But there's also a public interest student loan forgiveness, which means that when you are at a law school, and it's public or private, you pay for 10 years. And then it's forgiven. So you don't have that at the law firm.

It's also capped. I don't know if you would look into this. It is also capped by income-driven repayments, something like 10%. We'll see if the new Biden policies go through. They're capped at 10% of disposable income every year. And then after paying that for 10 years, it's forgiven, at least all federal subsidized loans. So it's not exactly-- you can't just look at the sticker price, right, of the salary and compare and say that it could be even faster if you get the public student forgiveness.

**RICHARD RE:** Yes, this briefly summarize that law professors make good wages or many do. And there's loan forgiveness. Definitely very important points. Maybe one or two more questions, that make sense? So we can break up into smaller group discussion. Was there hand over here? Is there one, someone who hasn't asked yet? Yeah

**STUDENT:** I was going to ask-- I guess, if you're going to enter the academia from practice is it like top tier litigation firm appellate advocacy or boutique appellate advocacy, is that mainly the pathway into the academia?

**PAVYAND  
AHDOUT:** If you're going to enter academia from practice, what does that look like? Are you coming from a top litigation practice or what? Can I?

**RICHARD RE:** [INAUDIBLE]

**PAVYAND  
AHDOUT:** I think it depends on what it is that you're doing and what academic you want to be. So I remember when I was a law student, someone came in and joined the faculty. And he was doing like M&A stuff that was really interesting.

He had spent a lot of time at Wachtell, right? That makes sense because they're an M&A firm. There are lots of people who spend time at a boutique. And they develop an expertise. And that's what they're writing in. And then they go on and practice. A lot of people come straight from government service.

And I think those people have super interesting stories to tell about the time that they were in government. And so I don't think it's like an easy should I go to a high ranking law firm to get a really good academic job. It's what am I interested in? Am I doing that at the place that I am? Am I a real expert? And then do I have something to contribute?

**RICHARD RE:** Totally agree. And I'll just give two examples among many possible examples. So one common path is for people who are doing criminal defense or criminal prosecution. And they go on the market from that. And say, look, I've done with trial experience. It happens.

And I would just say also, you mentioned federal Indian law. Here but also the prior institution where I taught, that was a recognizable path. People would be tribal court judges or have practice areas that were related to those types of legal work. And they would go right-- sometimes to do a fellowship first, but they would quickly go on the teaching market. And that was fully understood.

I mean, it's like, yeah. You are the person who knows this. And so I think one thing, maybe this also is getting ahead of the game a little bit for our next session or a future session, but I think the prestige value of stuff in the Legal Academy is not what it once was. I think it used to be like the manual that Prof. Cope mentioned. You've got to go to Yale because Yale is like the place to become a law professor. And that's just it.

I think that kind of stuff is diminishing. And it's become much more about prove what you can do and prove your expertise regardless of whatever bells and whistles. So I think that the idea of being at like a white shoe fancy firm, helping on the teaching market in itself, no. If it's because you're doing the most advanced M&A work at the most advanced M&A place, OK, that makes sense. But that you see there's a match happening there. Last question. Yes.

**STUDENT:** Are hiring committee's skeptical of too much time spent in practice? And if so are there ways to get around that?



**RICHARD RE:** Great question. So the question is are hiring committees skeptical of people spending too much time in practice? And if so, are there ways to get around that? Can I take a crack at that first?

**PAVYAND** Yeah.

**AHDOUT:**

**RICHARD RE:** So when I was a student at an event like this, I remember a faculty member telling me that there are a lot of people out there who say five years in practice and then you're done. And you cannot get a serious teaching job anymore. I believe that there are people still out there like that. And I personally think that as a rule or anything like that, that is completely bonkers.

And I would not approach being on a hiring Committee with that attitude. On the contrary, I would be much more of the attitude we were just talking about, which is what have you been doing during that time? Now, having said that, I can-- I'm very against that approach. Having said that, I can see what they're trying to capture by that, in my view, misguided attitude.

And what I think they're trying to capture, if I can be maximally charitable to them, is the idea that you become mentally, cognitively, psychologically habituated to thinking of things in a certain way. And at the point where you're gangbusters in some practice area, you're just used to being excellent at answering certain types of questions for certain types of purposes.

And those questions and answers may not line up to the things that law professors and the Academy-- they may just-- they may be too granular, too immediate, too doctrinal. They may be too linked to what a particular case said instead of to something true about the world, or about justice, or about something like that.

So I do think that there is a risk, despite my opposition to that approach, there is a risk that if someone wants to be a law professor, they could lose touch with the deeper, lasting, more general questions that law professors tend to answer. But that gets to the second half of what you said, how can you address that?

Most immediately, well, besides getting on our mailing list, most immediately-- and talking to us. Most immediately, you can just read the stuff. I mean, when I was in-- I was not out that long. But I was out, I guess, five plus years. But I was still reading law review articles, because that was the genre of scholarship that I was interested in. And so I didn't fully lose touch with it. You want to say anything?

**PAVYAND** I think that's mostly right. I would say if you're spending like eight years at a law firm at that critical juncture that you don't make partner if that's the time that you're trying to go on the market, that's something you're going to have to explain. If it's like that amount of time. That this is the second best choice for you.

So I think that there's the mind thing about your flexibility and asking the sorts of questions that I think you're totally right about. But I also think there's the, did you not succeed at this other choice that you had made before. And certain timing is suspect, though not something that's insurmountable.

**RICHARD RE:** OK, well thank you all for coming again. I hope I can see many of you in future events. And we'll hang around for a little bit and try to answer some more questions. Thank you.

[APPLAUSE]