
FROM LAW SCHOOL TO LITIGATION: BARRIERS, MENTORSHIP GAPS, AND THE SUSTAINABILITY CRISIS FACING INDIA'S JUNIOR ADVOCATES

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ABSTRACT

Becoming a lawyer in India looks straightforward on paper: clear the examination, enrol with the Bar Council, and start practising. In reality, the first few years are considerably more complex. This paper examines what junior advocates actually experience when they start out the barriers they face in gaining a foothold, the patchy and often unequal mentorship system they depend on, and the everyday struggle to survive financially while learning the profession.

Most new lawyers work under a senior advocate for little or no pay, sometimes for years, without a fixed structure, a guarantee of proper training, or real accountability if things go wrong. Whether a junior receives good guidance or is left to fend for themselves often comes down to circumstance who they know, which chamber they join, or whether they already have family in the profession. Those without such connections, particularly first-generation lawyers, tend to struggle the most.

This paper also examines how this uncertainty affects junior advocates over time irregular income in the early years, long working hours, and the stress of not knowing whether the profession is financially sustainable at all. Many talented young lawyers leave the profession within the first few years, not for lack of ability, but because the system offers very little structured support while they find their footing.

Drawing on interviews and a supplementary questionnaire administered to 55 junior advocates practising in the Delhi High Court and District Courts, this paper examines these problems from the ground up rather than solely through a policy or regulatory lens. It closes with practical recommendations including a BCI-enforceable stipend framework, a structured post-enrolment training period, and clearer mentorship expectations for senior advocates aimed at making the early years of legal practice less precarious.

Keywords: Junior advocates; Bar Council of India; legal profession; mentorship; chamber system; professional sustainability; India

1. Introduction

1.1 Background and Context

This paper grew out of real conversations, not only formal research. Discussions with junior advocates in court corridors and on professional platforms such as LinkedIn revealed a recurring pattern: no fixed salary, no formal training or structured guidance, and heavy dependence on whichever senior advocate agreed to take them in – often unpaid, sometimes for years.

India has one of the largest legal professions in the world, yet historically offered new entrants no mandatory pupillage, no enforceable stipend norm, and no consistent mentorship structure. Law schools teach legal doctrine, not professional survival. This paper documents the gap between how the profession appears on paper and how junior advocates actually experience it.

1.2 Objectives of the Study

- To identify the key barriers junior advocates face when entering legal practice in India, including financial, procedural, and institutional obstacles.
- To examine the nature and quality of mentorship available to junior advocates, and how it varies based on access, connections, and chamber culture.
- To assess the financial and professional sustainability of legal practice in the early years, including income instability, attrition, and its effect on career decisions.
- To recommend practical, implementable reforms – at the level of the Bar Council, chambers, and individual practice – that could ease the transition for new entrants to the profession.

1.3 Significance of the Study

This research matters because it examines a stage of legal practice almost everyone in the profession has lived through, yet few have written about in depth.

The issue has gained real institutional traction recently. Following a writ petition raising concerns about the financial difficulties of junior advocates, the Delhi High Court directed the

Bar Council of India to frame guidelines on the issue¹; the BCI subsequently issued a circular in October 2024 recommending a minimum monthly stipend of ₹20,000 for junior advocates in urban areas and ₹15,000 in rural areas, payable for at least three years from the date of engagement²

A similar direction had already come from the Madras High Court, which asked advocates and senior advocates enrolled with the Bar Council of Tamil Nadu and Puducherry to pay junior advocates a monthly stipend of ₹15,000 to ₹20,000, and specifically directed that the stipend be extended without discrimination based on gender³

These are significant institutional acknowledgements of a problem junior advocates have long raised informally. Yet, as the BCI's own circular notes, the guidelines remain directory rather than mandatory, and questions of mentorship quality, structured training, and long-term retention remain largely unaddressed. This study builds on that momentum, combining first-hand accounts from junior advocates with the existing socio-legal literature, to give Bar associations and policymakers concrete grounds for further reform.

2. Literature Review

2.1 Institutional Context

India's legal education landscape is stratified: a small number of National Law Universities sit alongside a much larger, uneven population of private and state-run law colleges, producing sharply unequal starting points for new entrants. Weak enforcement of training standards by the Bar Council of India, continued dominance of English-language practice in higher courts, and the gatekeeping function of the All India Bar Examination compound these inequalities, creating an entry landscape that rewards prior social and institutional capital as much as legal competence.

2.2 The 'Haves' and 'Have-Nots' Framework

The socio-legal study of hierarchy within the Indian legal profession traces back to Marc

¹W.P.(C) No. 10159/2024 (Del. H.C. July 29, 2024) (order).

²Bar Council of India, Circular No. BCID-5383-2024, *Minimum Stipend for Junior Advocates Associated with/Assisting Advocates/Senior Advocates/Law Firms* (Oct. 15, 2024).

³*Farida Begam v. State of Tamil Nadu*, (Mad. H.C.) (order on implementation of the Advocates' Welfare Fund Act, 2001).

Galanter's influential account of why the parties with greater resources the 'haves' tend to come out ahead in litigation and in the profession more broadly⁴. Jayanth Krishnan's ethnographic work on India's corporate law firm sector extends this framework to the internal structure of legal workplaces, arguing that resource disparities are compounded by hierarchical workplace dynamics that leave junior, resource-poor lawyers feeling insecure and stuck, regardless of their competence⁵

2.3 Mentorship Gaps

A defining feature of the Indian legal profession is the absence of a formalised apprenticeship structure comparable to those in other common-law jurisdictions, leaving junior advocates dependent on an informal 'chamber' system in which access to a good senior advocate is often governed by personal networks, family connections, or law school pedigree rather than merit or institutional design. This informality produces a pronounced power asymmetry between senior and junior advocates, with juniors frequently working for years on token or no stipends in exchange for exposure and training.

The gap is further gendered, with women litigators reporting comparatively harder access to briefs, courtroom opportunities, and quality mentorship than their male counterparts a disparity significant enough that the Madras High Court explicitly directed that stipend guidelines be extended to junior lawyers 'without any kind of discrimination based on gender.'⁶

2.4 Regulatory Response and Its Limits

The BCI's October 2024 circular represents the first system-wide regulatory acknowledgement of the financial precarity documented in this study. Alongside the stipend figures, the circular encourages senior advocates and law firms to give juniors structured opportunities to observe proceedings, build legal research skills, and learn case strategy and drafting, and asks that engagements be formalised in writing and reported annually to state bar councils. However, the circular itself concedes that 'senior advocates and firms in smaller towns or less lucrative fields may not have the financial resources to provide substantial stipends,' and confirms that

⁴Marc Galanter, *Why the "Haves" Come Out Ahead: Speculations on the Limits of Legal Change*, 9 Law & Soc'y Rev. 95 (1974).

⁵Jayanth K. Krishnan, *Peel-Off Lawyers: Legal Professionals in India's Corporate Law Firm Sector*, 9 Socio-Legal Rev. 1 (2013).

⁶Farida Begam, *supra* note 3.

the guidelines are 'not strictly enforced as mandatory.'⁷

2.5 Professional Sustainability

The literature and the emerging regulatory response converge on a similar set of proposed solutions: BCI-regulated apprenticeships with an enforceable minimum stipend, structured mentorship incentives targeted at underrepresented lawyers, stronger enforcement of legal education standards, and bar association-led financial and mental health support. Together, these measures are intended to reduce exploitation, close skill gaps, and improve the sustainability of litigation-track careers for junior advocates. This study tests how far these proposed solutions match what junior advocates themselves report needing.

3. Method

3.1 Research Questions

This study examines three questions: (i) what economic, educational, and network-based barriers hinder junior advocates' entry into practice; (ii) how the lack of formal mentorship affects skill development, particularly for first-generation lawyers and women; and (iii) what drives attrition versus sustainability in early litigation careers, and how this shapes career trajectories.

3.2 Participants

Participants were junior advocates with 0–5 years of experience practising in the Delhi High Court and District Courts, selected via purposive sampling to capture variation across gender, first-generation versus legacy background, law school type, and current professional status (litigation versus corporate/in-house). Table 1 summarises the variables represented in the sample.

Table 1: Sample Variables

Years of practice: 0–5 years post-enrolment (Bar Council of India). Court of practice: Delhi High Court and Delhi District Courts. Gender: Male and female junior advocates. Background: First-generation entrants and lawyers from legal families ('legacy'). Law school type: National

⁷Bar Council of India, Circular No. BCID-5383-2024, *supra* note 1.

Law Universities and private/state law colleges. Current status: Independent litigation, chamber-attached juniors, and corporate/in-house roles. Sample size: 55 participants (5 profiled in depth; 50 additional respondents via interview and questionnaire).

3.3 Data Collection and Analysis

This study adopts a mixed-methods approach, combining semi-structured interviews as the primary data collection tool with a supplementary structured questionnaire to capture both depth and breadth of experience. Interviews were conducted individually, audio-recorded with informed consent, and later transcribed verbatim, with identifying details anonymised to protect participant confidentiality. Transcripts were analysed thematically, with recurring codes grouped under the three themes that structure the Findings section below: entry barriers, mentorship, and sustainability.

3.4 Limitations

- The sample is geographically concentrated in Delhi's High Court and District Courts and may not reflect conditions in smaller-town or rural practice, where the BCI circular itself notes stipend capacity is lower.
- Participants were substantially self-selected through LinkedIn and professional networks, which may under-represent junior advocates with the least access to such networks arguably the population most affected by the problems this study describes.
- The study does not include a matched comparison group of junior advocates in corporate/in-house roles, despite noting this as a sampling variable, limiting direct litigation-versus-corporate comparisons.
- Findings rely on self-reported experience rather than independent verification of income, stipend payment, or working hours.

4. Findings

4.1 Entry Barriers: Not Knowing Where to Start

Across interviews, a recurring theme was the difficulty of simply knowing how to begin. Adv. Bhavya Rajshree described this as one of the most significant early challenges on its face a

small observation, but one that captures a broader silence in legal education around the practical mechanics of starting a career.

"One of the biggest challenges, especially in the beginning, is simply knowing where to start."
Adv. Bhavya Rajshree

Law school curricula are built around legal doctrine, case law, and procedure, but give little attention to how a new advocate finds their first few cases, approaches a senior for chamber work, manages client expectations, or prices their services when starting out. Participants consistently described this as a gap in legal education itself, not merely a personal failing to be overcome with more effort.

4.2 Mentorship Gaps: Research Skill as an Unwritten Curriculum

Even participants who had moved into independent practice described struggling with skills that are assumed but never formally taught. Adv. Shradhanjali Patra described the ongoing difficulty of legal research despite having access to legal databases.

"With so many judgments saying similar things, it's hard to know which one actually fits your case and you still have to check whether the judgment is still valid law before using it, which takes extra time and effort." Adv. Shradhanjali Patra (paraphrased from interview)

This illustrates a broader pattern: legal research competence is not something fully learned in law school, but something absorbed slowly through supervised practice practice that is only available to juniors who have a senior actively willing to teach it. Where that supervision is absent or inconsistent, the same skill gap persists well past the first year of practice.

4.3 Professional Sustainability: The Cost of Trial and Error

Interviews with Anant Malik, Richa Sinha, Khushbu Yadav, Rishabh Singh, Harshita Motwani, and fifty additional respondents surfaced a wide range of experiences across different courts, chambers, and backgrounds. Despite this variation, a common thread ran through nearly every conversation: the early years of independent practice are marked by a sense of being underprepared not academically, but practically. Most participants had a strong theoretical grounding from law school, yet struggled with the everyday realities of building a legal career from nothing.

When a junior advocate lacks a senior actively guiding them, or when their legal education has not prepared them for the day-to-day functioning of practice, the period after graduation or after leaving a senior's chamber becomes one of trial and error rather than structured growth. Time that could otherwise go toward building skills, developing a client base, or gaining courtroom experience is instead spent decoding the profession's unwritten rules: conventions rarely documented and mostly absorbed through observation or from the willingness of others to share their own experience.

Participants linked this uncertainty directly to income instability and long working hours in the early years, and several described attrition among peers who left litigation altogether not for lack of ability, but because the system offered too little structured support while they found their footing.

5. Discussion

Read together, the findings support this study's central argument: professional sustainability in the early years of litigation practice depends as much on institutional and informal support systems as on individual competence or effort. This is not simply a matter of legal knowledge or research skill in isolation, but the absence of any structured pathway that tells a junior advocate what steps to take, in what order, and why.

This pattern is consistent with the 'haves' and 'have-nots' framework in the socio-legal literature⁸

The BCI's 2024 stipend guidelines mark real institutional movement on the financial dimension of this problem, and several participants' concerns irregular or absent stipends, dependence on a senior's goodwill map directly onto what the circular is designed to address. However, the guidelines' directory (non-mandatory) status means they do not resolve the deeper structural issue this study identifies: the absence of any formal apprenticeship or mentorship framework comparable to those in other jurisdictions. A stipend addresses income precarity; it does not, by itself, guarantee that a junior receives structured training, fair access to court time, or a defined path toward independence. The findings suggest that financial and pedagogical support need to be treated as related but distinct problems, each requiring its own institutional response.

⁸Galanter, *supra* note 4; Krishnan, *supra* note 5.

6. Recommendations

6.1 Make Stipend Guidelines Enforceable, Not Directory

- Convert the BCI's October 2024 stipend circular from a directory recommendation into a binding requirement, phased in by region to reflect the resource variation the BCI itself has acknowledged between metropolitan and smaller-town practice.
- Require state bar councils to actually collect and act on the annual stipend and engagement reports the circular already asks senior advocates and firms to file, rather than leaving compliance self-reported and unmonitored.

6.2 Introduce a Structured Post-Enrolment Training Period

- Establish a defined pupillage or training period after AIBE enrolment, with a minimum curriculum covering legal research, drafting, court procedure, and client management the practical skills participants consistently said law school did not cover.
- Pair the training period with a formal, written engagement letter (as the BCI circular already recommends) specifying duration, stipend, and mentorship expectations, so juniors are not solely dependent on an individual senior's discretion.

6.3 Set Clearer Mentorship Expectations for Senior Advocates

- Define a minimum standard of mentorship exposure to court proceedings, supervised drafting, and periodic feedback that senior advocates and firms taking on juniors are expected to provide.
- Create bar association-run mentorship channels for first-generation lawyers and women, who this study and the existing literature identify as facing the least equitable access to informal chamber networks.

6.4 Support Financial and Mental Health Sustainability

- Expand bar association welfare fund access and awareness specifically for junior advocates in their first five years of practice, alongside the stipend reforms above.
- Introduce confidential, low-barrier mental health and career-counselling support through bar

associations, given participants' repeated references to stress and attrition driven by unstructured early years rather than a single acute cause.

7. Conclusion

This study set out to understand the real, everyday challenges young lawyers in India face when they step into independent practice, particularly around three areas: getting started in the profession, finding proper guidance, and staying afloat in the early years. What comes through clearly from talking to practising advocates is that most of these struggles are not about a lack of legal knowledge, but about the absence of a clear, structured path to follow.

Participants described similar problems in different words – not knowing whom to approach for work, having no one to explain the unwritten rules of court practice, and slowly figuring out through trial and error what could have been taught or guided by someone earlier in their journey. The gap is not really in what law schools teach in theory, but in everything that happens after – the practical, human side of building a career that no textbook covers.

These challenges also do not remain constant across a junior advocate's early career. Some issues, such as not knowing where to begin, tend to ease with time and experience. Others – skill gaps in legal research or the difficulty of building a steady income – take much longer to resolve and often require lawyers to seek out their own solutions through self-learning, informal networks, or persistence.

Recent regulatory movement, particularly the Delhi and Madras High Courts' directions and the BCI's resulting stipend guidelines, shows that the financial dimension of this problem is beginning to receive institutional attention. What remains largely unaddressed is the mentorship and training dimension – the difference between a stipend that keeps a junior afloat and a structured pathway that actually teaches them the profession. The profession would benefit from more intentional efforts on both fronts: enforceable financial support, and smaller, practical changes such as open mentorship within chambers, honest conversations between seniors and juniors about what to expect, and law schools spending more time preparing students for the realities of practice rather than only its theory. Ultimately, this research is less about pointing out problems for their own sake, and more about giving structured form to what junior advocates are already saying – that with the right support, patience, and guidance, these early struggles can become far more manageable, and the profession can retain more of the young talent it currently risks losing.

Bibliography

1. Bar Council of India, Circular No. BCID-5383-2024, Minimum Stipend for Junior Advocates Associated with/Assisting Advocates/Senior Advocates/Law Firms (Oct. 15, 2024).
2. W.P.(C) No. 10159/2024 (Del. H.C. July 29, 2024) (order).
3. Farida Begam v. State of Tamil Nadu, (Mad. H.C.) (order on implementation of the Advocates' Welfare Fund Act, 2001).
4. Marc Galanter, Why the "Haves" Come Out Ahead: Speculations on the Limits of Legal Change, 9 Law & Soc'y Rev. 95 (1974).
5. Jayanth K. Krishnan, Peel-Off Lawyers: Legal Professionals in India's Corporate Law Firm Sector, 9 Socio-Legal Rev. 1 (2013).
6. LawChakra, BCI Recommends Rs 20K Monthly Stipend For Junior Advocates In Urban Areas, Rs 15K For Juniors In Rural Areas (Jan. 28, 2025).
7. BW Legal World, Madras HC Directs Lawyers To Pay Their Juniors Monthly Stipend Of ₹15k to ₹20k.
8. Primary data: semi-structured interviews and structured questionnaire responses from 55 junior advocates practising in the Delhi High Court and District Courts, conducted for this study (identities anonymised except where participants consented to attribution).
9. Secondary sources: professional networking platforms, including LinkedIn, used to identify practitioner perspectives and professional discourse relevant to the study's themes.