THE WEEK
JOURNALISM WITH A HUMAN TOUCH

Litigation mitigation: Why India faces a dearth of courtroom lawyers

India's legal landscape faces a critical paradox: despite a boom in law graduates, there's a significant shortage of young litigators



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Updated - September 06, 2025 04:12 PM IST
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India’s legal profession is undergoing a striking transformation. Even as law schools mushroom across the country and thousands of students graduate every year, a paradox has emerged—there are too few lawyers willing to enter litigation, the very backbone of the judicial system.

Corporate law firms, in-house counsel positions, and compliance roles are absorbing the bulk of talent, leaving the courts struggling with a shortage of young litigators.

This trend poses a fundamental question: who will argue cases, fight for access to justice, and sustain the adversarial system if the lure of corporate salaries continues to draw law graduates away from the courtroom?

Shift away from the courts

Earlier, the default career path for a law graduate was to join a senior's chamber, cut their teeth in trial courts or High Courts, and slowly build a practice. That route, however, has become less attractive for today's law students, particularly those from premier institutions such as National Law Universities (NLUs).

A fresh graduate entering litigation often starts with little or no pay, working long hours under seniors, with no certainty of financial stability for years. In contrast, corporate law firms recruit students directly from campuses with starting salaries ranging between Rs 12–18 lakh per annum, sometimes much higher in top-tier firms. In-house legal teams at multinational corporations also offer structured growth, benefits, and work-life balance that litigation chambers cannot match.

The result is that courtroom practice appears less like an opportunity and more like a gamble.

Impact on justice delivery

The shortage of litigation lawyers has wider implications. India already struggles with a staggering backlog of over 5.2 crore pending cases across all courts. Without a robust pipeline of litigators, especially at the trial court level, the pace of justice delivery could slow down further.

Trial courts are where the vast majority of criminal trials, civil suits, family disputes, and tenancy issues are fought. Yet, fewer young lawyers are choosing to practice in these forums. Instead, many prefer appellate courts, tribunals, or non-litigation roles. This creates an imbalance; while top courts may still attract talent, the trial system, the bedrock of justice, suffers from neglect.

Senior advocates have raised alarms that the next generation of effective trial lawyers may simply not exist in sufficient numbers. A profession long known for its mentorship model is facing a breakdown, with fewer juniors entering chambers and learning the craft of cross-examination, case strategy, and courtroom advocacy.

Advocate Ashwini Kumar, founder of My Legal Expert, told The WEEK, "The market in the trial and appellate courts is undeniable, whilst whose supply remains constrained as fresh law graduates tend to head towards corporate practice. However, the answer does not lie with coaching institutes. These centres only serve to help students clear entrance examinations or competitive tests; they do not inculcate the rigour of advocacy, drafting, or courtroom strategy. Real litigation skills can, instead, be learned in structured internships, under the mentorship of practising advocates, and through stronger clinical legal education within law schools themselves."

Why litigation is a hard sell

Young lawyers are increasingly reluctant to enter litigation because the profession offers little financial security in the early years, with many juniors working for years without a sustainable income. The traditional mentorship model has also eroded, with seniors often treating juniors more as clerks than apprentices, leaving them without structured guidance.

Add to this the unpredictability of career growth, largely dependent on visibility, networks, and luck, along with systemic inefficiencies like delays, adjournments, and poor infrastructure, and the courtroom becomes an even harder sell. For women lawyers, the barriers are higher still, as they face entrenched biases and inadequate facilities, from safe workspaces to basic amenities in courts.

“With over 5 crore pending cases, India needs not just more judges but better-prepared advocates. By moving beyond exam coaching to courtroom readiness through moot courts, drafting, and client counselling, training institutes can directly impact pendency and strengthen the justice delivery system,” said advocate Kritivardhan Singh.

Corporate pull, public push

The corporate world’s pull is complemented by a push from the public sector itself. Government litigation panels, which could provide steady work to young lawyers, are often dominated by established seniors. Retainers and fees for government briefs are notoriously low, discouraging newcomers from applying.

Some High Courts have begun experimenting with schemes to engage young lawyers, but these remain limited in scope.

“Legal education must move beyond theory to practical skills, mentorship, and real-world exposure. Smaller classes, mock trials, and guidance from practising advocates can bridge the gap between academics and courtroom practice, producing competent and ethical lawyers,” said Sonal Gupta, founder & CEO, Maansarovar Law Centre.

Question of balance

The problem is not that too many students are joining corporate firms; it is that too few are choosing litigation. For a healthy legal ecosystem, both paths must flourish. Corporate lawyers may serve business interests, but litigation lawyers safeguard individual rights, social justice, and constitutional freedoms.