After the JD III:

Third Results from a *National Study* of Legal Careers

A Joint Publication of
The American Bar Foundation and
The NALP Foundation for Law Career Research and Education

Report compiled by Gabriele Plickert, AJD Project Manager and Research Social Scientist
Drafting Committee of the AJD Project: Ronit Dinovitzer, Bryant G. Garth, Robert Nelson, Gabriele Plickert, Rebecca Sandefur, Joyce Sterling, and David Wilkins
Analyses by Dr. Tony Love, Dr. Gabriele Plickert, and Chantrey J. Murphy, M.A.

Table of Contents

Acknowledgments **9**

SECTION 1: Introduction to AJD3 **13**

Introduction 14

SECTION 2: Demographic Characteristics of AJD Lawyers —A Trend Over Time **19**

Demographic Characteristics of AJD Lawyers — A Trend Over Time 20

SECTION 3: Practice Setting **25**

Practice Setting 26

Private Law Firm Practice 26

Government 27

Legal Services, Public Interest and Nonprofit/Education 27

Business 27

SECTION 4: What AJD3 Lawyers Do **31**

What AJD3 Lawyers Do 32

Hours Worked 32

Specialization 35

Pro Bono Activities of Mid-Career Lawyers 37

SECTION 5: The Income of Lawyers — Trends Over Time **43**

The Income of Lawyers - Trends Over Time 44

Practice Setting and Income Trends 46

Practice Setting and Sources of Compensation 47

SECTION 6: Dimensions of Satisfaction **49**

Satisfaction 50

Settings and Satisfaction 53

SECTION 7: Mobility and Turnover **57**

Mobility and Turnover 58

Mobility between Jobs and between Practice Settings 58

Intentions to Move 60

SECTION 8: Gender **63**

Gender 64

Labor Force Participation 64

Promotion to Partnership 66

Earning Disparity 67

Marriage and Family 68

Satisfaction 69

SECTION 9: Race and Ethnicity **71**

Race and Ethnicity 72

Practice Settings 72

SECTION 10: Financing Legal Education — The View from Twelve Years Out of Law School **79**

Financing Legal Education — The View Twelve Years Out of Law School 80

SECTION 11: The Economic Downturn **85**

The Economic Downturn 86

Table of Contents *(continued)*

Appendices **93**

Appendix A 94

The After the JD Sampling Weights 94

Selecting the Correct Sampling Weight for Analysis 94

Unweighted Versus Weighted Results 96

Minority Oversample 98

Appendix B 99

Nonresponse Analysis 99

Characteristics of Nonrespondents Compared to AJD Respondents 100

How Do Nonrespondents Compare to AJD Respondents? 101

Donor Organizations and Sponsors **103**

Index of Tables and Figures

Table 2.1: Demographic Characteristics of AJD 1, 2, and 3 21

Table 2.2: Distribution of AJD3 by Law School Selectivity 22

Table 2.3: AJD 1-3 Respondents by Education of Parents 22

Table 2.4: AJD 1-3 Respondents by Birthplace of Parents 23

Table 3.1: AJD2 and AJD3 Respondents by Practice Settings Comparing Office and Firm Size 28

Table 3.1a: Practice Settings by Firm Size and Waves 1-3 29

Table 3.2: Percentages of AJD3 Practice Settings by Geographic Market 30

Figure 4.1: Over 60 Hours Worked by Waves 1, 2, and 3 (full-time workers only) 33

Figure 4.1a: Mean Hours Per Week and Percent Working Over 60 Hours by Setting (full-time workers only) (AJD3) 34

Table 4.1: Mean and Median Hours and Percent Working over 60 Hours by Setting (full-time workers only) (AJD3) 35

Table 4.2: Specialist by Practice Setting Specialization (AJD1-3) (whether self-identified as a specialist or not) 36

Table 4.2a: Specialist by Practice Setting Comparing Respondents across the Three Waves (who spend 50% or more in one area) (AJD1-3) 37

Table 4.3: Annual Pro Bono Hours by Practice Setting – Firm Size (AJD3) 39

Table 4.3a: Percentages of All Pro Bono Hours Spent on the Following Activities 40

Table 4.3b: Pro Bono Hours as Part of Job or Not by Practice Setting (AJD3) 41

Table 5.1: Comparing Wave 1-3 Income by Practice Setting (full-time workers only) 45

Table 5.2: Grades, Law School Selectivity, and Median Salary (full-time workers only) (AJD3) 47

Figure 6.1: Detailed Measures of Job Satisfaction (Mean Scores) (AJD1-3) 50

Table 6.1: Detailed Measures of Job Satisfaction (AJD1-3) 51

Table 6.2: Percent of Moderate to High Satisfaction with Decision to Become a Lawyer (AJD1,2,3) 52

Index of Tables and Figures

(continued)

Figure 6.2: Dimensions of Satisfaction by Practice Setting (ADJ3) 55

Figure 7.1: Percent of Respondents Switching Practice Settings between AJD2 and AJD3 58

Table 7.1: Percent of Respondents Switching Practice Settings between AJD2 and AJD3 59

Table 7.1a: Percent of Prior and Intended Job Mobility by Practice Setting 60

Table 7.2: Respondents' Practice Settings in AJD1 by Practice Settings in AJD3 61

Table 8.1: Distribution of Gender across Practice Settings (AJD1-3) 65

Table 8.2: Percentages of Respondents Switching Practice Settings between AJD2 and AJD3 66

Table 8.3: Median Income by Practice Setting and Gender (AJD3) 67

Table 8.4: Marriage and Children among AJD3 Respondents 68

Table 8.5: Percentage of High to Moderate Satisfaction with Decision to Become a Lawyer (AJD3) 70

Table 9.1: Practice Setting by Race/Ethnicity across AJD Waves (1-3) 74

Table 9.1a: Practice Setting by Race/Ethnicity and Percent Change between AJD2 and AJD3 75

Table 9.2: Percentage of Respondents Switching Practice Sectors between AJD2 and AJD3 by Race/Ethnicity 75

Table 9.3: Median Income by Practice Setting and Race/Ethnicity (full-time workers only) (AJD3) 76

Table 9.4: Income (Salary + Bonus) by Race/Ethnicity (full-time workers only) (AJD2-3) 77

Table 9.5: Likelihood of Leaving Employer within Two Years (AJD3) 78

Table 10.1: Median Education Debt Remaining by Gender and Race/Ethnicity (AJD 1-3) 81

Figure 10.1: Median Education Debt Remaining by Gender and Race/Ethnicity (AJD3) 82

Table 10.2: Median Debt and Percent Reporting Zero Debt by Practice Setting (AJD3) 83

Table 10.2a: Median Debt and Percent Reporting Zero Debt by Practice Setting (AJD1-3) 84

Index of Tables and Figures

(continued)

Table 11.1: Recession Impact on Employee by Practice Setting and Gender 87

Table 11.2: Recession Impact on Employee by Practice Setting and Race/Ethnicity 89

Table 11.3: Recession Impact on Employer by Gender 91

Table 11.4: Recession Impact on Employer by Practice Setting and Gender 92

Table A1: AJD Sampling Weights Designed for Estimating Single-Level Models (Marginal or Population Average) 95

Table A2: Example of Weighted and Unweighted AJD1, 2, and 3 Results Using the National Sample Selection Probability Weight Adjusted for Nonresponse 96

Table A3: Unweighted and Weighted Percentage Distribution across AJD Waves 1, 2, and 3 by State 97

Figure B1: Overview of Eligible Responses by Survey Year (Waves) of AJD 100

Table B1: Differences between Nonrespondents and Respondents by Selected Characteristics across Waves 101

Table B2: Comparison of Nonrespondents and Respondents to AJD 102

Acknowledgments

The release of *After the JD III* is a proud occasion for everyone who has been involved with and supported this project for the last 13 years. It is an honor to share the data from the third wave of this unique and important longitudinal examination of lawyers' careers and the factors that influence their career choices, pathways, and satisfaction.

The success of the *After the JD* project would not have been possible without the support and contributions of numerous leaders and key organizations throughout the legal community. The American Bar Foundation and the NALP Foundation are sincerely grateful to the donors and researchers dedicated to this project. These contributors have long recognized that the careers of lawyers merit in-depth study and have provided the platform, expertise, technical skill, and financial resources to undertake this one of a kind study.

Garnering financial support for a project of this magnitude and tenure can be a significant challenge. We extend our sincere appreciation to those organizations that believed in this project from the onset and have provided financial contributions throughout all three waves. First among those deserving high praise and appreciation is NALP, the Association of Law Career Professionals. The concept for this study was born among members and volunteer leaders of NALP more than three decades ago. Their extraordinary vision and dedication to lawyer careers led to NALP's enthusiastic pursuit of this research project, ultimately accomplished under the auspices of the NALP Foundation, a 501(c)(3) nonprofit organization. Special thanks and tremendous gratitude are extended to Paula Patton, the NALP Foundation's first CEO and President. This study would not have been possible without the foresight, enthusiasm, and commitment of Ms. Patton. We are also grateful to the NALP membership, Board of Directors, and staff for their continued encouragement and assistance.

Equally important to this initiative is the American Bar Foundation. The ABF has contributed the most funding to this study among all donor organizations and helped launch the project in 1998 under the guidance of the ABF Board and research team. We extend our sincere appreciation to Jacqueline Allee, Peter Moser, Robert Hetlage, David Tang, Richard Pena, William Hubbard, Judge Bernice B. Donald—who served as presidents of the ABF Board from 2000 to 2014—, and members of the ABF Board for supporting the study both financially and administratively.

The success of this study also would not have been possible without the expertise and dedication of the AJD Executive Coordinating Committee (ECC). This team is comprised of a select group of very motivated, highly credentialed social scientists and legal scholars who have worked tirelessly to achieve the goals of this project. These individuals, some of whom have dedicated more than thirteen years to collecting and

analyzing these data, are due the gratitude of all those in the legal community who will learn from, benefit from, or develop new inquiries from the findings herein. Our deep appreciation is extended to each member of the ECC and principal researchers listed below:

Terry Adams, J.D., M.A.
Senior Research Associate, Emeritus, Institute for Social Research, University of Michigan and University of Michigan Law School

Ronit Dinovitzer, Ph.D.
Associate Professor of Sociology, University of Toronto, and Faculty Fellow, American Bar Foundation

Bryant G. Garth, J.D., Ph.D.
Chancellor's Professor of Law, University of California-Irvine, and Director Emeritus, American Bar Foundation

John L. Hagan, Ph.D.
Research Professor, American Bar Foundation, and John D. MacArthur Professor of Sociology and Law, Northwestern University

Robert L. Nelson, J.D., Ph.D.
Director and MacCrate Research Chair in the Legal Profession, American Bar Foundation, Professor of Sociology and Law, Northwestern University

Tammy A. Patterson
CEO/President, NALP Foundation for Law Career Research and Education

Gabriele Plickert, Ph.D.
Research Social Scientist, American Bar Foundation, and Project Manager, After the JD

Rebecca L. Sandefur, Ph.D.
Associate Professor, University of Illinois, Urbana-Champaign, and Faculty Fellow, American Bar Foundation

Joyce Sterling, Ph.D.
Professor of Law, and Associate Dean of Faculty Scholarship, University of Denver Sturm College of Law

David Wilkins, J.D.
Lester Kissel Professor of Law and Director of both the Program on the Legal Profession and the Professional Services Industry Center at Harvard Law School

Wave 3 Sponsors:

American Bar Foundation

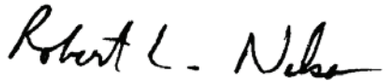
National Science Foundation (Grant # SES-1023067)

National Association for Legal Career Professionals (NALP)

The NALP Foundation for Law Career Research and Education

Finally, sincere appreciation is extended to the more than 5,000 lawyers who gave candid responses to the *After the JD* surveys over the past 13 years. Their representative experiences have provided new and ongoing understandings about how lawyers' careers evolve. Additionally, we are grateful to those lawyers who have participated or will participate in face-to-face interviews, providing qualitative data that adds depth and richness to our knowledge. Their willingness to contribute in a very personal way to this study is of great value and is appreciated.

On behalf of the American Bar Foundation and the NALP Foundation,



Robert L. Nelson
Director of the American Bar Foundation, MacCrate Research Chair in the Legal Profession, and Professor of Sociology and Law at Northwestern University

Tammy A. Patterson
President and CEO
NALP Foundation for Law Career Research and Education

SECTION 1:

Introduction to AJD3

Introduction

By Robert L. Nelson and Gabriele Plickert

This report gives an overview of findings from the third wave of data collection for the After the JD Study of Lawyers' Careers, which we refer to in this report as *After the JD3* or simply *AJD3*.

In the late 1990s, given significant changes taking place in the careers of American lawyers and the absence of systematic empirical data on lawyers' careers that were national in scope and tracked changes in the professional life course, a consortium of organizations launched the After the JD Study. After the JD was designed to track the careers of a nationally representative cohort of lawyers admitted to the bar in the year 2000 over the first 12 years of their careers. The first wave of the study (AJD1) provided a snapshot of the personal lives and careers of this cohort about three years after they began to practice law. The second wave of the study (AJD2) examined the progression of lawyers' careers through roughly seven years in practice. This third wave of the study (AJD3) provides data on this cohort 12 years into their careers. It is the capstone of the After the JD Study as originally conceived.

The findings of AJD 1, 2, and 3 are important for all those who care about the role of law in American society. Lawyers are the gatekeepers to the third branch of government. One cannot understand the functions of law in our society without understanding who lawyers are, whom they represent, and what they do. The nature of the rule of law in our society is shaped by which groups are recruited into the legal profession and by who ascends to positions of power and prestige in the public and private institutions of law. If women and people of color or individuals from less advantaged social backgrounds do not enjoy the same opportunities to succeed in law practice as others, the responsiveness of law to the needs of all citizens and the legitimacy of law in eyes of all citizens may be at risk.

In addition, AJD 1, 2, and 3 are enormously important for practitioners, legal educators, career counselors, bar association leaders, and sociolegal scholars interested in the implications of the changing character of lawyers' careers. When After the JD was launched in the late 1990s, it was a time of rapid growth for law firms and law schools. Indeed, a central impetus for the study was how to understand high levels of turnover in large law firms. By 2012, the legal landscape had changed dramatically. As a result of the global financial crisis that began in 2008, after the second wave of AJD, we have seen the downsizing of many law firms and retrenchment and calls for reform in legal education. AJD3 offers a unique opportunity to assess the impact of these profound changes on the professional lives of the cohort eight years into their careers.

This study used a two-stage scientific sampling approach, first, selecting among metropolitan areas (or non-metropolitan portions of states) to obtain a wide distribution of geographic areas with different population densities and, second, selecting individuals who met individual eligibility criteria. In the first stage, the nation was divided into 18 strata by region and size of the new lawyer population. Within each stratum, one primary

sampling unit (PSU) was selected—either a metropolitan area, a portion of a state outside large metropolitan areas, or an entire state. The PSUs included all four major markets, those with more than 2000 new lawyers per year (Chicago, Los Angeles, New York, and Washington, DC); five of the nine large markets, those with between 750 and 2,000 new lawyers a year; and nine of the remaining smaller markets. In the second stage, individuals were sampled from each of the PSUs at rates that would, when combined and properly weighted, generalize to the national population of new lawyers. Additionally, an oversample of 1,465 new lawyers from minority groups (Blacks, Hispanics, and Asians) was added. The final (original) sample included just over 8,000 lawyers[1] in the 18 PSUs. Additional information about sampling is available in earlier reports on AJD1 and AJD2. (*"After the JD: First Results of a National Study of Legal Careers," 2004; "After the JD: Second Results from a National Study of Legal Careers,"* 2009).

AJD1 data collection took place in 2002-2003 obtaining responses from 4,538 eligible respondents, for a response rate of 71% of individuals who could be located and over 50% of the initial full sample.

AJD2 sought to locate and survey the entire original sample (N = 8,225) from AJD1, even if a sample member had not been located or surveyed in AJD1. For AJD2, we obtained addresses for 98% of eligible respondents. The AJD2 data collection effort was launched in 2007 and completed in early 2008. AJD2 obtained completed surveys from 3,705 eligible respondents, including 70.4% of the respondents to AJD1 and 26.9% of those who were not surveyed in the first wave. In total, AJD2 included survey responses from 50.6 % of eligible sample members.

The third wave (AJD3) continues to shed light on lawyers' 12-year professional and personal pathways. After 12 years, the AJD lawyers have a decade of work experience behind them, and the contours of their careers are more clearly shaped. Throughout their professional careers, these lawyers have experienced important transitions (such as promotion to partnership, marriage, and job changes), which were only in process by Wave 2. AJD3 marks a significant milestone, essential to assess the personal and career trajectories of this cohort of lawyers. The timing of the third wave, which followed the global financial crisis of 2008, allows us to examine the effects of the economic collapse on the legal profession and lawyer careers. AJD3 sought to locate and survey only individuals who had previously responded to either AJD1 or AJD2. Sample members who never responded to any survey wave were not located in AJD3. For AJD3, we obtained addresses for 98% of 5,353 eligible respondents. The AJD3 data collection started in May 2012 and was completed in early 2013. In total, AJD3 obtained complete surveys from 2,862 respondents, for a response rate of 53% of individuals who previously responded to either AJD1 or AJD2. This amounts to a response rate of about 35 percent of the initial sample of 8,225 established in 2002.

---

[1] AJD started with a sample of 9,192 lawyers in 18 PSUs. Further analysis indicated that several respondents included in the first wave were not eligible according to our sampling criteria. Hence, in Wave 2, this number was corrected to a sample of 8,225 eligible lawyers who passed the bar in the year 2000.

As we discuss in the methodological appendix, we sought to determine whether Wave 3 respondents are representative of the initial sample. While we plan to pursue a more definitive analysis of this issue, our initial efforts to examine nonresponse in Wave 3, as well as across the entire study, indicate that Wave 3 respondents do not differ significantly from nonrespondents in such critical attributes as employment status, gender, and race.

The longitudinal nature of the research design, which now consists of observations of the same individuals at three points in time—years 3, 7, and 12—, is a particularly powerful method. It allows us to look beyond cross-sectional observations at only one point in time. Longitudinal and cohort designs are relatively unusual in the sociolegal field and in studies of the American legal profession. A longitudinal design provides superior insights into causal dynamics, for it is possible to examine how attitudes and behavior at time 1 predict attitudes and behavior at time 2 and how attitudes and behavior at times 1 and 2 predict attitudes and behavior at time 3. These data are particularly valuable in analyzing the unfolding of lawyer careers because we can see how choices and contingencies at the key junctures in careers shape later career outcomes.

The AJD data will allow the research community to investigate a broad range of these multiple factors and to test their importance across time. For example, some of the topics the study examines are (1) job mobility, (2) career satisfaction, (3) convergence/divergence in the career patterns of women and minorities, (4) indications of continuing inequality by gender and race, (5) family formation and its effects on professional careers, and (6) changes in fields of practice and legal specialties.

As the legal profession has become more diverse in terms of entrants, it is critical to understand how women, men and women of color, individuals from less advantaged economic backgrounds, and other traditionally disadvantaged groups build careers. The AJD data will provide information for examining the experiences of these groups at distinctive stages of their professional lives and comparing their career experiences to those of their peers. Were respondents' experiences different from the outset, or did career trajectories diverge over time? What career strategies appear most successful for young lawyers? Do these strategies vary by gender, race, and class; legal market; or other dimensions?

Over the years, the preparation of an accessible data set has been a key commitment that the After the JD Project has made to the National Science Foundation, a major funder of the AJD data collection efforts since the first wave of data collection in 2002.

In this third, report we feature the highlights of what we have learned from AJD3, but we also consider how professional careers evolve across 12 years. We build on results from AJD1 and AJD2, as we summarize key similarities and differences across waves. We organize this report in much the same way as we organized the first reports for AJD1 and AJD2. On many topics, we compare findings across the three waves so that the reader can compare developments over time.

While this report contains a wealth of data, a few findings stand out for us:

- *Career satisfaction.* As indicated in AJD2, career satisfaction is consistently high for this cohort of professionals. Twelve years into their careers, 76% of the

respondents report that they are moderately or extremely satisfied with their decision to become a lawyer, a proportion virtually unchanged from prior waves of the survey.

- *Job mobility.* Job mobility remains high, with 36% changing jobs between Waves 2 and 3, but that percentage is down considerably from the 63% who changed jobs between Waves 1 and 2. By far, the most mobile job setting in both movement and intent to move in the future is public interest law.

- *Indication of continuing inequalities by gender.* In Wave 3, we see considerable movement of both women and men lawyers in AJD. However, contrary to hopes, if not expectations, the gap between the earnings of women and men has continued and, in fact, has grown since Wave 2. Similarly, women's promotions trail behind those of their male counterparts.

- *Leaving private practice.* Both women and men have continued to exit private law firms. While almost two thirds of women and three quarters of men respondents began in private practice in Wave 1, by Wave 3, less than 40% of women and 49% of men are working in private practice settings. The most frequent destination for those leaving private law firms is to enter a business organization, either as inside counsel or in a position that does not entail law practice.

- *Leaving the practice of law.* A considerable proportion of the sample, some 19% overall, are no longer practicing law (although the number has not increased from Wave 2 to Wave 3).

- *Recession impact.* When asked about the impact of the recession on their individual careers, it is striking that 42% of respondents report that there was no noticeable impact and about 7% reported a positive impact. Apparently because they had several years of experience and were equipped with skills, clients, and connections, most AJD3 respondents weathered the storm. Still, 24% reported that their compensation shrank, 12% reported that they had to change jobs, and 10% were not able to keep up with loan payments.

While these results provide a broad overview about AJD respondents' careers and personal pathways, further research and multivariate analyses will be important to better understand the dynamics of lawyers' careers.

This report includes eleven sections summarizing the results and an appendix containing an analysis of nonresponses and explanation about the weights used. The findings in this report represent the national sample of respondents, except Section 9, which includes the minority oversample. Thus, the number of responses (N = 2,461) in this report reflects a weighted number of responses.

For comparison, see the results of AJD1 and AJD2 cited above. In addition, the public data files of AJD1 and AJD2 are available from the Interuniversity Consortium for Political and Social Research (ICPSR) at http://www.icpsr.umich.edu/icpsrweb/ICPSR/studies/26302.

We are pleased to present these third results from After the JD. After the JD 1, 2, and 3, when combined, represent the most comprehensive effort to follow the careers of American lawyers. The pages that follow reveal some dramatic shifts in the careers of this cohort in the 12 years since they were admitted to the bar. There are hopeful signs in these data, given the high levels of career satisfaction reported by this group. There are also indications of continuing challenges to provide equal opportunities to all lawyers, regardless of gender, race, and social origin. Although this third wave report might seem like the end of this project, it can be thought of as a beginning. The greatest scientific payoff from the national, longitudinal design of AJD will be in further analyses of these rich data. We look forward to pursuing that work along with other teams of researchers.

SECTION 2:

Demographic Characteristics of AJD Lawyers —A Trend Over Time

Demographic Characteristics of AJD Lawyers — A Trend Over Time

By Rebecca Sandefur and Robert L. Nelson

The After the JD sample reflects the growing diversity of the American legal profession, but its demographic composition also shows that the profession remains an occupation in which most members are White. As Table 2.1 shows, among lawyers interviewed in the third wave of the study, almost exactly half (50.4%) were women and four fifths (82.8%) were White. Lawyers of Asian descent comprised 6.3% of the most recently surveyed group while Black and Hispanic lawyers comprised 4.4% and 3.2% of the sample, respectively. Native American attorneys are a small group, half a percent of the AJD3 sample. Black lawyers are somewhat less represented in Wave 3 than in previous waves while other groups' presence in the sample has held relatively steady across waves. Lawyers who reported mixed or other ancestries comprised 2.8% of the AJD3 sample. (These numbers do not include the minority oversample, which will facilitate intergroup comparisons in later analyses.) As time moves forward, the cohort of lawyers who entered practice around the year 2000 is aging, moving into their late thirties and early forties.

Comparisons across waves, such as those in Table 2.1, are, unless otherwise noted, based on comparing responses from whoever answered the survey in a specific wave. Thus, some of the differences across waves reflect the fact that a different set of respondents participated in the three waves of the study. For example, the increase in percentage of female respondents in AJD3 over AJD1 and AJD2 reflects the higher response rate among women lawyers rather than an increase in the percentage of this cohort of lawyers made up of women between 2000 and 2012.

TABLE 2.1. Demographic Characteristics of AJD 1, 2, and 3

	AJD1 National sample		AJD2 National sample		AJD3 National sample	
	N	**%**	***N***	**%**	***N***	**%**
Female	1,760	**46.8**	1609	**44.4**	1,226	**50.4**
Male	2,044	**53.2**	1855	**54.6**	1,207	**49.6**
TOTAL	3,804	**100.0**	3464	**100.0**	2,433	**100.0**
Native American	46	**1.0**	57	**1.5**	10	**0.4**
Asian	254	**6.6**	237	**6.8**	150	**6.3**
Black	217	**6.0**	207	**6.6**	104	**4.4**
Hispanic	146	**3.8**	151	**4.5**	76	**3.2**
Other	116	**3.1**	40	**1.0**	67	**2.8**
White	3,098	**79.4**	2,853	**79.6**	1,961	**82.8**
TOTAL	3,877	**100.0**	3,545	**100.0**	2,369	**100.0**
Age < 30	1,253	**33.5**	–	–	–	–
Age 30-35	1,732	**45.6**	1,614	**45.0**	5	**0.2**
Age 36-40	395	**11.3**	1,145	**32.6**	1,345	**57.8**
Age 41+	325	**9.6**	697	**22.4**	976	**42.0**
TOTAL	3,705	**100.0**	3,456	**100.0**	2,327	**100.0**
Employed full time	3,588	**93.6%**	3,131	**87.1%**	2,113	**85.8%**
Employed part time	103	**2.8**	292	**7.8**	218	**8.8**
Not employed	133	**3.6**	164	**5.0**	131	**5.3**
TOTAL	3,824	**100.0**	3,587	**100.0**	2,461	**100.0**
Practicing law	3,330	**85.3**	2,869	**78.6**	1,883	**80.8**
Not practicing law	573	**14.7**	721	**21.4**	447	**19.2**
TOTAL	3,903	**100.0**	3,590	**100.0**	2,330	**100.0**

Note: Using national sample. Counts for race/ethnicity reported here include only those in the national sample, which is representative of the national population of lawyers who passed a bar in 2000.

TABLE 2.2. Distribution of AJD3 by Law School Selectivity

	AJD3 *N*	AJD3 %
Top 10	217	8.9
Top 11-20	189	7.8
Top 21-50	515	21.3
Top 51-100	769	31.8
Tier 3 (101-137)	413	17.1
Tier 4 (138-178)	317	13.1
TOTAL	2,420	100.0

Note: Using national sample. Selectivity rankings taken from the 2003 year.

In the third wave of the survey, lawyer-respondents continued to represent graduates of the full range of law school selectivity. Just under 10% of AJD3 respondents attended law schools ranked in the Top 10 of the *US News and World Report* rankings while about 30% of respondents in the third wave of the survey attended Tier 3 or 4 schools. As noted in previous reports, determining the selectivity of law schools is a controversial and subjective undertaking. We use the rankings as a widely understood shorthand for reputational clusters and do not mean to endorse the *US News* approach.

TABLE 2.3. AJD Respondents by Education of Parents

Education Level	Father		Mother	
	N	%	*N*	%
Grade school	84	3.40	64	2.10
Some high school	89	3.70	82	3.40
HS diploma or equivalent	398	16.00	707	24.10
Trade or vocational school	93	3.60	102	3.30
Associate or two-year college	310	11.00	499	15.80
Bachelor's or four year college	529	19.70	802	25.00
Law degree (JD)	240	8.60	41	1.30
Some graduate or post-graduate work	110	4.00	109	3.30
Graduate or professional degree	816	29.80	659	21.50
Don't know	2	0.01	1	0.02
TOTAL	**2,671**	**100.00**	**3,066**	**100.00**

Note: Using national sample.

AJD3 lawyers come from relatively well-educated families. As Table 2.3 shows, just over one-half (51.1%) of AJD3 lawyers had a mother who had attained at least a bachelor's degree while almost two thirds (62.1%) of fathers had done so. More than 40% of AJD3 respondents had fathers with graduate or professional degrees or some graduate work, with a little more than one quarter having mothers with similar graduate studies. The legal profession continues to be an important destination for the children of

immigrants to this country. Among parents of AJD3 lawyers whose birthplaces were reported, most were born in the United States, but 17% of these lawyers' fathers and 16% of their mothers were born outside the USA (Table 2.4).

TABLE 2.4. AJD Respondents by Birthplace of Parents

	Father		Mother	
	N	%	N	%
Born inside the U.S.	2,356	83.3	2,410	84.2
Born outside the U.S.	460	16.7	443	15.8
TOTAL	2,816	100.0	2,853	100.0

Note: Using national sample.

By the third wave of the survey, about a fifth of this cohort of lawyers (19.2%) were not practicing law (slightly lower than AJD2 but up from 15% in AJD1; Table 2.1). Lawyers' race and gender were largely unrelated to whether they were practicing law in the third wave of the study. Men and women were equally likely to be working outside the practice of law in the third wave. White and minority lawyers were about equally likely to be working outside the practice of law. As Table 2.1 shows, the percentage of respondents employed full time had progressively declined over the waves of the sample so that, by Wave 3, about 14% of AJD lawyers were not employed or were employed part time. This change likely reflects both the effects of the economic contraction experienced in the legal services market and the economy in general in the late 2000s and early 2010s, as well the movement of people, largely women, out of the full-time labor force (especially between AJD1 and AJD2) to care for young children. We discuss employment status by gender in Section 8 of this report.

SECTION 3: Practice Setting

Practice Setting

By Ronit Dinovitzer

Where lawyers work varies substantially depending on their career stages. When we first surveyed AJD lawyers in 2003, they were just beginning their careers. At that time, about 70% of respondents were working in private law firms, just less than one quarter were working in the public sector, and the small remainder were in business (either practicing law or not). Wave 2, which provided a snapshot of lawyers seven years into their careers, showed a significant contraction in the private law firm sector, countered by strong growth in the business sector. The tremendous sectoral shifts experienced by respondents by Wave 2 appear to have persisted, with a continued contraction in the private sector and a growth in the business sector. At Wave 3, which is the 12-year career milestone, we found 48.5% of respondents working in the private law firm sector, 28% working in the public sector, and 20% working in business (with another 3.5% indicating working in "other" settings).

From the perspective of Wave 3, it now appears that the Wave 2 survey indicated another important milestone regarding respondents' employment patterns. While, at Wave 1, the proportion of respondents working full time was at a high of 94%, this number shrank to 87% at Wave 2, and Wave 3 shows the proportion had remained fairly stable since Wave 2, with 86% of AJD3 respondents working full time. As before, most of those working part time or not working in the paid labor force continue to be women.

Private Law Firm Practice

The overall proportion of lawyers working in private law firms has declined since Wave 2.[2] As might be expected given both the economic context and respondents' career stages (with most respondents in law firms facing the partnership decision after the AJD2 survey), the proportion of AJD lawyers in large law firms (> 250) showed the greatest decline since AJD respondents had begun their careers, from a high of about 18 percent at Wave 1 to 8.3% at Wave 3. Overall, the representation of lawyers in law firms of over 21 lawyers declined between Wave 2 and Wave 3, though in some cases the reduction was very small, while the proportion working in solo and small firms of 2–20 lawyers remained virtually the same between Waves 2 and 3 of the study.

Most private firm lawyers responding to AJD3 worked at smaller firms of 2–20 lawyers, with the next largest group in solo practice. It is also worth noting that the proportion of AJD lawyers working as solo practitioners remained fairly low when

[2] Following the convention in our prior reports, we will discuss private law firms based on the number of lawyers working in their firms across all their offices.

compared to the full population of lawyers: the ABF's *Lawyer Statistical Report for 2005* shows that, of lawyers working in private law firms, almost half were working as solo practitioners.

Government

As the private sector has been shrinking, the proportion of AJD respondents working in government has grown slightly, from 16.5% in Wave 1 to 17.9% at Wave 3. State and local government continue to employ a greater proportion of government lawyers, with the remainder working in the federal government. As noted above, a substantial proportion of government lawyers report they are not practicing law (28.2% in federal government and 17.1% in state or local government).

Legal Services, Public Interest and Nonprofit/Education

The legal services, public interest, and nonprofit sector also experienced minor growth since Wave 2 of the study. With 10.1% of AJD3 respondents working in these settings, compared to 7.9% in Wave 2, the growth since Wave 2 might be, in part, because of the current economic climate. Most of the growth has been among those holding positions in legal services or as public defenders, accompanied by a small increase in the nonprofit/education category. As noted, these are diverse positions, with many respondents reporting that they are not practicing law in their jobs; indeed, three quarters of those working in nonprofit/education (including law professors) reported they were not practicing law.

Business

The path to business appears well travelled among this cohort of lawyers, as this sector continues to represent a substantial segment of AJD respondents. While only 8% of AJD respondents began their careers in business, by Wave 2, those working in this sector grew to 19% and, in Wave 3, to 20%.

Working in business means different things for different respondents. Of AJD respondents working in the business sector, just over one third were not practicing law. Of those who were in business but not practicing law, about one quarter were working in Fortune 1000 firms, one third were working in a professional service firm, and 40% were working in some other business or industry. Of those who were in business but practicing law, about half were working in Fortune 1000 firms, 38% were in other businesses or industries, and 10% were in professional service firms.

TABLE 3.1. AJD2 and AJD3 Respondents by Practice Settings Comparing Office and Firm Size

Practice Settings	By office size						By firm size					
	Wave 2			Wave 3			Wave 2			Wave 3		
	N	% np	Total %	*N*	% np	Total %	*N*	% np	Total %	*N*	% np	Total %
Solo	303	3.0	9.7	232	2.8	10.0	303	3.0	9.6	232	2.8	10.0
Firm of 2-20 lawyers	700	0.8	21.0	490	1.1	21.0	616	0.9	18.3	419	1.0	18.0
Firm of 21-100 lawyers	451	1.5	11.9	251	1.9	10.8	306	0.5	8.1	180	0.6	7.7
Firm of 101-250 lawyers	211	1.8	5.5	95	0.6	4.1	165	2.2	4.7	80	0.0	3.4
Firm of 251+ lawyers	115	9.4	2.9	29	13.5	1.3	433	5.4	11.1	192	4.2	8.3
Firm size unknown	121	1.3	3.8	33	0.0	1.4	101	0.0	3.2	26	4.1	1.1
Government—federal	188	25.9	5.2	129	28.2	5.5	188	25.9	5.2	129	28.2	5.5
Government—state	354	14.7	11.8	288	17.1	12.4	354	14.7	11.7	288	17.1	12.4
Legal services or public defender	66	10.9	1.7	68	19.9	2.9	66	10.9	1.7	68	19.9	2.9
Public Interest	35	31.3	1.1	22	13.1	1.0	35	31.3	1.1	22	13.1	1.0
Nonprofit or education and other	173	67.7	5.2	145	76.2	6.2	173	67.7	5.1	145	76.2	6.2
Business—inside counsel	360	0.0	11.1	293	0.0	12.6	360	0.0	11.0	293	0.0	12.6
Business—not practicing	256	100.0	8.0	171	100.0	7.4	256	100.0	7.9	171	100.0	7.4
Other	35	25.9	1.1	82	51.4	3.5	35	25.9	1.1	82	51.4	3.5
Total	**3,368**	**16.5**	**100.0**	**2,329**	**19.2**	**100.0**	**3,391**	**16.5**	**100.0**	**2,329**	**19.2**	**100.0**

Note: Using national sample. Respondents in private law firms with an office size of 1 are coded as solos in the office size column. Not practicing (np) = % within category not practicing law.

TABLE 3.1a. Practice Settings by Firm Size and Waves 1-3

Practice Setting	Wave 1			Wave 2			Wave 3		
	N	% np	Total%	*N*	% np	Total%	*N*	% np	Total%
Solo	185	2.3	5.4	303	3.0	9.6	232	2.8	10.0
Firm of 2-20 lawyers	900	0.5	25.1	616	0.9	18.3	419	1.0	18.0
Firm of 21-100 lawyers	459	0.2	12.3	306	0.5	8.1	180	0.6	7.7
Firm of 101-250 lawyers	279	0.5	7.0	165	2.2	4.7	80	0.0	3.4
Firm of 251+ lawyers	726	0.5	18.2	433	5.4	11.1	192	4.2	8.3
Firm size unknown	21	1.7	0.5	101	0.0	3.2	26	4.1	1.1
Government—federal	173	20.4	4.5	188	25.9	5.2	129	28.2	5.5
Government – state	395	14.6	12.0	354	14.7	11.7	288	17.1	12.4
Legal services or public defender	103	1.4	3.0	66	10.9	1.7	68	19.9	2.9
Public Interest	41	14.4	1.1	35	31.3	1.1	22	13.1	1.0
Nonprofit or education and other	76	63.1	2.1	173	67.7	5.1	145	76.2	6.2
Business – inside counsel	160	0.0	4.2	360	0.0	11.0	293	0.0	12.6
Business—not practicing	157	100.0	4.2	256	100.0	7.9	171	100.0	7.4
Other	9	47.6	0.3	35	25.9	1.1	82	51.4	3.5
Total	**3,684**	**9.0**	**100.0**	3,391	16.5	100.0	2,329	19.2	100.0

Note: Using national sample. Not Practicing (np) = % within category not practicing law.

TABLE 3.2. Percentages of AJD3 Practice Settings by Geographic Market

	Law firms by size					Government			Public interest/nonprofit			Business		
	Solo	2-20	21-100	101-250	251+	UK	Federal	State	LS/PD	PI	Nonprofit, ed., other	Inside counsel	NP	Other
Market/Practice Settings														
Northeast	8.3	13.2	7.8	2.9	9.1	1.8	1.7	8.7	4.5	2.1	7.7	19.1	11.0	2.2
Midwest	10.4	19.7	9.1	4.1	9.2	0.7	1.7	16.4	2.2	0.2	4.5	12.8	5.6	3.4
South	10.8	20.5	6.7	3.7	7.8	1.1	10.6	10.5	2.1	0.7	6.2	9.4	6.3	3.6
West	9.8	17.4	8.5	2.8	6.1	0.8	4.2	15.0	3.8	1.3	6.0	11.5	7.8	5.1
Population Size														
100k or less	14.1	27.7	3.7	1.2	1.9	0.8	1.4	14.7	2.3	0.4	4.8	14.1	9.4	3.6
100k + 1 to 500k	10.7	16.0	11.4	5.6	8.0	1.2	3.9	11.8	3.0	1.1	7.3	9.7	6.9	3.9
500k + 1 to 1m	5.0	12.5	9.1	5.1	11.2	1.0	14.6	14.3	2.8	0.8	6.7	8.4	4.9	3.9
1m + 1 to 2m	5.5	22.0	5.6	0.0	8.8	0.0	22.4	5.3	0.0	0.0	14.0	14.5	1.9	0.0
2m +	8.7	11.1	8.5	2.6	16.3	1.4	3.1	7.4	4.7	2.4	4.5	19.3	7.9	2.1

Note: Using national sample. Foreign countries and locations labeled as "outlying U.S. territories" are included in the "Other" column. UK = private firm size unknown; LS = legal services; PD = public defender; PI = public interest; NP = not practicing.

SECTION 4: What AJD3 Lawyers Do

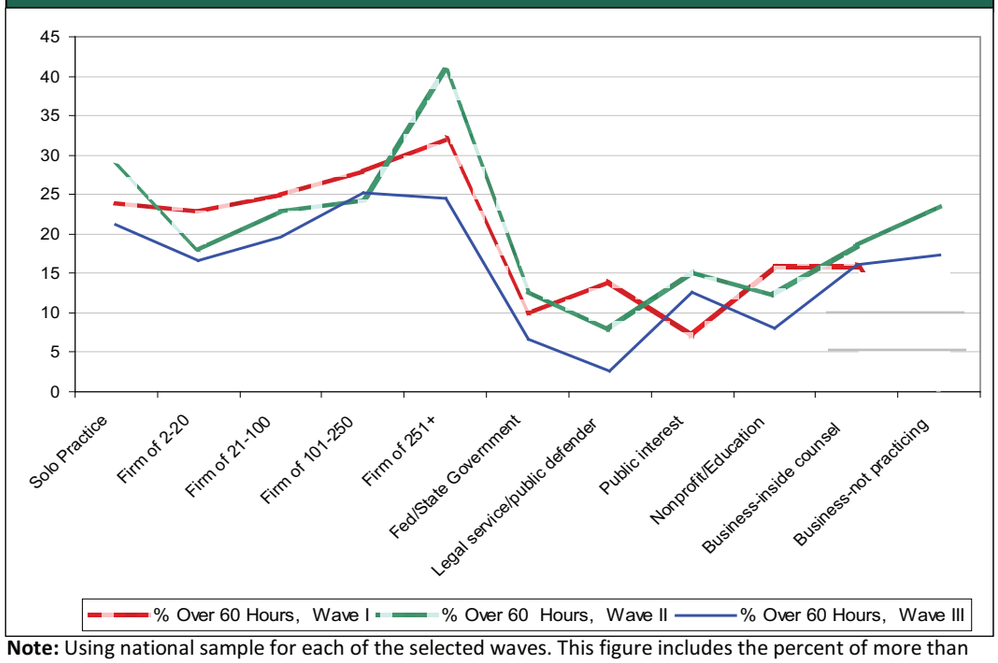
What AJD3 Lawyers Do

By Rebecca L. Sandefur

Hours Worked

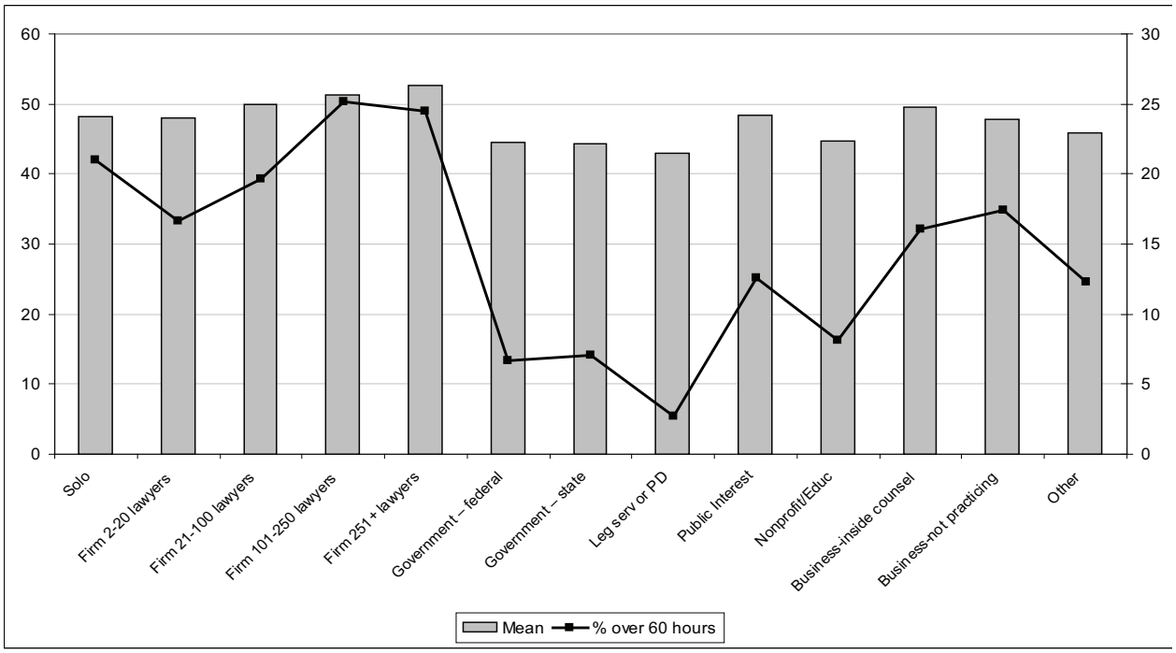
The median AJD3 attorney works 47 hours a week, seven hours longer than a traditional full-time job of 40 hours per week. Lawyers in private practice work longer hours, on average, than lawyers working in government, legal services, public defense, or public interest law. According to Wave 3 respondents, the longest hours are worked by lawyers in the largest firms, with a median of 53 hours per week. Extremely long work weeks of more than 60 hours are not common but characterize the work lives of a notable minority of the sample, with 15.3% of AJD3 attorneys working such long hours. The share of AJD lawyers working more than 60 hours per week has declined across all employment settings as these lawyers have entered mid-career (Figure 4.1.). Extremely long hours remain more common among private practice attorneys than among lawyers working in other settings.

FIGURE 4.1. Over 60 Hours Worked by Waves 1, 2, and 3 by Setting (full-time workers only)



Note: Using national sample for each of the selected waves. This figure includes the percent of more than 60 hours worked in each practice setting across the three waves. Business-not practicing was not separated from the Business category in AJD1.

FIGURE 4.1a. Mean Hours Per Week and Percent Working Over 60 Hours by Setting (full-time workers only) (AJD3)



Note: The survey question states: "In the last week, how many hours did you spend in each of the following activities - working at the office or firm; working from home on weekdays; working on the weekend? If you were on vacation or sick leave use last week that you worked." The figure indicates the mean of total number of hours worked, plus the percent of more than 60 hours worked.

TABLE 4.1. Mean and Median Hours and Percent Working over 60 Hours by Setting (full-time workers only) (AJD3)

	HOURS WORKED LAST WEEK (Wave 3)			
Practice Setting	**Mean**	**Median**	**Valid *N***	**Over 60 hours (%)**
Solo	48.2	48	187	21.1%
Firm of 2-20 lawyers	48.0	47	385	16.6
Firm of 21-100 lawyers	49.8	50	161	19.6
Firm of 101-250 lawyers	51.2	50	69	25.2
Firm of 251+ lawyers	52.6	53	173	24.5
Government – federal	44.5	42	124	6.7
Government – state or local	44.4	40	283	7.1
Legal services or public defender	43.0	42	61	2.7
Public Interest	48.4	47	18	12.6
Nonprofit or education and other	44.8	45	119	8.1
Business-inside counsel	49.5	49	275	16.1
Business-not practicing	47.9	49	153	17.4
Other	45.8	46	76	12.3
TOTAL	47.8	47	2,084	**15.3**

Note: Using national sample.

Specialization

About two thirds (66.3%) of AJD3 lawyers identify themselves as specialists in their work. The likelihood that lawyers identify as specialists has increased in every setting of practice. Identifying as a specialist continues to be most common among lawyers in federal government, legal services/public defense, and public interest, as well as among lawyers in the largest firms. When we examine lawyers' reports of what they do rather than how they think of themselves, we see that specialization is even more prominent in practice than in self-description. In AJD3, about three quarters (75.5%) of attorneys report working at least half of their time in a single area of law. Among private practice lawyers, between 70.6% and 90.1% of lawyers report spending at least half of their time in one area. Public defenders, legal aid lawyers, and lawyers working in state or local government report similarly high rates of concentration in a single area of law. The attorneys least likely to report spending half their time in one field are public interest lawyers and lawyers working for the federal government.

Table 4.2. Specialist by Practice Setting Specialization (AJD1-3) (whether self-identified as a specialist or not)

PRACTICE SETTINGS	AJD1 %	AJD2 %	AJD3 %
Solo	34.4	52.4	57.5
Firm of 2-20 lawyers	36.2	54.8	65.5
Firm of 21-100 lawyers	38.3	52.7	62.8
Firm of 101-250 lawyers	42.3	52.1	63.8
Firm of 251+ lawyers	42.1	55.9	81.0
Government – federal	37.3	64.9	73.6
Government – state or local	34.8	49.7	63.9
Legal services or public defender	56.7	69.9	70.4
Public Interest	47.2	78.6	73.7
Nonprofit/education	51.1	51.6	60.0
Business—inside counsel	48.8	52.0	65.5
Business—not practicing	-	0.0	-
Other	34.9	64.3	77.5
OVERALL	**39.4**	**54.3**	**66.3**
TOTAL N	**3,240**	**2,240**	**1,871**

Note: Using national sample for each wave. Survey question asks "whether or not you are certified as a specialist by your state, do you consider yourself a specialist? Possible responses: 1=yes and 0=no. Percentages include all "yes" responses.

TABLE 4.2a. Specialist by Practice Setting Comparing Respondents across the Three Waves (who spend 50% or more in one area) (AJD1-3)

PRACTICE SETTINGS	AJD1 %	AJD2 %	AJD3 %
Solo	62.5	78.9	70.6
Firm of 2-20 lawyers	76.5	85.1	75.2
Firm of 21-100 lawyers	83.0	86.9	85.4
Firm of 101-250 lawyers	86.6	90.4	90.1
Firm of 251+ lawyers	88.6	94.3	84.1
Government – federal	76.5	90.1	63.1
Government – state or local	90.9	88.3	80.2
Legal services or public defender	95.9	93.7	75.6
Public Interest	94.2	83.5	52.4
Nonprofit/education	68.5	67.9	67.0
Business—inside counsel	82.6	78.0	66.0
Business—not practicing	–	100	–
Other	100.0	94.0	80.4
OVERALL	**82.4**	**85.6**	**75.5**
TOTAL *N*	**3,244**	**2,722**	**1,883**

Note: Using national sample. Practice areas include antitrust, bankruptcy, civil and commercial litigation, civil rights/liberties, commercial law (banking, consumer law, uniform commercial code), criminal law, employment law–management, employment law –unions, environmental law, family law (divorce, adoption), general corporate, general practice, health law, immigration law, insurance, intellectual property (patents, trademarks, copyrights), municipal law (including bond issues), personal injury –defense, personal injury –plaintiffs, probate (wills and trusts), public utilities, administrative law, and regulated industries, real estate –commercial, real estate–personal/ residential, securities (mergers, security fraud), tax, workers compensation.

Pro Bono Activities of Mid-Career Lawyers

Somewhat over half (55.1%) of the lawyers in the third wave of the AJD report were engaging in pro bono activities. Among lawyers who did pro bono, the reported average was 62.2 hours, more than the aspirational standard of 50 hours per year suggested by the American Bar Association in Model Rule 6.1. However, median hours among those who did pro bono service were 25 per year. The difference between the median and the mean indicates that a small portion of the sample did a great deal of pro bono while many

lawyers did much less. Pro bono is most common among lawyers in private practice, with over half to four fifths of lawyers in each category of firm size reporting at least some pro bono hours. The highest number of median pro bono hours was reported by lawyers in the smallest firms—solo practitioners—and in the largest firms. However, the highest average of pro bono hours was reported by legal aid and public defense attorneys, public interest lawyers, and attorneys working in nonprofit or education. Comparing the median hours for these lawyers to the mean hours that they reported again indicates that, among attorneys in these practice settings, a small number were reporting many hours of pro bono work while most were reporting fewer hours.

Lawyers devoted their pro bono hours to a range of causes. Lawyers working in smaller firms, on average, devoted more hours to the service of poor and low-income clients while lawyers in larger firms, on average, devoted more hours to charitable organizations. Government lawyers, public interest attorneys, and lawyers working in educational or other nonprofit organizations devoted more hours, on average, to causes other than serving low-income clients or charitable organizations. Legal aid and public defense attorneys devoted their highest average pro bono hours to the same types of clients they served as part of their job: the poor and low-income population.

On average, AJD3 attorneys worked about three fifths of their pro bono hours as part of their jobs (59.7%) and about two fifths outside the context of their jobs (42.2%). The lawyers reporting the most hours served as part of their paying jobs were those working in the largest private practice law firms. The attorneys reporting the least of their pro bono hours through their employer were those working in state or local government.

TABLE 4.3. Annual Pro Bono Hours by Practice Setting – Firm Size (AJD3)

Practice Setting	Average pro bono hours (including '0')	Percent of people doing any pro bono	Average pro bono hours (excluding '0')	Median for those engaging in some pro bono	Total *N*
Solo	47.3	76.5	61.8	40.0	232
Firm of 2-20 lawyers	43.1	77.0	56.0	30.0	419
Firm of 21-100 lawyers	22.7	59.4	38.3	15.0	180
Firm of 101-250 lawyers	30.4	81.0	37.5	20.0	80
Firm 251+ lawyers	43.0	68.6	62.8	40.0	192
Government – federal	17.1	28.1	61.0	15.0	129
Government – state or local	14.2	34.5	41.2	20.0	288
Legal services/ public defender	137.7	27.8	494.8	100.0	68
Public interest	79.8	52.3	152.6	12.0	22
Nonprofit or education	66.1	53.1	124.4	32.0	145
Business--practicing	17.8	42.3	42.1	15.0	293
Business—not practicing	14.7	31.4	46.8	20.0	171
Other	14.8	45.6	32.5	20.0	82
TOTAL	**34.3**	**55.1**	**62.2**	**25.0**	**2,303**

Note: Using National Sample.

TABLE 4.3a. Percentages of All Pro Bono Hours Spent on the Following Activities

Practice Settings	Pro bono hours for Poor, low income Mean	Pro bono hours for Charitable organization Mean	Pro bono hours for Other Mean
Solo	66.8	27.3	30.4
Firm of 2-20 lawyers	54.9	33.2	33.0
Firm of 21-100 lawyers	50.9	28.7	30.9
Firm of 101-250 lawyers	28.6	45.9	33.1
Firm 251+ lawyers	42.0	61.7	22.6
Government – federal	46.1	28.4	52.1
Government – state or local	32.5	29.4	54.2
Legal services/ public defender	65.3	30.5	31.2
Public interest	36.6	22.9	57.8
Nonprofit or education	31.2	40.1	58.8
Business—practicing	42.8	43.5	44.3
Business—not practicing	16.4	25.2	61.7
Other	49.2	32.6	57.3
OVERALL	48.5	37.1	40.4
TOTAL N	960	830	527

Note: Using national sample. Limited to those who do some pro bono work.

TABLE 4.3b. Pro Bono Hours as Part of Job or Not by Practice Setting (AJD3)

PRACTICE SETTINGS	Pro bono hours				
	Part of job		Not part of job		Total
	Mean	%	Mean	%	N
Solo	51.3	63.7%	54.9	44.6%	232
Firm of 2-20 lawyers	46.4	60.8	38.9	53.2	419
Firm of 21-100 lawyers	43.0	35.5	19.9	45.9	118
Firm of 101-250 lawyers	29.8	64.6	29.7	52.6	80
Firm 251+ lawyers	52.1	61.4	50.8	26.3	192
Government – federal	101.2	5.2	47.0	26.4	129
Government – state or local	27.3	12.6	39.5	28.6	288
Legal services/ public defender	646.6	17.3	153.1	18.5	68
Public interest	185.6	42.8	56.5	23.6	22
Nonprofit or education	177.1	29.8	56.3	39.3	145
Business—practicing	26.5	18.1	40.5	33.9	293
Business—not practicing	23.4	10.1	44.3	29.4	171
Other	29.2	25.2	26.9	31.7	82
TOTAL	59.7	36.9	42.2	36.9	**2,303**

Note: Using national sample. Limited to those who do some pro bono (excludes zeroes).

SECTION 5:

The Income of Lawyers — Trends Over Time

The Income of Lawyers - Trends Over Time

By Ronit Dinovitzer and David Wilkins

Table 5.1 shows the total compensation—from salaries, bonuses, and profit sharing—earned by AJD attorneys according to setting in each wave of the survey. Across the sample, median earnings were up 8% unadjusted for inflation, with half of AJD3 respondents (working full time) earning more than $106,000 and half earning less. The lowest earning quarter of the sample earned $60,000 in 2011, down from $70,000 in 2006, perhaps indicating the economic crisis affected those in more precarious positions than those at the top. The highest earning quarter started at $171,000 in 2011, up from $145,000 in 2006. Thus, incomes at the top had continued to rise since 2006.

TABLE 5.1. Comparing Wave 1 -3 Income by Practice Setting (full-time workers only)

	Percentile												
	AJD1			AJD2			AJD3			% change in median (AJD2-3)	*N*		
	25th	50th	75th	25th	50th	75th	25th	50th	75th		AJD1	AJD2	AJD3
Solo	40,000	50,000	70,000	45,000	80,000	120,000	0	50,000	86,000	-37.5%	119	168	186
Firm 2-20 lawyers	45,000	55,000	70,000	68,000	90,000	122,000	61,000	100,000	150,000	11.1	789	434	351
Firm 21-100 lawyers	62,500	78,000	94,000	88,000	110,000	145,000	109,000	150,000	200,000	36.4	411	236	166
Firm 101-250 lawyers	85,000	98,000	125,000	101,000	125,000	151,000	150,000	189,000	230,000	51.2	259	125	68
Firm 251+ lawyers	105,000	135,000	150,000	130,000	180,000	250,000	120,000	225,000	340,000	25.0	664	311	176
Firm size unknown	–	–	–	–	–	–	0	38,000	115,000	N/A	-	-	18
Government – federal	54,275	63,000	70,500	84,000	100,000	115,000	98,000	122,744	139,000	22.7	163	163	142
Government – state	40,000	44,500	52,000	55,000	65,000	80,000	59,800	78,000	96,000	20.0	367	310	259
Legal Services or Public Defender	36,000	39,000	43,000	50,000	60,000	83,000	58,000	79,000	100,000	31.7	98	55	62
Public Interest	35,000	40,000	48,000	48,000	65,000	74,000	44,000	77,000	100,000	18.5	38	26	19
Nonprofit or education	43,000	50,000	70,000	54,000	71,000	100,000	50,000	80,000	125,000	12.7	62	114	116
Business—inside counsel	64,000	90,000	110,000	98,000	150,000	195,000	115,000	183,000	255,000	22.0	141	288	273
Business—not practicing	60,000	75,000	100,000	72,100	100,000	151,000	50,000	110,000	165,000	10.0	140	189	154
Other	40,500	67,400	75,000	60,000	80,000	97,000	60,000	100,000	140,000	25.0	8	25	72
TOTAL	**50,000**	**70,000**	**100,000**	**70,000**	**98,000**	**145,000**	**60,000**	**106,000**	**171,000**	**8.2**	**3,259**	**2,444**	**2,062**

Note: Using national sample. Income includes salary, bonus, and profit sharing.

Practice Setting and Income Trends

Income varies tremendously by sector and setting. Working in a large law firm continues to be one of the most lucrative settings, confirming findings from previous waves of the survey. Lawyers in firms of more than 251 lawyers were earning a median salary of $225,000, the highest median salary of all settings. Those working in large firms of 101–250 lawyers, as well as in business practicing law, have the next highest salaries, followed by those working in the federal government.

While the average increase in median earnings was about 8% since 2006 (unadjusted for inflation), lawyers in many of the practice settings enjoyed increases well above the median. The largest increase (51%) was experienced by those working in firms of 101–250 lawyers, but increases of over 20% were enjoyed by respondents in a number of other settings. We do observe a general decrease among those working in solo practice, however. On the whole, these increases were smaller than those found in Wave 2 of the survey and may be one of the aftershocks of the financial crisis.

Findings from the first wave of the AJD study demonstrated the importance of lawyers' educational credentials to their earnings. Graduates of the elite law schools worked disproportionately in large law firms with higher earnings while graduates of middle and lower tiers of the law school status hierarchy were more likely to work in smaller law firms, in state and local government, and in the business sector, where salaries tend to be somewhat lower. At the same time, graduates of less prestigious schools who graduated with high GPAs were also employed in some of the most lucrative settings.

Twelve years after the cohort graduated from law school, we continue to observe patterns related to law school selectivity. Lawyers from the most highly ranked law schools continue to work disproportionately in the most lucrative legal settings and, consequently, continue to earn higher incomes. In addition, a relationship between law school GPA and earnings continues. Across all law schools, with few exceptions, higher GPAs are related to higher earnings.

TABLE 5.2. Grades, Law School Selectivity, and Median Salary (full-time workers only) (AJD3)

	Top 10 Median	Top 11-20 Median	Top 21-50 Median	Top 51-100 Median	Tier 3 Median	Tier 4 Median
GPA 3.75-4.00	$200,000	$207,000	$210,000	$189,000	$210,000	$130,000
GPA 3.5-3.74	192,500	156,000	145,000	154,000	152,750	136,755
GPA 3.25-3.49	175,000	155,000	135,500	141,000	134,000	101,500
GPA 3.0-3.24	175,000	180,000	135,500	110,000	115,000	95,000
GPA 2.75-2.99	254,000	118,000	114,500	85,780	94,243	95,000
GPA < 2.75	50,000	102,000	87,500	99,000	88,500	92,750
No grades	155,500	170,000	130,500	120,000	100,000	99,500
Total *N*	220	240	435	549	313	251
Total	173,500	158,000	131,500	120,000	113,000	100,000

Note: Income includes salary, bonus, and profit sharing. Grades are self reported. The results in this table are based on unweighted data, as law school GPAs are only provided from Waves 1 and 2.

Practice Setting and Sources of Compensation

Attorneys working in private law firms and other settings are compensated not only by salary but also by bonuses and distributions from firm equity or profit sharing. Salaries continue to represent the bulk of lawyers' incomes across all sectors. The median bonus, as indicated by those who reported receiving bonuses, was $15,000. The largest bonuses were reported by those in business practicing law ($30,000), with large and mega firm lawyers also earning bonuses well above the median. On the other hand, government lawyers reported bonuses far below the median while those in the nongovernmental public sector reported figures closer to the median. The figures on profit sharing are quite varied, with substantial values being reported by those in the mega firms. However, it is clear that profit sharing is also an important source of income among those in solo and small firms. Not surprisingly, stock options were almost exclusively reported by those in business, with a median value across the sample of $18,000.

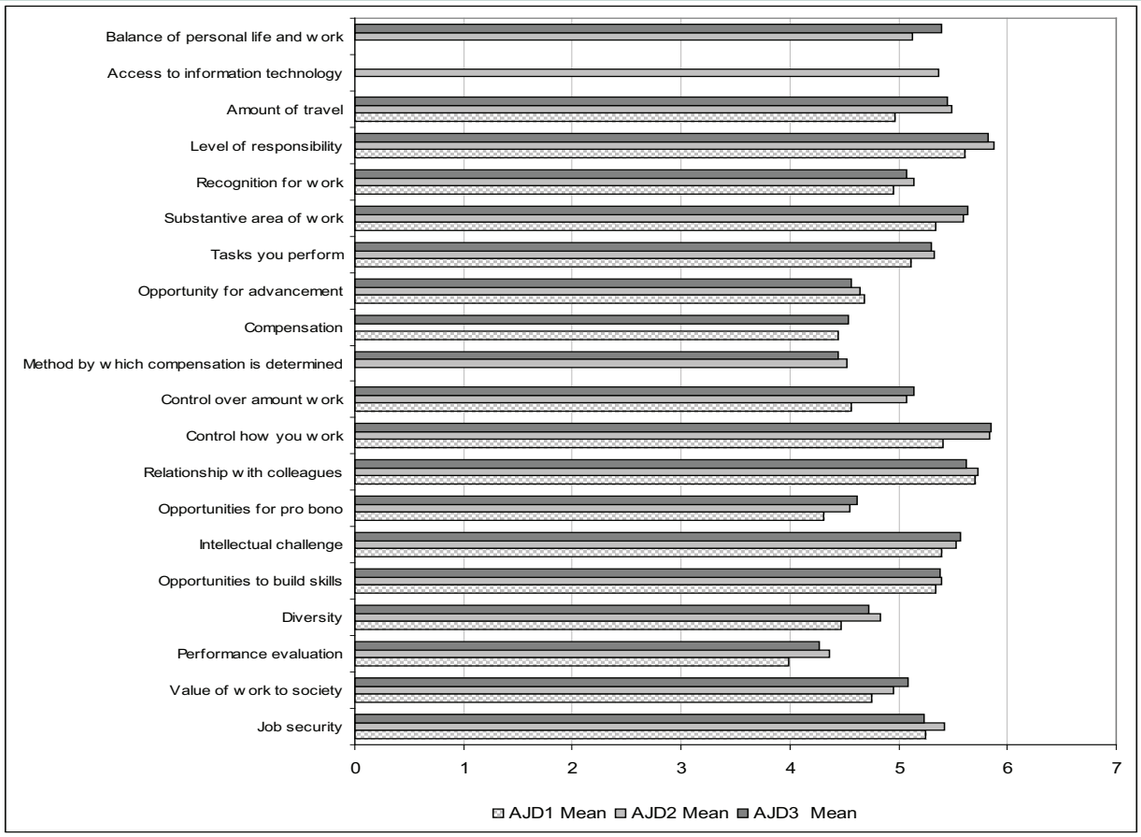
SECTION 6: Dimensions of Satisfaction

Satisfaction

By Bryant Garth and Ronit Dinovitzer

High levels of career satisfaction are consistent across lawyers' careers. The Wave 3 data show that, 12 years into their careers, most lawyers (76%) reported they were moderately or extremely satisfied with their decision to become a lawyer, a proportion virtually unchanged from prior waves of the survey. The more detailed measures of job satisfaction also largely indicate continuity with previous responses to the questionnaire, with relatively high levels of satisfaction (Table 6.1). On a scale of 1–7 (1 = *highly dissatisfied* and 7 = *highly satisfied*), not one item has a mean score below 4.27.

FIGURE 6.1. Detailed Measures of Job Satisfaction (Mean Scores)**(AJD1-3)**



Note: Scales range from 1 = *highly dissatisfied* through 7 = *highly satisfied*. Measures of access to information technology and balance of personal life were not available in AJD1. Measures of satisfaction with compensation are available only in AJD1 and AJD3. Measures of satisfaction with method by which compensation is determined are available only in AJD2 and 3.

As before, respondents tended to report the lowest levels of satisfaction with the performance-evaluation process and the highest levels of satisfaction are with intellectual challenge, relationships with colleagues, control over how they work, substantive area of work, and level of responsibility. As noted in the previous reports, respondents were relatively satisfied with the balance of personal life and work, which, at 5.4, was slightly higher than at Wave 2.

Two other questions concerned respondents' satisfaction with their law school education (questions not asked for Wave 1). The first asked whether law school was a "good career investment" and the second whether respondents "would have chosen to go to law school if they had to do it over again." Here the scale is 1–7, with 4 meaning *neither agreeing nor disagreeing* with the statement. The results indicate a relatively positive assessment of law school as a good career investment, with a mean score of 5.46, about the same as the 5.44 in Wave 2. The score for whether they would go to law school again is slightly down, from 5.05 to 4.85, perhaps a result of graduates reflecting on whether they would go to law school at the time of the survey in what they might perceive as a very different environment. The general story, however, is consistent with the first two waves: overall satisfaction with the law degree and the careers it facilitates.

TABLE 6.1. Detailed Measures of Job Satisfaction (AJD1-3)

	AJD1 Mean	AJD2 Mean	AJD3 Mean
Job security	5.24	5.42	5.23
Value of work to society	4.75	4.95	5.08
Performance evaluation	3.99	4.36	4.27
Diversity	4.47	4.83	4.72
Opportunities to build skills	5.34	5.39	5.38
Intellectual challenge	5.40	5.53	5.57
Opportunities for pro bono	4.31	4.55	4.62
Relationship with colleagues	5.70	5.73	5.62
Control how you work	5.41	5.83	5.85
Control over amount work	4.57	5.07	5.14
Compensation	4.44	—	4.54
Method by which compensation is determined	—	4.53	4.44
Opportunity for advancement	4.68	4.65	4.56
Tasks you perform	5.11	5.33	5.30
Substantive area of work	5.34	5.59	5.63
Recognition for work	4.95	5.14	5.07
Level of responsibility	5.61	5.88	5.82

TABLE 6.1. Detailed Measures of Job Satisfaction (AJD1-3) (continued)

	AJD1 Mean	AJD2 Mean	AJD3 Mean
Amount of travel	4.96	5.49	5.45
Access to information technology	n/a	5.37	n/a
Balance of personal life and work	n/a	5.13	5.40

NOTE: All dimensions of satisfaction are on a 7-point Likert scale (1-7) from highly dissatisfied to highly satisfied. Measures of access to information technology and balance of personal life were not available in AJD1. Measures of satisfaction with compensation are available only in AJD1 and AJD3. Measures of satisfaction with method by which compensation is determined are available only in AJD2 and 3.

TABLE 6.2. Percent of Moderate to High Satisfaction with Decision to Become a Lawyer across Waves 1, 2, and 3

Practice Settings	Wave 1 % moderate-high satisfaction	*N*	Wave 2 % moderate-high satisfaction	*N*	Wave 3 % moderate-high satisfaction	*N*
Solo practice	78.8	201	77.9	290	75.0	231
Firm, 2-20 lawyers	73.8	911	74.5	584	76.9	419
Firm, 21-100 lawyers	75.3	468	75.3	292	70.8	178
Firm, 101-250 lawyers	67.9	297	68.9	158	64.8	80
Firm, 251+ lawyers	76.7	736	77.7	403	80.4	192
Firm Size unknown	58.8	21	73.5	98	72.4	28
Government – federal	85.0	179	79.6	187	73.0	128
Government – state or local	80.2	403	78.8	349	78.5	288
Legal services/public defender	80.5	106	79.9	66	86.1	68
Public Interest	65.4	43	80.5	34	87.6	22
Nonprofit/ education	79.2	84	76.2	169	75.6	145
Business — practicing	82.2	176	82.5	351	83.0	293
Business — not practicing	69.3	157	64.3	252	63.4	171
Other	72.7	9	83.2	32	77.1	82
Total N	**75.9**	**3,791**	**76.2**	**3,265**	**76.1**	**2,325**

Note: Using national sample.

Settings and Satisfaction

The setting within which lawyers work appeared to gain more salience at this stage of their careers. Whereas in earlier waves, career satisfaction was fairly stable across settings, the Wave 3 data indicate somewhat more variance. Those most satisfied were working in the public sector: legal services/public defender and public interest. Among those working in private law firms, lawyers working in the largest private firms (> 250 lawyers) expressed relatively high levels of satisfaction while those in private firms of 101–250 lawyers expressed the lowest levels of career satisfaction. However, the lowest levels of career satisfaction across the sample were found among those working in business but not practicing law, with only 63.4% moderately or extremely satisfied with their decisions to become lawyers. This group also reported the lowest levels in Wave 2 of the survey, and it is worth noting that this category includes some who have been very successful and others who have had to opt for a less than ideal position in business because of the economic downturn or other circumstances.

The AJD survey asked respondents to rate their levels of satisfaction with a range of aspects of their jobs, which we distilled into four dimensions by using factor analysis. First is the "substance of the work," defined as satisfaction with the intellectual challenge of the work, the substantive area, the tasks performed, skill-building opportunities, level of responsibility, and the value of work to society. The second composite score, which we call the *power track*, reflects satisfaction with career opportunities within the work organization, including satisfaction with compensation and the method of compensation, opportunities for advancement, recognition received for the work, and performance evaluation. The third composite is satisfaction with the "job setting," which includes control over the amount of work and the work process, job security, work relationships, and work/life balance. Finally, the satisfaction with what we call the *social index* combines satisfaction with pro bono opportunities and the diversity of the workplace (Figure 6.2). The zero in the figure is the mean score of the AJD respondents, and the scores above and below reflect variations from that mean (which, as noted above, reflects the overall positive responses in all categories).

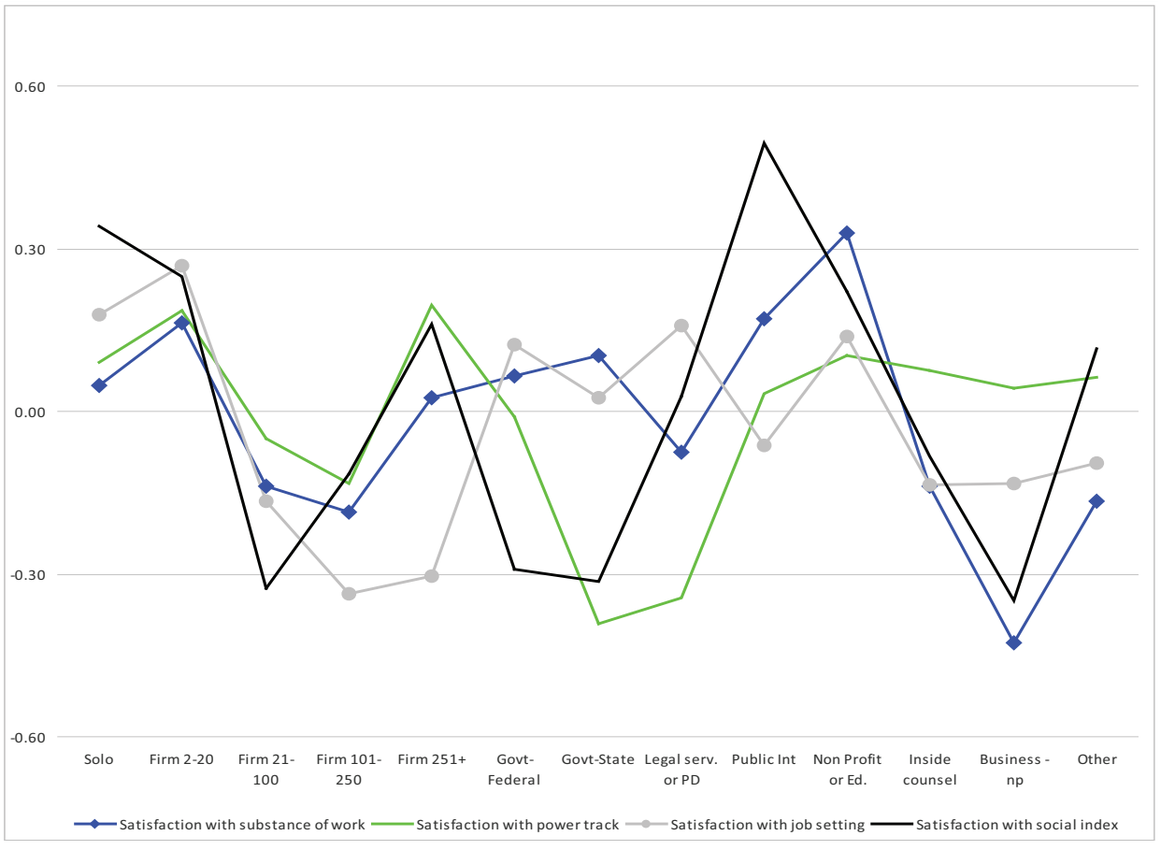
Reflecting the mixed composition of the category of those in business and not practicing law, the lowest relative satisfaction with the substance of the work is in that category while the highest satisfaction with job substance is in the nonprofit and education sectors. As in the previous reports, the lowest job setting satisfaction was expressed by respondents in the large law firms, led by firms of 101–250 lawyers, followed closely by respondents in the largest law firms. The extremely demanding setting of large firms thus appears to be reflected in the scores. On the other hand, the lucrative compensation and structure of advancement of the largest law firms is evidenced by the relatively high score on the power track among the largest firm lawyers, but we also find almost equally high satisfaction with the power track among those in firms of 2–20 lawyers. Relatively low scores on the power track, similar to our findings in the earlier waves, are found for those in legal services or public defender and state government. The compensation and possibilities for advancement translated to relative dissatisfaction on this dimension of practice for those respondents. Relatively high scores

on the social index are predictably found in the categories of public interest law, but also among solo and small firm lawyers in firms of 2–20 lawyers.

The interesting phenomenon in the third wave is the relatively high scores for solo practitioners and the small firm lawyers. As noted elsewhere in the report, the solo category raises particular issues: 50% of the solos in Wave 3 were not solos in Wave 2. For many, it is a transitional category after losing another position, and it includes a large proportion of women working part time.

However mixed the category, the Wave 3 solos and those working in small firms were generally relatively satisfied compared to their peers in other settings across all dimensions of satisfaction. As noted above, those in small firms had one of the highest scores on the power track, with solos indicating above average. Solos were more satisfied than the average with the substance of work, again with small firms even higher. The same is true for job setting, for which solos and small firm lawyers had the highest relative composite score, with both being high, and solos had the second highest score for the social index. The roughly 10 percent of lawyers in the solo firms and 18 percent in firms of 2–20 reported strong levels of relative satisfaction in Wave 3.

FIGURE 6.2. Dimensions of Satisfaction by Practice Setting (AJD3)



1. Satisfaction with substance of work –
   - Satisfaction with intellectual challenge
   - Satisfaction with substantive area
   - Satisfaction with tasks
   - Satisfaction with skill-building opportunities
   - Satisfaction with level of responsibility
   - Satisfaction with value of work to society

2. Power Track –
   - Satisfaction with compensation
   - Satisfaction with method by which compensation is determined
   - Satisfaction with opportunity for advancement
   - Satisfaction with recognition for work
   - Satisfaction with performance evaluation

3. Job setting satisfaction –
   - Satisfaction with work personal balance
   - Satisfaction with control over work amount
   - Satisfaction with control over work process
   - Satisfaction with job security
   - Satisfaction with work relationships

4. Social Index –
   - Satisfaction with pro bono opportunity
   - Satisfaction with diversity of workplace

SECTION 7: Mobility and Turnover

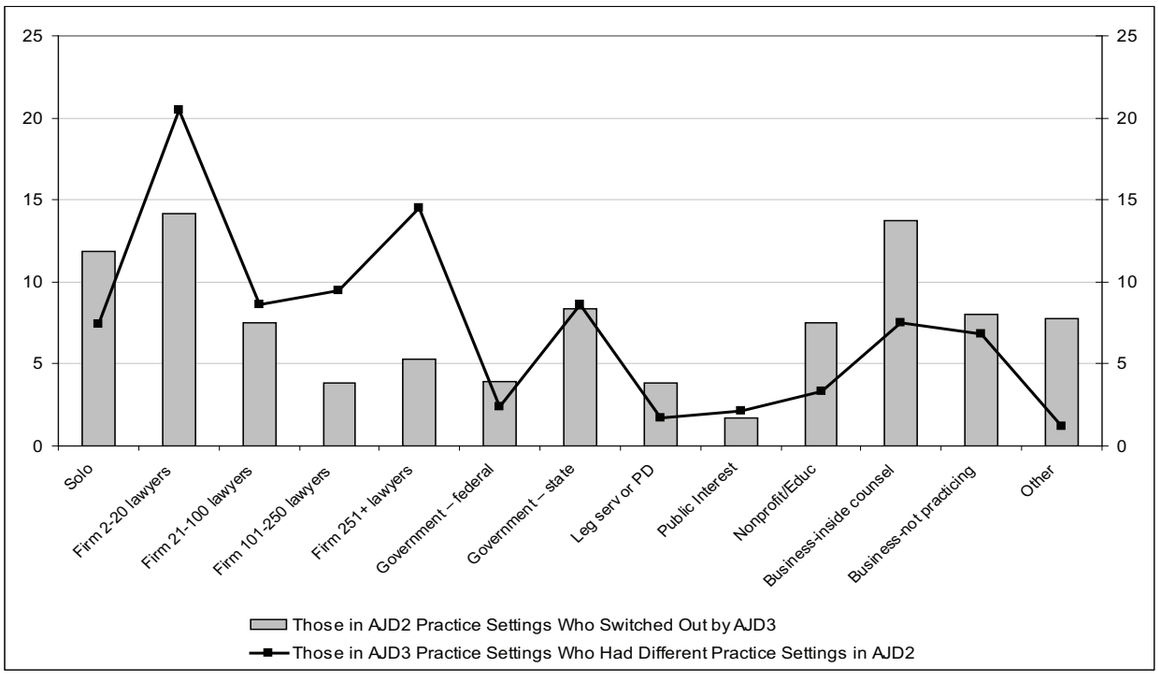
Mobility and Turnover

By Rebecca Sandefur and Robert L. Nelson

Mobility between Jobs and between Practice Settings

Among the most striking findings from the AJD surveys is these lawyers' frequent movement between jobs, organizations, and practice settings. In the first wave of the study, when lawyers were only 3 years out of law school, a third had already changed jobs at least once.

FIGURE 7.1. Percent of Respondents Switching Practice Settings between AJD2 and AJD3



Mobility between practice settings has slowed as these lawyers have entered mid-career. As Table 7.1 shows, across origins and destinations, about 7% of lawyers switched practice settings between the second and third waves of the study. By comparison, 52% of AJD lawyers made a similar move between 2003 and 2007 (AJD2: Table 7.1). Between 2007 and 2013, the practice settings that saw the most exits were inside counsel (13.7% of attorneys working in these settings in 2007 had moved to a different practice setting by 2013) and firms of 2–20 lawyers (14.2% of attorneys working in this setting in 2007 had moved to a different practice setting by 2013). The most common destinations for lawyers who switched practice settings between 2007 and

2013 were firms of 2–20 attorneys, where 20.6% of attorneys had worked in a different practice setting in Wave 2. In addition, in the largest firms, 14.6% of attorneys had worked in a different practice setting in Wave 2. By comparison, we see relatively little movement into work for the federal government, public interest organizations, or legal services and public defense.

TABLE 7.1. Percent of Respondents Switching Practice Settings between AJD2 and AJD3

	Those in AJD2 practice settings who switched by AJD3		Those in AJD3 practice settings who had different practice settings in AJD2	
	%	*N*	%	*N*
Solo	11.9	159	7.3	128
Firm of 2-20 lawyers	14.2	329	20.6	371
Firm of 21-100 lawyers	7.5	155	8.6	162
Firm of 101-250 lawyers	3.8	69	9.5	107
Firm of 251+ lawyers	5.3	156	14.6	218
Government - federal	3.9	98	2.5	89
Government - state or local	8.4	239	8.6	240
Legal services or public defender	3.7	54	1.6	40
Public interest	1.7	19	2.1	22
Nonprofit/education	7.5	122	3.4	94
Business - inside counsel	13.7	234	7.6	193
Business - not practicing	7.9	126	6.7	118
Other	7.8	80	1.3	58
Total Average	**7.16**	**1,840**	**7.15**	**1,840**

Note: Using national sample, Wave 2 respondents only.

The same picture of slowed mobility is seen again in lawyers' job changes and intentions to move. In Wave 2, 62% of lawyers had changed jobs at least once between 2003 and 2007. By contrast, as Table 7.1a shows, between 2007 and 2013, 36% of lawyers changed jobs at least once. Job changes were most common among solo practitioners, legal aid and public defense lawyers, and public interest attorneys. Changes were least common among lawyers in the largest firms and lawyers working in state and federal government. As mobility has declined, so have lawyers' expectations of future mobility. In the second wave of the survey, 32.5% of AJD lawyers intended to change jobs. In 2013, this intention was held by 23.9% of attorneys. Intentions to move were most common in public interest, followed by nonprofit/educational settings, then those working in the federal government. It was least common in the smallest private practice settings.

TABLE 7.1a. Percent of Prior and Intended Job Mobility by Practice Setting

	% Job change since AJD2	*N*	% Intend to change	*N*
Solo	49.6%	228	19.3%	222
Firm of 2-20 lawyers	28.6	412	17.1	381
Firm of 21-100 lawyers	32.1	177	23.8	178
Firm of 101 -250 lawyers	36.3	78	23.8	80
Firm of 251+ lawyers	22.3	189	21.7	194
Government -federal	26.2	127	29.6	147
Government – state or local	23.3	283	26.1	262
Legal services or public defender	45.5	66	27.5	71
Public interest	58.5	21	49.1	24
Nonprofit/education	40.9	142	29.4	142
Business – inside counsel	38.9	288	26.0	291
Business – not practicing	41.8	168	27.9	169
Other	84.5	106	22.8	104
Total	**36.0**	**2,293**	**23.9**	**2,265**

Note: Using national sample, Wave 2 respondents only.

Intentions to Move

As Table 7.3 indicates, where lawyers start out their careers has a powerful impact on where they are after twelve years. Analysis of the respondents who participated in both AJD1 and AJD3 suggests that some practice settings are more likely to retain lawyers than others. The practice settings in which lawyers were most likely to be found in both Waves 1 and 3 are solo practice (45% of lawyers working as solos in AJD1 were working as solos in AJD3), firms of 2-20 (42%), federal government (47%), state government (55%), pubic interest (44%) and nonprofit and educational settings (41%) and inside counsel (53%). Slightly more than a third (37%) of lawyers working in legal aid and public defense in 2003 were working in this practice setting in 2013. The practice settings in which lawyers were least likely to be found in both Wave 1 and Wave 3 were the larger private practice firms. For example, 19% of lawyers working in firms of 101-250 attorneys in 2003 were also working in this setting in 2013. Where lawyers start also influences where they can go later in their careers. For example, very few lawyers who start in solo or small firm practice move into larger private firms, however, some do move into state government positions. Lawyers are far more likely to gain a position as an inside counsel in business by mid-career if they started as inside counsel or worked in a larger private law firm (101-250, or 251+)

.

TABLE 7.2 Respondents' Practice Settings in AJD1 by Practice Settings in AJD3

	Law firms by size					Goverment		Public interest/nonprofit			Business			
AJD3 Setting	**Solo**	**2-20**	**21-100**	**101-250**	**251+**	**UK**	**Federal**	**State**	**LS/PD**	**PI**	**Nonprofit, ed., other**	**Inside counsel**	**Other**	**Row Total**
Solo	**45.1**	24.8	1.3	0.8	0.0	1.8	12.2	2.1	0.0	1.0	3.0	3.9	2.6	82
Firm of 2-20 lawyers	13.2	**42.4**	8.9	2.9	1.2	1.8	9.4	1.5	0.3	3.9	5.5	4.4	4.2	399
Firm of 21-100	6.5	19.0	**30.3**	8.7	5.8	0.3	3.4	0.3	0.3	5.5	10.4	6.0	1.1	208
Firm of 101-250	3.1	7.2	10.7	**19.4**	19.3	2.0	0.5	2.7	0.0	4.6	19.4	7.7	0.5	131
Firm of 251+	2.6	6.5	5.6	2.1	**31.0**	7.3	4.0	0.9	0.2	7.2	25.1	5.7	1.1	304
Government-federal	0.0	9.2	1.3	2.3	4.0	**46.8**	8.1	1.1	0.0	5.6	6.0	5.9	8.9	79
Government- state or local	6.2	11.3	1.5	0.7	2.0	4.9	**54.8**	2.3	0.9	5.5	3.4	3.4	3.1	228
Legal services or public defender	5.9	7.0	3.3	0.0	2.2	5.7	14.6	**37.4**	1.4	18.2	0.0	0.0	2.1	51
Public Interest	0.0	2.5	5.9	0.0	0.0	0.0	10.4	26.3	**43.8**	5.7	0.0	2.4	0.0	23
Nonprofit/education	5.9	3.0	0.0	0.0	0.0	3.0	15.6	2.0	2.0	**41.3**	6.0	7.5	13.8	37
Business-inside counsel	3.2	5.1	0.0	0.0	4.2	0.0	5.7	0.0	0.0	0.0	**53.3**	17.5	10.9	60
Business – not practicing	5.6	0.0	0.0	0.5	5.0	0.0	12.5	0.5	0.0	11.1	4.7	**47.0**	13.1	55
Other	0.0	0.0	0.0	0.0	0.0	0.0	27.1	0.0	0.0	36.5	0.0	0.0	**36.5**	6
Total *N*	**140.0**	**297.0**	**138.0**	**66.0**	**151.0**	**86.0**	**226.0**	**47.0**	**16.0**	**107.0**	**197.0**	**112.0**	**62.0**	**1664**

NOTE: Using national sample. Results show row percentages. Limited to respondents who responded both to Wave 1 and Wave 3. UK = private firm size unkown; LS = legal services; PD = public defender; PI = public interest; NP = not practicing. .

SECTION 8: Gender

Gender

By Joyce Sterling, Rebecca Sandefur, and Gabriele Plickert

Labor Force Participation

By Wave 3, considerable movement by both women and men lawyers in AJD had occurred. Contrary to hopes, if not expectations, the gap between the earnings of women and men continued and, in fact, had grown since Wave 2. Similarly, women's promotions trailed behind those of their male counterparts. Below we consider each of these trends.

Both women and men continued to exit the large (101–250 lawyers) and mega firms (> 250 lawyers). The movement out had begun in Wave 2 and apparently continued in Wave 3. Approximately a quarter of women and men began their careers in small private practice settings, and movement out of these positions also occurred. In comparison to large firm practices, the decline in the small firm practices was not as dramatic as in large firms. In fact, while almost two thirds of women and three quarters of men began in private practice in Wave 1, by Wave 3, less than 40% of women and 49% of men were working in private practice settings. If we are seeing a clear trend of movement out of private practice, where are the AJD lawyers moving to? We see some general increase of lawyers moving into federal government positions, but the increases are not dramatic. We see relatively small changes in other government positions, with women in state government increasing slightly and men in these same positions remaining at the same proportion as seen in both Waves 1 and 2.

TABLE 8.1. Distribution of Gender and Setting across Practice Settings (AJD1-3)

Practice Settings	Female AJD1	Female AJD2	Female AJD3	Male AJD1	Male AJD2	Male AJD3	% Growth (AJD2-3) F	% Growth (AJD2-3) M
	%	%	%	%	%	%		
Solo	4.2	9.0	10.4	6.2	10.1	9.7	+15.6	-3.9
Firm of 2-20 lawyers	23.7	17.1	15.9	26.3	18.8	20.2	-7.0	+7.4
Firm of 21-100 lawyers	11.8	7.0	7.6	12.9	9.2	7.7	+8.6	-16.3
Firm of 101-250 lawyers	7.1	5.2	3.1	6.9	4.2	3.8	-40.4	-9.5
Firm of 251+ lawyers	17.4	10.0	6.9	18.9	11.6	9.3	-31.0	-19.8
Firm size unknown	0.9	2.0	1.1	0.2	4.1	1.2	-45.0	-70.7
Government – federal	4.5	5.8	5.9	4.6	5.0	5.2	+1.7	+4.0
Government – state or local	14.1	13.3	13.7	10.1	10.8	11.1	+3.0	+2.8
Legal services or public defender	4.1	2.7	3.5	2.0	1.0	2.3	+29.6	+129.9
Public Interest	1.8	2.0	1.2	0.4	0.5	0.8	-40.0	+60.0
Nonprofit or education and other	3.0	6.7	8.2	1.4	4.0	4.4	+22.4	+10.0
Business—inside counsel	4.0	11.0	13.6	4.4	11.0	11.5	+23.6	+4.5
Business—not practicing	3.1	7.5	6.1	5.2	8.2	8.6	-18.7	+4.9
Other	0.3	0.7	2.9	0.3	1.3	4.1	+314.3	+215.4
TOTAL %	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**		
TOTAL N	1,645	1,470	**1,104**	1,992	1,814	**1,167**		

Note: Using national sample.

The greatest influx of both women and men was in the business sector. However, much of this increase in the business sector (among those practicing law in their positions) had already occurred by Wave 2. Over the course of the three waves, we have seen a steady increase of lawyers indicating they had moved into business positions but were NOT practicing law (6% of women and almost 9% of men). We will attempt to determine more about these individuals in the next subsection.

Clearly, mobility continues among sectors after 12 years of practice. Certainly, the movement from large and mega firms was evident by considering the mobility between Waves 2 and 3. We find that more than one third of women and men who had been working in large firms during Wave 2 had moved to another practice setting. In contrast, we see lower movement rates for women and men who had been in mega firm private practice settings in Wave 2 and had moved on by Wave 3 (17% of women and 27% of men). Interestingly, we also find that a significant percentage of both women and men who had worked in solo practice during Wave 2 had moved to a different sector by Wave 3.

Promotion to Partnership

Certainly, some of the mobility observed by Wave 3 reflects partnership decisions that should have occurred between the second and third waves. In fact, we see that men were more likely to have been promoted to partner and were more likely to have become equity partners than women at the same stage. The women were more likely to be found in non-equity partnerships. Concerning those lawyers in the business sector by Wave 3, most of the respondents who moved to the business sector by Wave 2 had not moved out of this sector at Wave 3. However, there was significant movement into business between Wave 2 and Wave 3 (in terms of those indicating they were practicing law in their positions in business). Most of these individuals were probably serving as in-house counsel to corporations (both large and small). The other large movement observed included both women and men who left other practice sectors and moved to business (not practicing law). The median income for women and men reveals one of the largest gaps of any practice sector. Over the course of the 12 years of their careers, more lawyers moved into positions that did not include the practice of law.

TABLE 8.2. Percentages of Respondents Switching Practice Settings between AJD2 and AJD3

	Females in AJD2 practice settings who switched by AJD3	Females in AJD3 practice settings who had different practice settings in AJD2	Males in AJD2 practice settings who switched by AJD3	Males in AJD3 practice settings who had different practice settings in AJD2
Solo	14.2	7.1	10.0	7.6
Firm of 2-20 lawyers	9.8	19.5	18.0	20.9
Firm of 21-100 lawyers	7.2	7.2	7.7	10.0
Firm of 101-250 lawyers	3.5	10.0	4.0	8.9
Firm of 251+ lawyers	3.4	13.9	7.0	15.5
Government – Federal	3.0	3.3	4.7	1.7
Government – State	9.0	8.4	7.8	8.9
Legal services or public defender	3.5	2.3	4.0	1.0
Public interest	2.2	4.1	1.3	0.4
Nonprofit/education	11.0	3.5	4.2	3.3
Business—inside counsel	13.8	6.0	13.5	9.1
Business—not practicing	8.1	9.3	7.9	4.3
Other	7.7	1.3	7.8	1.2
Overall	**7.4%**		**7.5%**	
TOTAL *N*	**859**		**962**	

Note: Using national sample. Only includes respondents who responded both to Wave 2 and Wave 3.

TABLE 8.3. Median Income by Setting and Gender (AJD3)

	Full-Time Only				Everyone			
	Women	**N**	**Men**	**N**	**Women**	**N**	**Men**	**N**
Solo	$65,000	86	$60,000	101	$60,000	116	$60,000	115
Firm of 2-20 lawyers	95,000	146	120,500	236	87,000	178	120,000	238
Firm of 21-100 lawyers	135,000	66	165,000	91	131,000	86	165,000	91
Firm of 101-250 lawyers	170,000	24	193,000	45	160,000	35	193,000	45
Firm of 251+ lawyers	191,000	60	290,000	109	191,000	77	290,000	111
Firm size unknown	85,000	8	115,000	13	170,000	12	115,000	14
Government – federal	124,000	62	129,000	61	122,744	66	129,000	62
Government – state	80,000	150	82,000	131	78,000	153	82,000	132
Legal services or public defender	76,500	34	79,000	27	75,000	40	79,000	27
Public interest	90,000	9	70,000	9	85,000	13	70,000	9
Nonprofit/education	90,000	69	100,000	49	78,000	91	90,000	52
Business— inside counsel	180,000	135	210,000	137	175,000	152	210,000	137
Business—not practicing	100,000	52	145,000	101	95,000	68	134,000	102
Other	105,000	31	122,000	44	105,000	33	110,000	48
TOTAL	**106,000**	**932**	**132,000**	**1,154**	**100,000**	**1,119**	**130,000**	**1,183**

Note: Using national sample. Income includes salary, bonus, and profit sharing.

Earning Disparity

What has happened with the gap in income? After only 2 to 3 years of practice, women and men had a 5% gap in income. By Wave 2, after 7 years, that gap had increased to 15%, and now after 12 years of practice, the overall gap is 20%. As expected, the largest firms showed the greatest gap between women's and men's incomes. Concerning only public sector positions, the gap narrows considerably: Women in the public sector made between 96% and 98% of men's incomes for comparable positions. Does the gap in income reflect a lower investment by women in building their human or social capital? While the gap in pay has grown among those still in private practice, men worked only approximately 5 hours more than women per week. In contrast, when we consider networking activities of women and men, we find a very small difference between the hours indicated for men and those for women. Probably the most interesting change over the three waves, when considering the building of social capital, is that, in the first wave, women were more likely to devote time to organizational committees. However, by Wave 3, men greatly exceeded women in the number of hours devoted to these activities. While we asked questions about participation in a number of types of activities (including breakfast or lunch with partners, recreational time with

partners, writing articles or presenting to groups, and bar activities), men were much more likely to indicate they participated in such activities, clearly more than the women respondents. We might want to dig more to determine whether the women who had dropped their social capital activities had become parents and whether they bore more responsibility than their spouses for child care. Prior research indicated that, even if women invest exactly the same effort in work and in building their social and human capital, law firms still tend to devalue their performance and pay lower compensation.

Marriage and Family

Almost three quarters of women and 80% of men were married or remarried by Wave 3. A few more women (35%) than men (28%) did not have children. In addition, if men did have children, they were more likely to have two or more children. There is sufficient evidence to conclude that children do influence the professional lives of women. Women were significantly more likely to indicate they are part time (15%) or not currently working (9%) to care for children. For men, the same phenomena rarely occur (96% of men were working full time). One thing worth noting is that, between Waves 2 and 3, fewer women reported they had altered their professional lives because of children. Perhaps they had begun to enter the family lifecycle in which children were beginning to go to school.

TABLE 8.4. Marriage and Children among AJD3 Respondents

	Female %	Male %	Total *N*	Total %
Marital Status				
Never married	10.1	8.3	228	9.5
Married, first time	61.2	70.4	1,582	66.0
Remarried	11.1	10.1	256	10.6
Domestic partnership	4.3	1.9	74	3.1
Divorced or separated	9.9	6.4	196	8.2
Widowed	0.6	0.0	7	0.3
Other	2.2	2.9	63	2.6
TOTAL %	**100.0**	**100.0**		**100.0**
TOTAL *N*	**1,212**	**1,194**	**2,406**	
Number of Children				
None	35.0	27.8	728	31.4
One	19.1	13.5	379	16.4
Two or more	46.0	58.7	1,213	52.3
TOTAL %	**100.0**	**100.0**		**100.0**
TOTAL N	**1,164**	**1,155**	**2,320**	

Note: Using national sample.

Satisfaction

Are women more or less satisfied with their legal careers than men in comparable circumstances? We need to consider whether these lawyers were employed in the private or public sectors. Considering private practice work first, women who chose either solo or small firm settings were more satisfied than men. However, men were more satisfied if they were working in medium-sized and large law firms, but women's satisfaction exceeded men when they were working in the mega law firms. For government positions, men were more satisfied than women. In contrast, women were more satisfied than men when they were employed in legal services or public defender, public interest, or nonprofit and education settings. Concerning the business sector, we find no difference in satisfaction levels when respondents were working in in-house positions. However, focusing on business positions in which the respondents were not practicing law, we find that both women and men had much lower satisfaction levels. Finally, another way to measure satisfaction is to consider when lawyers indicated they intended to look for another job. We assume those already looking for a new job were the most dissatisfied and those indicating they intended to stay for more than 5 years were the most satisfied. We discover that women were more likely than men to already be looking for another job. Women looking for other positions were most often in large firms or state or local government positions. Among men, those in solo practice, public interest law, and working for the federal government were most likely to be looking for other jobs. We also investigated which respondents indicated they intended to stay with their current employers for more than 5 years, indicating their satisfaction with their present positions. Women in solo firms or small firms indicated they did not intend to move for more than 5 years. For men, there was a broader range of positions in which they appeared to be satisfied, including large, medium-sized, and small firms.

TABLE 8.5. Percentage of High to Moderate Satisfaction with the Decision to Become a Lawyer (AJD3)

	Women extremely to moderately satisfied%		**Men** extremely to moderately satisfied%		**Total** extremely to moderately satisfied%	
	%	**N**	**%**	**N**	**%**	**N**
Solo	79.5	116	71.0	114	75.2	230
Firm of 2-20 lawyers	77.5	178	76.1	238	76.7	416
Firm of 21-100 lawyers	70.2	86	71.6	91	70.9	177
Firm of 101-250 lawyers	52.7	35	74.1	45	64.8	80
Firm of 251+ lawyers	83.6	76	79.3	111	81.0	187
Firm size unknown	56.2	12	83.3	14	70.5	26
Government – federal	71.4	65	74.1	62	72.7	127
Government – state	75.6	153	81.4	132	78.3	285
Legal Services or public defender	87.1	40	84.3	27	85.9	67
Public Interest	94.8	13	77.6	9	87.6	22
Nonprofit or education and other	77.6	91	71.6	52	75.4	144
Business—inside counsel	83.6	152	83.5	137	83.6	288
Business—not practicing	61.5	68	65.5	102	63.9	170
Other	70.3	33	82.2	48	77.3	81
TOTAL	**76.1**	**1,118**	**76.2**	**1,182**	**76.2**	**2,301**

Note: Using national sample.

SECTION 9: Race and Ethnicity

Race and Ethnicity

By Ronit Dinovitzer, David Wilkins and Robert L. Nelson

Practice Settings

Private Law Firm Practice: While the movement of lawyers out of the private sector that began in Wave 2 of the study has continued, there are distinct patterns by racial/ethnic identity. In Wave 1, Black respondents had the smallest share of lawyers in law firms, and after the numbers leveled off at Wave 2, at Wave 3, they again had the lowest share of lawyers in private firms, with just over one third of Black lawyers working in this sector. The proportion of Hispanic lawyers in private firms in Wave 3 declined only marginally compared to Wave 2, such that their representation in this sector comes closest to approximating the representation of Whites in this sector (45.6% for Hispanics and 50.2% for Whites). The largest decline in private law firm practice was experienced by Asian lawyers. While almost half of Asian lawyers worked in law firms at Wave 2, only 38.4% remained in this sector at Wave 3.

When we examine the distribution of lawyers in private practice by firm size, the patterns again vary by racial/ethnic status, indicating that experiences and circumstances in each law firm setting varied considerably. For Black lawyers, the greatest declines came in small and large firms while Hispanic lawyers experienced a different pattern: They showed modest declines in small practice settings and more substantial declines in medium-sized to large firms. Asian lawyers experienced the most dramatic decline in this sector. While their numbers grew in solo practice, they declined in small and large but not mid-sized firms and most dramatically among those who had been working in large law firms of more than 100 lawyers at Wave 2.

Government and Public Sector: While working in a law firm became less common for AJD3 lawyers, working in government became more common. At the very start of their careers, Black lawyers were over-represented in government and public sector positions, and while there was some change at Wave 2, by Wave 3, Black lawyers were again over-represented in this sector (42%). In fact, Black lawyers were more likely than any other racial/ethnic group to be working in this sector. Hispanic lawyers were also well represented in this sector, with just over one third working in this sector. What could not be predicted by previous waves was the dramatic movement of Asian lawyers out of private firms and into government and public sector jobs (and business). Although, in Wave 2, less than one quarter of Asian lawyers worked in the public sector (similar to the proportion of Whites in that sector), at Wave 3, the proportion climbed to 31.4% (in contrast to 26.6% for Whites). It is not surprising that most lawyers in this sector worked in government, as the larger employer, rather than other public sector jobs.

Business: The growth in the business sector (encompassing positions practicing law as well as not practicing law) that we witnessed at Wave 2 continued for all racial/ethnic groups. Across the sample, Asian (27.5%) lawyers are most likely to be working in business, with Hispanics least likely to be working in this sector (15.3%). As a general

matter, growth in this sector related to positions in business practicing law for members of all racial/ethnic groups. In fact, there was an absolute decline in positions in business not practicing law for all groups.

Job Mobility: The data show that non-Whites were more likely to have experienced job mobility in the private sector than were White respondents, but for some of these groups, mobility was a more common experience. For example, almost 67 percent of Black respondents in AJD3 who were currently working in the private sector reported they worked in a different setting in AJD2; approximately the same proportion of Hispanics and Asians reported similar mobility. In the public sector, Black respondents were more likely than any other group to have moved from a public sector setting between Waves 2 and 3 (45%). The percentage working in business at Wave 3 ranges from 27.5% for Asian lawyers to 15.3% for Hispanic lawyers. Concerning lawyers working in the business setting at Wave 3, more had already located in business by Wave 2. In fact, White lawyers were the most likely to have been in another practice setting at Wave 2 before moving to business by Wave 3. The outliers are Asian and White respondents, with 20% and 22%, respectively, reporting they moved out of this sector between Waves 2 and 3 of the study.

TABLE 9.1. Practice Setting by Race/Ethnicity across AJD Waves in Percentages (1-3)

	Black			Hispanic			Asian			White		
Practice Settings	**ADJ1**	**ADJ2**	**ADJ3**	**ADJ1**	**ADJ2**	**ADJ3**	**ADJ1**	**ADJ2**	**ADJ3**	**ADJ1**	**ADJ2**	**ADJ3**
Solo	9.5	15.5	**11.6**	7.7	8.7	**11.6**	5.3	6.2	**8.0**	5.0	9.6	**9.9**
Firm of 2-20 lawyers	15.8	9.1	**6.7**	21.9	14.6	**18.6**	17.2	12.8	**10.2**	26.2	19.5	**19.4**
Firm of 21-100 lawyers	11.6	7.6	**7.6**	13.4	3.9	**4.1**	11.0	8.0	**8.9**	12.7	8.5	**7.8**
Firm of 101+ lawyers	20.2	10.0	**7.9**	20.2	11.3	**11.3**	29.0	17.7	**9.4**	25.6	16.1	**12.1**
Firm size unknown	0.2	7.2	**1.7**	0.7	8.0	**0.4**	0.7	4.9	**1.9**	0.5	3.1	**0.9**
Government	26.4	21.2	**28.4**	18.3	19.9	**24.9**	14.5	16.1	**18.3**	15.9	15.8	**16.7**
Nongovernmental public sector	8.2	11.0	**13.3**	7.4	14.8	**11.1**	8.0	7.3	**13.1**	5.4	7.4	**9.9**
Business—inside counsel	3.8	9.1	**14.8**	5.3	11.3	**11.2**	8.2	15.7	**20.7**	4.3	10.8	**12.1**
Business—not practicing	3.8	8.0	**4.7**	3.1	7.4	**4.1**	6.3	10.5	**6.8**	4.2	8.1	**7.8**
Other	0.5	1.4	**3.4**	1.9	—	**2.8**	—	0.9	**2.8**	0.3	1.2	**3.5**
Total	100.0	100.0	**100.0**	100.0	100.0	**100.0**	100.0	100.0	**100.0**	100.0	100.0	**100.0**
N	380	399	**169**	347	410	**106**	387	404	**160**	2,967	2,693	**2,107**

Note: Using joint national/minority sample selection. Practice setting categories are combined because of small numbers. For race/ethnicity "Native American" and "Other" are excluded because of small numbers.

TABLE 9.1a. Practice Setting by Race and Percent Changes between AJD2 and AJD3

Practice Settings	Black % Growth	Hispanic % Growth	Asian % Growth	White % Growth
Solo	-25.2	+33.3	+29.0	+3.1
Firm of 2-20 lawyers	-26.4	+27.4	-20.3	-0.5
Firm of 21-100 lawyers	0.0	+5.1	+11.3	-8.2
Firm of 101+ lawyers	-21.0	0.0	-46.9	-24.8
Government	+34.0	+25.1	+13.7	+5.7
Nongovernmental public sector	+20.9	-25.0	+79.5	+33.8
Business—inside counsel	+62.6	-0.9	+31.8	+12.0
Business—not practicing	-41.3	-44.6	-35.2	-3.7
Other	+142.9	0.0	+211.1	+191.7

Note: Using joint national/minority sample selection. Practice setting categories are combined because of small numbers. For race/ethnicity, "Native American" and "Other" are excluded because of small numbers.

TABLE 9.2. Percentage of Respondents Switching Practice Sectors between AJD2 and AJD3 by Race/Ethnicity

Practice Setting	Black		Hispanic		Asian		White	
	In AJD2 practice setting who switched by AJD3	In AJD3 practice setting who had different practice settings in AJD2	In AJD2 practice setting who switched by AJD3	In AJD3 practice setting who had different practice settings in AJD2	In AJD2 practice setting who switched by AJD3	In AJD3 practice setting who had different practice settings in AJD2	In AJD2 practice setting who switched by AJD3	In AJD3 practice setting who had different practice settings in AJD2
Private	36.2	67.3	46.9	63.5	53.2	68.1	48.0	66.8
Public	45.1	22.2	31.6	29.9	22.1	22.3	23.1	16.6
Business	11.1	8.3	14.1	6.6	20.0	9.6	22.0	15.3
Other	7.6	2.2	7.4	–	4.6	–	6.9	1.3
Overall Total	**42.5**		**39.9**		**32.8**		**35.9**	
TOTAL *N*	**156**		**159**		**191**		**1,465**	

Note: Using joint national/minority sample selection and Wave 2 respondents only.

Salary

In the 5 years since Wave 2, lawyers in every racial/ethnic group experienced an increase in salary, with some variation of note. Asians and Blacks experienced the smallest growth in salary (about 14.81% and 15.5%, respectively) while Hispanics experienced the largest growth (32%). It should also be noted that, at the top end (the 75th percentile), Asians reported the highest salaries and Blacks the lowest.

Examining salary by practice settings and racial/ethnic identity reveals a constrained range of variability, some of which is likely the result of geographic location. For example, there is a remarkable consistency in the salaries of lawyers in the larger law firms of more than 100 lawyers for all groups except for Hispanics, who reported the lowest earnings in this setting. On the other hand, Hispanics reported the highest median salary in solo practice. Respondents working in business practicing law reported median earnings of just over $200,000, irrespective of racial/ethnic group, with White respondents reporting the lowest earnings in this setting. Among those in business but not practicing law, Hispanic lawyers reported the highest median earnings, but here the numbers are low and must be interpreted with caution.

TABLE 9.3 Median Income by Practice Setting and Race/Ethnicity (full-time workers only) (AJD3)

Practice Settings	Black		Hispanic		Asian		White	
	Median	N	Median	N	Median	N	Median	N
Solo	70,000	17	80,000	10	75,000	11	65,000	171
Firm of 2-20 lawyers	98,000	11	100,000	19	123,000	14	111,000	373
Firm of 21-100 lawyers	125,000	12	139,000	4	123,000	12	162,500	144
Firm of 101+ lawyers	224,500	12	195,000	12	225,000	14	225,000	228
Firm size unknown	85,000	3	176,500	1	240,000	3	115,000	14
Government – federal	131,000	12	125,000	14	134,000	8	124,000	101
Government – state	76,000	36	80,000	13	100,000	19	80,000	245
Non-governmental public sector	80,000	21	77,000	9	103,000	19	82,000	173
Business—inside counsel	210,000	25	225,000	11	220,000	32	200,700	240
Business—not practicing	126,167	7	230,000	4	112,000	10	122,000	143
Other	200,000	5	92,000	3	103,000	4	116,000	67
Overall Weighted Total	112,000	**161**	130,000	**99**	124,000	**146**	120,600	1,901

Note: Using joint national/minority sample selection. Practice setting categories are collapsed and exclude "Native American" and "Other" because of small numbers. Income includes salary, bonus, and profit sharing.

TABLE 9.4. Income (Salary + Bonus) by Race/Ethnicity and Wave (full-time workers only) (AJD2-3)

Race/ethnic group	Wave 2			Wave 3		
	Median	25th percentile	75th percentile	Median	25th percentile	75th percentile
Black	97,000	69,500	130,000	112,000	72,000	175,000
Hispanic	98,500	70,000	140,000	130,000	85,000	190,000
Asian	108,000	72,000	160,000	124,000	93,000	200,000
White	98,800	70,000	147,500	120,600	80,000	192,000
OVERALL	**99,500**	**70,000**	**147,000**	**120,600**	**80,000**	**192,000**
TOTAL N		**2,924**			**2,308**	

Note: Using Joint National/Minority Sample Selection. Practice setting categories are collapsed and exclude "Native American" and "Other" because of small N's. Income includes salary, bonus, and profit sharing.

Satisfaction

While levels of career satisfaction were consistently high, Hispanic respondents reported the highest levels of satisfaction, followed by Black respondents. The lowest levels of satisfaction were reported by Asian respondents, but with 70% reporting that they were moderately to extremely satisfied with their decision to become a lawyer, we can conclude a consistently high level of career satisfaction among AJD lawyers.

The AJD survey also asked respondents how long they intended to stay with their current employers. Responses indicated a great deal of variation both by racial/ethnic identity and by practice setting. It is important to recall mobility intentions are not a straightforward indicator of dissatisfaction: One might be satisfied with the decision to become a lawyer but not with the pay in one's job, for example. Overall, Black lawyers reported the highest rates of mobility intentions. Indeed, Black lawyers working in business not practicing law reported the highest mobility intentions of all groups across all settings, but they also reported high rates in non-governmental public settings and the medium-sized private law firms. Hispanic respondents reported some of the lowest mobility intentions, again with those most likely to be considering a move working in business not practicing law. However, about half of the Hispanics in business practicing law were also considering leaving their positions. The nongovernmental public sector was the setting in which Asians were most likely to be considering a job change, followed by the federal government sector.

As described earlier, there are multiple dimensions to job satisfaction, and satisfaction varies a great deal across these dimensions. For example, Hispanic respondents were generally satisfied relative to their peers across all dimensions, but they were particularly satisfied with the social index of their work. On the other hand, Asian respondents reported below-average levels of satisfactions across all factors, except for the power track, and they were least satisfied with the social index. Black respondents

reported lower than average levels of satisfaction on every dimension, reporting the lowest levels of satisfaction with the social index as well as the power track.

TABLE 9.5. Likelihood of Leaving Employer within Two Years (AJD3)

Practice Settings	Black		Hispanic		Asian		White	
	%	N	%	N	%	N	%	N
Solo	19.8	20	33.4	11	21.1	14	21.2	199
Firm of 2-20 lawyers	16.7	11	5.5	19	17.4	16	17.4	406
Firm of 21-100 lawyers	49.6	13	8.9	4	23.3	14	23.3	161
Firm of 101+ lawyers	30.0	13	25.3	12	20.5	15	20.5	254
Firm size unknown	20.1	3	0.0	0	34.6	3	34.6	19
Government—Federal	34.7	12	14.4	14	27.5	9	27.5	104
Government—State	41.5	36	25.5	12	25.9	20	25.9	248
Non-governmental public sector	62.3	22	36.5	12	28.4	21	28.4	207
Business—inside counsel	23.3	25	49.6	12	24.8	33	24.8	255
Business—not practicing	65.7	8	59.4	4	21.7	10	21.7	162
Other	36.8	6	47.6	3	22.7	4	22.7	73
TOTAL %	**37.2**	**168**	**26.4**	**104**	**22.8**	**160**	**22.8**	**2088**

Note: Using joint national/minority sample selection. Practice setting categories are collapsed and exclude "Native American" and "Other" because of small numbers.

SECTION 10:

Financing Legal Education — The View from Twelve Years Out of Law School

Financing Legal Education — The View Twelve Years Out of Law School

By Rebecca Sandefur, Bryant G. Garth, and Joyce Sterling

Educational debt has been a focus of much discussion among legal commentators. Analyses of the impact of educational debt on the careers and other experiences of AJD respondents[3] indicated that debt remaining at Wave 2, 7 to 9 years out of law school, had very little impact on whether individuals were satisfied with their decisions to become lawyers and whether they believed their investment in a legal education was worthwhile. There were some moderate effects on whether individuals were able to buy a house, but the overall theme was that the debt had been managed. As the title of the article produced by AJD researchers indicated, there was very little evidence of "buyer's remorse"—unhappiness with the investment in law school—caused by too much debt and not enough income. Unfortunately, because of our focus in Wave 3 on the impact of the recession and the fact that debt recedes in importance over time for most lawyers, the Wave 3 survey did not ask respondents about the continuing impact of educational debt. Our discussion thus focuses on the basic metrics of student loan debt repayment.

The results from Wave 3 indicate that AJD respondents were continuing to pay down their debt, with a substantial increase in those who had zero debt. For the sample as a whole, the percentage with zero debt increased over the three waves from 16.3% at Wave 1 to 36.1% at Wave 2 to almost half (47.4%) at Wave 3. The percentage with more than $100,000 remaining had declined from 21.3% to 8.2% to 5.4% for the three waves, respectively. The ethnic variations are notable, however, especially for Hispanic and Black law graduates (Table 10.1), although the number of respondents without the oversample is relatively small. For example, Hispanic and Black respondents were least likely to report zero educational debt at Wave 3: Only 23.3% of Blacks reported zero debt compared with 30.4% of Hispanics, 60.1% of Asians, and 48% of Whites. Even more notable and troubling is that the percent with over $100,000 still owed was 15.5% among the Hispanic graduates (the only increase from Wave 2 to Wave 3), and the median for that group had grown from $60,000 to $75,000 from Wave 2 to Wave 3 (again the only group with an increase in the median over that time). As noted previously, a relative lack of family resources accounts for some of the difference in ability of disadvantaged minorities to pay debt The numbers are small, but the pattern indicates that education

[3] *After the JD: Second Results from a National Study of Legal Careers* (2009); Ronit Dinovitzer, Bryant G. Garth, and Joyce Sterling, "Buyers' Remorse? An Empirical Assessment of the Desirability of a Lawyer Career," p. 63, *Journal of Legal Education* (2013).

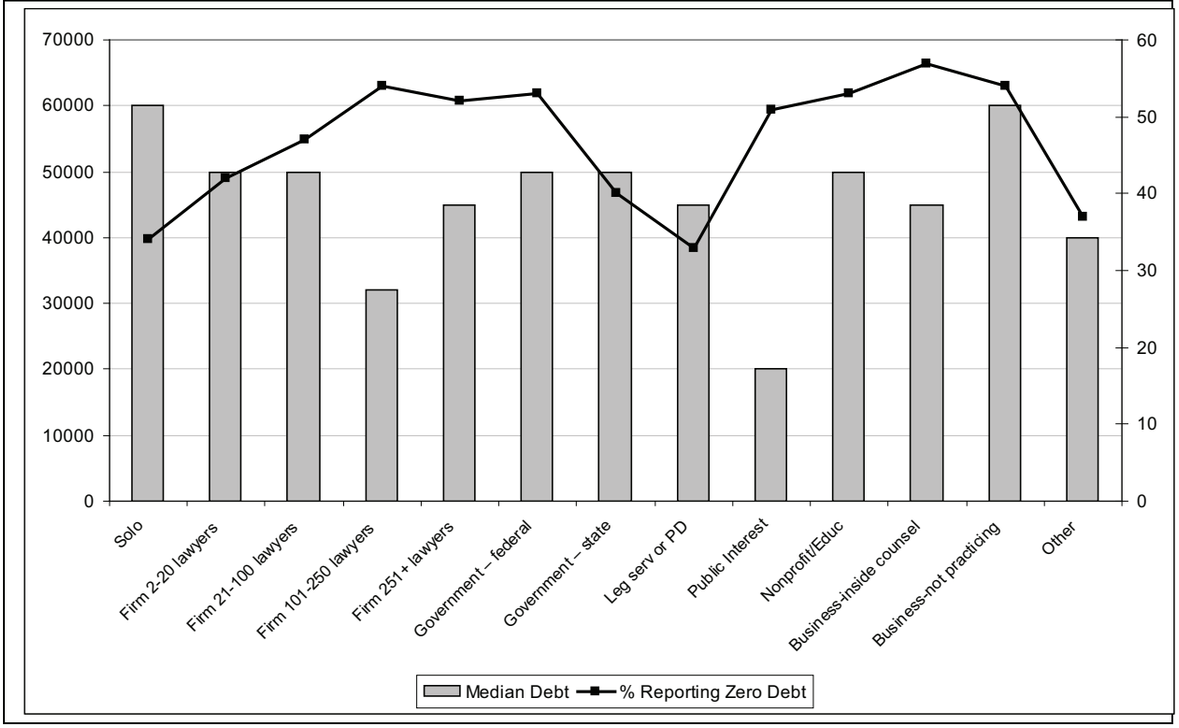
debt disproportionately burdens Black (evident especially at Wave 2) and Hispanic lawyers (evident, in our sample, especially at Wave 3).

TABLE 10.1. Median Educational Debt Remaining by Gender and Race/Ethnicity (AJD1-3)

	Median				% Zero			% > 100K		
	Wave 1	**Wave 2**	**Wave 3**	**N**	**Wave 1**	**Wave 2**	**Wave 3**	**Wave 1**	**Wave 2**	**Wave 3**
Women	$70,000	$54,000	$50,000	592	15.8	36.4	46.4	20.3	8.0	6.0
Men	$70,000	50,000	50,000	583	16.2	36.0	47.6	20.3	8.4	4.5
Total	**3,035**	**2,085**	**1,175**	**1,175**	**16.0**	**36.2**	**47.0**	**20.3**	**8.2**	**5.3**
Black	72,000	60,000	57,000	77	4.5	17.0	23.3	20.9	15.1	7.3
Hispanic	73,000	60,000	75,000	47	6.0	28.9	30.4	23.8	10.5	15.5
Asian	60,000	47,000	37,000	70	19.9	46.8	60.1	18.5	6.9	2.0
White	70,000	50,000	50,000	925	17.3	37.0	48.4	21.3	7.7	5.2
Total	**2,898**	**2,463**	**1,119**	**1,119**	**16.3**	**36.1**	**47.4**	**21.3**	**8.2**	**5.4**

Note: Using national sample. The median excludes individuals who reported zero debt. Numbers by race exclude Native Americans and "Other" race because of low numbers.

FIGURE 10.1. Median Debt (for Those Reporting Any Debt) and Percent Reporting Zero Debt by Practice Setting (AJD3)



On the other hand, we find much less variation in the percentage with zero debt by practice settings than would be indicated by popular assumptions (Figure 10.1; Table 10.2). Consistent with impressionistic accounts, those most likely to have completely paid down their debt were working in law firms with over 100 and over 250 lawyers. However, other groups of lawyers most likely to have paid down their debts included those working in public interest, nonprofit and education, business (whether practicing law or not), and federal government agencies. Those least likely to have paid down their debt completely were working in solo practice, state government, and legal services or public defender settings.

TABLE 10.2. Median Debt and Percent Reporting Zero Debt by Practice Setting (AJD3)

Practice Setting	Median	*N*	% Zero
Solo	$60,000	139	33.9
Firms of 2-20 lawyers	50,000	202	42.2
Firms of 21-100 lawyers	50,000	91	47.4
Firms of 101-250 lawyers	32,000	36	53.9
Firms of 251+ lawyers	45,000	84	51.5
Government – federal	50,000	67	52.9
Government – state	50,000	153	39.6
Legal services or public defender	45,000	49	33.3
Public Interest	20,000	10	51.2
Nonprofit or education and other	50,000	59	53.2
Business—practicing	45,000	116	57.1
Business—not practicing	60,000	74	54.3
Other	40,000	45	36.7
TOTAL	**50,000**	**1,125**	**46.4**

Note: Using national sample.

By Wave 3, median debt was generally around $50,000, though it was slightly lower for those in the large firms and those working in legal services or as public defenders, substantially lower in the public interest sector. Those lawyers most likely to report the highest debt levels (more than $100,000) at Wave 3 were solo practitioners (12.6%), lawyers working in federal government (8.5%), and lawyers working in legal services and as public defenders (6.7%). No public interest attorneys reported debt over $100,000 at Wave 3, and only 1% of those in law firms of more than 250 lawyers still owed more than $100,000.

TABLE 10.2a. Median Debt (for Those Reporting Any Debt) and Percent Reporting Zero Debt by Practice Setting (Waves 1, 2, and 3)

	Median			% Zero			% > 100K		
	Wave 1	**Wave 2**	**Wave 3**	**Wave 1**	**Wave 2**	**Wave 3**	**Wave 1**	**Wave 2**	**Wave 3**
Solo	$70,000	$58,000	$60,000	21.8	31.4	33.9	17.3	12.9	12.6
Firms of 2-20 lawyers	70,000	59,000	50,000	14.5	30.5	42.2	17.9	9.0	6.4
Firms of 21-100 lawyers	70,000	50,000	50,000	10.9	33.3	47.4	21.8	5.2	3.4
Firms of 101-250 lawyers	67,000	50,000	32,000	15.3	33.0	53.9	18.0	9.6	6.0
Firms of 251+ lawyers	70,000	50,000	45,000	17.4	39.7	51.5	24.3	4.2	1.0
Government – federal	75,000	50,000	50,000	18.3	35.9	52.9	23.1	8.2	8.5
Government – state	65,000	60,000	50,000	11.8	28.1	39.6	19.5	8.6	4.0
Legal services or public defender	71,000	55,000	45,000	11.6	23.3	33.3	18.9	12.9	6.7
Public Interest	75,000	40,000	20,000	13.0	46.6	51.2	29.1	9.3	0.0
Nonprofit or education and other	60,000	55,000	50,000	30.0	42.2	53.2	12.0	9.8	5.3
Business—practicing	60,000	50,000	45,000	18.4	44.4	57.1	18.8	6.9	1.4
Business—not practicing	67,500	50,000	60,000	22.3	40.2	54.3	23.8	11.5	4.2
Other	100,000	50,000	40.000	29.5	40.2	36.7	40.6	5.2	6.4
TOTAL	**70,000**	**52,000**	**50,000**	**15.7**	**35.2**	**46.4**	**20.3**	**8.5**	**5.2**
TOTAL *N*	**2,928**	**1,965**	**1,125**						

Note: Using national sample.

SECTION 11: The Economic Downturn

The Economic Downturn

By Bryant G. Garth and Joyce Sterling

The most severe recession since the 1930s hit the cohort of AJD lawyers just after Wave 2 data collection. To assess the impact of the recession, respondents were directly asked about the effect of the recession on their jobs and careers as individuals, and they were asked whether the recession resulted in any changes in their places of work.

When asked to consider the impact of the recession on their individual careers, 42% reported no noticeable effect, and almost 7% reported a positive effect. It may be that being 8 or more years into their careers at the time of the downturn afforded them sufficient skills, clients, and connections to weather the recession, which did have a much more noticeable impact on the organizations within which they worked. Still, individual effects were reported for more than half of the group. In particular, compensation decreased for 24%, 12% changed jobs because of the recession, and the recession affected loan repayment for 10% of the group. However, only 5% lost their jobs. They did not face the hardship that entry-level lawyers reportedly experienced during the recession, in particular, in the large law firm setting.

If we look at the impact on all individuals in particular job settings (Table 11.1 shows impact by gender), we find the settings in which the greatest effect on individual income occurred were the small firm and solo contexts. In that group, 35.8% reported a cut in income. The cut, in turn, affected individual loan repayment, with 18.1% of lawyers in those settings reporting an effect related to the recession. The relatively high income pressure on the solo and small firm lawyers may help explain why the median solo incomes declined from Wave 2 to Wave 3, and although much less dramatic, the small firm medians went up at a lower rate than in other settings. One other notable statistic is that the highest percentage of those who changed jobs because of the recession included individuals in business settings (20.4%).

Those working in large law firms predictably reported the strongest effects on their success in terms of the partnership track, with 18% reporting that the recession delayed promotion; others reported being passed over for promotion or no longer being on the partner track as a result of the recession. The effect according to gender is most evident in the larger law firms (Table 11.1). A slightly higher percentage of men than women reported being passed over for promotion (5.4% and 3.8%, respectively) and a delay in making partner (20% and 16%, respectively), indicating women fared better; however, substantially more women, although relatively small numbers, reported being laid off from large law firms (2.4% of women as opposed to .4% of men), and 4.7% of women as opposed to 3.2% of men reported no longer being on the partnership track. Even though the numbers are not high, women in the large law firms experienced relatively harsher treatment by their law firms as a result of the recession.

TABLE 11.1. Recession Impact on Employee by Practice Setting and Gender

Impact Reported	Small firm (1-20 Lawyers)		Mid-sized firm (21-100 Lawyers)		Large firm (101+ Lawyers)		Government and nonprofit sector		Business		Other	
	% Female	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female	% Male
The impact has been positive	9.8	8.6	2.4	6.5	6.3	9.0	1.7	0.8	7.4	9.6	5.5	20.1
No noticeable impact	36.7	29.0	37.6	54.7	45.4	36.0	41.9	47.9	46.8	43.1	43.3	37.6
Affected loan repayment	18.4	18.8	5.7	3.3	3.4	3.0	8.4	9.5	1.7	8.7	16.9	11.7
Unable to meet goals for billable hours requirements	10.0	11.7	33.0	27.1	31.2	30.2	1.1	0.6	1.0	3.0	0.0	1.2
Laid off	5.4	4.6	0.8	1.1	2.4	0.4	4.2	1.7	7.5	10.5	11.2	0.0
Passed over for promotion	1.0	1.6	8.0	2.2	3.8	5.4	2.6	1.8	2.9	2.6	8.5	0.0
Increased time for promotion to partner	1.4	3.0	14.0	7.8	16.2	20.4	0.9	1.1	5.5	4.8	2.7	0.0
No longer on partnership track	1.0	0.9	7.2	1.0	4.7	3.2	1.2	0.3	1.0	1.3	3.8	0.0
Changed area of specialization	11.9	9.4	5.5	11.5	1.6	7.4	6.2	5.1	6.6	7.0	20.0	3.9
Changed sectors	2.9	2.2	0.0	0.0	0.3	0.0	7.8	8.3	8.0	9.2	8.5	5.0
Changed jobs	12.0	13.1	4.2	6.1	3.2	5.6	13.4	8.0	14.7	25.8	14.1	10.0
Exited the legal profession	0.4	1.4	0.7	0.0	0.0	1.5	2.9	3.1	4.3	4.7	1.8	1.6
Reduction in compensation	33.7	37.6	22.8	21.9	22.0	20.0	25.4	21.0	15.0	19.6	15.6	15.4
Relocated	4.2	2.8	0.0	1.3	1.2	3.6	3.1	5.3	7.0	7.2	2.7	8.0
Other	11.0	7.2	15.0	2.1	8.2	2.0	23.8	18.4	16.3	12.3	24.3	17.0
WEIGHTED TOTAL *N*	**276**	**339**	**83**	**96**	**115**	**161**	**364**	**274**	**208**	**251**	**35**	**45**

NOTE: Using national sample. Percentages rounded and generated from number of respondents replying 'Yes' to experiencing the impact compared to total number of respondents.

Some notable differences in the effects of the recession occurred by race and ethnicity as well (Table 11.2), with Black and Hispanic respondents more likely to report that the recession had a negative personal effect on their jobs and careers. One notable finding is that Blacks and Hispanics were more likely than Whites and Asians to report that the recession impacted their loan repayment, and as noted previously, these same groups reported higher debt levels. The greatest impact of the recession among all racial/ethnic groups working in small private practices, with the exception of Asians, was on loan repayment. The impact on Blacks is evident in small firms, but also evident among Blacks working in either medium-sized firms or government positions. Few other individual employee effects among racial groups should be noted: Black (38.5%) and Asian (42.9%) respondents were most likely to report problems meeting their billable hour requirements when working in large law firms. It is interesting to note that Asian respondents (30.8%) were most likely to indicate they had been passed over for promotion. Black respondents were the most likely to report they had been laid off because of the recession (14.4%). In addition, both Black and Hispanic respondents were more likely to indicate they had changed their area of specialization (12.5% and 10.3%, respectively). In addition, Blacks and Hispanics were among the most likely to report they had changed sectors (6.8% and 7.6%, respectively). Finally, Black respondents (14.7%) were among the most likely to indicate they had changed jobs (although the number indicating changing to other settings is too small to indicate a trend). In contrast, when asked about individual impact, individuals in the business sector were most likely to indicate they felt no noticeable effect, regardless of racial/ethnic groups.

TABLE 11.2. Recession Impact on Employee by Race/Ethnicity

Impact Reported	% Black	% Hispanic	% Native American	% Asian	% White	% Other	% Total
The impact has been positive	6.2	12.2	23.5	6.9	6.1	4.7	6.4
No noticeable impact	34.0	31.8	64.8	49.5	43.0	31.2	42.4
Affected loan repayment	19.7	17.6	0.0	1.9	9.8	14.8	10.1
Unable to meet goals for billable hours requirements	11.1	8.3	0.0	10.1	9.2	17.4	9.5
Laid off	14.4	6.5	11.7	2.5	4.6	4.2	5.0
Passed over for promotion	3.9	4.1	0.0	3.4	2.4	2.0	2.6
Increased time for promotion to partner	3.6	0.7	0.0	5.0	5.0	6.7	4.8
No longer on partnership track	3.6	0.7	0.0	0.8	1.6	3.7	1.7
Changed area of specialization	12.5	10.3	0.0	7.5	7.5	5.2	7.7
Changed sectors	6.8	7.6	0.0	2.4	4.7	6.7	4.8
Changed jobs	14.7	11.1	11.7	7.4	12.1	16.2	12.0
Exited the legal profession	3.4	1.2	11.7	0.4	3.5	2.6	3.2
Reduction in compensation	18.0	24.6	0.0	19.3	25.1	27.5	24.4
Relocated	10.2	1.0	0.0	1.0	4.6	7.0	4.6
Other	17.5	18.5	0.0	12.9	12.8	17.8	13.3
Weighted Total	**100.5**	**73.9**	**9.2**	**140.8**	**1,865.7**	**65.9**	**2,256**

NOTE: Using national sample. Percentages rounded and generated from # of respondents replying 'Yes' to experiencing the impact compared to total number of respondents.

The impacts of the recession are more obvious in respondents' reports of its effects on their employers. Much lower percentages reported a positive (6.6%) or no impact (19.3%; Table 11.3). On the other hand, 43.2% of AJD respondents reported their employers experienced a downturn in business, and 16.5% reported their employers laid off attorneys. In general, the leading effects among the employers were reduced hiring (37.7 %), pay freezes (35.9 %), and lay-offs of support personnel (25.4%).

The impact of the recession varied substantially by practice setting as well. Not surprisingly, the recession's greatest impact was on the medium-sized and large law firms (those with more than 20 lawyers; Table 11.4). Among the large law firms, almost 69 percent of respondents in firms with over 100 lawyers reported their employers experienced a downturn in business. Almost as high was the downturn in business by medium-sized firms (66%). In comparison, other private practice settings reported

approximately a 50 percent downturn in business. Further findings indicate that more than 9% of the large firms merged with another firm. The difference is more pronounced with respect to layoffs and hiring. About half of the respondents in large law firms reported their employers laid off lawyers and support personnel, over 30% reported an increase in the time for promotion to partnership, and 55% reported reduced overall hiring. However, other sectors also cut back significantly on hiring: 50.6% reduction of hiring in government and 46% in business organizations. Turning to the medium-sized firms, the next highest overall impact was for employers. More than one fifth laid off lawyers, similar to the percentage for business employers. In addition, these firms reported almost one third laid off support personnel, almost half reported pay freezes (42%), and approximately one third reported the firms eliminated or reduced bonuses. The incentives to lay off lawyers and support personnel were likely higher in the larger law firms seeking to cut costs not only in response to lower demand but also to maintain partner profits.

Finally, as indicated, the downturn affected government and nonprofit sectors. Respondents in these settings reported their employers experienced lawyer lay-offs in 9.9% of the employer settings, along with pay freezes (59.8%), reduced hiring (nearly 51%), furloughs (nearly 12%), and changes in benefits (about 32%).

TABLE 11.3. Recession Impact on Employer by Gender

Impact Reported	% Female Reporting Impact	% Male Reporting Impact	% Total Reporting Impact
The impact has been positive	6.2%	7.0%	6.6%
No noticeable impact	18.0	20.6	19.3
Experienced downturn in business	39.2	47.3	43.2
Laid-off support personnel	24.4	26.5	25.4
Laid-off lawyers	15.6	17.4	16.5
Temporarily suspended promotions	13.4	13.7	13.6
Increased time for promotion to partner	5.3	7.5	6.4
Eliminated one or more departments	7.0	4.4	5.7
Changed the partnership structure	3.2	3.4	3.3
Merged with another firm(s)	2.6	3.1	2.8
Hired more contract lawyers than prior to the downturn	3.4	3.4	3.4
Went out of business	0.8	1.5	1.2
Adopted a new billing structure	4.4	4.8	4.6
Instituted furloughs to reduce expenses	5.7	4.9	5.3
Pay freezes	37.1	34.8	35.9
Pay decreases	9.5	11.2	10.3
Change in benefits (pension, health, etc.)	21.9	19.7	20.8
Eliminated or reduced bonuses	22.8	24.2	23.5
Reduced hiring	37.3	38.1	37.7
Other	10.7	7.8	9.2
Weighted Total	**1,153.8**	**1,164.2**	**2,318**

NOTE: percentages rounded and generated from # of respondents replying 'Yes' to experiencing the impact compared to total number of respondents.

TABLE 11.4. Recession Impact on Employer by Practice Setting and Gender

Impact Reported	Small firm (1-20)		Mid-sized firm (21-100)		Large firm (101+)		Government and nonprofit sector		Business		Other	
	% Female	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female	% Male
The impact has been positive	8.6	9.7	4.7	9.3	7.0	6.5	2.3	3.9	9.7	6.9	6.1	4.7
No noticeable impact	28.5	33.0	8.9	22.1	11.0	15.1	15.2	12.2	16.1	16.3	10.2	18.0
Experienced downturn in business	49.7	50.6	68.6	63.1	64.4	71.9	11.1	13.0	54.3	64.1	34.3	37.0
Laid-off support personnel	13.1	14.3	35.3	23.6	47.1	50.9	17.6	22.1	34.4	38.0	29.0	10.2
Laid-off lawyers	5.0	8.5	26.0	17.3	48.2	45.0	8.7	10.8	19.0	22.2	15.2	1.6
Temporarily suspended promotions	4.4	3.6	16.4	13.0	15.8	15.3	20.5	21.5	14.1	20.1	5.7	11.2
Increased time for promotion to partner	1.3	1.1	18.0	19.0	26.8	33.3	0.5	2.7	2.5	3.1	0.0	1.6
Eliminated one or more departments	0.5	2.0	3.4	4.0	7.1	1.6	9.3	5.2	10.6	10.5	4.9	1.9
Changed the partnership structure	2.8	3.3	7.6	8.7	8.3	6.4	0.2	1.1	1.1	2.9	0.0	0.0
Merged with another firm(s)	1.5	3.0	0.0	2.9	9.6	8.8	0.0	0.3	3.2	4.0	2.8	1.2
Hired more contract lawyers than prior to the downturn	0.9	1.9	5.9	7.4	9.3	8.7	1.6	1.5	5.7	3.8	3.0	2.8
Went out of business	1.7	1.2	0.0	0.0	0.0	0.0	0.3	1.1	0.9	1.4	0.0	0.0
Adopted a new billing structure	5.7	8.5	3.3	3.0	10.9	10.9	1.6	0.8	4.1	2.2	3.0	0.0
Instituted furloughs to reduce expenses	0.9	1.6	0.7	4.8	3.4	5.9	13.7	9.1	2.3	3.6	0.0	9.4
Pay freezes	19.4	15.4	47.0	36.1	35.0	36.9	59.8	59.5	28.6	33.3	18.7	36.4
Pay decreases	6.7	9.8	16.3	19.5	22.9	17.7	7.9	10.6	7.5	10.0	5.9	2.3
Change in benefits (pension, health, etc.)	8.7	11.5	18.1	20.8	18.1	11.6	30.7	34.3	24.8	24.1	39.0	4.9
Eliminated or reduced bonuses	17.7	18.5	35.2	28.5	37.1	32.3	16.1	15.7	28.7	39.1	32.0	24.3
Reduced hiring	12.2	15.3	44.6	36.6	61.3	50.4	48.4	52.2	39.3	50.6	34.5	39.3
Other	8.4	5.8	6.6	1.0	7.6	2.1	15.5	14.3	6.9	8.4	21.5	14.9
WEIGHTED TOTAL N	**272**	**343**	**85**	**96**	**114**	**159**	**374**	**285**	**210**	**248**	**32**	**46**

NOTE: Using national sample. Percentages rounded and generated from number of respondents replying 'Yes' to experiencing the impact compared to total number of respondents.

Appendices

Appendix A

By Gabriele Plickert

The After the JD Sampling Weights

Synthetic variables, called *weights*, were used to permit population estimates when individuals in the sample had different probabilities of selection or response. The AJD study selected individuals related to nonresponse to compute the final sampling weights. For each wave, the AJD data provided weight variables designed for estimating statistical models of population averages.

To obtain unbiased simple-point estimates, it is important to account for the sampling design by using analytical methods that handle data collected with unequal probability of selection. Table A shows the attributes of the AJD sampling design that researchers can take into consideration depending on the analysis of interest.

AJD3 includes three sample weights, one each for region, race/ethnicity, and gender. These three weights are the averages of the weighted distribution of AJD1 and AJD2 for PSU region, race/ethnicity, and gender variables, respectively. Cases with missing values or no answers were handled differently for each of the three variables, based on how they were handled in AJD1 and AJD2 and depending on the number of cases in AJD3. For PSU, missing cases were not assigned a weight. In the case of the race/ethnicity variable, in AJD3, missing cases were assigned a weight of 3.7%, which is the average of missing cases in Waves 1 and 2. Finally, in the weight for gender, the missing cases maintained their original percentage based on the distribution of unweighted AJD3 gender instead of being assigned the average percentages of Waves 1 and 2.

Selecting the Correct Sampling Weight for Analysis

The AJD sampling weights are designed to turn the sample of respondents to the survey into an accurate representation of the population we want to study. These weights are available for all respondents who are members of the AJD probability sample. The weights were designed for analyzing combinations of data from all survey modes— mail, web, and phone surveys. For all three waves of data collection, three types of weights are provided: (1) selection probabilities for the national sample, which are based on the original PSU (e.g., metropolitan area, portion of a state outside large metropolitan areas, or entire state); (2) selection probabilities for minority sample based on ethnic groups of persons in the sampling frame; and (3) the joint/minority weight based on both geography and ethnicity (Table A1). The sampling weights selected for an analysis depend on the type of analysis needed to investigate a hypothesis.

TABLE A1. AJD Sampling Weights Designed for Estimating Single-Level Models (Marginal or Population Average)

AJD Wave	Weight Variable	Description	Application (Sample Unit – Individual)
Wave 1	**awt_nat_nr**	**National Sample Selection Probability Weight** adjusted for nonresponse	Weight used with national sample cases when making estimates of characteristics of the population represented by the national sample.
	awt_min_nr	**Minority Sample Selection Probability Weight** adjusted for nonresponse	Weight used when making estimates of the characteristics of minority persons.
	awt_comb_nr	**Joint National/Minority Sample Selection Probability Weight** adjusted for nonresponse	Weight takes into account the possibility that an individual could be selected into both the national and minority samples; thus, it adjusts for the probability of dual selection.
Wave 2	**cwt_nat_nr**	**National Sample Selection Probability Weight** adjusted for nonresponse	Weight used with national sample cases when making estimates of characteristics of the population represented by the national sample.
	cwt_min_nr	**Minority Sample Selection Probability Weight** adjusted for nonresponse	Weight used when making estimates of the characteristics of minority persons.
	cwt_comb_nr	**Joint National/Minority Sample Selection Probability Weight** adjusted for nonresponse	Weight takes into account the possibility that an individual could be selected into both the national and minority samples; thus, it adjusts for the probability of dual selection.
Wave 3	**cwt_nat_nr**	**National Sample Selection Probability Weight** adjusted for nonresponse	Weight used with national sample cases when making estimates of characteristics of the population represented by the national sample.
	cwt_min_nr	**Minority Sample Selection Probability Weight** adjusted for nonresponse	Weight used when making estimates of the characteristics of minority persons.

Note: Typically analyses involve fitting a population-average model. Thus, researchers who wish to make simple point estimates of a particular subpopulation of all individuals first admitted to a bar in 2000 are advised to use the appropriate sampling weight for their analysis.

Unweighted Versus Weighted Results

Table A2 shows the distinction between "unweighted" and "weighted" results, providing the distribution of AJD respondents by gender across the three waves. The results in Table B do not show significant differences between the weighted and unweighted percentages in the data for each wave of the AJD. While sample weights effectively ensure results are representative of the national population of lawyers first admitted in 2000, the similarity between unweighted and weighted results indicates that results remain valid for analyses that do not use complex sample weights.

TABLE A2. Example of Weighted and Unweighted AJD1, 2, and 3 Results Using the National Sample Selection Probability Weight Adjusted for Nonresponse

Gender	AJD1			AJD2			AJD3		
	N	W %	UW %	*N*	W %	UW %	*N*	W %	UW %
Female	1,760	46.8	46.8	1,609	45.4	45.4	1,226	50.4	50.3
Male	2,043	53.2	53.2	1,855	54.6	54.6	1,207	49.6	49.7
TOTAL	3,803	100.0	100.0	3,464	100.0	100.0	2,433	100.0	100.0

Note: W = weighted results; UW = unweighted results.

Table A3 shows the distribution of AJD responses for Waves 1–3 by geographic areas (states). The first three columns compare unweighted results across the three waves. Column 4 shows the weighted percentages of responses by state for AJD3. The following columns indicate the percentage differences between weighted and unweighted results for each consecutive wave. Similar to previous waves, discrepancies between unweighted and weighted results are generally no greater than 5.0%.

TABLE A3. Unweighted and Weighted Percentage Distribution across AJD Waves 1, 2, and 3 by State

	AJD1 UW %	AJD2 UW %	AJD3 UW %	LJS_Region W %	AJD3 W – AJD3 UW	AJD1 W - AJD1 UW	AJD2 W - AJD2 UW
Alabama	—	0.09	0.20	0.20	**0.00**	—	-0.03
Alaska	—	0.12	0.10	0.00	**-0.10**	—	-0.02
Arizona	—	0.45	0.50	0.50	**0.00**	—	-0.01
Arkansas	—	0.09	0.10	0.10	**0.00**	—	0.04
California	13.2	12.91	15.50	10.70	**-4.80**	-3.02	-3.37
Colorado	0.03	0.45	0.60	0.50	**-0.10**	0.30	-0.03
Connecticut	2.71	3.05	2.90	2.60	**-0.30**	-0.63	-0.47
Delaware	—	0.06	0.10	0.10	**0.00**	—	0.00
Washington, DC	3.71	5.81	5.80	4.80	**-1.00**	-0.62	-1.44
Florida	5.07	4.93	5.20	10.00	**4.80**	5.43	4.03
Georgia	5.71	4.75	4.90	3.90	**-1.00**	-1.69	-1.08

TABLE A3. Unweighted and Weighted Percentage Distribution across AJD Waves 1, 2, and 3 by State (continued)

	AJD1 UW %	AJD2 UW %	AJD3 UW %	LJS_Region W %	AJD3 W – AJD3 UW	AJD1 W - AJD1 UW	AJD2 W - AJD2 UW
Hawaii	—	0.21	0.10	0.10	**0.00**	—	0.01
Idaho	0.03	0.15	0.20	0.30	**0.10**	0.29	0.01
Illinois	9.60	8.56	8.30	6.30	**-2.00**	-3.82	-2.56
Indiana	3.97	4.51	3.60	7.70	**4.10**	3.60	4.06
Iowa	0.03	0.21	0.20	0.20	**0.00**	0.24	0.02
Kansas	0.05	0.18	0.10	0.10	**0.00**	0.48	0.00
Kentucky	0.03	0.36	0.40	0.60	**0.20**	0.58	0.19
Louisiana	—	0.12	0.20	0.10	**-0.10**	—	-0.04
Maine	—	0.09	0.10	0.10	**0.00**	—	-0.03
Maryland	1.36	1.06	1.20	1.00	**-0.20**	-0.16	-0.38
Massachusetts	3.46	3.08	2.40	0.60	**-1.80**	-1.01	-0.45
Michigan	—	0.39	0.40	0.40	**0.00**	—	-0.06
Minnesota	5.43	5.29	5.10	1.80	**-3.30**	-3.70	-3.31
Mississippi	—	0.06	0.10	0.10	**0.00**	—	0.03
Missouri	4.58	3.87	3.10	3.50	**0.40**	-0.05	-0.01
Montana	—	0.06	0.10	0.10	**0.00**	—	0.01
Nebraska	—	0.06	0.10	0.10	**0.00**	—	0.00
Nevada	0.00	0.33	0.30	0.30	**0.00**	0.00	0.00
New Hampshire	0.08	0.12	0.10	0.10	**0.00**	0.50	-0.01
New Jersey	3.76	2.75	2.80	5.90	**3.10**	4.02	2.64
New Mexico	—	0.06	0.10	0.20	**0.10**	—	-0.01
New York	6.76	7.74	7.20	9.50	**2.30**	3.51	3.24
North Carolina	0.05	0.67	0.90	0.90	**0.00**	0.41	0.03
Ohio	—	0.33	0.60	0.50	**-0.10**	—	0.11
Oklahoma	4.97	3.93	3.60	4.10	**0.50**	0.05	0.24
Oregon	5.86	5.17	4.60	5.00	**0.40**	0.41	0.62
Pennsylvania	0.08	0.48	0.60	0.70	**0.10**	0.58	0.04
Rhode Island	—	0.09	0.10	0.10	**0.00**	—	0.07
South Carolina	—	0.24	0.30	0.30	**0.00**	—	0.01
Tennessee	5.12	4.26	4.00	4.40	**0.40**	-0.28	0.38
Texas	4.53	4.99	4.50	3.90	**-0.60**	-1.56	-1.81
Utah	4.07	3.48	3.20	2.80	**-0.40**	-0.78	-0.58
Vermont	—	0.03	0.10	0.00	**-0.10**	—	-0.01
Virginia	3.00	1.84	1.80	1.40	**-0.40**	-0.51	-0.15
Washington	—	0.57	0.80	0.60	**-0.20**	—	0.12
West Virginia	0.03	—	0.10	0.10	**0.00**	0.22	n/a
Wisconsin	0.08	0.33	0.30	0.20	**-0.10**	0.16	-0.11
Wyoming	—	0.15	0.20	0.10	**-0.10**	—	0.00
Foreign nations	—	1.36	1.30	1.30	**0.00**	—	0.04
Outlying U.S. Territories	—	0.06	—	—	—	—	0.02
Valid %	**100.00**	**100.00**	**100.00**	**100.00**			
Valid *N*	**3,906**	**3,307**	**2,818**	**2,716**			

Considering the use of weights for simple statistical analysis and the similarities between weighted and unweighted results, we recommend using weights only for estimating population averages (i.e., means and proportions), rather than for multivariate estimates of correlations and causality.

Minority Oversample

The Wave 3 sample, similar to Waves 1 and 2, included an oversample of minority attorneys. The oversample of minority groups (Blacks, Hispanics, and Asian Americans) amounts in Wave 3 to 425 lawyers. For more detailed information about the selection of the minority oversample, see also the summary of methodology in *After the JD: First Results of a National Study of Legal Careers* (2004).

Appendix B

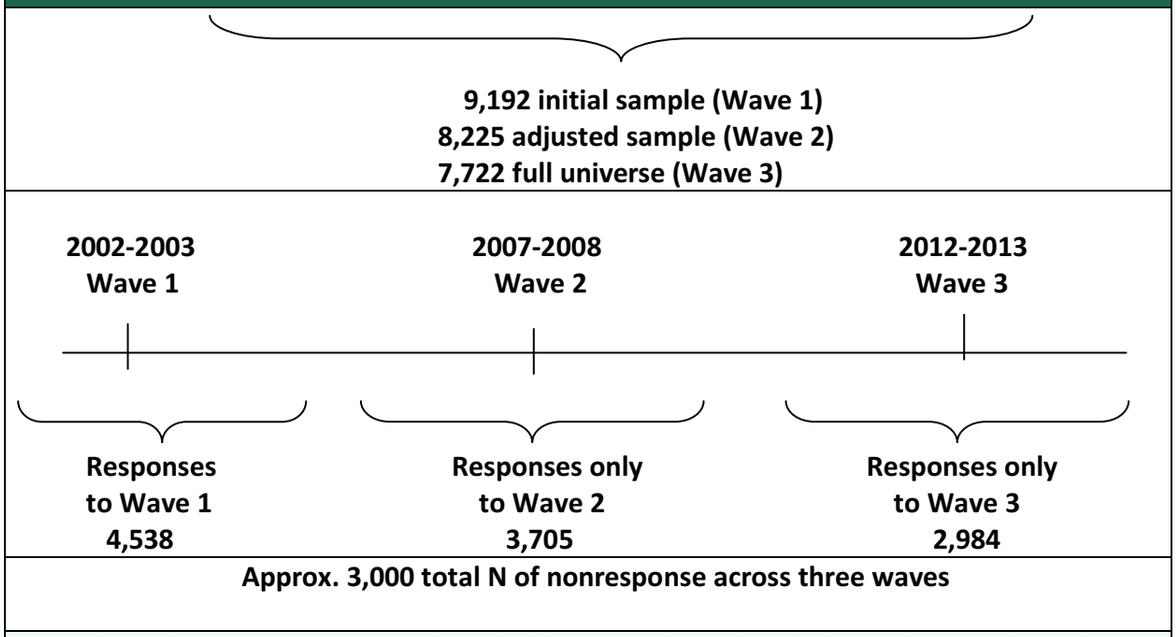
By Gabriele Plickert

Nonresponse Analysis

Nonresponse is a potential concern to the accuracy of estimates obtained from sample surveys and occurs commonly in longitudinal studies. Although, over time, the AJD study has maintained a response rate of about 50% across the three waves, concerns arise about individuals who were part of the initial sample yet never responded to the study. How do these individuals differ from those who responded to the AJD survey? This section of the report investigates and compares AJD respondents to AJD nonrespondents (eligible sample members who never responded to the survey) to examine potential bias between these two groups.

The AJD study was designed as a follow-up survey that started with a sample in Wave 1 of 9,192 lawyers from 18 PSUs. In total, 4,538 eligible sample members responded to Wave 1, including 3,905 responses from the national sample and 633 responses from the minority oversample. The first wave of the AJD survey received a 57% response rate. In Wave 2, changes were made to the initial sample because of ineligibility of sample members. Thus, the initial sample was adjusted to include 8,225 eligible members. Surveys were sent to the adjusted group of sample members. Returns to AJD Wave 2 included 70% of AJD1 respondents and 26.9% of AJD1 nonrespondents. In AJD3, surveys were sent only to AJD sample members who responded to one or two of the previous waves, resulting in a response rate of over 50%. The disposition of eligible cases by waves is shown in Figure B1.

FIGURE B1. Overview of Eligible Responses by Survey Year (Waves) of AJD



Note: The numbers represent responses from eligible AJD sample members (including the national sample and the minority oversample).

Characteristics of Nonrespondents Compared to AJD Respondents

Refusals resulting from unwillingness to respond or insufficient contact information were the most common type of nonresponders in each of the AJD survey waves. The distribution of nonrespondents compared to respondents based on demographic variables and basic employment characteristics is shown in Table B1 below.

Results show the greatest difference between respondents and nonrespondents occurred in Wave 1. About 3,000 individuals of the initial sample did not respond to the survey. Most who refused to respond were males. Whites were more likely to respond than members of other racial groups. Responses also varied by urban and rural or regional status, law school rank, and practice setting. By Wave 2, in the adjusted sample, the significant difference between respondents and nonrespondents continued to be by geographic areas, meaning those from larger legal markets (i.e. New York City) were less likely to respond to the survey. By Wave 3, now over 12 years out into practice, nonrespondents and respondents did not seem to differ significantly in these selected characteristics.

TABLE B1. Differences between Nonrespondents and Respondents by Selected Characteristics across Waves

Selected Characteristics	AJD1 nonrespondents compared to AJD1 respondents	AJD2 nonrespondents compared to AJD2 respondents	AJD3 nonrespondents (8,225 initial sample) compared to AJD3 respondents
Gender	Significant [$X^2 = 7.59$; $p < .001$]	No significant difference	No significant difference
Race	Significant [$X^2 = 56.26$; $p < .001$]	Significant [$X^2 = 40.35$; $p < .001$]	N/A
Current employment status	No significant difference	No significant difference	No significant difference
Geographic sampling region (PSU)	Significant [$X^2 = 76.13$, $p < .001$]	Significant [$X^2 = 168.10$, $p < .001$]	No significant difference
Law school rank	Significant [$X^2 = 22.37$, $p < .001$]	Significant [$X^2 = 19.75$, $p < .01$]	N/A
Current practice setting	Significant [$X^2 = 40.12$, $p < .001$]	No significant difference	N/A
Whether practicing law	Significant [$X^2 = 9.12$, $p < .01$]	No significant difference	No significant difference

Note: N/A indicates that information about initial respondents is not available.

How Do Nonrespondents Compare to AJD Respondents?

Table B2 shows information about nonrespondents' and respondents' employment types. A subsample of 2,000 nonrespondents from the adjusted sample of 8,225 lawyers indicated most were currently practicing law, similar to respondents across all three waves. It also indicates that about 20 percent of lawyers were identified as ineligible nonrespondents because they completed more than one bar exam prior to 2000.

Overall, the results show that relative bias is small between respondents and nonrespondents. Only for Waves 1 and 2 do we find characteristics that show differences between these two groups. However, these differences between nonrespondents and respondents probably occur because of random variation and do not indicate a nonresponse bias for the selected group of young lawyers. Considering the initial and adjusted sample of young AJD lawyers, Wave 3 nonresponse bias is negligible, and the Wave 3 sample adequately represents the same population surveyed at Wave 1.

Table B2. Comparison of Nonrespondents and Respondents to AJD

Charateristics	Nonrespondents %	Respondents AJD1 %	Respondents AJD2 %	Respondents AJD3 %
Currently practicing law	60.0%	85.3%	78.6%	80.8%
Not practicing law	11.0	14.7	21.4	19.2
Identified as ineligible	19.6	—	—	—
Insufficient information	12.0	—	—	—
%	100.0	100.0	100.0	100.0
Total *N*	2,000	3,903	3,590	2,330

Note: Nonrespondents included here never responded to any of the three survey waves. Reponses for Waves 1-3 use national sample.

Donor Organizations and Sponsors

Profiles of AJD Sponsors and Donor Organizations

About The NALP Foundation

The NALP Foundation has served the legal community with benchmark research and informational resources since its genesis in 1996. The Foundation was created as a nonprofit 501(c)(3) organization to ensure that the legal community and society at large have a reliable, objective, affordable source of information about law careers and the law as a profession. The Foundation provides practical research, analyses, and educational programs that go beyond data, numbers, and statistics. Its products and services offer well-considered insights and actionable practices that have proven applicability and value to practitioners, law faculty, students, and legal career services and recruitment administrators. The support of leading law schools, legal employers, corporations, and individuals throughout the legal community has enabled The Foundation to fulfill that essential role.

The NALP Foundation for Law Career Research and Education
Tammy A. Patterson, CEO/President
6624 Lakewood Blvd.
Dallas, TX 75214
214-828-6000 — Fax 214-828-6001
www.nalpfoundation.org

About the American Bar Foundation

Established in 1952, the American Bar Foundation is an independent, nonprofit national research institute committed to objective empirical research on law and legal institutions. This program of sociolegal research is conducted by an interdisciplinary staff of research professors trained in such diverse fields as law, sociology, psychology, political science, economics, history, and anthropology. The American Bar Foundation is the preeminent resource of lawyers, scholars, and policy makers who seek insightful analyses of the theory and functioning of law, legal institutions, and the legal profession. The Foundation's work is supported by the American Bar Endowment, by The Fellows of the American Bar Foundation, and by grants for particular research projects from private foundations and government agencies.

American Bar Foundation
Robert Nelson, Director
750 N. Lake Shore Drive
Chicago, IL 60611
312-988-6500 — Fax 312-988-6579 or 312-988-6611
www.americanbarfoundation.org

About the National Association for Law Placement (NALP)

Founded in 1971, the National Association for Law Placement, Inc.® (NALP) is dedicated to facilitating legal career counseling and planning, recruitment and retention, and professional development of law students and lawyers. NALP's mission includes providing vision and expertise in research and education, cultivating ethical practices and fairness in the legal hiring process, promoting the full range of legal career opportunities, and advocating for diversity in the legal profession. NALP's members include virtually every ABA-accredited law school and more than 1,000 legal employers (law firms, government agencies, corporations, and public interest organizations). The law school career services professionals and lawyer personnel and professional development administrators who represent their institutions in NALP work together to advance NALP's mission.

National Association for Law Placement
James G. Leipold, Executive Director
1025 Connecticut Avenue NW, Suite 1110
Washington, DC 20036
202-835-1001 — Fax 202-835-1112
www.nalp.org

About the National Science Foundation

The National Science Foundation (NSF) is an independent agency of the U.S. Government, established by the National Science Foundation Act of 1950, as amended, and related legislation, 42 U.S.C. 1861 et seq., and was given additional authority by the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885) and Title I of the Education for Economic Security Act (20U.S.C.3911 to 3922). The Foundation consists of the National Science Board of 24 part-time members and a Director (who also serves as ex officio National Science Board member), each appointed by the President with the advice and consent of the U.S. Senate. Other senior officials include a Deputy Director, who is appointed by the President with the advice and consent of the U.S. Senate, and eight Assistant Directors. The After the JD project received support from NSF Grant No. SES 1023067.

The National Science Foundation
4201 Wilson Boulevard
Arlington, VA 22230
703-292-5111 — FIRS: 800-877-8339 — TDD: 800-281-8749
www.nsf.gov