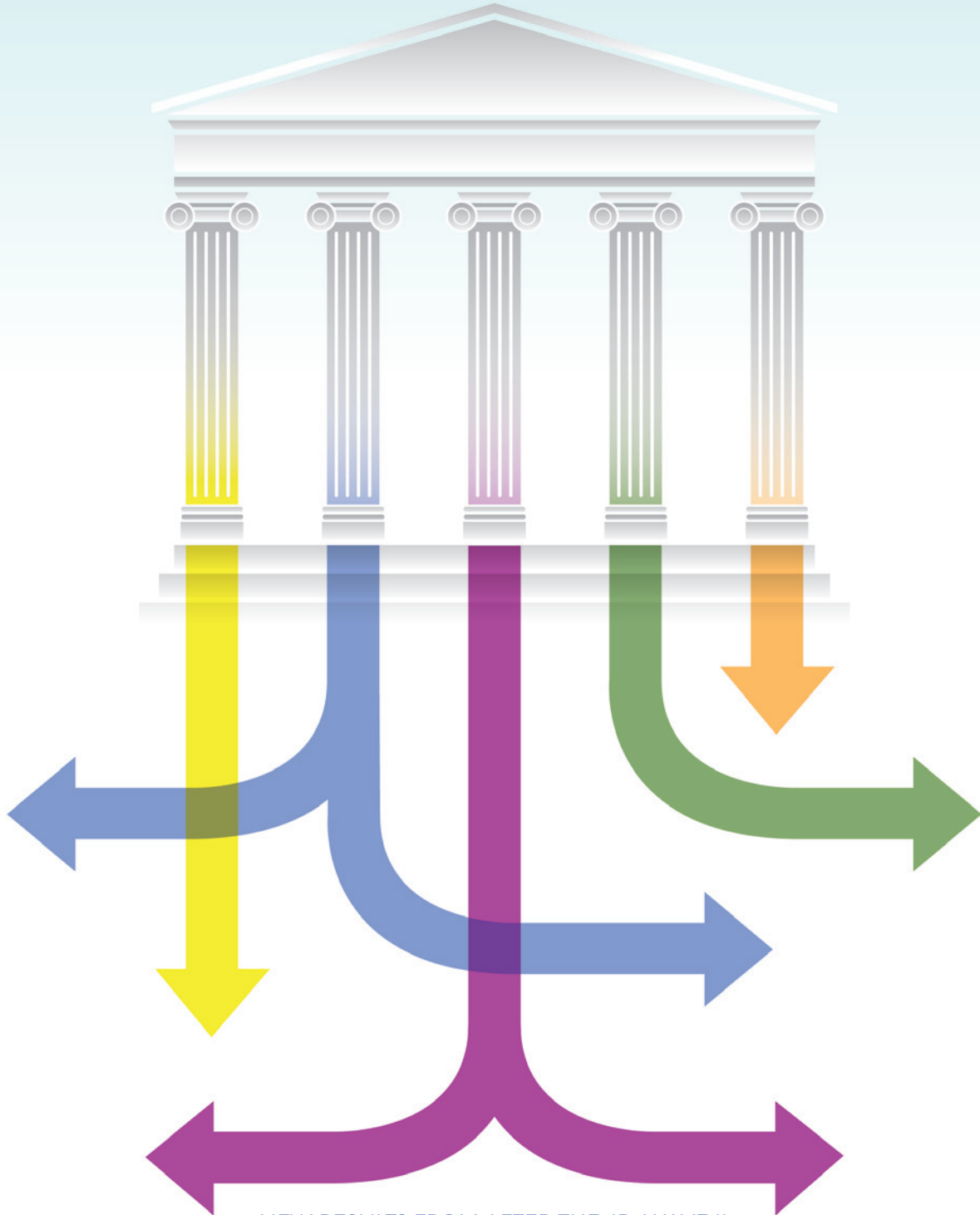


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RESEARCHING LAW

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NEW RESULTS FROM AFTER THE JD, WAVE II

SEVEN YEARS INTO A LAWYER'S CAREER

Seven Years into a Lawyer's Career

NEW RESULTS FROM AFTER THE JD, WAVE II

The deep economic recession of 2008-09 has brought into sharp relief issues related to lawyers' career paths. In recent months, lawyers and new law graduates have witnessed layoffs and hiring freezes of unprecedented frequency and scale as firms attempt to pare costs and tailor their workforces to reduced volumes of business.

In private law firms the once-clear path toward partnership, already in recent years becoming a less definite goal, has all but evaporated, as lawyers move between work settings with increasing frequency. The turmoil in today's legal market is amplifying some career path trends that had already developed, while creating great uncertainty about the future.

Though changes continue apace, American Bar Foundation researchers are well poised to offer insights into the landscape of lawyer career trajectories. Their research, founded on extensive empirical evidence, provides a solid backdrop against which to view the ongoing contractions and re-configurations of the legal profession,

as well as tools with which to analyze the changes. Since 2000 a team, including ABF Director **Robert L. Nelson**, ABF Research Fellow and University of Toronto professor **Ronit Dinovitzer**, Dean of Southwestern Law School and ABF Director Emeritus **Bryant G. Garth**, University of Denver law professor Joyce Sterling, and Harvard law professor David Wilkins have tracked young lawyers' careers through the "After the JD" project. The wealth of information gleaned from surveys of a representative sample of over 4,000 lawyers in 2002, 2007 and (to come) 2012 is providing a large-scale view of lawyer career trajectories as well as an in-depth portrait of the careers of women and minority lawyers.

As chance would have it, the AJD project also provides a recent historical snapshot of lawyers' career paths in the years immediately preceding today's extreme volatility. Data gathered in 2012, the final year of the study, will doubtless provide a fascinating picture of the impact of the current economic crisis on young lawyers' careers.

In Boston, Massachusetts, at the February 2009 Mid Year Meeting of the Fellows of the American Bar Foundation, Nelson, Sterling, Dinovitzer and Wilkins, along with several guest commentators, presented findings from the project in the Fellows Research Seminar titled, "New Results from After the JD, Wave II: Seven Years into a Lawyer's

Career.” The session was moderated by the Hon. Miriam Shearing, retired Chief Justice of the Nevada Supreme Court, chair of the Fellows Research Advisory Committee.

ROBERT NELSON

began the seminar, after introductions by Justice Shearing, by acknowledging the sponsors for the \$1.8 million project, which include the Bar Foundation, the Access Group, the Law School Admission Council, the National Association for Legal Career Professionals and the NALP Foundation, and the National Science Foundation. As he explained, data presented at the seminar were from the second set of surveys, conducted in 2007, seven years into the cohort's careers. He then proceeded to an overview of the project's research design. In order to be as representative as possible, the sample includes new lawyers from three different tiers—the largest legal markets (including New York, Washington, D.C., Chicago and Los Angeles) which produce over 2,000 new lawyers per year, then a set of larger markets that produce 750 to 2,000 lawyers per year, and finally the smaller regionally selected cities and

areas that produce fewer than 750 lawyers per year. An over sample of minority lawyers has also been included, Nelson explained, in order to give

“The findings of AJD present a startlingly high rate of mobility among young lawyers, reminiscent of a game of ‘musical chairs.’”

the researchers more statistical power in analyzing the responses of those lawyers. The researchers were able to get over 70% of the lawyers surveyed in Wave I (2002) to agree to a second survey in 2007, in addition to 26% of those who had not been surveyed in Wave I, producing a Wave II sample of 4,160 lawyers. The results that were presented are weighted to be nationally representative. Several

speakers underscored that these were preliminary results that may change somewhat after further analysis.

JOYCE STERLING

followed Nelson by presenting a general overview of lawyers' practice settings in 2007, focusing especially on issues of mobility, debt and career satisfaction. The findings of AJD present a startlingly high rate of mobility among young lawyers, reminiscent of a game of “musical chairs,” Sterling reported. Between their second and seventh year of practice (2002 and 2007, respectively), 53 percent of lawyers surveyed had changed practice settings. The largest positive movement was seen in the business sector; in 2002 4.2 percent of survey respondents who were practicing law were working in business, by 2007 the number had grown to 19 percent. The attractions of a career in business are revealed in another statistic, showing that those lawyers *least* likely to have moved between 2002 and 2007 were those who had started out in business. The private law firm settings—ranging from firms of over 251 lawyers to small firms of two or more lawyers—all



Robert L. Nelson

is the Director of the American Bar Foundation, the MacCrate Research Chair in the Legal Profession at the ABF, and Professor of Sociology and Law at Northwestern University. He is a leading scholar in the fields of the legal profession and discrimination law. He has authored or edited 7 books and numerous articles, including *Legalizing Gender Inequality*, co-authored with William Bridges, which won the prize for best book in sociology in 2001; *Urban Lawyers: The New Social Structure of the Bar*, co-authored with John Heinz, Edward Laumann, and Rebecca Sandefur (2005), and *Global Perspectives on the Rule of Law*, co-edited with James Heckman and Lee Cabatingan (forthcoming).

CAREER SATISFACTION BY GENDER AND PRACTICE SETTING

	WOMEN EXTREMELY TO MODERATELY SATISFIED		MEN EXTREMELY TO MODERATELY SATISFIED	
	%	N	%	N
Solo	85.7	119	72.6	164
Private Firms of 2-20 lawyers	71.6	277	78.0	288
Private Firms of 21-100 lawyers	83.7	131	67.3	156
Private Firms of 101-250 lawyers	66.6	78	71.8	79
Private Firms of 251+ Lawyers	80.4	182	76.3	211
Private Firms size unknown	73.7	79	75.5	32
Government – Federal	75.6	100	85.0	87
Government – State or Local	78.4	171	78.9	175
Legal Services or Public Defender	76.5	44	86.4	20
Public Interest	77.4	23	89.3	11
Nonprofit or Education	74.2	98	78.6	70
Business – Inside Counsel	87.4	161	77.9	184
Business – Not Practicing Law	58.4	119	72.4	127
Other	69.5	9	91.3	22
TOTAL	76.5	1591	76.3	1626

saw a decline in young lawyers' employment during this period. Solo practice, however, rose from 5.4 to 9.6 percent of the total. In the private sector, the largest firms—those over 251 lawyers—saw the biggest outflow of young lawyers. Fifty-seven percent of lawyers who were working at the largest firms two years into their careers (2002) had moved on by 2007. When asked about their future plans in 2007, 32.7% of young

lawyers surveyed reported that they planned to change practice settings within the next two years.

Sterling next provided an overview of the cohort's debt burdens and their success in retiring that debt. In 2002 the median amount of debt for these lawyers was about \$72,000. By 2007 the median had fallen to \$51,000. Those with the highest amount of debt were the solo practitioners and state government law-

yers; those with the lowest were the public interest lawyers, a finding that probably reflects that they had taken advantage of the debt relief offered by Loan Repayment Assistance programs. Men and women reported settling their debt at about the same rate. When race was considered, however, significant differences were revealed. In 2002 Hispanic lawyers reported the highest amount of debt. By 2007 the group with the highest debt were



Joyce Sterling

is Professor of Law at University of Denver Sturm College of Law. She has been one of the Principal Investigators on After the JD since its inception in 1997. Professor Sterling has been a Visiting Scholar at Stanford Law School (Academic Year 1985-86), Visiting Professor at University of Cincinnati Law School (Fall 1990) and a Visiting Research Fellow at the American Bar Foundation (Academic Year 2002-2003). Her recent writing includes: "Sticky Floors, Broken Steps, Concrete Ceilings in Legal Careers", *University of Texas Journal of Women and Law* 14(1) Fall 2007, with Reichman; "The Changing Social Role of Urban Law Schools," *Southwestern University Law Review*, Symposium Issue Spring 2007, with Dinovitzer and Garth; and "The Differential Valuation of Women's Work: A New Look at the Gender Gap in Lawyer's Incomes," forthcoming in *Social Forces*, with Dinovitzer and Reichman.

PERCENTAGES OF RESPONDENTS SWITCHING PRACTICE SETTINGS BETWEEN AJD1 AND AJD2

	THOSE IN AJD-1 PRACTICE SETTINGS WHO SWITCHED OUT BY AJD-2		THOSE IN AJD-2 PRACTICE SETTINGS WHO HAD DIFFERENT PRACTICE SETTINGS IN AJD-1	
	%	N	%	N
Solo	43	107	71	209
Private Firms of 2-20 lawyers	52	598	39	468
Private Firms of 21-100 lawyers	61	313	46	250
Private Firms of 101-250 lawyers	70	198	59	137
Private Firms of 251+ lawyers	57	510	33	337
Private Firms size unknown	93	17	98	79
Government – Federal	52	133	51	137
Government – State or Local	43	285	37	260
Legal Services or Public Defender	70	70	50	50
Public Interest	59	25	65	26
Nonprofit or Education	53	55	79	116
Business – Inside Counsel	38	110	73	259
Business – Not Practicing Law	34	100	65	175
Other	79	7	93	25
TOTAL	53	2528	53	2528

African Americans. Asian Americans have been most successful in paying off debt, but Sterling noted that they are also the group most likely to report that parents had assisted them with debt payments.

Finally, Sterling reported on the cohort's overall job satisfaction. A full 76 percent reported being either "extremely or moderately satisfied" with their decision to become a lawyer. When asked about specific di-

mensions of job satisfaction, in 2002 lawyers were most satisfied with their relationships with colleagues, and with the level of responsibility they were given. They were least satisfied with the performance evaluation aspect of their jobs. In 2007 they were still very satisfied with their level of responsibility, with the control they had over their work, and with their relationship with colleagues. Performance evaluation was still a signifi-

cant source of job dissatisfaction.

RONIT DINOVIETZER

focused her presentation on the influence of gender on career trajectories. In 2002 more women than men were working in the public sector. AJD researchers predicted that this difference would grow over time, but in 2007 they found that though slightly more women than men were still working in the public sector,



Ronit Dinovitzer

is an Assistant Professor of Sociology at the University of Toronto and a Faculty Fellow at the American Bar Foundation. Her research focuses on stratification in the legal profession and the social organization of lawyering. Prior to joining the University of Toronto, Dinovitzer was the Project Manager for the first wave of After the JD, and a Postdoctoral Fellow at Osgoode Hall Law School. In addition to her research on the legal profession, she also works on the sociology of crime and the role of law in the life course of young adults. Her recent articles have appeared in *Law & Society Review*, *Social Forces*, *British Journal of Criminology* and *International Journal of the Legal Profession*.

men were leaving private practice at a higher rate than women, and their careers were starting to more closely resemble those of women. Of the men going into government work most went to work in state government; women still outnumbered men in federal government work. Many men (as well as women) moved into in-house counsel positions. In 2002 only 8.5 percent of young lawyers surveyed were working in business as in-house counsel or in non-practicing business jobs. In 2007 that number had climbed to 19 percent.

When looking at lawyers in the “mega firms” of 250 or more lawyers, most men and women who were working in these settings in 2002 were still in a mega firm (not necessarily the same firm) in 2007. However, over time, men were slightly more likely to have stayed at the mega firms than women. Nineteen percent of women who were in mega firms in 2002 had moved to work as in-house counsel by 2007 (compared to 15.6 percent of men).

AJD II data indicate that “women are not attaining promotion to partner at the same rates as men,” Dinovitzer noted. This was true

regardless of the firm type or the type of partnership (equity v. non-equity). That this trend held up even in the smallest firms (of two to twenty lawyers), which are more likely to have “just equity tracks” was particularly noteworthy. Here, after seven years at the firm only 14.2 percent of the women had become equity partners compared to almost 28 percent of the men. Regardless of firm setting, men were significantly more likely to have become partners than women.

AJD II data also suggest that the income disparity between men and women is growing in the private sector, though at first glance this appears not to be the case. In AJD I women were making on average 83 percent of what men were making. In 2007, Wave II, women were earning 92 percent of what men were earning. Dinovitzer commented, though, that these figures are misleading. The movement of men into the public sector is bringing down the average of men's salaries, making women's average relatively larger. But AJD II revealed that in the private sector, especially at the mega firms, where women were earning only 88% of what men were earning, the dispar-

ity was growing. Dinovitzer admitted that many factors help determine salaries—law school attended, city in which one works, patterns of networking. However, the researchers controlled for these factors in Wave I (this has not yet been done on the Wave II data) and found that, even with controls, men still out earned women by five percent.

Marriage and family issues affect women's careers more than men's, the researchers found. In 2002, the survey showed that, like men, very few women had been married and very few of them had children. In Wave II the researchers found that slightly more women than men were still unmarried—16.8 percent of women compared to 15 percent of men. In Wave I 77% of women did not have children whereas in Wave II only 45% of women had no children. However, only 39% of the men in Wave II had no children, illustrating that women were still more likely to delay having children. As Dinovitzer commented, by delaying childbearing, “women are trying to make their careers work for them, and that's a tradeoff that some of them are perhaps choosing to make.”



Miriam Shearing

has had a long and distinguished career on the bench. Born in Waverly, New York, she received her bachelor's degree from Cornell University and her law degree from Boston College. She began her judicial career as a Justice of the Peace in Las Vegas Township in 1976, later becoming a Judge in the Nevada District Court Eighth Judicial District. In 1992 she was elected to the Nevada Supreme Court, and in 1997 became the Chief Justice, a position from which she retired in January 2005. She was the first woman in Nevada to hold any of these judicial positions. Justice Shearing's involvement with the law extends to the American Judicature Society, where she served as Chair from 2001 to 2003, and the American Bar Foundation, where she is the Nevada State Co-Chair, and a Member of the Fellows Research Advisory Committee.

Finally, Dinovitzer reported on the relationship of gender and levels of career satisfaction, though no clear pattern has emerged. As noted previously, in AJD II 76% of men and women reported being “moderately to extremely satisfied” with their decision to become a lawyer. The reported satisfaction levels varied by practice setting and to some degree by gender. Men working in the public sector, for example, reported higher satisfaction levels than women in the public sector. In solo practice, as well as in the mega-firms, on the other hand, women reported higher satisfaction levels than men.

DAVID WILKINS

spoke next about race in relation to lawyer career trajectories. In his remarks he referred to the AJD II data, but also shared data from two other research projects with which he is involved. He referred to the current situation of minorities in society as “the best of times and the worst of times.” The election of Barack Obama as president is a clear sign of how far minorities have come; yet on the day Obama was elected, Wilkins noted, several states voted to repeal affirma-

“ A full 76% reported being either “extremely or moderately satisfied” with their decision to become a lawyer. ”

tive action in higher education. In 1954 there were only 2,000 black lawyers in the United States; today the number is 40,000. Additionally, there are 27,000 Hispanic lawyers, and 20,000 Asians. Yet, at the same time, Wilkins remarked, though minorities make up 20 percent of law students, they constitute only 15 percent of lawyers in firms of over 100, only 4% of partners in those firms, and an even lower percentage of equity partners. As the AJD statistics show, African Americans have the highest reported rates of discrimination; 17.8 percent of African Americans reported that they experienced discrimination in their work, and 22 percent reported they experienced demeaning com-

ments because of their race. African Americans planned to leave their current employer at much higher rates than any other racial group.

Wilkins stated that there are two standard explanations for the lack of progress of minorities in law: continuing racism and the lack of a significant “pool” of minorities from which to draw. Though both of these explanations have some credibility, Wilkins proposes a third way to think about the problem. According to Wilkins, this “third way” is influenced by three factors that contribute to the current situation of minority law careers. These are: 1) institutional practices that are driven by history and competition; 2) “normal cognitive processes,” including stereotype and in-group bias; and 3) “reasonable responses to perceived threat,” that is, “an interactive process between what opportunities people perceive and their willingness to put themselves in certain circumstances.” Wilkins is researching these factors not only through the After the JD project, but also by way of a long-term qualitative study of black lawyers in corporate law firms, and another study, The Corporate Purchasing Project, which



David B. Wilkins

is Lester Kissel Professor of Law and Director of both the Program on the Legal Profession and the Professional Services Industry at Harvard Law School. He is a Visiting Senior Research Fellow of the American Bar Foundation and a Faculty Associate of the Harvard University Edmond J. Safra Foundation Center for Ethics. His areas of research include structures, norms, and practices of the legal profession. He has written extensively on the legal profession with an emphasis on the experiences of black lawyers in corporate law firms. He is the author of *The Black Bar: The Legacy of Brown v. Board of Education and the Future of Race and the American Legal Profession* (forthcoming, Oxford University Press), *Problems in Professional Responsibility for a Changing Profession* (Carolina Press 4th ed. 2002) (along with Andrew Kaufman), and more than 40 articles on legal ethics, law firms, and the legal profession.

examines the criteria large corporations use when hiring law firms.

Through his interviews with over 200 black attorneys, conducted over the last few years, Wilkins has uncovered a complex story about what is happening with African Americans in large law firms. He shared one interview as an example of the kinds of subtle issues African American attorneys can face. According to this attorney—a partner in a National Law Journal 250 firm—law school does not prepare people to succeed in a corporate firm; “it’s all about the informal structures that some people have the benefit of and others do not...It’s about getting mentorship and...knowing which way the wind is blowing.” This attorney left the firm he started out in because the firm “wasn’t really interested in attracting the kind of business that I thought I could attract.” He moved to a smaller, much more entrepreneurial firm that “hasn’t been here for 100 years and doesn’t have 100 years of stratification.” In his newer, faster growing firm “with the opportunities that are available, we have serious gaps [in personnel], and those gaps provide opportunities.”

Wilkins’s second research project, the Corporate Purchasing Project, at the Harvard Center on Lawyers and the Professional Services Industry, explores the concept of “diversity” by seeking to answer such questions as: What role does “diversity” play in corporate purchasing of legal ser-

“
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”

vices? Under what circumstances are executives more likely to hire services from truly diverse organizations? Conversely, when is “commitment to diversity” merely symbolic rhetoric?

Wilkins has found that the significance of diversity initiatives varies according to a number of factors. In general, Wilkins learned, though interviewees *say* that diversity is

important if they are asked directly about it, when they are asked to rate a list of factors important in selecting outside counsel, diversity comes in much lower than such considerations as results in similar cases, reputation, and prior relationships. How corporate counsel obtain information about which firm to hire made a crucial difference. The most common sources of information for these executives were “my personal knowledge” and “people in my organization.” However, Wilkins found that when executives spent time looking for good law firms outside of their own organization, or outside their usual circle of knowledge, diversity became a much more important factor in purchasing decisions. Another significant factor was the purchasing company’s organization-wide commitment to diversity. If the company held diversity as one of its core values it was much more likely to value diversity in the purchasing of legal services.

ALFRED C. AMAN

was the first commentator. As dean of a large, urban law school—the fifth largest in the country—with a student body diverse in many ways,



Alfred C. Aman

is Dean of Suffolk University Law School and an internationally known scholar and lecturer. The Dean of Indiana University School of Law—Bloomington from 1991-2002, Dean Aman served as the Roscoe C. O’Byrne Professor of Law at Indiana and a member of the Cornell University Law School faculty. He has held a Distinguished Fulbright Chair in Trento, Italy and visiting professorships in England, France, and Italy. Dean Aman is the author of five books and numerous articles on administrative and regulatory law. He graduated from the University of Rochester and the University of Chicago Law School, where he was Executive Editor of the *University of Chicago Law Review*.

including race, age and work experience, Aman was interested in sharing how the findings of the AJD were reflected (or not) in Suffolk's population, and in how the specifics of Suffolk's population might help shed light on some AJD findings. From its beginnings, Suffolk has encompassed a very diverse student body, Aman explained. At the turn of the twentieth century the school accepted students whose race, religion or need to work during the day meant that they were not welcome at other law schools. The heritage of diversity is an important part of Suffolk's identity, and to a large degree is reflected today in the school's strong commitment to public service. In the last 15 years or so, the school has also sought to take full advantage of its urban location by offering its students internships, a strong clinical program and a number of specializations and concentrations within the legal curriculum. Intellectual property and health law, two of the most popular concentrations, have been very helpful in "breaking down doors for our students" in getting hired by the larger law firms. With its large evening division, Suffolk attracts many older students,

many of whom have significant work experience in business or the sciences. The internships and clinics offered by the school provide "meaningful dress rehearsals for the kinds of challenges

“By delaying childbearing, women are trying to make their careers work for them, and that's a tradeoff that some of them are perhaps choosing to make.”

[students are] going to face.” As Suffolk students tend to be older, more experienced and perhaps more certain about the kind of law they want to practice, they—and lawyers from similar schools—may account for some of those in the AJD study who are less likely to change work

settings with great frequency. If AJD findings could be broken down for school location and type of curriculum (e.g. specialization versus general legal education), perhaps the project could further illuminate the issue of lawyer mobility, Aman noted.

KAY HODGE

started her comments on a positive note. All should take heart from the AJD II finding that 76 percent of women and men lawyers think they made the right career decision, she said, as it counters the stereotype of lawyers as beleaguered and unhappy. Lawyers can be their own worst enemies; instead they should “walk with pride,” according to Hodge. Practicing attorneys need to convey a more positive image of themselves and their work if they want to continue to attract the most capable young people—including people of color—to the profession.

Hodge next addressed the question of race. Speaking from her perspective as an Asian American attorney, she noted that there is a general perception that Asians don't share the problems of other minorities in law firms. The stereotype that



Kay H. Hodge

is a partner in the labor law firm of Stoneman, Chandler & Miller LLP, where she represents management in labor, employment, and employee relations matters. She is a Fellow of the College of Labor and Employment Lawyers and Secretary of The Fellows of the American Bar Foundation. Hodge is the Massachusetts State Delegate to the American Bar Association House of Delegates, past member of the Board of Governors, and immediate past Chair of the American Bar Association Commission on Racial and Ethnic Diversity. She is a past President of both the National Conference of Bar Presidents, and the Massachusetts Bar Association.

Asians are bright and hardworking causes some researchers to leave them out of studies. However, Hodge pointed to the AJD finding that, though Asians make up a substantial portion of young lawyers in large law firms, they make partner at a rate far lower than their white counterparts. Hodge urged the AJD researchers to try to ferret out why Asians were making partner at lower rates, “because that might teach us something that could be applicable to all the races.”

Hodge also urged the AJD researchers to continue to investigate the issue of diversity. Corporate diversity programs suffer from a lack of true commitment, Hodge argued. Many corporations are trying to encourage the hiring of minority attorneys, but the perception of minority lawyers is that many of these firms do not really follow through on the issue in a meaningful way. Hodge would like to see more research that explores how many corporations are actually moving their business to minority owned firms, “rather than making a few headline grabbing... actions.” Hodge also urged the researchers to continue to explore the issues of gender-based wage

disparities. She thought it particularly interesting and puzzling that there appeared to be virtually no gender related wage disparities among lawyers working in federal government, while

“
African
Americans
planned to leave
their current
employer at
much higher rates
than any other
racial group.”

clear disparities exist in state government and the private sector.

Hodge stated that the impact of layoffs related to the economic crisis will be huge, both in terms of how it affects minority lawyers and how the profession views itself. She urged the AJD researchers to take the opportunity to try to capture very specific information about the impact of lay-

offs on the profession.

Hodge closed her remarks by noting that, in order to enlarge the pool of incoming minority attorneys, it was important for law schools to do a better job of retaining minority professors, especially at schools with large minority student populations. Finally, Hodge called on practicing attorneys to do what they can to help expand opportunities within the profession to everyone by beginning to address some of the issues raised by the AJD project.

PHENISE POOLE

was the final commentator. She spoke from her perspective as Diversity Director for the ABA's Young Lawyer's Division, and also as someone who graduated from law school in 2000—the same cohort that is being followed in the After the JD project. Her remarks centered around three issues: the impact of debt on practice settings and mobility, the impact of firm culture on discussions of diversity and quality of life issues, and the impact of firm commitment to diversity on recruitment and hiring.

Regarding law school debt, Poole noted that different states have differ-



J. Phenise Poole

is an Assistant Vice President and Counsel with Fifth Third Bank, practicing in the area of Employment Law. She received her JD from the University of Dayton School of Law and her undergraduate degree from the University of Tennessee, Knoxville. Poole currently serves as the 2008-2009 Diversity Director for the Young Lawyers Division of the ABA, and also sits on the Steering Committee for the Cincinnati Bar Association's Cincinnati Academy of Leadership for Lawyers (CALL). The program is designed to provide leadership, professionalism and community service training to lawyers within the Cincinnati legal community.

ent rules about debt repayment and loan forgiveness for those working in the public sector. The variation in the length of time an attorney is required to be in an area of law to qualify for debt relief may help explain some of the movement in and out of the public sector that is revealed in the AJD data.

Institutional culture has a big impact on behavior surrounding diversity issues, in Poole's experience. Having worked herself in the public sector, in a private law firm and as in-house counsel to a bank, Poole has found that the in-house setting was most welcoming for open-ended discussions of diversity issues. At the private law firm, in contrast, Poole felt that discussions of diversity were less likely to occur in a larger setting. She also has found that managers and attorneys in in-house counsel offices are more open to discussions of quality of life and work-life balance issues.

In Poole's experience, law firms sometimes limit the success of their efforts to attract a diverse pool of lawyers by recruiting only at the most familiar law schools. In order to find quality minority applicants, firms must show a com-


mitment in "going to where [minority students] are. Sometimes they're at the non-traditional schools; sometimes they're at the night schools, the other programs...in order for firms to really show the commitment to diversity, I think they've got to look... there are minority students all over," Poole said.

BRYANT G. GARTH

a long-time AJD researcher, wrapped up the seminar with some final insights on the project's findings, following a question-answer session between panelists and audience members. Garth focused first on areas where the legal profession still lags behind in transcending the inequalities found in society at large. As the AJD statistics show, African Americans carry a larger law school debt and for longer periods than other groups. In every work setting African Americans are more likely to be planning on moving in the next two years than any other group. They also reported being more likely to suffer from overt discrimination than other groups. Garth also pointed out the continuing inequities women experience, including lower pay, and lower

likelihood of becoming partner.

On a positive note, like some of the prior panelists, Garth noted the seeming contentment of lawyers seven years into their careers. Seventy-six percent of those surveyed felt moderately or extremely satisfied with their decision to become a lawyer. Even work-life balance, the factor that seems to provoke so much discussion and discontent among lawyers and working people in general was not rated particularly highly as a source of unhappiness among those surveyed.

Finally, Garth commented on the future of the legal profession. With the current recession, "the bottom has dropped out of the legal profession and of the economy generally," Garth said. "What does this mean? Is [the law] a better place to be than other places?" Thanks to the AJD study, especially the final round of surveys in 2012, "at least we will have qualitative interviews with people...from which we can assess...the impact of this recession," Garth concluded. 

IF YOU ARE INTERESTED IN SUPPORTING RESEARCH IN LAWYER'S CAREERS OR OTHER IMPORTANT ABF INITIATIVES, PLEASE CONTACT LUCINDA UNDERWOOD AT 312.988.6573.



Bryant G. Garth

is Dean of Southwestern Law School and Director Emeritus of the American Bar Foundation (1990-2004). He chairs the advisory board of the Law School Survey of Student Engagement and serves on the After the JD Executive Coordinating Committee. His research interests include the legal profession, dispute resolution, globalization and the rule of law. He is the author or co-author of more than 75 articles and 16 books, including (with Yves Dezalay): *The Internationalization of Palace Wars: Lawyers, Economists and the Contest to Transform Latin American States* (2002, University of Chicago Press); and *Global Prescriptions: The Production, Exportation, and Importation of a New Legal Orthodoxy* (edited volume, University of Michigan Press, 2002).

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PRESIDENT

Richard Pena

DIRECTOR

Robert L. Nelson

WRITER | EDITOR

Katharine W. Hannaford



COPY EDITOR

Anne Godden-Segard

DESIGNER

Bradley Sexton Designs

CONTACT

email : info@abfn.org

phone : 312.988.6500

www.americanbarfoundation.org

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Chicago, Illinois 60611

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