



# After Tenure: Post-Tenure Law Professors in the United States

A Publication of  
The American Bar Foundation



After Tenure: Post-Tenure Law Professors in the United States

Prepared by

Elizabeth Mertz, Ph.D., J.D.  
American Bar Foundation  
University of Wisconsin Law School

Frances Tung, Ph.D.  
American Bar Foundation

Katherine Barnes, J.D., Ph.D.  
University of Arizona

Wamucii Njogu, Ph.D.  
Northeastern Illinois University

Molly Heiler  
American Bar Foundation

Joanne Martin, J.D., M.B.A.  
American Bar Endowment

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For additional information on the *After Tenure* study, contact the American Bar Foundation, 750 N. Lake Shore Drive, Chicago IL 60611; Phone: 312-988-6635

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## **Acknowledgments: The *After Tenure* Study, Part 1**

We begin by thanking The American Bar Foundation (ABF) and the Law School Admission Council, who generously provided the funding without which this study would not have been possible.

The *After Tenure* study proceeded in two phases: first, a national survey of randomly selected post-tenure law professors in the United States; and second, follow-up in-depth interviews with 102 of the survey respondents. This report conveys initial quantitative findings from the first phase of the project. During this phase, our team collaborated with the National Opinion Research Center (NORC) to reach potential participants and collect data. We gratefully acknowledge the assistance and many contributions of Martha Van Haitsma and Kelly Daley, survey lab co-directors, and the rest of the staff at NORC who worked with us on the first phase of this project.

The survey design was created with guidance and input from a number of social scientists and law professors. We are extremely grateful to them for giving their time and feedback to make this a successful study. The internal and external review committees at the ABF suggested specific items to include on the survey. Scholars from the *After the J.D.* project, including Robert Nelson, Ronit Dinovitzer, and Joyce Sterling, reviewed and helped to shape the initial questionnaire. In addition, Robert Nelson, Sam Sommers of Tufts University and John Hagan of the ABF and Northwestern University consulted on the survey design.

This project would not have been possible without the efforts and dedication of the committed research staff at the ABF who helped manage, compile, and analyze the data. Our thanks go to Tim Watson, Clara Carson, and Anne Godden-Segard who assisted in the initial mailing and tracking of the survey, as well as to Baimei Guo, Ujwal Chetry, Stephanie Lambert, Nadia Aziz, Lilly Dagdigian, and Annie Tillmann who helped with data collection, entry, and analyses.

Finally, we would like to express our sincere gratitude to the law professors who participated in this survey. Their willingness to share their opinions and experiences has contributed to a deeper understanding of the professional lives of tenured professors. We also want to thank the professors who participated in the interviews during the second phase of the project, for helping to provide a more in-depth picture of the complex issues that affect their experiences.

## Principal Researchers

**Elizabeth Mertz, Ph.D., J.D.**

*Senior Research Faculty, American Bar Foundation*

*John and Rylla Bosshard Professor of Law, University of Wisconsin Law School*

**Katherine Barnes, J.D., Ph.D.**

*Professor of Law, University of Arizona, James E. Rogers College of Law*

*Director, Rogers Program on Law and Society, University of Arizona, James E. Rogers College of Law*

**Wamucii Njogu, Ph.D.**

*Dean of College of Arts and Sciences, Associate Professor of Sociology, Northeastern Illinois University*

## Project Managers and Lead Research Staff

**Project Managers:**

*Molly Heiler, American Bar Foundation*

*Sandy Longworth, American Bar Foundation*

*Frances Tung, Ph.D., American Bar Foundation*

**Lead Research Staff:**

*P. Rafael Hernandez-Arias, Ph.D., DePaul University*

*Joanne Martin, J.D., M.B.A., American Bar Endowment*



## The *After Tenure Study*: Executive Summary

The After Tenure study, jointly funded by the American Bar Foundation and the Law School Admission Council, is the first in-depth examination of the professional lives of post-tenure law professors in the United States. It combines a national survey of post-tenure law professors in the U.S. (undertaken in 2005-2006) with a set of follow-up interviews (conducted with a subset of the survey respondents in 2007-2008). A total of 1,174 professors<sup>1</sup> completed the survey; along with 48 who answered substantial parts of the survey, their responses provide the basis of this Project Report, which contains descriptive statistics from our first quantitative analyses. Future reports and articles will provide further quantitative and qualitative results.

Initial findings show that tenured professors are generally satisfied with their work situations (i.e., relationships with colleagues, overall work conditions), but that scholars of color and white women are significantly more likely to be unhappy. For example, the latter are significantly more likely to think that the tenure process is unfair and difficult.<sup>2</sup> Women of color are the least satisfied of all demographic groups. Both quantitative and qualitative results reported elsewhere point to cohort-related differences in the racial and gender breakdowns on satisfaction.<sup>3</sup>

Additional findings included in the attached report give a detailed picture of the post-tenure law professoriate in terms of geography, age, parents' educational levels, religion, school status, and many other factors. For example, a high proportion of law professors' parents have pursued post-graduate education, even though a substantial minority of law professors come from less privileged backgrounds. The majority of the nation's law professors teach in private schools, and over 35% teach in the top 50-ranked law schools (out of 187 then-accredited law schools). Despite some disparities in satisfaction and amount of collegial interaction, a high percentage of tenured law professors from all demographic backgrounds reported feeling loyalty to the law schools at which they taught.

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<sup>1</sup> The respondent group consisted of professors with a range of post-tenure experience: 27% of respondents have 0-9 years, 31% have 10-19 years, 28% have 20-29 years, 11% have 30-39 years, and 2% have 40-49 years of experience after receiving tenure.

<sup>2</sup> Preliminary findings regarding the tenure process appear in Katherine Barnes and Elizabeth Mertz, *Is It Fair? Law Professors' Perceptions of Tenure*. *Journal of Legal Education*. (In Press).

<sup>3</sup> *Id.*

**SECTION 1: Introduction to the After Tenure Study**



## Introduction – Study Background

The *After Tenure* (AT) study examines the post-tenure experiences of U.S. law professors. In the United States, law professors who have achieved senior status play an important role: they direct the initial training and screening of lawyers, who in turn play a large role in this society’s political and legal systems. Legal academics can also directly affect the conceptualization of national and local legal issues through their scholarship or through their own personal involvement as advocates, judges, or government officials—including, now, the President of the United States himself. Thus, beyond the power that professors in all fields wield as educators, law professors also have a potential influence on the governing of our society—if not through their own individual efforts, then by shaping the educational institutions that train attorneys. As members of a society with a democratic legal system, it is important that we understand the kind of environment created for and by law professors within the legal academy. Tenure has long served as a guardian of academic freedom for these important voices in our society; this study allows us to see how it is working and what happens to those who pass the threshold it sets.

However, despite the potential importance of senior law professors in helping to shape our society, the post-tenure experiences of law professors have not been extensively studied to date, particularly at the national level. Empirical research on law professors has tended to focus on issues of hiring and tenure, an understandable emphasis given the importance of these processes to professional advancement. Yet the post-tenure time period constitutes the bulk of most law professors’ careers, and it is usually only during this time period that they have much potential power to shape law schools as institutions. This research provides information about the experiences of post-tenure law professors, with attention paid to their perceptions of teaching and research, the missions of law schools, diversity within the legal academy, and many other issues. In addition to its contribution to our knowledge regarding law professors in particular, the study speaks to a larger body of literature on both the legal profession and the academy.

There were two phases of the study. The first phase, which forms the basis of this report, involved a national survey of tenured law professors. We employed a random sample that was stratified by gender, augmented by an oversample targeted at tenured law professors of color (also referred to as “minority professors” for brevity in this report). The sample was drawn from the 2002-2003 national database of law professors provided by the American Association of Law Schools (AALS). Of those contacted by the AT study team, 1,174 (approximately 63% of the sample) fully completed either the written or phone version of the

study survey, while an additional 48 respondents completed a substantial part of the survey.<sup>4</sup> This figure includes the minority oversample, for which we contacted all minority professors who had not already been selected as part of the random sample; the oversample netted a total of 232 respondents.<sup>5</sup> The 1,222 respondents from whom we received usable replies represented 28% of all tenured law professors in the United States at the time. The second phase of the study, which will be reported in later publications, entailed follow-up in-depth interviews with 102 of the respondents from the first phase<sup>6</sup>.

This report contains initial results from the survey. More complex analyses of the quantitative findings will be presented in a series of publications, as will findings from the qualitative second phase of the project. Six substantive sections follow this introduction; the final section presents preliminary conclusions. The report concludes with an appendix describing the methodology for selecting participants and conducting the survey as well as for the weighting of the results. The results included in this report, which have been weighted for differential selection probability and non-response, reflect the national population of tenured law professors in the early 2000s. The tables of results in this report generally include the number of survey responses in unweighted form along with the corresponding weighted percentages. Data that situate the AT sample as a whole within the population from which it was drawn rely on AALS statistics, by contrast with figures for our survey respondents, which obviously derive from our own survey data. Unless otherwise noted, the tables of this Report provide findings from our survey; the “N” for responses will obviously vary based on how many people answered an individual question.

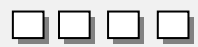
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<sup>4</sup> We calculated our overall response rate based on full responses in order to generate a conservative number. If we included substantial partial responses (N= 48), the response rate would be 65.6%.

<sup>5</sup> The initial sample included 2,076 professors who were mailed surveys: Of those, 1,862 professors were eventually defined as eligible respondents, and 1,222 professors answered all or most of the survey. This total number of respondents includes professors (N= 364) who completed an abbreviated telephone version of the survey in order to increase the response rate during which certain questions were not asked (the number of respondents “not asked” are reported for the relevant questions). It also includes a small number of professors who completed a substantial portion of the original mailed (or on-line) survey, but not all of it (N= 48). A total of 1,174 professors fully completed either the original or phone versions of the survey.

<sup>6</sup> Ninety- six of these interviews met particularized selection criteria (geography, levels of experience, etc.) and 4 interviews fell outside of those parameters, though they provided useful information nonetheless. The remaining two interviews were not used at all because the respondents asked us to hold the interviews pending a grant of final permission, and then did not answer subsequent communications from our team.

**SECTION 2: Demographic Characteristics**



## Demographic Characteristics

The overall number and demographic characteristics of tenured law professors in the United States have changed in the last few decades. In 1947, there were only 991 full-time professors at 111 accredited law schools (Fossum 1980). In 2007-2008, there were 8,142 full-time professors at 197 law schools (ABA n.d.). In terms of tenured faculty in particular, there was a gradual rise from 4,199 professors in 2002 to 4,534 in 2008.

Donna Fossum of the American Bar Foundation conducted the first systematic study of U.S. law professors; she found that the law professoriate in the 1970s and 1980s was highly homogeneous in terms of gender, race, and law school background (Fossum 1980, 1983). Thus in 1975-1976, the characteristics of law faculty were similar to those of the legal profession in general: 96% of professors were white, 93% were male, and 66% were between the ages of 30 and 50 (Fossum 1980). As this study will show, the population of law professors became a much more diverse group in subsequent years.

### ***Gender, Race, and Sexual Orientation***

The gender and racial breakdown of the AT sample reflected the demographics of the overall national population of tenured law professors in 2002-2003. For example, the AT survey found that 25.2% of tenured law professors in the United States were women, very closely mirroring the American Bar Association's reported statistic of 25.1% female tenured law professors at that time. The AT study included approximately 12% tenured law professors of color\*, a figure matching that in the ABA's report. Black professors made up the largest minority group, again mirroring the ABA's report regarding the national population of law professors. In terms of sexual orientation, approximately 4% of tenured law professors in the AT study identified themselves as lesbian, gay, or bisexual.\*

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\*Some of the percentages provided in the text are not directly cited in the tables.

TABLE 2.1 Comparative Distributions of Race and Gender in Respondents, Sample, and National Populations

	AT Respondents		AT National Sample		ABA Tenured Law Professor Survey <sup>a</sup>	
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)	%	N
Female	25.2	558	25.2	823	25.1	1,054
Male	74.8	664	74.8	1,039	74.9	3,145
White	85.9	832	81.7	1,185	87.4	3,669
Native American	0.5	14	0.4	18	0.3	12
Asian	1.7	54	2.1	93	1.7	71
Black	6.6	204	8.1	358	7.1	300
Latino/a	2.3	75	2.5	118	3.3	139
Multiracial	1.1	32	1.1	49	-	-
Missing	1.9	11	4.2	41	-	-
TOTAL	100	1,222	100	1,862	-	-

<sup>a</sup>Note. Data on gender and race are based on the ABA’s Legal Education Statistics reporting on law school staff and faculty members, taken from their website in March 2010 (on file; no longer available online.) The comparison figures above are from 2002-2003, which is when the study sample was drawn.

### ***Race and Gender***

The interaction of gender and race provides another perspective regarding the characteristics of tenured law professors. There are almost three times as many white men as white women. Similarly, minority men outnumber minority women but to a lesser degree.

TABLE 2.2 Comparative Distributions by Race and Gender

Race/ Gender	AT Respondents		AT National Sample		ABA Tenured Law Professor Survey <sup>d</sup>	
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)	%	N
White Men	66.8	433	65.3	631	67.1	2,813
White Women	20.8	398	20.0	553	20.4	856
Minority Men	7.6	222	9.1	382	7.7	324
Minority Women	4.8	157	5.6	254	4.7	198
TOTAL	100	1,210 <sup>a</sup>	100	1,820 <sup>b</sup>	100	4,191 <sup>c</sup>

<sup>a</sup>Our database includes data from two different sources on respondent race, one based on responses to our survey, the other based on information from the AALS database. The AALS database yields information on race regarding one additional white respondent beyond those who provided information within the survey; thus we have 831 white respondents in the actual survey responses, and 832 white respondents based on the AALS database.

<sup>b</sup>This figure does not include data missing from 42 professors.

<sup>c</sup>The total number of tenured law professors does not include individuals categorized as “foreign” by the ABA. In 2002-2003, 8 professors were considered “foreign.”

<sup>d</sup>Data on gender and race are based on the ABA’s Legal Education Statistics reporting on law school staff and faculty members, taken from their website in March 2010 (on file; no longer available online). The comparison figures above are from 2002–2003, which is when the study sample was drawn.

### ***Age and Post-Tenure Experience***

The respondents ranged in age from 30 to over 70 years old at the time of the study in 2005. The majority of respondents fell between 40 and 69 years of age, with 40% of the professors falling between 50 and 59 years of age. The average age of tenured men was 57 while the average age of tenured women was 52.\* Post-tenure experience of law professors in the AT study ranged from less than 1 year to 49 years. About one-third of professors had 10 to 19 years of experience. The majority of tenured minority and women law professors obtained tenure after 1986.



TABLE 2.3. Respondents and Sample by Age

Age Range	AT Respondents		AT Sample	
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)
30- 39 years old	2.9	44	2.9	70
40-49 years old	22.4	347	22.3	522
50-59 years old	39.7	525	39.8	775
60-69 years old	26.7	240	27.1	388
70 years or greater	8.3	61	7.2	87
Did not complete	0	0	0.7	20
TOTAL	100	1,217	100	1,862

TABLE 2.4. Years of Experience After Tenure

Cohort (when tenure was received)	Number of Years of Experience After Tenure	% (weighted)	N (unweighted)
1996-2005	0 to 9	27.8	441
1986-1995	10 to 19	30.4	401
1976-1985	20 to 29	27.7	265
1966-1975	30 to 39	11.8	87
1956-1965	40 to 49	2.4	13
TOTAL		100	1,207

TABLE 2.5. Cohort by Race/Ethnicity

Cohort (when tenure was received)	White	Black	Latino	Asian
	% (weighted)	% (weighted)	% (weighted)	% (weighted)
1996-2005	23.5	51.5	52.9	63.5
1986-1995	31.6	31.7	29.2	30.7
1976-1985	30.4	14.3	15.3	2.7
1966-1975	12.4	2.6	2.7	3.1
1956-1965	2.2	0.0	0.0	0.0
TOTAL %	100	100	100	100
TOTAL N (unweighted)	811	200	75	52

\*Some of the percentages provided in the text are not directly cited in the tables.

TABLE 2.6. Cohort by Gender

Cohort (when tenure was received)	Men		Women	
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)
1996-2005	23.1	194	41.7	247
1986-1995	27.5	190	39.0	211
1976-1985	31.0	180	17.7	85
1966-1975	15.3	81	1.5	6
1956-1965	3.2	13	0.0	0
TOTAL	100	658	100	549

### ***Educational Background***

The majority of professors had strong academic backgrounds. About 53% of tenured law professors graduated in the top 10% of their class, while 72% reported graduating in the top 25% of their class.

TABLE 2.7. Law School Class Rank

Class Rank	% (weighted)	N (unweighted)
Top 10%	52.7	507
Top 11-25%	19.5	241
2 <sup>nd</sup> Quarter of Class	6.4	94
3 <sup>rd</sup> Quarter of Class	1.0	15
4 <sup>th</sup> Quarter of Class	0.4	8
Don't know	20.0	265
TOTAL	100	1,130

### ***Religion***

Sociologists studying religion in colleges and universities have found that professors are more religious than previous assumptions would lead us to believe. On the other hand, professors are less religious than the general population (Gross & Simmons 2007). In the AT study, the population of tenured law professors represents a range of religious affiliations. The largest group of law professors who responded to this question identified themselves as Protestant (26.9%) while 20.1% reported that they were Jewish. Smaller groups identified

themselves as Roman Catholic (12.0%) and Muslim (0.2%).<sup>7</sup> About 21% of law professors with tenure stated that they had no religious affiliation. A few respondents took time to comment that they did not wish to report on their religious preferences because they felt this to be a sensitive subject.

TABLE 2.8. Religious Affiliation

Religious Affiliation	% (weighted)	N (unweighted)
Roman Catholic	12.0	168
Protestant	26.9	364
Jewish	20.1	212
Muslim	0.2	4
Other Religion	9.7	132
No Religious Affiliation	20.6	259
Missing	10.6	83
TOTAL	100	1,222

### ***Family Background***

AT survey results indicated that many tenured law professors come from educated and thus relatively privileged backgrounds. Approximately 42% of these professors' mothers (about 3.5 times the national average) and 58% of their fathers obtained a bachelor's degree and attended graduate school or obtained a graduate degree. Approximately 13% of tenured law professors' fathers and 3% of their mothers have law degrees themselves.\*

A substantial minority of tenured law professors come from less privileged backgrounds. Approximately 25% of professors reported that their mothers attained at most a high school diploma or its equivalent; the same is true for 21% of professors' fathers. This is a significantly lower percentage than is found in the general population, where 70% of women and 61% of men achieved a high school diploma or less. About 30% of professors' mothers and 20% of professors' fathers attended only some college or received only an associate's degree.

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<sup>7</sup> The proportion of law professors in this study who identify as Protestant, Roman Catholic, and unaffiliated is lower than comparable proportions in the general population. The number of law professors who identify as Jewish is greater compared to the general population at 1.7% (Pew Research Center 2007).

**TABLE 2.9. Parental Education Compared with the General Population**

	<b>Mother</b>	<b>Father</b>	<b>National Women<sup>a</sup></b>	<b>National Men<sup>a</sup></b>
	<b>% (weighted)</b>	<b>% (weighted)</b>	<b>%</b>	<b>%</b>
Some High School or less	7.4	9.6	35.1	33.6
High School Diploma or Equivalent	18.0	11.6	35.1	27.5
Some College/Associates Degree/Vocational School	29.8	19.9	18.0	18.4
Bachelor 's or Four Year Degree	22.5	17.4	7.4	11.2
Some Graduate School/Graduate or Professional Degree	19.7	40.5	4.5	9.3
Other/Not Available	2.5	1.1	-	-
<b>TOTAL N</b>	<b>1,164</b>	<b>1,161</b>	<b>20,596,602</b>	<b>14,382,370</b>

<sup>a</sup>Figures from the 2000 Census ([http://factfinder.census.gov/servlet/DTTable?\\_bm=y&-geo\\_id=01000US&-ds\\_name=DEC\\_2000\\_SF3\\_U&-mt\\_name=DEC\\_2000\\_SF3\\_U\\_PCT025](http://factfinder.census.gov/servlet/DTTable?_bm=y&-geo_id=01000US&-ds_name=DEC_2000_SF3_U&-mt_name=DEC_2000_SF3_U_PCT025)). Restricted to general population ages 65 years and older.

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\*Some of the percentages provided in the text are not directly cited in the tables.

### **Section 3: Current Law School Characteristics**



## Current Law School Characteristics

The law professors in the group of survey respondents taught in a range of law schools across the country. They represent 185 law schools in the United States, out of 187 schools recognized by the AALS at the time. We separate the “first tier” of law schools into two halves, tracking the most elite (the 20 top-ranked schools) separately from the rest of the 50 top-ranked law schools. When percentages for the two parts of the top tier are combined, they constitute the highest proportion of tenured law professors (34.7%), which is roughly comparable to the total number of full-time faculty in first-tier law schools nationwide (37.6%).

TABLE 3.1 Comparative Distribution of Respondents, Sample, and Nationwide Population by Law School Tier<sup>8</sup>

	AT Respondents	AT Sample	Total Full-Time Faculty <sup>b</sup>
Ranking Tier <sup>a</sup>	% (weighted)	% (weighted)	%
Tier 1 (Rank 1-20)	17.5	20.5	19.6
Tier 1 (Rank 21-50)	17.2	18.1	18.0
Tier 2 (Rank 51-102)	28.8	28.6	28.0
Tier 3 (Rank 103-136)	14.7	14.1	13.7
Tier 4 (Rank 137-179)	21.0	17.6	19.4
Not ranked (Provisional)	0.6	0.9	1.3
Missing	0.3	0.2	0
TOTAL	100	100	100

<sup>a</sup>Based on the *U.S. News and World Report* rankings of law schools in 2005.

<sup>b</sup>From the *ABA-LSAC Official Guide to ABA-Approved Law Schools*, 2007 edition. The data for the 2007 edition was collected in fall 2005.

### Geographical Characteristics

The majority of tenured law professors (87.3%) were employed in law schools located in larger urban settings, defined as areas with a population greater than 50,000. Smaller percentages of professors were employed in urban clusters (12.4%), classified as areas with a population between 2,500 and 50,000 or in rural settings (0.3%). The distribution of tenured law professors was comparable to the national population of full-time law professors located in urban settings (87.9%), urban clusters (11.6%), and rural settings (0.5%).

A greater number of tenured law professors (34.9%) worked in law schools in the southern region of the United States than any other region. The southern region, which encompasses the largest number of states, includes the Southern Atlantic states such as Maryland and the District of Columbia as well as the South Central states. Approximately 23.2%

<sup>8</sup> This table does not include a cohort analysis which is underway for future publications.

of tenured law professors worked in institutions in the Northeast (i.e., New England and Middle Atlantic states) compared to 22.9% in the Midwest (i.e., North Central states) and 19.0% in the West (i.e., Mountain and Pacific states) regions.

TABLE 3.2. Law Schools by Geographical Region

Geographical Region	AT Respondents		Total Full-Time Faculty Nationwide <sup>a</sup>	
	% (weighted)	N (unweighted)	%	N
Urban setting	87.3	1,068	87.9	6,235
Urban clusters	12.4	146	11.6	826
Rural	0.3	4	0.5	33
TOTAL	100	1,218	100	7,094
Northeast	23.2	265	26.0	1,842
Midwest	22.9	270	22.5	1,593
South	34.9	434	33.7	2,393
West	19.0	249	17.9	1,266
TOTAL	100	1,218	100	7,094

<sup>a</sup>From the ABA- LSAC *Official Guide to ABA- Approved Law Schools*, 2007 edition. The data for the 2007 edition was collected in fall 2005.

### ***Public Versus Private Law Schools***

Interestingly, only 41.3% of the tenured law professors in the survey taught in public institutions while 58.8% of tenured law professors taught in private institutions. At the time of the study, 38.4% of all full-time faculty (including untenured full-time professors) in the nation's law schools taught at public institutions and 61.6% in private institutions.<sup>9</sup> In terms of size, the average public law school had 32 full-time professors, while the average private law school had 35 full-time professors (computed from ABA data; Margolis, Gordon, Pushkarz, & Rosenlieb 2007).\*

<sup>9</sup> At the time of the study in 2005, there were 82 public law schools and 109 private law schools.

\*Some of the percentages provided in the text are not directly cited in the tables.

**TABLE 3.3. Law Schools by Type of Institution**

Type of Institution	AT Respondents		Total Full-Time Faculty Nationwide. <sup>a</sup>	
	% (weighted)	N (unweighted)	%	N
Public	41.3	523	38.4	2,725
Private	58.8	695	61.6	4,369
<b>TOTAL</b>	<b>100</b>	<b>1,218</b>	<b>100</b>	<b>7,094</b>

<sup>a</sup>From the *ABA- LSAC Official Guide to ABA- Approved Law Schools*, 2007 edition. The data for the 2007 edition was collected in fall 2005.



**Section 4: Job Experiences and Characteristics**



## **Job Experiences and Characteristics**

### ***Teaching and Interacting with Students***

The AT study surveyed tenured professors' attitudes towards different aspects of teaching. Most professors (88%) felt it was important to maintain tough teaching standards to set high goals for student excellence.\* At least 75% of professors believed it was important to create open and accepting classroom environments where students could feel comfortable, and they reported teaching students tolerance. An overwhelming percentage (85%) of tenured professors reported feeling that the core mission of a law school is to prepare students well for the actual practice of law.<sup>10</sup>

The vast majority of professors reported feeling respected and comfortable in their teaching positions, with 96% feeling respected by students and 98% feeling comfortable in the classroom. Tenured professors also reported being involved with students. Approximately 45% of tenured law professors reported that students "often" turn to them for advice, while 54% reported that students "sometimes" seek advice from them. More than half of tenured professors reported being involved in student issues committees.

### ***Committee Work***

In addition to teaching and research, most tenured law professors also reported that they perform committee work. Professors indicated that they served on various types of committees including appointments, curriculum development, speakers' series, student issues, and law school program development. Some professors also reported serving on promotion and tenure, readmissions, search, student recruitment, accreditation, and teaching committees.\* The majority of tenured professors (81%) indicated they had had opportunities to serve on important committees. However, one fifth of tenured professors felt that they had had to "perform an unfair amount of committee work."\*

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<sup>10</sup> This was as compared with other goals such as producing students who will serve indigent or under-served communities, and a number of other options.

\*Some of the percentages provided in the text are not directly cited in the tables.

TABLE 4.1. Involvement in Committee Work

Committees	% (weighted)	N (unweighted)
Appointments	76.3	617
Advisory to the Dean	68.6	449
Curriculum Development	66.5	504
Speakers' Series	48.1	342
Law School Program Development	66.1	439
University-wide Committee	76.3	535
Respondents not asked	-	367

Note: The survey question asks: "On which of the following types of committees have you ever served? Please indicate if it was pre- and/or post-tenure." The results above report only post-tenure committee involvement.

### ***Income***

The median range of incomes varied depending on number of years of experience and factors pertaining to the particular law schools at which professors taught. Professors with a greater number of years of work experience earned a higher income than did those with fewer years of experience. At the time of the AT survey, those professors who had received tenure between 1966 and 1975 were earning, on average, between \$150,000 and \$174,999 while those who had received tenure between 1976 and 1995 were earning between \$125,000 and \$149,999. Respondents who received tenure more recently (that is, after 1996), on average, were earning between \$100,000 and \$124,999.

In addition, law professors' income varied according to the ranking of the institution.<sup>11</sup> Respondents employed in law schools ranked within the top 20 earned more than those working at other schools.\* Similarly, law professors working in third- and fourth-tier schools earned less than those teaching in higher-ranked law schools. Interestingly, salaries at public and private institutions fell within the same median income range.

<sup>11</sup> We were unable to find comparable income data for law faculty at the national level from other sources. Average salaries for professors at the national level were higher at private 4-year not-for-profit institutions (\$96,151) than public institutions (\$92,325) (Knapp, Kelly-Reid, Whitmore, & Miller, 2007). Both are noticeably lower than median salaries of law faculty. On the other hand, salaries of law professors, whose credentials generally place them among the most competitive law graduates, are lower than attorneys of similar seniority at the higher end of the pay scale (i.e., in the top-50 firms, profits per partner top \$1 million) (Henderson 2006, p. 1719; see also Plickert & Dinovitzer 2007, p. 14).

\*Some of the percentages provided in the text are not directly cited in the tables.

Table 4.2. Respondents' Median Income by Cohort (unweighted)

Cohort (when tenure was received)	Median Salary (in dollars)
1996-2005	100,000- 124,999
1986-1995	125,000- 149,999
1976-1985	125,000- 149,999
1966-1975	150,000- 174,999
1956-1965	175,000 <sup>a</sup>

<sup>a</sup>Exactly 50% of this group earned less than \$174,999 while 50% earned more than \$175,000

We also examined income by geographical regions. Median salaries for law professors were similar for those teaching in the Northeast, South, and West but were lower in the Midwest. This trend is different from the national income trend in 2005.

Table 4.3. Respondents' Median Income by Institutional Characteristics (unweighted)

	Median Salary (in US dollars)
Public Institution	125,000- 149,999
Private Institution	125,000- 149,999
Northeast	125,000- 149,999
Midwest	100,000- 124,999
South	125,000- 149,999
West	125,000- 149,999
Urban Center (50,000+)	125,000- 149,999
Urban Clusters (2,500-50,000)	125,000- 149,999
Rural	125,000 <sup>a</sup>

<sup>a</sup>Exactly 50% of the sample in rural settings earned less than \$124,999 while 50% earned more than \$125,000

### ***Professional Opportunities***

The study also examined the professional opportunities available to professors after tenure. We asked respondents whether they had had the same kinds of opportunities that their colleagues did in terms of representing their institution to important outsiders. In general, the majority of tenured professors indicated that they had been given better or comparable opportunities in this regard. Most professors reported that they had ample opportunities to choose the courses they wanted to teach or to go on leave. Three quarters of tenured professors felt that they had received salary increases higher or comparable to their colleagues. However, a lower percentage (when responses were weighted) reported that they had had comparable opportunities to receive perks from their law schools.

TABLE 4.4. Availability of Professional Opportunities

<i>Have had opportunities better or comparable to others of the same rank.....</i>	<b>% (weighted)</b>	<b>N (unweighted)</b>
To go on leave	81.4	920
To represent institution to important outsiders	76.0	836
To receive higher salary increases	74.8	764
To choose which courses to teach	88.8	992
To receive perks from law school	42.5	467

Note: The survey question asks: “Do you agree or disagree with statements below?” Percentages include all “agree” responses.

### ***Strategies for Career Advancement***

In addition to teaching and conducting research, tenured law professors also reported devoting time to advancing their careers. Over one third of our sample “often” attended professional conferences and communicated with colleagues in their field. About 36% of the law professors in our survey reported that they “often” sent out reprints, usually to a selected network rather than to a broad mailing list. Some professors said they gave talks at other schools. In general, very few law professors said that they networked with their former law school classmates, sought outside offers, or participated in support groups.

TABLE 4.5. Use of Strategies for Career Advancement

Activity	Engages In Activity	Never Engages Activity	TOTAL N (unweighted)
	% (weighted)	% (weighted)	
Networking with law school classmates	22.0	78.0	831
Attending professional conferences	90.0	10.0	838
Sending out reprints to a selected network	69.5	30.5	837
Sending out reprints to a broad mailing list	35.3	64.7	832
Giving talks at other law schools	70.2	29.8	834
Seeking outside offers	20.8	79.2	830
Making an effort to contact and communicate with scholars in my field	89.1	11.0	836
Participating in support groups of colleagues	22.3	77.7	709
Respondents not asked	-	-	367

Note: The survey question states: “In the period since tenure, please indicate whether you often, sometimes, or never use the strategies listed below for career advancement.” The data in this table does not include responses marked N/A.

### ***Interacting With Colleagues***

A large proportion of tenured law professors reported devoting some of their time to socializing with colleagues. Almost 97% of professors “often” or “sometimes” socialized with their law school colleagues during work, whereas about 87% “often” or “sometimes” socialized outside of work. Interestingly, while 79% of law professors “often” or “sometimes” would turn to their colleagues for advice or support, about 93% reported that colleagues would seek support from them. Conversely, tenured law professors said they interacted much less with colleagues who were outside of the law school than with colleagues at their law schools. Roughly half of the professors said they “never” socialized with colleagues from the university.

TABLE 4.6. Interacting with Colleagues

Activity	Participates In Activity	Never Participates In Activity	TOTAL N (unweighted)
	% (weighted)	% (weighted)	
Socialize with law school colleagues during work hours	96.6	3.4	837
Socialize with law school colleagues outside of work	87.4	12.6	835
Socialize with colleagues from the university who are not at the law school while at work	48.5	51.5	728
Socialize with colleagues from the university who are not at the law school outside of work	50.6	49.4	728
Socialize with colleagues from the university administration	36.2	63.8	755
Turn to colleagues for advice or emotional support	79.3	20.7	834
Turned to by colleagues for advice or emotional support	93.4	6.6	838
Respondents not asked	-	-	367

Note: The survey question asks: "Please indicate how often you participate in the activities below: *Check one box on each line.*" The response choices are: "Often," "Sometimes," "Never," or "NA." The data in this table does not include responses marked N/A.

**Section 5: Job Satisfaction**





## General Job Satisfaction

Tenured professors generally reported a high level of satisfaction with their jobs. The majority (approximately 81%) reported that their current job is “exactly” or “pretty much” like the job they had envisioned.

Table 5.1. Current Job Compared to Envisioned Job as Law Professor

	% (weighted)	N (unweighted)
Exactly what I wanted	23.9	236
Pretty much what I wanted	57.4	674
Some of what I wanted	14.5	210
Little of what I wanted	1.5	19
Nothing Like what I wanted	0.9	10
Other	1.1	6
Don't Know	0.8	5
<b>TOTAL</b>	<b>100</b>	<b>1,160</b>

The respondents were asked to rate measures of work-setting satisfaction. The majority of tenured professors reported that they “agree” that they feel respected by their colleagues and that they have a voice at their law school. On the whole, professors also reported feeling respected in their fields. Although 41% of tenured law professors reported disagreeing with their colleagues, they said they felt very comfortable voicing their disagreements.\* Professors also reported high institutional satisfaction, with 92% indicating that they felt loyal to their law school.\*

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\*Some of the percentages provided in the text are not directly cited in the tables

Table 5.2. Responses to Measures of Work Setting Satisfaction

	Mean Satisfaction
Respected by colleagues in the law school	1.7
Feel opinions matter to colleagues in the law school	2.0
Listened to with respect during hiring/promotion decisions	2.0
Often disagree with tenured colleagues	2.8
Comfortable voicing disagreements with tenured colleagues	1.9
Have an impact on major decisions in law school	2.2
Respected in field	1.8

Note: The survey question states: "Please indicate whether you agree or disagree with statements below." Possible responses include: "1=strongly agree," "2=agree," "3=neutral," "4=disagree," and "5=strongly disagree."

There were some differences in satisfaction based on the cohort in which professors received tenure. Law professors tenured after 1976 agreed more strongly that their opinions matter to colleagues in the law school or have an impact on major decisions in the law school than those tenured in 1956-1965.<sup>12</sup> Moreover, law professors tenured between 1966-1975 are less likely to agree that their opinions matter to law school colleagues, that they are listened to with respect during hiring or promotion decisions, that they feel comfortable voicing disagreements with tenured colleagues, that they have an impact on major law school decisions, or that they feel respected in the field, as compared with the cohort that was tenured between 1996-2005.<sup>13</sup>

<sup>12</sup> While the 1956-1965 cohort has fewer people, these differences were significantly different at  $p=0.0173$  and  $p=0.0336$ , respectively.

<sup>13</sup> This pattern is also true for the earlier cohort but because of small numbers, it is unclear if it is due to random variability or a real pattern.

Table 5.3. Responses to Measures of Work Setting Satisfaction by Cohort (Mean Scores)					
	1996-2005	1986-1995	1976-1985	1966-1975	1956-1965
Respected by colleagues in the law school	1.7	1.8	1.6	1.7	1.6
Feel opinions matter to colleagues in the law school	1.9	2.0	1.9	2.2	2.6
Listened to with respect during hiring/promotion decisions	1.9	2.1	1.9	2.2	2.8
Often disagree with tenured colleagues	2.8	2.8	2.7	3.0	2.7
Comfortable voicing disagreements with tenured colleagues	2.1	1.9	1.8	1.7	1.7
Have an impact on major decisions in law school	2.2	2.2	2.1	2.6	2.9
Respected in field	1.9	1.8	1.9	1.7	1.9

Note: The survey question states: "Please indicate whether you agree or disagree with statements below." Possible responses include: "1=strongly agree," "2=agree," "3=neutral," "4=disagree," and "5=strongly disagree."

**Section 6: Race/Ethnicity**



## **Race/Ethnicity**

Since 1965, the number of scholars of color entering tenure track teaching has gradually increased; some scholars have attributed this rise, in part, to affirmative action recruitment efforts (Fossum 1980). By 1975-1976, there was at least one minority faculty member in 50% of law schools. In 1986-1987, Chused (1988) found that 3.7% of faculty members were Black compared to 2.8% in 1980-1981 (although during the same time period, one-third of law schools had only one Black faculty member and one-third did not have any). In more recent times, about 16.3% of all full-time law faculty and 14.1% of all tenured faculty were scholars of color, with Black professors (7.3%) representing the largest minority group (ABA n.d.).

### ***Family Background***

Several notable racial differences in parents' educational backgrounds emerge from the AT survey. Higher percentages of the mothers of Black, Latino, and Asian professors reached the graduate level than was the case with the mothers of white professors. Conversely, a high percentage of mothers of white professors completed only high school or some college/trade school as compared with mothers of law professors from some minority groups. The patterns for completion of college education look more similar for mothers of white and Asian professors than for mothers of Black or Latino professors. A higher percentage of white professors' fathers also completed college as compared with fathers of other groups. Higher percentages of Black and Latino professors, as compared with other groups, had fathers who completed a high school diploma or less. Asian professors as compared to all other groups were more likely to come from families where both parents had graduate school experience or a graduate degree.

The patterns of parental education found in this study are different from those found in the *After the JD* study, where Black, Hispanic, and Asian law students reported lower levels of parental education than those of white students (AJD 2004, p.63).

TABLE 6.1. Parental Education by Race

		White	Black	Latino	Asian
		% (weighted)	% (weighted)	% (weighted)	% (weighted)
Some High School or less	Mother	6.6	10.9	21.7	14.2
	Father	9.1	13.4	14.2	6.7
High School Diploma or Equivalent	Mother	18.7	16.0	14.6	5.2
	Father	11.7	13.7	14.3	3.9
Some College/Associates Degree/Vocational School	Mother	31.3	22.8	16.1	12.8
	Father	19.0	28.7	22.0	23.6
Bachelor 's or Four Year Degree	Mother	23.3	13.8	17.2	22.6
	Father	18.2	12.3	13.1	14.2
Some Graduate School/Graduate or Professional Degree	Mother	18.5	26.6	23.4	38.0
	Father	41.4	27.6	35.5	47.6
Other/Not Available	Mother	1.6	9.9	7.0	7.1
	Father	0.8	4.4	0.9	4.0
TOTAL N (unweighted)	Mother	795	196	73	51
	Father	797	191	73	51

## Satisfaction

Although most law professors reported generally high levels of satisfaction in their current careers, racial differences were apparent regarding respect and comfort in work settings. Significant differences were found in professors' sense of comfort in voicing disagreements with their tenured colleagues and in their feeling that they had an impact on major decisions within their law schools. White professors were more likely to agree that they are listened to with respect during hiring or promotion decisions, that their opinions matter to colleagues in their law schools, and that they are respected by their colleagues. White and minority professors responded similarly when asked if they often disagree with their tenured colleagues, reporting similar levels of disagreement. However, given our other findings in the present study on race and work setting satisfaction, it would appear that these disagreements were somewhat differently perceived by professors of color and white professors. Both subsets of professors reported disagreeing with their colleagues but white professors reported feeling more comfortable doing so. (And conversely, professors of color who often disagree with their colleagues do not feel as comfortable in voicing those disagreements.)

Interestingly, differences in perceived levels of respect disappeared when professors were asked whether they felt respected in their overall fields – indicating, perhaps, that the immediate law school situation sometimes seemed less supportive for minority professors than did the wider situation in the legal academy. Despite any other differences in work-setting satisfaction, similar numbers of white (92%) and minority (89%) professors reported feeling loyal to their law school.\*

Table 6.2. Responses to Measures of Work Setting Satisfaction by Race			
	Mean Satisfaction		
	White	Minority	P- value <sup>a</sup>
Respected by colleagues in the law school	1.7	1.9	p= 0.0001
Opinions matter to colleagues in the law school	2.0	2.1	p= 0.0037
Listened to with respect during hiring/promotion decisions	2.0	2.2	p= 0.0081
Often disagree with tenured colleagues	2.8	2.7	p= 0.0510
Comfortable voicing disagreements with tenured colleagues	1.9	2.1	p= 0.0003
Have an impact on major decisions in law school	2.2	2.4	p= 0.0001
Respected in field	1.8	1.9	p= 0.3319

<sup>a</sup>The p value is calculated from a standard t-test based on weighted responses. P< 0.05 indicates a statistically significant difference.

Note: The survey question asks: “Please indicate whether you agree or disagree with statements below. Check one box on each line. “ The response choices are: “1=strongly agree,” “2=agree,” “3=neutral,” “4=disagree,” and “5=strongly disagree.”

\*Some of the percentages provided in the text are not directly cited in the tables.

## ***Teaching and Interacting with Students***

The majority of tenured law professors reported feeling respected by their students. However, slight differences emerged when comparing white and minority professors. There was a statistically significant difference in the percentages of tenured white professors (96%) and minority professors (92%) who said they felt respected by students. However, despite this difference, tenured minority professors reported feeling similar levels of general comfort in the classroom as compared to tenured white professors.

A greater number of minority tenured law professors (53%) than white law professors (44%) reported that students “often” turn to them for advice or emotional support. This difference shrinks when professors reported their formal involvement with students (57.1% of minority professors as compared to 59.7% of tenured white professors reported serving on student issues committees).

## ***Interacting with Colleagues***

Tenured law professors of color also reported somewhat different interactions with law school and university colleagues as compared to white professors. About 10 percentage points more white professors than minority professors reported socializing “often” with their law school colleagues during work hours.<sup>14</sup> On the other hand, 19% of minority professors reported “never” socializing with their law school colleagues outside of work, as compared to 12% of white professors. However, when professors were asked about socializing with colleagues outside of their law school – whether within the university administration or in other departments, this difference was diminished. Further analyses will be needed to understand the reasons for these differences in interactions.

White and minority professors were equally likely to report “often” or “sometimes” seeking advice or support from colleagues, and they were also equally likely to report that colleagues turn to them for support. However, it seems that these groups of professors differed in the kinds of colleagues to whom they turned for social interaction. Minority professors were apparently less likely to socialize with others in their own law schools. However, collegial support of some kind was nonetheless equally important across both groups. As we will see, there were marked differences in terms of forms of collegial support – with 23% of minority professors reporting that they “often” participated in collegial support groups, compared to 6% of white professors.

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<sup>14</sup> Some of the figures given in the text provide more information beyond what is presented in Table 6.3.



TABLE 6.3. Interacting with Colleagues by Race

Activity		Participates	Never	TOTAL N (unweighted)	P- value <sup>a</sup>
		In Activity %	Participates In Activity %		
		(weighted)	(weighted)		
Socialize with law school colleagues during work hours	White	97.2	2.8	603	p= 0.0397
	Minority	94.3	5.7	230	
Socialize with law school colleagues outside of work	White	88.2	11.9	600	p= 0.0022
	Minority	80.5	19.5	231	
Socialize with colleagues from university who are not at the law school while at work	White	47.8	52.2	523	p= 0.1952
	Minority	52.7	47.3	201	
Socialize with colleagues from university who are not at the law school outside of work	White	50.3	49.7	521	p= 0.7870
	Minority	51.3	48.7	203	
Socialize with colleagues from the university administration	White	35.9	64.1	540	p= 0.8100
	Minority	35.1	65.0	211	
Turn to colleagues for advice or emotional support	White	79.4	20.6	604	p= 0.9532
	Minority	79.6	20.4	226	
Turned to by colleagues for advice or emotional support	White	93.4	6.6	604	p= 0.8271
	Minority	93.0	7.0	230	
Respondents not asked	White	-	-	216	
	Minority	-	-	143	

<sup>a</sup>The p value is calculated from a chi-square based on the weighted responses of white and minority professors. P< 0.05 indicates a statistically significant difference.

Note: The survey question asks: "Please indicate how often you participate in the activities below: Check one box on each line." The response choices are: "Often," "Sometimes," "Never," or "NA." The data in this table does not include responses marked N/A.

## Committee Work

There are also some differences between tenured white and minority professors' responses regarding work on committees after tenure. Approximately 8 percentage points more professors of color (29%) than white professors (21%) felt that they were performing an unfair amount of committee work.<sup>15</sup> Some differences also appeared in the types of committees on which white professors and professors of color typically serve. White professors were more likely than minority professors to serve on committees involving advice to the dean, curriculum development, law school program development, and university-wide committees. There were no significant differences between the number of white and minority professors involved with appointments and speakers' series committees. Similar numbers of tenured white and minority professors felt that they had opportunities to serve on important committees. We will be able to cast better light on the significance of these kinds of quantitative results using qualitative data from the second phase of the study.

TABLE 6.4. Involvement in Committee Work by Race

Committees	White		Minority	
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)
Appointments	76.5	450	72.4	163
Advisory to the Dean	70.4	341	54.2	106
Curriculum Development	68.0	385	52.5	117
Speakers' Series	48.6	254	42.4	86
Law School Program Development	67.2	334	55.4	103
University-wide Committee	77.2	392	67.6	139
Respondents not asked	-	216	-	143

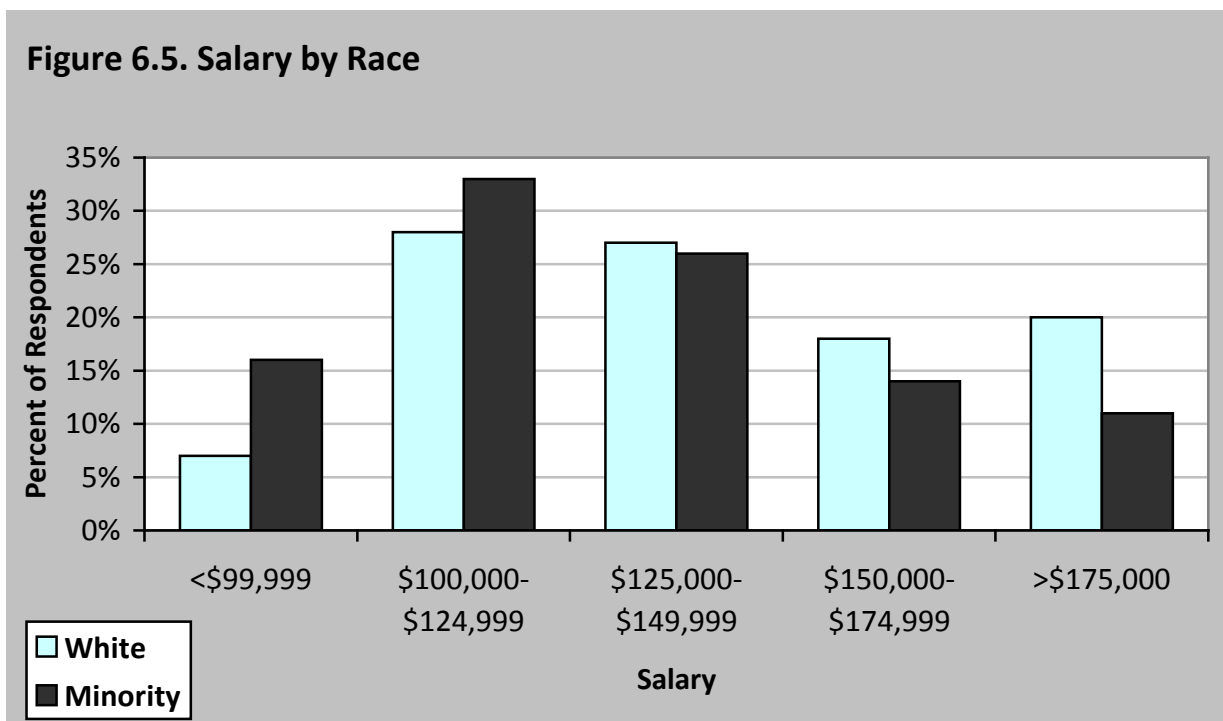
Note: The survey question asks: "On which of the following types of committees have you ever served? Please indicate if it was pre- and/or post-tenure." The results above report only post-tenure committee involvement.

## Income

In Figure 6.5, we report raw descriptive statistics regarding income, without controlling for a number of factors that might account for some of the differences that emerge (a task that will be part of upcoming analyses performed as part of this project). Comparing the salaries of white professors and professors of color in this initial phase, we see differences in the median

<sup>15</sup> This difference is statistically significant at the 0.0018 level. These percentages provided in the text are not directly cited in the tables.

ranges on the lowest and highest ends of the scale. A higher percentage of minority professors reported making either less than \$99,999 or between \$100,000 and \$124,999 than did white professors. On the other hand, a greater percentage of white professors reported making at least \$125,000. It is important to note that, on average, minority professors have fewer years in rank and that this graph does not control for cohort differences. Further analyses will be needed to determine the impact of cohort and other differences.



### ***Professional Opportunities***

One significant racially patterned difference was evident in responses regarding professional opportunities available to tenured professors. White professors were more likely to report receiving salary increases higher or comparable to others of their rank. White professors and professors of color were about equally likely to report having opportunities to go on leave, to represent their institution to outsiders, to choose the courses they teach, or “receive perks” from their law schools.

TABLE 6.6. Availability of Professional Opportunities by Race

<i>Have had opportunities better or comparable to others of the same rank....</i>	White		Minority		P- value <sup>a</sup>
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)	
To go on leave	81.7	629	81.9	287	p= 0.8589
To represent institution to important outsiders	76.7	582	71.3	248	p= 0.3225
To receive higher salary increases	75.7	535	67.1	223	p= 0.0048
To choose which courses to teach	89.1	676	86.9	309	p= 0.4599
To receive perks from law school	43.9	342	34.3	122	p= 0.0690

<sup>a</sup>The p value is calculated from a chi-square based on the weighted responses of white and minority law professors. P< 0.05 indicates a statistically significant difference.

Note: The survey question asks: “Do you agree or disagree with statements below?” Percentages include all “agree” responses.

### ***Strategies for Career Advancement***

There were some differences in the types of career advancement strategies that tenured white and minority professors reported pursuing. The most noticeable difference appeared in reported participation in support groups. About 50% of tenured minority professors sought this kind of support as compared to 19% of tenured white professors. A greater number of tenured professors of color also reported seeking outside offers and giving talks at other law schools. Additionally, fewer minority professors reported making an effort to communicate with scholars in their fields. Minimal racial differences exist in the areas of networking with law school classmates, attending professional conferences, and sending out reprints to a selective network or to a broad mailing list.

TABLE 6.7. Strategies for Career Advancement by Race

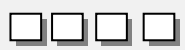
Strategy		Engages In Strategy	Never Engages In Strategy	TOTAL N (unweighted)	P-value*
		% (weighted)	% (weighted)		
Networking with law school classmates	White	21.7	78.21	598	p= 0.3417
	Minority	24.6	75.5	229	
Attending professional conferences	White	90.0	10.0	604	p= 0.0812 <sup>b</sup>
	Minority	93.6	6.5	230	
Sending out reprints to a selected network	White	69.5	30.5	604	p= 0.8740
	Minority	70.0	30.0	229	
Sending out reprints to a broad mailing list	White	34.8	65.3	599	p= 0.0576
	Minority	41.2	58.8	229	
Giving talks at other law schools	White	69.0	31.0	601	p= 0.0012
	Minority	79.2	20.9	229	
Seeking outside offers	White	20.1	80.0	598	p= 0.0031
	Minority	28.9	71.1	228	
Making an effort to contact and communicate with scholars in my field	White	89.7	10.3	603	p= 0.0019
	Minority	82.3	17.7	229	
Participating in support groups of colleagues	White	19.3	80.7	514	p= 0.0000
	Minority	49.8	50.3	193	
Respondents not asked	White	-	-	216	
	Minority	-	-	143	

<sup>a</sup>The p value is calculated from a chi-square based on the weighted responses of white and minority law professors. P< 0.05 indicates a statistically significant difference.

<sup>b</sup>There is no difference in participation between white and professors of color but there is a significant difference in how often they engage in this activity. Professors of color are more likely to report “often” attending professional conferences than white professors whereas white professors are more likely to report “sometimes” engaging in this activity (see Table 24 in the After Tenure Report at <http://www.lisac.org/LisacResources/Research/GR/pdf/GR-11-02.pdf>)

Note: The survey question states: “In the period since tenure, please indicate whether you often, sometimes, or never use the strategies listed below for career advancement.”

**Section 7: Gender**



## Gender

The number of women becoming law professors has risen since the late 1960s, when research began to indicate a large upsurge in women hired as law faculty (Fossum 1980, p.532). Overall, full-time women faculty comprised 13.7% of all law faculty in 1980, and 20% of all faculty by 1986-1987. A study of professors beginning tenure-track jobs in law school between 1986 and 1991 found that 37.9% were women (Merritt & Reskin 1997, p.230). By 2007-2008, approximately 37% of all full-time law faculty in the United States were women; at that time, about 28% of all tenured law professors were women (American Bar Association n.d.; Association of American Law Schools n.d.).

This rise followed an earlier increase in the number of women earning law degrees. Between 1965 and 1980, the number of women earning law degrees in the United States grew from 367 to 10,761 (Sander & Williams 1989). In a national study of new lawyers first admitted to the Bar conducted in 2000, 46% of the respondents were women (American Bar Foundation and the NALP Foundation for Law Career Research and Education 2004). This is consistent with reports that men and women have been entering law school in roughly equal numbers since 2000 (Glater 2001).

### ***Family Background***

While there were broad similarities between tenured men and women in terms of family background, a few small differences emerged from the AT survey. A higher percentage of tenured men than of tenured women reported that their parents completed only grade school or some high school, or attended trade or vocational school. Conversely, a higher percentage of tenured women reported that their parents obtained advanced degrees – including law degrees. Approximately twice as many mothers of tenured women earned graduate degrees compared to tenured men. It is possible that this is a result of a different pattern of upward mobility for law professors generally in earlier times (since the entry of larger groups of women was a later phenomenon). Further analysis will be needed to determine the overall significance of this different pattern for women law professors and their mothers.

TABLE 7.1. Parental Education by Gender

		Women	Men
		% (weighted)	% (weighted)
Some High School or less	Mother	4.4	8.5
	Father	5.6	10.9
High School Diploma or Equivalent	Mother	17.4	18.3
	Father	12.0	11.5
Some College/Associates Degree/Vocational School	Mother	21.0	32.8
	Father	17.1	20.8
Bachelor 's or Four Year Degree	Mother	24.5	21.9
	Father	17.5	17.4
Some Graduate School/Graduate or Professional Degree	Mother	30.3	16.0
	Father	46.8	38.3
Other/Not Available	Mother	2.4	2.5
	Father	1.0	1.1
TOTAL N (unweighted)	Mother	538	626
	Father	534	627

## Satisfaction

Both tenured women and men expressed overall general satisfaction regarding their current work settings. However, there were some gender differences, particularly surrounding measures of respect and comfort. Tenured women were less likely than men to agree that they feel respected by their colleagues or report a sense of loyalty to their institutions\* (92.7% men vs. 88.3% women, although at 88%, this percentage is still quite high). Tenured women are also less likely to agree that they are comfortable voicing disagreements with their tenured colleagues compared to tenured men.<sup>16</sup> The measures pertaining to their law school work settings on which tenured men and women were roughly equal were feeling listened to with respect during hiring and promotion decisions and that their opinions matter to colleagues. In addition, tenured women and men similarly agreed that they feel respected within their fields. An interesting question that remains to be explored here is whether tenured men's and women's profiles differ according to their fields of specialization.

<sup>16</sup> We cannot discern from the quantitative data whether this was a reflection of the work setting itself, as opposed to a gender-based difference in voicing disagreement generally. Qualitative data may be able to shed more light on this question.

\*Some percentages provided in the text are not directly cited in the tables.



Table 7.2. Responses to Measures of Work-Setting Satisfaction by Gender

Mean Satisfaction			
	Men	Women	P- value <sup>a</sup>
Respected by colleagues in the law school	1.7	1.9	p= 0.0000
Opinions matter to colleagues in the law school	2.0	2.0	p= 0.5542
Listened to with respect during hiring/promotion decisions	2.0	2.1	p= 0.0921 <sup>b</sup>
Often disagree with tenured colleagues	2.8	2.8	p= 0.7277
Comfortable voicing disagreements with tenured colleagues	1.9	2.1	p= 0.0001
Have an impact on major decisions in law school	2.2	2.3	p= 0.0641 <sup>c</sup>
Respected in field	1.8	1.9	p= 0.6765

<sup>a</sup>The p value is calculated from a standard t-test based on the weighted responses of men and women law professors. P< 0.05 indicates a statistically significant difference.

<sup>b</sup> On average, there is no difference in satisfaction between tenured men and women but there is a significant difference in their level of agreement. Women professors are less likely to "agree" they are listened to with respect during hiring/promotion decisions than men (see Table 26 in the After Tenure Report at <http://www.lisac.org/LisacResources/Research/GR/pdf/GR-11-02.pdf>)

<sup>c</sup> Similarly, there is no difference in satisfaction between tenured men and women but there is a significant difference in their level of agreement. Higher percentages of tenured women "disagree" that they have an impact on major decisions in law school compared to tenured men (see Table 26 in the After Tenure Report at <http://www.lisac.org/LisacResources/Research/GR/pdf/GR-11-02.pdf>)

Note: The survey question states: "Please indicate whether you agree or disagree with statements below." Possible responses include: "1=strongly agree," "2=agree," "3=neutral," "4=disagree," and "5=strongly disagree."

## ***Interacting with Colleagues***

We also found some gendered differences in how tenured men and women interact with their colleagues. Higher percentages of tenured women than men reported that they “never” interact with non-law school colleagues outside of work or with colleagues from the university administration. However, when we move to within the law school environment, both men and women similarly responded that they socialize with colleagues during and outside of work hours. The starkest gender differences showed up in the category of collegial “advice and emotional support,” with 18 percentage points more tenured women than men noting that their colleagues “often” turn to them for emotional support, and roughly 14 percentage points more tenured women than men reporting that they “often” turn to colleagues for similar support.<sup>17</sup> (Conversely, roughly 13 percentage points more tenured men than women reported that they “never” turn to colleagues for advice or support.) This finding invites further exploration of the relative salience of different kinds of work climates for tenured male and female professors in law schools.

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<sup>17</sup> Some of the figures given in the text provide more information beyond what is presented in Table 7.3.

**TABLE 7.3. Interacting with Colleagues by Gender**

Activity		Participates In Activity	Never Participates In Activity	Total N (unweighted)	P-value <sup>a</sup>
		% (weighted)	% (weighted)		
Socialize with law school colleagues during work hours	Men	96.4	3.6	423	p= 0.4107 <sup>b</sup>
	Women	97.3	2.7	414	
Socialize with law school colleagues outside of work	Men	87.6	12.4	423	p= 0.7379
	Women	86.9	13.2	412	
Socialize with colleagues from the university who are not at the law school while at work	Men	49.3	50.7	373	p= 0.4699
	Women	46.6	53.4	355	
Socialize with colleagues from the university who are not at the law school outside of work	Men	53.0	47.0	373	p= 0.0267 <sup>c</sup>
	Women	44.8	55.2	355	
Socialize with colleagues from the university administration	Men	38.4	61.6	383	p= 0.0222
	Women	30.6	69.4	372	
Turn to colleagues for advice or emotional support	Men	75.5	24.5	418	p= 0.0000
	Women	88.5	11.5	416	
Turned to by colleagues for advice or emotional support	Men	91.9	8.1	421	p= 0.0007
	Women	96.9	3.1	417	
Respondents not asked	Men	-	-	233	
	Women	-	-	134	

<sup>a</sup>The p value is calculated from a chi-square based on the weighted responses of men and women law professors. P< 0.05 indicates a statistically significant difference.

<sup>b</sup> There is no difference in participation between tenured men and women but there is a significant difference in how often they engage in this activity. More tenured men are likely to “often” socialize with colleagues during work hours whereas more tenured women “sometimes” socialize with colleagues (see Table 27 in the After Tenure Report at <http://www.lsac.org/LsacResources/Research/GR/pdf/GR-11-02.pdf>).

<sup>c</sup> Overall, there is no difference between tenured men and women in how often they engage in this activity but there is a significant difference in whether they participate. Tenured women are less likely to socialize with university colleagues outside of work compared to tenured men (see Table 27 in the After Tenure Report at <http://www.lsac.org/LsacResources/Research/GR/pdf/GR-11-02.pdf>).

Note: The survey question asks: “Please indicate how often you participate in the activities below: Check one box on each line.” The response choices are: “Often,” “Sometimes,” “Never,” or “NA.”

## ***Teaching and Interacting with Students***

A marked difference in accounts of interaction with students was found between tenured women and men. About 58% of tenured women report that students “often” turn to them for advice or emotional support, whereas only 39% of tenured men report this.\* There is much more similarity between the numbers of tenured women (62%) and men (58%) who are formally involved with students at the institutional level (as indicated by their participation in student issues committees).

Although most tenured men and women reported feeling satisfied in their teaching positions, there was a slight gender difference in reported senses of comfort. Fewer tenured women (95%) reported that they feel comfortable in the classroom than tenured men (99%). (The difference, while small, was statistically significant with a p-value less than .0005.) On the other hand, similar percentages of tenured men and women indicated that they feel respected by students.

## ***Committee Work***

The initial study results show gender differences in professors’ reported participation in after-tenure committee work. Almost twice as many tenured women (36%) as tenured men (17%) reported that they perform an unfair amount of committee work compared to their colleagues. Interestingly, gender differences disappeared between tenured men (81%) and women (80%) when they were asked if they have had opportunities better or comparable to their colleagues to serve on important committees. This contrasts with the actual percentages reported for committees traditionally viewed as having higher status, such as appointments and advisory to the dean, as we will see. The contrast may arise from a gap between perceived levels of male and female involvement (i.e., women may think they have had a greater number of equal opportunities than they have actually had), or it may arise from different ideas about what kind of committee work is “important” (with tenured women attributing greater importance to committees traditionally viewed as less prestigious).

According to the AT survey, tenured men were more likely to serve on committees such as appointments, advisory to the dean, and curriculum development. On the other hand, an almost equivalent number of tenured men and women reported having served on speakers’ series, university-wide committees, and law school program development committees.

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\*Some of the percentages provided in the text are not directly cited in the tables.

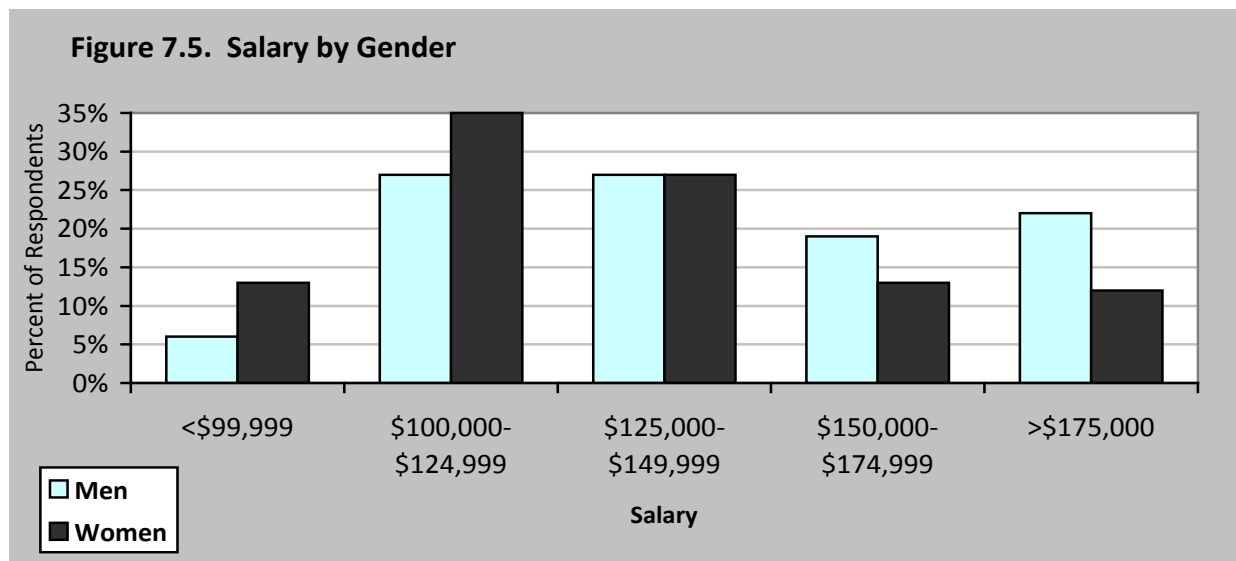
TABLE 7.4. Involvement in Committee Work by Gender

Committees	Men		Women	
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)
Appointments	78.1	322	71.9	295
Advisory to the Dean	71.1	236	62.6	213
Curriculum Development	69.9	272	58.6	232
Speakers' Series	48.5	171	47.3	171
Law School Program Development	66.1	223	66.2	216
University-Wide Committee	76.8	279	75.2	256
Respondents not asked	-	233	-	134

Note: The survey question asks: "On which of the following types of committees have you ever served? Please indicate if it was pre- and/or post-tenure." The results above are post-tenure only committee involvement.

### Income

In a comparison of tenured men's and women's 9-month salaries, differences were apparent in the low- and high-ends of the salary scale. A greater number of tenured women than men reported earning less than \$125,000. At the other end of the spectrum, a greater number of tenured men than women reported earning median salaries of \$150,000 or greater. This disparity may be due to women having fewer years of experience (on average, tenured women have 24 years of work experience since graduation compared to 30 years for tenured men). Future planned AT analyses will examine the effect of this factor, among others, on gender differences in tenured law professors' salaries.



## Professional Opportunities

Tenured men and women also described having differing opportunities for career advancement. Tenured men were much more likely than tenured women to report receiving higher salary increases or perks from their law schools. Moreover, a greater number of tenured men than women reported having the opportunity to go on leave, choose the courses they teach, or represent their institutions to important outsiders.

TABLE 7.6. Availability of Professional Opportunities by Gender

<i>Have had opportunities better or comparable to others of the same rank....</i>	Men		Women		P-value <sup>a</sup>
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)	
To go on leave	82.6	513	77.5	407	p= 0.0149
To represent institution to important outsiders	77.7	473	70.1	363	p= 0.0262
To receive higher salary increases	78.6	454	62.9	310	p= 0.0000
To choose which courses to teach	91.0	559	82.2	433	p= 0.0000
To receive perks from law school	45.2	280	34.5	187	p= 0.0047

<sup>a</sup>The p value is calculated from a chi-square based on the weighted responses of men and women law professors. P < 0.05 indicates a statistically significant difference.

Note: The survey question asks: "Do you agree or disagree with statements below?" Percentages include all "agree" responses.

## Strategies for Career Advancement

Tenured women were more likely to engage in certain career- advancement strategies than were tenured men. The largest difference appeared in their reported likelihood of participating in support groups, where tenured men were about 21 percentage points less likely to report participating in support groups. A greater number of tenured women than men reported attending conferences and sending out reprints to a selected network. Areas where tenured men and women did not differ in their reported participation were networking with law school classmates, sending out reprints to a broad network, giving talks at other law schools, communicating with scholars in the field, and seeking outside offers.

TABLE 7.7. Strategies for Career Advancement by Gender

Strategy		Engages In Strategy	Never Engages In Strategy	Total N (unweighted)	P- value <sup>a</sup>
		% (weighted)	% (weighted)		
Networking with law school classmates	Men	21.8	78.3	417	p= 0.7964
	Women	22.5	77.5	414	
Attending professional conferences	Men	88.1	11.9	421	p= 0.0008
	Women	94.5	5.5	417	
Sending out reprints to a selected network	Men	66.9	33.1	420	p= 0.0043
	Women	75.6	24.4	417	
Sending out reprints to a broad mailing list	Men	33.4	66.6	419	p= 0.0505
	Women	39.8	60.2	413	
Giving talks at other law schools	Men	68.7	31.3	419	p= 0.1097
	Women	73.6	26.4	415	
Seeking outside offers	Men	20.8	79.3	418	p= 0.9455
	Women	20.9	79.1	412	
Making an effort to contact and communicate with scholars in my field	Men	88.2	11.8	420	p= 0.1341
	Women	91.1	8.9	416	
Participating in support groups of colleagues	Men	15.9	84.2	353	p= 0.0000
	Women	37.3	62.7	356	
Respondents not asked	Men	-	-	233	
	Women	-	-	134	

<sup>a</sup>The p value is calculated from a chi-square based on the weighted responses of men and women law professors. P< 0.05 indicates a statistically significant difference.

Note: The survey question states: "In the period since tenure, please indicate whether you often, sometimes, or never use the strategies listed below for career advancement: Check one box on each line."

## ***Relationship Status and Dependent Care***

The work and private life balance can significantly – and differentially – impact women’s and men’s career satisfaction (Dau-Schmidt, Galanter, Mukhopadhaya, & Hull 2009). In the AT study, tenured men’s and women’s overall relationship status patterns were significantly different.. Higher percentages of tenured men were married while higher percentages of tenured women were divorced, widowed, or never to have been married.

More than 65% of tenured professors reported that they currently care for children.\* Roughly similar percentages of tenured men and women reported that they have spent a considerable amount of time caring for children. However, a greater percentage of tenured women than men in the sample indicated that they spend a considerable amount of time caring for an ailing or special-needs adult.

Table 7.8. Relationship Status by Gender

Relationship Status	Men		Women	
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)
Never married	2.3	29	6.7	46
Married	64.8	384	48.6	247
Remarried	23.5	147	15.2	74
Domestic Partner	1.3	9	7.0	36
Divorced	6.6	40	18.5	98
Widowed	1.5	6	2.1	8
Other	0.1	2	1.9	13
Total	100	617	100	522

Table 7.9. Caring for Children or Ailing/Special Needs Adults by Gender

	Men		Women	
	% (weighted)	N (unweighted)	% (weighted)	N (unweighted)
Children	64.2	399	69.1	363
Adults	18.1	121	28.8	150

\*Some of the percentages provided in the text are not directly cited in the tables.



**Section 8: Conclusion**



## CONCLUSION

This report presents the initial results of the AT study. While further analyses are needed to better understand the implications of these results, a few interesting findings already emerge.

- *Job Satisfaction:* Most post-tenure law professors are satisfied with their jobs and work settings. The majority also feel respected by their colleagues and by those in their field. A small group of faculty, disproportionately women and scholars of color, are less satisfied. This mirrors findings by Gulati, Sander, & Sockloskie (2001, pp. 255-256) that women, Black, and Asian students were disproportionately represented in the small group of alienated or unhappy law students in their study. The authors stressed that even among female, Black, and Asian students, this group represents a small percentage of the larger groups, which were overall happy. However, they did conclude that there is some foundation for a “gloomy” picture in which law schools remained somewhat differentially alienating places for some members of groups with a history of exclusion.
- *Distribution of Professors in Today’s Law Schools:* Nearly 35% of U.S. tenured law professors in our study teach in the top 50 law schools in the country, as compared to the remaining three tiers (comprising 129 additional schools). More than half of law professors (59%) teach in private institutions. At the national level, unsurprisingly, elite and private institutions in the United States seem likely to have more resources for hiring faculty.
- *Backgrounds:* Predictably, most tenured law professors did very well in law school. Judging from these professors’ parents’ educational levels, law teachers tend to come from relatively privileged backgrounds. (Analysis of other data on family background is currently underway.) Interestingly, larger percentages of minority and white female professors reported that their mothers achieved high educational levels as compared with white male professors.
- *Demographic Composition:* White male professors are still over-represented among the population of U.S. law professors as compared to their percentages in the general population. The demographic makeup of law faculties, however, has become noticeably more diverse in the past 20 years.
- *Race:* Survey responses reveal some differences in workplace experiences based on race. In particular, professors of color experience somewhat less respect and comfort in the work setting. Interaction with colleagues, committee work, and salary increases are also reported to differ for some professors of color as compared with white professors.

Professors of color are more likely than white professors to rely on support groups, and they are less likely to interact with colleagues at their own law schools.

- *Gender:* While the tenured U.S. professoriate is slowly shifting to reflect the entry of women, only 25% of the senior professors in this study were women. (Between 2002-2003, when this study was conducted, and 2007-2008, the numbers rose 3 percentage points to 28%.) Women professors reported some differences in work experience as compared with men. Fewer tenured women reported feeling respected by their colleagues. A higher percentage of women reported feeling that they performed an unfair amount of committee work than men. Women were also less likely than men to report receiving perks from their institution. On the other hand, women law professors were significantly more likely to report that students often turned to them for advice or emotional support. Women were also more likely than men to report spending significant amounts of time caring for an ailing or special-needs adult.

In the upcoming months, more in-depth analyses will be conducted to better understand the experiences of law professors. Interviews with selected respondents have been completed in the second phase of the study. The results from the qualitative analyses will be integrated with the data from the first phase to provide a richer and more complex picture of law professors' experiences and viewpoints after tenure.

**Appendix:**  
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**Summary of Methodology,  
Sampling Weights, and  
References**

## ***Summary of Methodology***

This study examined law professors' post-tenure experiences using a multi-method approach. The first phase of the study consisted of a national survey of post-tenure law professors, the initial results of which are included in this report. The second phase of the study involved in-depth interviews with a sub-sample (approximately 5%) of the survey respondents.

Potential participants were initially identified using the 2002-2003 database of law professors from the Association of American Law Schools (AALS). Tenured professors were narrowed down within the database to those listed as "associate" or "full" professors, leaving an overall population of 5,782. (The AALS at the time did not sort the data by tenure status, so we were unable to distinguish tenured from untenured associate professors. This initial number was therefore inflated. We were able to subsequently exclude untenured associate professors who responded to us.) The sample was stratified by gender, and then 814 men and 814 women were randomly selected for the initial survey mailing. Additionally, all identified minority professors not selected in the main sample (N= 447) were included in the minority oversample. The final sample included a total of 2,076 who were mailed surveys in 2005.

A total of 0.48% participants from the original mailing could not be located. A number of professors moved from the institutions to which the surveys were mailed; new contact information was pursued for these cases. To increase the response rate, two additional mailings were sent out and a Web version of the survey was launched in the summer of 2005. Non-respondents were contacted by telephone by the National Opinion Research Center (NORC) to complete a phone version of the survey. A total of 1,174 (63%) of the eligible sample fully completed the survey, including 465 male professors (64% of eligible males), 477 female professors (66% of eligible females), and 232 oversample minority professors (57% of eligible minorities from the oversample). In addition, 48 respondents completed substantial amounts of the survey (20 completed roughly half of the 65 questions, while another 28 completed between 29 and 32 of the 65 questions). These partial responses were included when analyzing the questions to which they responded. Finally, 10 people answered 8 or fewer questions and were counted as "nonrespondents"; their answers were not included in any of the analyses.

The survey was made up of 66 questions. It included forced-choice as well as open response questions about demographic information, career histories, early career development, current career situation, professional networks and opportunities, and satisfaction.

## ***Sampling Weights***

Weights are variables used to turn the sample of respondents into a representative sample of the population of interest -- in our case, tenured law professors. Our initial sampling design was a random sample stratified over gender with an additional oversample of minority professors. We therefore sampled fewer white male professors than their percentage in the population of tenured professors would suggest. In order to obtain representative estimates of the population, it is important to account for this sampling design in any statistical analysis. The use of weights allows unbiased estimation of population averages when the sampling design includes an unequal probability of selection, as the AT project does.

In addition, weights allow for correction of nonresponse in order to limit the bias that such nonresponse can create. The AT study includes a correction for nonresponse in its weights. To create the weights, we investigate how variables from three types of data on all eligible individuals surveyed (both respondents and nonrespondents) are correlated with the response rates. The three datasets we use are:

1. Data from the AALS database on law professors, which includes gender, race, Coif membership, law review membership (as a student), age, and title
2. Data on the school at which the individual works (religious affiliation, public/private, maintenance of a part-time program, urban/rural, *U.S. News* ranking, and city population)
3. Data on our sampling method, which included whether or not the individual was part of the minority over-sample (recall that some minority professors were initially selected as survey recipients, and therefore were not a part of the minority over-sample), and whether the individual returned the initial survey or was contacted through follow-up with NORC.

The weights are designed to analyze combinations of data from the survey, in order to obtain unbiased population averages, and accurate estimates of standard errors. The weights used in the analyses are probability weights based on the initial sampling design, adjusted for nonresponse; that is, they represent the inverse probability of an individual tenured law professor being selected for the study and responding to the study. We use these weights, rather than the group of respondents to our survey, when modeling the underlying population of tenured law professors. We note, however, that the nonresponse correction in the weights does not affect the results a great deal. Table A contains some basic demographic data that provides comparisons with nonresponse weights, and with weights that control only for our sampling method.

Table A. Example of Results Weighted for Selection vs. Selection and Nonresponse			
	% (weighted for selection only)	% (weighted for selection and nonresponse)	N (unweighted)
<b>Gender</b>			
Men	73.72	74.79	1,039
Women	26.28	25.21	823
Total	100	100	1,862
<b>Race</b>			
White	86.84	85.26	1,184
Minority	13.16	14.74	636
Total	100	100	1,820
<b>Cohort in which tenure was received</b>			
2000+	12.22	11.65	203
1995-1999	19.51	19.42	291
1990-1994	16.61	15.70	211
1980-1989	28.89	28.85	317
Pre-1980	22.77	24.38	186
Total	100	100	1,208

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