

# **The Law Firms Working Group**

## **ALTERNATIVE CAREER PATHS ANNOTATED BIBLIOGRAPHY**

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January 2007

This annotated bibliography collects sources that provide information on alternative career paths for lawyers. The researchers focus on the job opportunities available to lawyers who are uninterested in positions at traditional private law firms, the demographics of lawyers that choose alternative careers, and the career paths that lead to success in obtaining an alternative job.

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## INTRODUCTION

This annotated bibliography collects sources that provide information on alternative career paths for lawyers.

At the outset of this project, we were particularly interested in (a) what job opportunities are available to lawyers who are uninterested in a position at the traditional private law firm, (b) how many lawyers choose alternative careers, and (c) the career paths that lead to success on obtaining an alternative job. In order to survey the field effectively, we divided our interests into the following areas:

What are the alternatives? How many lawyers choose alternative careers?

Although a myriad of possibilities are available, most lawyers (between 74% and 93%) remain in a legal position, and most of those remain in a firm. The majority of sources tend to agree on basic categories of jobs that law school graduates choose.<sup>1</sup> Table 1 depicts these categories and the percentage of law school graduates who have chosen to practice in them.

**Table 1**

<i>Setting</i>	<i>“After the JD” surveys of new lawyers – year 2003</i>		<i>Lawyer Statistical Report – year 2000 (by firm size)</i>	<i>Extrapolations from National Survey of College Graduates – year 1993</i>	
<b>Solo practitioner</b>	5%		35.7%	74.29%	
<b>2-20 lawyers</b>	27% (office size)	24% (firm size)	20.4%		
<b>21-100 lawyers</b>	18%	13%	7.4%		
<b>101-250 lawyers</b>	11%	8%	10.6%		
<b>251+ lawyers</b>	7%	19%			
<b>Federal Gov't</b>	4%		3.1%		
<i>Federal Judiciary</i>			0.3%		
<b>State/Local Gov't</b>	9%		4.4%		
<i>State/Local Judiciary</i>			2.3%		
<b>Legal Services / Public Defender</b>	3%		1%		
<b>Public Interest</b>	1%				
<b>Business / Private Industry</b>	6%		8.4%		
<b>Nonprofit/ Education / Other</b>	1%		1.6%		1.4% [all in academic law]
<b>Retired/Inactive</b>			4.8%		
<i>Working in non-legal job</i>	7%				15.64%
<i>Not in the labor force</i>	3%			6.56%	
<i>unemployed</i>				2.11%	

<sup>1</sup> CLARA N. CARSON, THE LAWYER STATISTICAL REPORT: THE U.S. LEGAL PROFESSION IN 2000 (2004); Joe G. Baker & Brian K. Jorgensen, *Leaving the Law: Occupational and Career Mobility of Law School Graduates*, 50 J. LEGAL EDUC. 16 (2000); Ronit Dinovitzer (Project Manager) & Drafting Committee of the AJD Project, *After the JD: First Results of a National Study of Legal Careers* (2004) [hereinafter *After the JD*].

\* Note that the After the JD study (AJD) and Lawyer Statistical Report include only those law school graduates who have passed the bar; the National Survey of College Graduates includes all law school graduates. The difference in populations surveyed does affect the results; most notably, the percentage of people in non-legal jobs is much higher for the survey that includes all law school graduates.

We discovered a significant amount of information about law school graduates' first jobs, and several sources that also address the jobs law school graduates have 5, 10, or 15 years after graduation. However, most sources do not use cohort studies, without which it is more difficult to determine lawyers' career progressions. Those sources that do include such information are narrow in scope and therefore less useful for extrapolating broader conclusions. We recognize that the After the JD project is a longitudinal cohort study that should be useful in answering these questions when it has been completed. However, as it is a nascent study, these results are not currently available.

### What is the demographic composition of lawyers who pursue alternative careers?

The vast majority of lawyers still follow the traditional career path by working in private firms.<sup>2</sup> However, the data shows that women and minority lawyers are less likely to take jobs in law firms and are more likely to pursue alternative legal jobs in the public sector.<sup>3</sup>

Women, in particular, are more likely to accept positions in government or public interest organizations or as full-time judicial clerks.<sup>4</sup> However, this difference has narrowed in recent years.<sup>5</sup> Even so, women are still twice as likely to take a public interest job as men. It is also the case that, compared with men going into private practice, women are somewhat more likely to take jobs in firms of more than 100 attorneys, and somewhat less likely to take jobs in very small firms of 2-10 attorneys.<sup>6</sup>

The initial employment of minority lawyers still differs significantly from that of whites. Minorities are less likely than whites to have judicial clerkships after law school.<sup>7</sup> Overall, minorities are less likely than whites to begin their careers in private practice, and more likely to start off in government and public interest jobs.<sup>8</sup> However, this difference has become far less apparent in the past 20 years.<sup>9</sup> Historically, minority women in particular have been less likely than other groups to begin their careers in

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<sup>2</sup> Lawyer Statistical Report (2000).

<sup>3</sup> Employment Comparisons and Trends for Men and Women, Minorities and Non-minorities, NALP, available at <http://www.nalp.org/content/index.php?pid=161> [hereinafter Employment Comparisons]; Law Firm Jobs Taken by New Graduates - Distribution by Race/Ethnicity, NALP, <http://www.nalp.org/content/index.php?pid=166> [hereinafter Law Firm Jobs Taken by New Graduates].

<sup>4</sup> *A Current Glance at Women in the Law 2005*, American Bar Association Commission on Women in the Legal Profession, <http://www.abanet.org/women/ataglance.pdf>;

Jobs for New Law Graduates — Trends from 1994-2004, NALP, <http://www.nalp.org/content/index.php?pid=319> [hereinafter Jobs for New Law Graduates].

<sup>5</sup> Employment Patterns — 20-Year Trends — 1982-2002, NALP, <http://www.nalp.org/content/index.php?pid=169> [hereinafter Employment Patterns].

<sup>6</sup> Jobs for New Law Graduates, *supra* note 4.

<sup>7</sup> *Id.*

<sup>8</sup> Employment Patterns, *supra* note 5; Law Firm Jobs Taken by New Graduates, *supra* note X.

<sup>9</sup> Employment Patterns, *supra* note 5.

private practice, apparently due to the combined effects of gender and race.<sup>10</sup> Minority women are most likely to begin their careers in public interest jobs.<sup>11</sup> Minority men, on the other hand, are most likely to enter business or industry.<sup>12</sup> Minorities still remain grossly underrepresented in top-level private sector jobs, such as law partner and general counsel.<sup>13</sup>

#### Which factors influence people to choose alternatives?

A few sources contemplate the factors leading law school graduates to choose alternative jobs. For instance, a Canadian study on point found that matriculating from an elite law school and taking parental leave both influence decisions to leave the practice of law.<sup>14</sup> However, most relevant studies focus on populations that are narrow in scope and that do not directly align with the purpose of this project.

#### What are the most common paths to obtaining each of those alternative jobs?

This is a very popular subject matter for books and articles. In spite of the plethora of resources, the vast majority of information is in the form of anecdotes or “how to”s.<sup>15</sup> Furthermore, the anecdotes are not based on empirical data, but tend to describe either the author’s personal experience or the stories of a few attorneys. These descriptions, though interesting, lack any systematic empirical research basis. Some studies indicate which jobs lawyers choose after leaving law firms, but those studies do not uncover which factors are most critical for obtaining those jobs, nor do they reveal any subsequent job changes that occur.<sup>16</sup>

#### Which factors are the most important in obtaining the alternative jobs?

Factors of interest include the following: grades, courses, type of law school attended, geography, connections, work experience, summer job in that sector, and amount of time spent at a law firm. It does not appear that any sources directly or effectively address these issues. As with the sources discussing career paths, any information on point is not empirically based.

#### Considerations for Future Studies

Many of the sources will be useful for designing future studies that will shed light on the questions that remain unanswered. The After the JD project’s use of cohort studies provides a good example of methodology that ensures depth of information by

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<sup>10</sup> *Id.*; Law Firm Jobs Taken by New Graduates, *supra* note 3.

<sup>11</sup> Employment Comparisons, *supra* note 3; Law Firm Jobs Taken by New Graduates, *supra* note 3.

<sup>12</sup> *Id.*

<sup>13</sup> Law Firm Jobs Taken by New Graduates, *supra* note 3.

<sup>14</sup> Fiona M. Kay, *Flight from Law: A Competing Risks Model of Departures from Law Firms*, 31 LAW & SOC.’Y REV. 301 (1997).

<sup>15</sup> See, e.g., Deborah Arron, What Can You Do With a Law Degree? A Lawyer’s Guide to Career Alternatives Inside, Outside & Around the Law, (1992); Jeffrey Strausser, Judgment Reversed: Alternative Careers for Lawyers – an attorney’s advice on how to use your legal skills successfully in another field (1997); Hilary Denk, *Beyond the Law—A Litigator’s Path to a Non-Legal Career*, 10 CBA Rec., Feb.-Mar. 1996, at 36.

<sup>16</sup> Beyond the Bidding Wars: A Survey of Associate Attrition, Departure Destinations and Workplace Incentives, NALP Foundation for Research and Education (Sept. 2000).

tracking individuals through a large portion of their careers.<sup>17</sup> Other studies contain questionnaires that may prove helpful in designing future surveys aimed at obtaining similar information.<sup>18</sup>

In addition, noting the problematic aspects of the sources will aid us in designing reliable studies in the future. Some of the most common issues include difficulty in isolating variables, assuming causation from correlation, and multicollinearity. For instance, one study regarding the effect of factors such as law review membership, grades, and class rank on ability to obtain a job did not take into account the possible interdependence of those variables.<sup>19</sup> In addition, much of the information that is directly on point is outdated.

We hope that the sources we have combined and annotated will inform and guide future research.

## **I. DEMOGRAPHIC PROFILE OF THOSE WHO PURSUE ALTERNATIVE CAREERS**

The follow sources provide useful information on the demographic composition of lawyers who work in alternative legal careers.

### **A. General Sources on Demographics**

**AALS Statistical Report of Law Faculty, Preliminary Tables, 2005-2006, available at**

**<http://aals.org.cnhost.com/documents/statistics/20052006statisticsonlawfaculty.pdf>.**

The statistical report has very comprehensive data on the presence of minorities among law school faculty and deans. Women and minorities are under-represented among prestigious positions (such as deans and full professors), but women are over-represented among lower level positions (such as lecturers and contract professors).

**Association of Bar of City of NY, Public Benchmarking Report, 2005, available at [http://www.abcnyc.org/pdf/report/Public\\_benchmarking\\_report.pdf](http://www.abcnyc.org/pdf/report/Public_benchmarking_report.pdf).**

This report looked at data from 82 firms in New York City which were signatories to the New York City Bar Association's law firm diversity benchmarking report. It provides information about the demographics of those firms in 2004 (see Appendix A, Table 1). The signatory firms are somewhat more diverse than the legal profession as a whole.

**Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook, 2006-2007 Edition, Lawyers*, <http://www.bls.gov/oco/ocos053.htm>.**

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<sup>17</sup> After the JD, *supra* note 1.

<sup>18</sup> See Marilyn Tucker, Laurie A. Albright, and Patricia L. Busk, *Whatever Happened to the Class of 1983?* 78 GEO. L.J. 153 (1989).

<sup>19</sup> *Id.*

Provides summary on lawyer statistics relating to: nature of work, working conditions, training/other qualifications and advancement, employment, job outlook, earnings, and related occupations,

**C-SPAN: The 108th Congress: A Profile, available at [www.c-span.org/resources/fyi/108\\_profile.asp](http://www.c-span.org/resources/fyi/108_profile.asp).**

Gives a break-down of the U.S. Representatives and Senators by race, gender, age, oldest/youngest, education level, and former occupations.

**Employment Patterns — 20-Year Trends — 1982-2002, NALP, <http://www.nalp.org/content/index.php?pid=169>.**

Provides tables with the initial employer types for men/women and minority/non-minority graduates of the law school classes of 1982, 1994, 2000, and 2002, and assesses trends over the 20-year period.

**Employment Patterns, 1982-2004, NALP, <http://www.nalp.org/content/index.php?pid=385>.**

This source offers tables with the initial employer, by category, based on gender and minority status, for graduates of the law school classes of 1982, 1994, and 2004.

**Federal Legal Employment Opportunities Guide, NALP, 2005-2006, available at [http://www.nalp.org/assets/190\\_fedemplguide2005.pdf](http://www.nalp.org/assets/190_fedemplguide2005.pdf).**

This guide provides statistics on the number of lawyers in various federal government departments, along with information on average salaries and average length of employment.

**Household Data Annual Averages for 2005, Table 11: Employed Persons by Detailed Occupation, Sex, Race, and Hispanic or Latino ethnicity, at 219, <http://www.bls.gov/cps/cpsaat17.pdf>.**

Offers numbers of employed persons for various occupations, referenced by industry, sex, and race.

***Industry Snapshot, Legal Services Industry (Aug. 2006), [http://sbdnet.org/Snaphots/Legal\\_Snapshot\\_08\\_29\\_2006.pdf](http://sbdnet.org/Snaphots/Legal_Snapshot_08_29_2006.pdf).***

Explores the industry trends with respect to salary, legal work, total sales in different practice areas, and partnership prospects for the average lawyer.

**Jobs for New Law Graduates — Trends from 1994-2004, NALP, <http://www.nalp.org/content/index.php?pid=319>.**

Table provides demographic profile of selected job types (all jobs, law firms of 0-12 lawyers, more than 100 lawyers, prosecutors, military jobs, federal judicial clerks.

**Keeping the Keepers II: Mobility and Management of Associates, Executive Summary, NALP Research, available at <http://www.nalpfoundation.org/webmodules/articles/anmviewer.asp?a=89&z=15>.**

This is a NALP benchmark study, looking at attrition rates at NALP-member law firms. For example, the study found that cumulative attrition rates for entry-level associates, reported at an overall rate of 8.4% within 16 months of employment, a slight decrease from 9.2% in 1997 and a very slight increase from 8.3% in 2000. Firms of 250-500 attorneys had a higher attrition rate than 500+ lawyer firms. Minority men had the highest attrition rate, although minority women were the most likely to leave their firm if they were lateral associates. About 40% of entry-level associates went to another law firm after leaving their first firm job. For lateral transfers, the percentage dropped to 34.5% going to another firm. About 14% went to legal jobs in business, and 12% took government jobs and state judicial clerks) from 1994-2004.

**Law Firm Jobs Taken by New Graduates - Distribution by Race/Ethnicity, NALP, <http://www.nalp.org/content/index.php?pid=166>.**

Reports on the percentage of law firm jobs taken in the 20 largest cities and elsewhere by race and ethnicity. Reports on the distribution of law firm jobs by race/ethnicity and by city for the 20 cities providing the most jobs to the class of 2003.

**Lawyer Statistical Report (2000) (on reference in Stanford law library).**

Provides statistics on the overall distribution of legal jobs and compares men's and women's career choices. There are more women in public interest, government, and education jobs, whereas more men work in private firms. In 2000, women were 36% of government lawyers, 44% of public defender/legal aid lawyers, 43% of judicial dept. support staff lawyers. 13% of judges were women.

***What Law Students Think They Know About Elite Law Firms*, 69 UNIV. CIN. L. REV. 1213.**

The study that this law review article was based on looked at what law students perceive about top-tier law firms and how they perceived law school. For example, the study found that minorities tend to think that grades are less important—and prestige of the law school more so—than do whites.

## **B. Sources that Focus Specifically on Sex/Gender**

***A Current Glance at Women in the Law 2005*, American Bar Association Commission on Women in the Legal Profession, <http://www.abanet.org/women/ataglance.pdf>.**

Provides statistics on the number of women in the following areas: law schools, academia, private practice, business, government, judicial clerkships, public interest. Based in part on numbers from the Bureau of Labor Statistics.

**Center for American Women and Politics, Facts and Findings, Women Officeholders: Current, available at <http://www.cawp.rutgers.edu/Facts.html>.**

- Provides a fact sheet with current numbers and percentage of women elected officials in U.S. Congress, statewide elective executive offices, state legislatures and municipal offices for the year 2006, at

<http://www.cawp.rutgers.edu/Facts/Officeholders/elective.pdf>. Also includes summary of percentages of women in office at various levels from 1979 to current.

- Provides a fact sheet with current numbers and percentages of women of color in U.S. Congress, statewide elective executive offices and state legislatures, at <http://www.cawp.rutgers.edu/Facts/Officeholders/color.pdf>.
- Provides the numbers and names of Latinas elected to U.S. Congress, statewide elective executive offices and state legislatures, at <http://www.cawp.rutgers.edu/Eleccion/home.htm>.
- Also provides data on women in presidential cabinets, women in statewide elective executive office, women in state legislatures, women in city or county office, and women in New Jersey government.

**Center for American Women and Politics, Facts and Findings, Women Officeholders: Historical, available at <http://www.cawp.rutgers.edu/Facts2.html>.**

The website links to the following historical data:

- A listing of all women who have ever served in U.S. presidential cabinets, at <http://www.cawp.rutgers.edu/Facts/Officeholders/fedcab.pdf>
- A listing of all women who have ever been elected or appointed to fill a Congressional vacancy created by the death of their husbands, at <http://www.cawp.rutgers.edu/Facts/Officeholders/widows.pdf>.
- A listing of each congress from the 65th through 108th, number of women serving in U.S. Senate and U.S. House by party, at <http://www.cawp.rutgers.edu/Facts/Officeholders/cong.pdf#page=2>.
- A historical listing of all women who have served in the U.S. Senate, as well as information on how they first entered office, Senate firsts for women and additional historical information, at <http://www.cawp.rutgers.edu/Facts/Officeholders/senate.pdf>.
- A listing of all women who have been governors, at <http://www.cawp.rutgers.edu/Facts/Officeholders/govhistory.pdf>.
- A listing by state of all women who have been lieutenant governors, at <http://www.cawp.rutgers.edu/Facts/Officeholders/litgovhist.html>.
- A summary of number of total women elected to statewide offices with party breakdown and percentage of total offices at <http://www.cawp.rutgers.edu/Facts/Officeholders/stwidehist.pdf>.
- A state by state listing of numbers and percentages of women elected to state legislatures, at <http://www.cawp.rutgers.edu/Facts/StLegHistory/stleghist.pdf>.
- Full fact sheets by year of the women in state legislatures and the women in state legislative leadership are also available.

**Employment Comparisons and Trends for Men and Women, Minorities and Non-minorities, NALP, available at <http://www.nalp.org/content/index.php?pid=161>.**

Reports on the initial choice of men/women and minorities/non-minorities in the classes of 1982, 1988, 1994, and 2000. Job categories are firm (varied sizes), business/industry, government, judicial clerkships, public interest, and academic.

**Cynthia Fuchs Epstein, *Glass Ceilings and Open Doors: Women's Advancement in the Legal Profession*, 64 FORDHAM L. REV. 291 (1995).**

This is a Report to the Committee on Women in the Profession, for the Association of the Bar of the City of New York. It found a lack of women in the upper levels of firms and that sex stereotyping had a negative effect on the advancement of women. However, the data is from the early 1990s, and is therefore perhaps out-dated.

***Facts About Women and the Law*, American Bar Association, Division for Media Relations and Public Affairs,**

**<http://www.abanet.org/media/factbooks/womenlaw.pdf>.=**

This pamphlet was designed to provide an overview of legal issues affecting women for members of the news media, so it is of limited use. However, Section 1, Questions 1 through 8, pages 1 through 6, address the issue of women in the justice system and are useful.

***Gender Equality in the Legal Profession: A Survey, Observations, and Recommendations*, New York State Bar Association, 2002,**

**<http://www.nysba.org/Content/ContentGroups/News1/Reports3/womeninlawreport-recs.pdf>.**

Report detailing the results of a survey conducted to examine factors of gender equity affecting career and professional development and quality of life for attorneys in New York State. The survey addressed 10 topic areas, including:

- demographics (age, race/ethnicity, marital status, dependents, parent leave, annual income, and hourly billing rate for those in private practice);
- other background information, (dues, other Bar or professional association memberships, age when admitted to bar and number of years in practice, numbers of employers, reasons for changing jobs, reasons for choosing law as a profession, and likelihood of career retention);
- current work status (work setting, current position, geographic location, telecommuting, full-time/part-time status, area of concentration, supervision and supervisory data, hours, committee memberships, and effect of child care on concentration and amount of hours worked); gender equity (gender ratios, interaction, gender equity and access perceptions at work);
- job and career satisfaction;
- equity-related policies/practices at work;
- mentoring and networking (including questions about what is available, access, and effect of child care on networking, and a scale regarding the value of mentoring and professional development); quality of life (scales about both personal and work quality of life, and the balance between the two); gender discrimination (questions about inappropriate behaviors in court or chambers, or among attorneys outside of court).

**New York City Bar, *Best Practices For Women Attorneys Report*, 2006,**

**<http://www.nycbar.org/pdf/report/BestPractices4WomenAttorneys.pdf>.**

This report was done by the Committee on Women in the Legal Profession. Committee members include private firm lawyers, public interest lawyers, in-house counsel,

professors, and government officials. Its goal was to develop a list of “best practices” to increase women’s presence in the legal profession at upper levels.

***Women in Law: Making the Case (2001), Catalyst,***

**[http://www.catalystwomen.org/files/full/Women in Law - Making the Case.pdf](http://www.catalystwomen.org/files/full/Women%20in%20Law%20-%20Making%20the%20Case.pdf).**

This study is the first ever to feature a geographically representative sample of women and men law graduates spanning all legal sectors to take a comprehensive look at their career paths, advancement, and work/life balance. Surveys were received from nearly 1,500 graduates from the classes of 1970-1999 of five leading law schools (Berkeley, Columbia, Harvard Michigan, and Yale), interviews were conducted with 21 lawyers representing a cross-section of the legal profession. Secondary research and interviews were conducted to identify 13 program and initiatives to recruit, advance, and retain women in the legal profession. Chapter 4 is particularly useful because it focuses on women’s experience in the government, education, and nonprofit sectors. Some interesting findings include:

Women intend to stay at their current employers three fewer years than men, while younger women and women of color intend to leave even sooner. Sixty-two percent of white women are satisfied with their current employers compared to 68 percent of men, while only 46 percent of women of color are satisfied. Sixty-seven percent of women, compared to 49 percent of men, cite women's commitment to personal and family responsibility as a barrier to advancement. Legal employers who provide women with the following options will have a better chance of attracting and retaining them: advancement opportunities, availability of mentors, professional development opportunities, and control over their work.

### **C. Sources that Focus Specifically on Race/Ethnicity**

**EEOC Diversity in Law Firms Report, available at**

**<http://www.eeoc.gov/stats/reports/diversitylaw/index.html>.**

This report reviewed the employment of women and minorities at law firms with more than 100 employees. It found that minorities tend to be at firms in major markets and at high-ranking firms, whereas these factors had less of an effect on women. Large, national law firms tended to have more women and minorities than other types of firms. Appendix A, Table 2 shows data on minority employment in large law firms.

**Employment Comparisons and Trends for Men and Women, Minorities and Non-minorities, NALP, <http://www.nalp.org/content/index.php?pid=161>.**

Reports on the initial choice of men/women and minorities/non-minorities in the classes of 1982, 1988, 1994, and 2000. Job categories are firm (varied sizes), business/industry, government, judicial clerkships, public interest, and academic.

**Law School Staff by Gender and Ethnicity, 2002-2005, American Bar Association, <http://www.abanet.org/legaled/statistics/charts/facultyinformationbygender.pdf>.**

Tables with information on the number of law faculty sorted by race (Black, American Indian, Asian, Mexican American, Puerto Rican, Other Hispanic, Total Minorities, Foreign, White).

***Miles to Go 2000: Progress of Minorities in the Legal Profession, American Bar Ass'n, Commission on Racial & Ethnic Diversity (2004)***

The report was overseen by the ABA to take stock of the legal profession, as of 2004. It provides a fairly comprehensive picture of the status of minorities in the profession by reviewing academic, government, professional, and popular data sources by comparing minority percentages across several professions, numbers of women and minorities receiving JDs in 1983 through 2003, and how minority status affects initial employment. The final table indicates that minorities are less likely to go into private practice, more likely in business jobs, more likely for government jobs, less likely in clerkships; more likely for public interest, and more likely in academia. It costs \$20, but the Executive Summary is available at <http://www.abanet.org/minorities/publications/milesummary.html>.

The study found that total minority representation among lawyers is about 9.7 percent, according to the 2000 U.S. Census, compared to 20.8 percent among accountants and auditors, 24.6 percent among physicians and surgeons, and 18.2 percent among college and university teachers. Nationally, African Americans are the best represented minority group among lawyers (3.9 percent), followed by Hispanics (3.3 percent).

In addition, the study found that minorities are less likely than whites to have judicial clerkships after law school. Among 2003 law graduates, 9.4 percent of minorities had judicial clerkships, compared to 12.3 percent of whites. Clerkship rates are lowest among minority men (8.1 percent), Hispanics (6.5 percent) and Latinos (7.1 percent).

The study also looked at law graduates entering private practice. Among 2003 law graduates, 53.3 percent of minorities entered private practice, compared to 60.5 percent of whites. Minority women entered private practice at a slightly higher rate than minority men (53.9 compared to 53.0 percent). White women continue to be less likely than white men to enter private practice (58.8 compared to 62.1 percent).

In the public interest field, 5.7 percent of minority women started off in public interest jobs, compared to 3.5 percent of white women, 3.3 percent of minority men, and 1.5 percent of white men.

Over 15 percent of minority men entered business or industry in 2003, compared to 11.1 percent of minority women, 10.6 percent of white men, and 8.8 percent of white women.

Minority representation among partners remains less than 4.0 percent in all but the very largest law firms, and only 4.4 percent in the nation's largest 250 law firms. Minority women make up less than 1.0 percent of capital (equity) partners in Chicago law firms

Law firm attrition rates for minority women are higher than for any other group. Fully 12.1 percent of minority women leave their firms within the first year of practice and over 75 percent leave within the first five years.

**Minorities at Private and Public Sector Employers, NALP,  
<http://www.nalp.org/content/index.php?pid=156>.**

Table charts the attorney demographics at private sector employers in 2002, using race/ethnicity, size of office, and city as factors.

**Minority Corporate Council Association,  
[http://www.mcca.com/site/data/magazine/2006-07/general\\_counsel.shtml](http://www.mcca.com/site/data/magazine/2006-07/general_counsel.shtml).**

The study provides statistics on female corporate counsel. It also includes racial demographics. In 2006, 16.6% of Fortune 500 GC's are women. 15% are white; 1% are black, 0.2% Hispanic, 0% Asian. 14.8% of Fortune 501-1000 GC's are women. 12.% white, 0.2% black, 0.6% Hispanic, 0.8% Asian. Overall, 15.7% of Fortune 1000 companies are women. All but 14 are white.

**Minority Law Report, available at  
<http://www.law.com/jsp/mlj/PubArticleMLJ.jsp?id=1138096934392&hubtype=Scorecard>.**

As a diversity "score card," it compares the percentage of minority lawyers (associates, of counsel, and staff attorneys) in the firm to percentage of minority partners (non-equity and equity partners). It analyzes percentages for over 250 firms nationwide. The conclusion of the research is that there are always fewer minority partners than minority lawyers. The range of minority lawyers is from around 20% (at Cravath and Wilson Sonsini) to around 2% (at firms in West Virginia and South Carolina). The range of minority partners is from around 15% (at Wilson Sonsini) to 0% at several firms. Some firms have a relatively small drop-off between minority lawyers and partners, while other firms have a significant decrease.

**Minority Law Report, available at  
[http://www.law.com/jsp/mlj/PubArticleMLJ.jsp?id=1134760445400&hubtype=Survey\(survey\)](http://www.law.com/jsp/mlj/PubArticleMLJ.jsp?id=1134760445400&hubtype=Survey(survey)), and  
[http://www.law.com/jsp/mlj/PubArticleMLJ.jsp?id=1134760445436&hubtype=Survey\(explanation\)](http://www.law.com/jsp/mlj/PubArticleMLJ.jsp?id=1134760445436&hubtype=Survey(explanation)).**

This study looked at recent summer associate satisfaction and midlevel associate satisfaction across various ethnic and racial groups. Overall, African-Americans tended to find the atmosphere less collegial, more competitive, insufficiently diverse, with an unsatisfactory level of responsibility and insufficient feedback, than did members of other racial groups. Asians, Hispanics, whites, and other generally had the same results. Black summer associates graded their firms more harshly than their white peers did in 16 of 17 questions. In the midlevel ranks, black associates ranked their firms lower than whites did in 11 out of 11 categories.

**The Racial Gap in the Promotion to Tenure of Law Professors, available at  
<http://aals.org.cnhost.com/documents/2005recruitmentreport.pdf>.**

The study followed faculty hired in 1990 and 1991, to see what happened to each after five years, six years, and seven years. The study also analyzed a second cohort of faculty hired in 1996 and 1997, and followed them through the 2004-05 academic year. It provides a thorough statistical analysis of promotion, departure, and transfer by faculty members, according to race and gender (see Appendix B).

#### **D. Sources Relating to Salary/Debt Level**

**Kenneth G. Dau-Schmidt & Kaushik Mukhopadhyaya, *The Fruits of Our Labors: An Empirical Study of the Distribution of Income and Job Satisfaction Across the Legal Profession*, 49 J. LEGAL EDUC. 342, 349 (1999).**

The study undertakes a simple empirical analysis to examine the distribution of pecuniary and nonpecuniary benefits across the legal profession. Using the University of Michigan alumni data set, a series of regressions was conducted to examine how the participants' self-reported income and job satisfaction vary across the legal profession according to type of practice, gender, and whether the respondent is black or Hispanic. Regression analysis allows the study to undertake this analysis while correcting for the effects of several other variables, including years of practice, hours worked, law school grades, satisfaction with family life, and population of the respondent's city of residence.

The analysis was conducted on two separate subsamples of respondents - one for respondents who were surveyed five years after graduation and another for respondents surveyed fifteen years after graduation. Separate analysis of the subsamples provides snapshots of the distribution of rewards across the profession at two distinct stages in lawyer careers.

***From Paper Chase to Money Chase: Law School Debt Diverts Road to Public Service*, National Ass'n for Law Placement & National Legal Aid and Defender Association, (2002), <http://www.equaljusticeworks.org/publications/lrapsurvey.pdf>.**

This source explores how educational debt prevents law graduates from pursuing public service positions. The report deals with the impact of rising law school tuition costs, focusing primarily on how the ensuing debt burdens narrow student service options following graduation. The findings show that educational debt prevents many graduates from choosing careers in which they are interested but that provide lower salaries— results that have a broad impact beyond individual student career tracks or new recruiting trends.

**Law School Faculty Salary Survey, Society of Law Teachers (SALT), SALT EQUALIZER, (Mar. 2006), <http://www.saltlaw.org/EQ-March2006.pdf>.**

The survey results report the median salaries for each of the three faculty ranks in alphabetical order by school in each of the seven geographical regions. 88 law schools furnished salary information, which means that more than half of the nation's law schools declined to participate.

***Lifting the Burden: Law Student Debt as a Barrier to Public Service, American Bar Association Commission on Loan Repayment and Forgiveness (2003),***  
**<http://www.abanet.org/legalservices/downloads/lrap/lrapfinalreport.pdf>.**

The report provides an analysis of the educational debt problem, discusses the impact of the problem on the legal profession and society, summarizes strategies that have been developed to help address the problem and highlights some success stories using these methods. The Report includes ten conclusions about the debt burden issue and its impact on the profession and presents 19 detailed recommendations which, taken together, constitute a comprehensive package designed to provide relief for and incentives to lawyers who want to serve their communities through public service careers.

**NALP 2006 Public Sector and Public Interest Attorney Salary Report, Press Release, <http://www.nalp.org/press/details.php?id=63>.**

This report reviews the salaries of public interest and public sector attorneys in 2006 (see Appendix A, Table 3). The research was done by a survey of 430 organizations, including civil legal services organizations, public defenders, and state attorneys general. The online press release provides only a sample of the larger research report.

## **II. THE PATH TOWARD ALTERNATIVE LEGAL CAREERS**

The following sources provide information on lawyers' journeys toward and experiences within alternative legal careers.

### **A. Sources Relating to Alternative Job Options (Anecdotal / "How-To" Type Sources)**

The sources listed below fall into the category of advice books that inform people – on an extremely general level – of what they can do with a law degree (other than practicing at a large law firm) and how they should go about planning an alternative career. These sources are based on an author's personal experience and opinions or on anecdotal stories from others. They are not based on careful empirical analysis. In addition, these books also tend to be too broad – for example, they inform the reader why certain organizations *might* need lawyers in non-legal positions, but do not actually analyze what lawyers do in such organizations.

**DEBORAH ARRON, WHAT CAN YOU DO WITH A LAW DEGREE? A LAWYER'S GUIDE TO CAREER ALTERNATIVES INSIDE, OUTSIDE & AROUND THE LAW, (1992).**

This book advises law school graduates about how to plan their careers and how to successfully change jobs while avoiding the pitfalls of previous ones. Deborah Arron outlines self-defeating moves and then advances a strategy of questions and careful planning. The book includes self-assessment exercises for the benefit of the lost lawyer. Most aspects emphasize the importance of planning in relation to "big picture" interests

and goals. Although this book is widely cited by sources focusing on alternative careers, it includes no empirical data, either quantitative or qualitative.

**CHANGING JOBS: A HANDBOOK FOR LAWYERS IN THE NEW MILLENNIUM (Heidi McNeil Staudenmaier, ed.) (1999).**

This book contains a series of shorter articles from contributing editors that discuss various aspects of career planning strategies, career identification, and career options. The chapters include topics such as how to decide what type of career is best, how to find a job, both through networking and web and print resources, and various types of non-law firm options. This is an interesting resource to determine what options there are and how one might attempt to attain them, but this book is not based on any empirical evidence.

**Hilary Denk, *Beyond the Law—A Litigator’s Path to a Non-Legal Career*, 10 CBA REC., Feb.-Mar. 1996, at 36.**

This brief article includes anecdotal evidence that many attorneys leave the practice for non-legal careers. The author advances a plan of action to start a new career and cites several sources that list non-legal career possibilities; she states that Federal Reports, Inc. of Washington, D.C.’s most recent report listed more than 600 jobs that lawyers are doing.

**SUSAN ECHAORE-MCDAVID, CAREER OPPORTUNITIES IN LAW AND THE LEGAL INDUSTRY (2002).**

This book outlines basic information about 87 different legal and legal-related careers. For each career, the author gives a summary of the position, salary, job outlook, a career ladder, promotion possibilities, general requirements and skills and personality traits that are applicable to the job. In addition, there are tips for entry into the various types of jobs, which indicate when additional classes, experience, networking, etc. may be helpful in obtaining that type of job. Many of the jobs listed, however, are for legal support staff-type positions, which are unlikely to be applicable to people who have graduated from law school and passed the bar.

**Robert Haibin Hu, *A Guide to Resources on Careers in Foreign and International Law*, 93 LAW LIBR. J. 479 (2001).**

This article lists and describes numerous resources about career opportunities in foreign and international law.

**Sherri Kimmel, *Beyond the Law*, 20 PENN. LAWYER, Nov.-Dec. 1998, at 22.**

This article contains anecdotal evidence about what jobs various people have taken once they decide to leave the legal profession.

**Morgan Morrison, *Should I Stay or Should I Go? Personal Accounts of Career Transitions*, 69 TEX. BAR J. 156 (2006).**

This brief article includes anecdotal evidence of the career paths that some attorneys have taken. The article also includes career transition resources and a list of possible non-traditional job opportunities for people with law degrees.

**GARY A. MUNNEKE, CAREERS IN LAW (1997).**

This book gives an overview of the different categories of legal services in which lawyers are involved and an overview of the major practice areas. In addition, the book briefly discusses non-legal paths. Appendix B in the book shows the NALP 1995 Employment Report and Salary Survey Press Release, which indicates the percentages of students who accepted different types of jobs and the demographics of those students. Otherwise, the book generally outlines the basic options for law students.

**GARY MUNNEKE, OPPORTUNITIES IN LAW CAREERS (2001).**

*Opportunities in Law Careers* describes the nature of the practice of law; it gives an overview of law school choices, outlines subject areas of legal practice, and answers questions such as “Are lawyers unscrupulous?”. The author also devotes several chapters to describing different types of legal careers, including ones in government, academia, private practice, corporate, and legal aid. However, his chapter on “other careers” only addresses a few options, and does not contain information on how to obtain jobs in those areas or even describe the nature of those jobs in detail. In addition, the book appears to be based on the author’s experience and personal knowledge of legal practice, rather than on empirical data.

**NALP website: <http://www.nalp.org/content/index.php?pid=371>**

This site has a document that lists web sites of interest for alternative careers for lawyers.

**JEFFREY STRAUSSER, JUDGMENT REVERSED: ALTERNATIVE CAREERS FOR LAWYERS – AN ATTORNEY’S ADVICE ON HOW TO USE YOUR LEGAL SKILLS SUCCESSFULLY IN ANOTHER FIELD (1997).**

University of Michigan Law School, *Career Services Library Resources*, Office of Career Services, <http://www.law.umich.edu/currentstudents/careerservices>.

The University of Michigan Law School published a list of resources on the subject of legal careers. This list is organized topically and by type of resource, and includes resources for interests such as alternatives to the large law firm and career planning. Although the list may prove useful for some areas, its section on alternatives focuses primarily on anecdotal or “how to” sources, rather than empirically based ones.

**Frances Utley, *Nonlegal Careers for Lawyers in the Private Sector*, American Bar Ass’n (1984).**

**Sarah Weddington, *Law: The Wind Beneath My Wings*, 7 WASH. UNIV. J. OF LAW & POL’Y 99 (2001).**

This article describes reasons that students who are initially committed to public interest later do not pursue those interests upon graduation. After describing her own public interest career, the author outlines the disconnect between students’ interests and their career choices. Although her insights are interesting, there is no empirical research to support her statements that loan debt, law school culture, and scarcity all play a role in students’ ultimate decisions.

**Lance M. Werner, *Alternative Careers for JDs*, 83 MICH. BAR J. 50 (2004).**

This brief article cites several sources for students or attorneys to reference if they are thinking about alternative legal careers.

## **B. Sources that Examine Empirical Studies about People's Alternative Career Paths**

**Joe G. Baker & Brian K. Jorgensen, *Leaving the Law: Occupational and Career Mobility of Law School Graduates*, 50 J. LEGAL EDUC. 16 (2000).**

This article focuses on law school graduates that spend all or part of their careers outside the practice of law. The article begins by stating that in 1993 some 243,000 law school graduates (approximately one-fourth of a total 946,000 law school graduates) were not working as lawyers or judges. Of this number, 62,000 (26%) were not in the labor force, 20,000 (8%) were unemployed, 13,000 (5%) were in academic law, and the remaining 148,000 (61%) were working in non-law occupations (top and midlevel management being the most popular, employing some 48,000 law graduates). The source for this information, as well as for all the other statistics presented in the article, is the 1993 National Survey of College Graduates (conducted by the Bureau of the Census for the National Science Foundation), a national sample of all people who held college degrees as of April 15, 1993, regardless of their occupation or labor market status. The NSCG sample consists of approximately 168,000 individuals under 65 years old, of whom 3,207 indicated a law school degree – when weighted, this represents an estimated national population of 946,000 law school graduates.

The article extracts a number of descriptive statistics, presented in tables, that address lawyers in non-legal settings. Most tables also include data for “new graduates,” those who received their law degrees between 1988 and 1993. The most relevant tables are reproduced in Appendix D to this bibliography. Out of this data, the authors attempt to answer various questions about nonpracticing lawyers, including what proportion of law school graduates do not practice law, how this varies by race, sex, age, and family structure, how the propensity to leave law varies over the course of a career, what the reasons leaving law are, and whether law graduates suffer an earnings penalty if they abandon the practice of law.

The authors predict – and their descriptive data seem to support – that leaving the law would have high opportunity cost, resulting in low rates of exit from the legal profession. They find that in 1993, almost 83% of all employed law school graduates were employed in the law – a much higher in-field percentage than comparable percentages for recent Ph.D. Recipients: 55.9% for engineering, 65.1% for math/computer science, and 69.5% for social sciences. The next largest occupational group for law school graduates was top or mid-level management (5.6% of all employed law graduates) and no other occupation employed more than 1.5% of the total. The authors report that although there is some career instability in the first five career years, in general the probability that a law graduate will leave the law, particularly to pursue a career in management, increases with career age. When it comes to earnings, they vary considerably for those lawyers working outside the legal profession (as they do for those working within it). For those who leave law for career reasons, there is little earnings penalty. Those who leave for family

reasons, however, or because they could not find a job in the legal field, do suffer an earnings penalty. Those law graduates who left the legal field for pay or promotion reasons have a slightly higher median salary than do lawyers and judges.

As for why law graduates leave the law, the authors suggest several reasons, but their data don't seem to conclusively support any one theory. Occupational mobility theory argues that higher pay is the primary reason, while career mobility theory indicates a change of jobs to enhance *longer-term* earnings (accepting a temporary cut). Meanwhile, Becker's model of household production predicts that exit from the legal profession may be for family-related reasons. Finally, there is the concept of compensating differentials: pleasant working environment, low stress, or stable hours may compensate for lower pay. The data presented indicate that most law graduates leave the law voluntarily, although reasons for leaving the law vary by stage of career: in early career, "working conditions" is cited as the most important reason for leaving, while in mid-career "change in career or professional interests" is the most important. Family-related reasons rank high as a reason for females, while difficulty in finding a job in law was a major reason that minorities worked outside the legal field.

*Comment:* While this article is interesting, it is important to remember that it applies, by definition, to only a very small portion of the alternatives to big law firms that we are researching – it looks at those who choose to leave the law altogether. In addition, the source for the data – the NCSG – is relatively small and yet the authors seem to extract all sort of statistics from this small sample size. We should therefore probably take a critical eye to the statistical validity of these findings. We are also cautioned by the very few citing references to this article.

**CLARA N. CARSON, THE LAWYER STATISTICAL REPORT: THE U.S. LEGAL PROFESSION IN 2000 (2004).**

This is the latest in a long-running series of statistical reports commissioned by the American Bar Foundation. They are published every few years and provide a statistical snapshot (mostly just tables and figures) at a given point in time of American lawyers (defined as those who are licensed to practice law in at least one state and who work in this country). The long-term goal of the reports is to provide statistics that enable researchers to study and understand changes taking place in the U.S. legal profession. The only source for the data in the reports is the Martindale-Hubbell legal directory. This particular report was published in 2004 and is the 12<sup>th</sup> Lawyer Statistical Report since 1956. It provides a snapshot of the legal profession in March of 2000. It gives the employment status of the year 2000 lawyer population, which is very useful for our purposes. Even more useful is the fact that the statistics are also broken down by gender and – to some extent – by age. The most relevant tables and figures from the report are reproduced in Appendix F to this annotated bibliography. Overall, it seems that the main alternatives to the private practice of law are legal practice in private industry (8% of year 2000 lawyers), work in some level of government (7%), and “inactive” lawyers (5%). The report also summarizes growth rates in the various employment settings, which reveal that despite different growth rates, the rank order (based on the number of lawyers in each setting) across the various alternatives has stayed pretty much the same since

1980. The report also breaks down the statistics *within* law firms, including documenting the rise of big firms since 1980, the distributions of lawyers by firm size, and the positions (partner, associate, or counsel) of lawyers in the firms. In addition to this overall national profile of the legal profession, the report provides a comparable snapshot of statistics for each state in the country.

*Comment:* Despite its usefulness, there are a few obvious drawbacks to this report. For one, it is entirely based on the Martindale-Hubbell directory and therefore excludes law school graduates that never took (or never passed) the bar exam. In addition, the data of current employment is least likely to be available for those lawyers who are not currently practicing law, which may skew the statistics to suggest that extremely few lawyers are actually in careers that do not utilize their legal skills. In fact, such employment data was not available for over 150,000 people (15% of the lawyer population in 2000).

In addition, this latest report, as well as those from the 1990s, is not nearly as comprehensive as the data presented in the 1980s reports. The report from the 1980s broke down government employment of lawyers by the various departments within the federal government. It also had a comprehensive breakdown of lawyers working in private industry (e.g. the percent that work in Fortune 100 firms). There was also a much more detailed breakdown by age in five-year intervals – far more comprehensive than the current report's simple use of an “39 years old and younger” and “40 and over” dichotomy. In addition, the 1980s report had a specific section detailing the employment of new lawyers (those who recently passed the bar). It also had a very extensive section on the lawyer populations in all the country's metropolitan areas as well as in nonmetropolitan census-based areas. Such data is much more useful for our purposes than the simpler state-by-state breakdown of the current edition. For all these reasons, therefore, it is unfortunate that the 2000 report did not follow the same format as the 1980s report.

**Kenneth G. Dau-Schmidt et al., “*The Pride of Indiana*”: *An Empirical Study of the Law School Experience and Careers of Indiana University School of Law-Bloomington Alumni*,” 81 IND. L.J. 1427 (2006).**

The authors conducted a survey for five consecutive years of the Indiana University School of Law-Bloomington alumni who graduated five and fifteen years prior. The survey consisted of 71 questions concerning their personal characteristics, family responsibilities, reflections on law school and career experiences. 593 surveys were completed, and the results are analyzed based on overall, gender and ethnic variables. The results include a comparison between what the respondents thought their career paths would be when they graduated and what they actually are; personal and family characteristics; the types of practice that the alumni have undertaken; income, hours, job satisfaction and satisfaction with work/family balance by practice. The statistics are difficult to understand, but the authors analyze the results fairly clearly. This is, of course, a small sample and a limited population. See Table 4 of Appendix A for results comparing where the respondents were 5 years after school and then 15 years after school.

**Ronit Dinovitzer (Project Manager) & Drafting Committee of the AJD Project, *After the JD: First Results of a National Study of Legal Careers* (2004).**

This is the first published report from a systematic 10-year cohort study that tracks the careers of lawyers first admitted to a state bar in the year 2000. It provides a snapshot of the legal profession based on a random national sample of these new lawyers 2 to 3 years into their careers. The results of a survey given to over 5000 young lawyers in 2003 provide the reader with many useful descriptive statistics, some of which are reproduced in Appendix C to this bibliography.

Interestingly, the report indicates that practice setting and geographic location account for many of the key differences in their sample. Therefore, most descriptive statistics are reported in reference to practice setting and – to a lesser extent – geography. Along these lines, the survey reports that 97% of their sample was employed, with 94% working full time and 91% practicing law in their primary jobs. Almost 70% worked in private law firms, 11% were in state or local government, 5% in the federal government, and other settings accounted for very small proportions of the sample. Within law firms, a surprisingly large percentage of lawyers worked in offices of a relatively small size. However, the report is primarily based on *office*, rather than *firm* size, and there were many lawyers who worked at a large firm but in a small office.

*Comment:* While useful for a description of what young lawyers do, this report does *not* look at how the sample population got to where they are or what influenced their choices. For purposes of our own research, the next two reports due to come out from this study – which will look at the same sample in the years 2006 and 2010 – should be more useful. Those reports will use more advanced statistical techniques and (in addition to broad surveys) also utilize face to face interviews from a sample of 500 lawyers. The overall goal of the “After the JD” project is to become “the first national study of the factors - personal and professional - that account for the wide spectrum of legal careers and experiences.”

**Fiona M. Kay, *Flight from Law: A Competing Risks Model of Departures from Law Firms*, 31 LAW & SOC.'Y REV. 301 (1997).**

This article analyzes a temporal study of career mobility within the legal profession with a sample of Canadian lawyers. The author outlines factors that “push” lawyers out of law firm practice and factors that “pull” them toward other options. The study collected data from a random sample of lawyers who entered the bar from 1975-1990 in the province of Ontario. The 1009 people who reported that they started at law firms were used in the study, with roughly equal numbers of women and men represented. The author reports responses of a survey to questions involving background and family variables, work-related variables, size of the firms, job satisfaction, sexual discrimination, organizational commitment and professional commitment. The statistics in this article are difficult for the layperson to understand. Her analysis of the results, however, helps to explain what the numbers mean. The numerous variables are analyzed to determine what makes men and women more and less likely to leave the legal profession altogether, or to leave firm practice to take a different legal job. Some interesting results include:

- Higher levels of job satisfaction reduce the chance that lawyers will leave firms by 30 %
- Lawyers with high levels of organizational commitment move 61% more slowly towards leaving law
- Having children does not directly affect exits from law practice
- Being married reduces the rate of leaving the practice of law by 35%
- Success at receiving a preferred position for one's first job reduces the rate of leaving by 42%
- People who enter the legal profession during periods of economic downturn are more likely to leave the law
- Lawyers who experience sexual discrimination leave 81% more quickly
- For men, an elite law school education increases their risks of leaving law practice by 85%
- For women, an elite education reduces the risks of leaving law by 46%
- Taking a parental leave reduces the risk that women will leave law practice by 74%

**Lewis A. Kornhauser & Richard L. Revesz , *Legal Education and Entry into the Legal Profession: the Role of Race, Gender, and Educational Debt*, 70 N.Y.U L. REV 829 (1995).**

This often-cited article summarizes a seemingly well-conceived empirical study of the various factors that influenced the choice of first jobs for graduates of NYU and University of Michigan law schools. The overall goal of the article is to suggest designs for desirable law schools' financial aid programs that go beyond the popular loan repayment assistance programs of many law schools. Along the way, the authors report a number of statistics relevant to our own research.

The authors begin by using data from the "Lawyer Statistical Reports" from the 1980s and 1990s to give an overview of the growth and "sectorial evolution" of the legal profession. They categorize the main legal fields as private practice, business, government, public interest, and the judiciary, giving a good discussion on the growth of each over the past four decades. The article also points out that there is scant data available on the racial distribution of lawyers in alternative careers (racial data is only readily available for big firms and federal government lawyers).

The main goal of the article was to discover what influenced a law graduate's choice of a first job. The study was conducted on two different data sets. One was based on detailed information collected from NYU on all 1601 of its J.D. graduates from the classes of 1987 through 1990. The other data set was collected from surveys given to Michigan graduates from the classes of 1982 through 1988 at the time their five-year reunions. The dependent variable in the statistical models was a graduate's choice of first job, grouped into three very broad categories: non-elite for-profit jobs, elite for-profit jobs, and non-profit jobs. Predictably, therefore, the samples were over-represented in the elite for-profit sector. The independent variables differed slightly (in definition and data collection) between the NYU and Michigan models but were, in general: race, gender, career plans, performance in the *first year* of law school, loans, and wages.

The overall conclusion of the article is that educational debt did not affect the NYU and Michigan graduates' choice of first job to a significant extent, and that other factors were more important, namely the incomes gap between for-profit and non-profit legal jobs, race, performance in the first year of law school, and career plans. In particular, the greater the income gap between the for-profit and non-profit sectors, the more likely it is that graduates will choose the former. Also, controlling for other relevant factors, African American and Latino graduates are more likely to take non-profit positions than whites and Asians. As far as performance in law school goes, below a certain threshold of grades, the higher the grades, the more likely it is that the graduate will take a for-profit position; above this threshold, however, the reverse is true and higher grades increase the probability of taking a non-profit job. But the strongest influence on a decision to take a non-profit job were a graduate's "career plans" (as defined by the study). Meanwhile, as far as gender goes, the authors conclude that "controlling for other relevant factors, women are more likely than men to enter law school with not-for-profit career plans, but law school disproportionately shifts their preferences towards for-profit jobs," meaning that gender does not matter much for the *first* job choice.

*Comment:* The authors use a "conditional logit model" model for their statistical technique. While we are not at all familiar with this model or its scientific virtues and drawbacks, we are concerned that it might not take into account the high degree of multicollinearity that we'd expect to see between almost all the independent variables that the authors identify (e.g. blacks might be more likely to have non-profit career plans coming into law school). We are particularly concerned about the importance the authors give to the distinction between "debt" and "income." The article repeatedly emphasizes that it is the high salaries rather than high debt that draws graduates to the for-profit sector. This seems to us to be two sides of the same coin – the large income gap between for-profit and non-profit just makes it that much clearer for graduates how they will pay off their massive loans. The study seems to reflect the perfectly reasonable mentality of "as long as I have tons of debt, I might as well make tons of money," and the equally reasonable preference to have less debt than make a lot more money. Finally, the definition of some of the variables seems a little shaky, to say the least. For the NYU study, the "career plans" variable is particularly suspect as it is just a collection of information as to whether students were awarded one of several scholarships, whether they clerked, and whether they took a clinic – activities that the authors seem to think indicate non-profit career plans. Finally, using the salaries of elite New York law firms and federal government positions in New York as proxies for the entire for-profit and non-profit legal sectors might not be the best approach one could think of.

**Nancy J. Reichman, Joyce S. Sterling, *Sticky Floors, Broken Steps, and Concrete Ceilings in Legal Careers*, 14 TEX. J. WOMEN & LAW 27 (2004).**

This article outlines the findings of a 1993 study by the Colorado bar Association and the Colorado Women's Bar Association, which received answers to a survey from 1730 attorneys in Colorado. The authors then conducted in-depth interviews with 100 attorneys in the Denver area to discover more information. Although this article focuses primarily on the gender differences in income among lawyers, it also contains some

information about how many women and men became partners, were not promoted, moved to another firm, or moved in-house; it also examines the career trajectories of men and women. Because the sample size is very small for many of the sub-studies, the results cannot be extrapolated broadly. For example, of the 29 associates interviewed in-depth, 12% of women and 25% of men had moved in-house 7 years later. However, this could be an interesting model for a future study, where most results are obtained via survey, but then a more in-depth interview is done for a select group.

**Marilyn Tucker & Georgia A. Niedzielko, *Options and Obstacles: A Survey of the Studies of the Careers of Women Lawyers*, ABA Commission on Women in the Profession, 1994.**

This report arose from preliminary research steps of the ABA Commission on Women in the Legal Profession. The article surveyed the material that existed as of 1993 regarding the career options and decisions of female attorneys. It reviewed the forms such information took—ranging from surveys depicted in law review articles to NALP studies—and assessed the validity of results and non-data-based assertions. The authors concluded that there is no single career path typical to women. They found that women are more dissatisfied with the practice of law, and that more disparities and discrimination face women of color than white women. They also noted the assumption that women are leaving the legal profession, but lack of supporting evidence. In each topical category, the authors made recommendations for future studies based on the flaws and gaps in previous ones. Ultimately, they concluded that a national longitudinal study should be conducted to provide the most reliable and helpful information.

**Marilyn Tucker, Laurie A. Albright, and Patricia L. Busk, *Whatever Happened to the Class of 1983?* 78 GEO. L.J. 153 (1989)**

In a study sponsored by NALP, researchers contacted a total of 535 individuals who graduated in 1983 from one of 20 ABA-approved law schools. 207 people responded. Through questionnaires, the study examined correlations between job satisfaction/ability to obtain a job and factors such as age, class rank, gender, and law review membership. The researchers concluded that younger students were more likely than older students, and male students were more likely than female students, to go to law firms. They also drew many conclusions about the likelihood of graduates changing jobs, and recommended an increase in career planning advice from institutions such as law schools and pre-law programs.

Although the data is old, the article may be helpful because it contains the questionnaire used by the researchers. However, the authors themselves admit the inability of the study to accurately reflect mobility trends, which had already changed by 1989 when the article came out.

**LEONA M. VOGT, FROM LAW SCHOOL TO CAREER: WHERE DO GRADUATES GO AND WHAT DO THEY DO? (1986)**

In 1985, the Harvard Law School Program on the Legal Profession surveyed 6783 law school graduates by questionnaire, 3209 of whom responded. The graduates were from 7 Northeastern area law schools and from one of 4 graduating classes: 1959, 1969, 1974, or

1981. The purpose of the study was to glean information about a number of career-related issues. The issues included a) the types of jobs law school graduates hold, b) the sector of those jobs, c) the respective mobility of different areas of the legal profession, d) the impact of changes in the profession on graduates' careers, e) effect of job changes on income, f) the skills graduates felt were critical for them and g) the qualities which they would seek in candidates for similar positions.

The study divided possible positions into three categories: law, law-related, and non-legal positions. According to the authors, the study indicated that the majority (79%) of graduates were in law positions, although that percentage decreased with years out of law school. The study further separated positions into the following categories: law firms (divided by number of lawyers into solo practitioner, 2-8, 9-35, 36-84, and 85+), government legal, government non-legal, legal services, business legal, business non-legal, judge, law teacher, legal consultant, other law-related, and other. The results indicated that most law graduates who had been out several years had changed jobs at least once, although generally not within the first two to five years. However, the authors also concluded that the job changes tended to occur early in the careers of the graduates. The people who were most mobile generally occupied positions as law professors, judges, or business legal positions. 70% of respondents remained in the same metropolitan area as their first job.

The study and the data are interesting and well-organized, and may prove helpful as an example. However, the study is quite outdated, considering that it was conducted in 1985. In addition, other problems also render the study less useful. First, although the study addressed which characteristics respondents believed to be most important in candidates for positions similar to theirs, this is not necessarily a good indicator of criteria for obtaining a position. The respondents were neither in a position to actually hire—and so were not in a position to possess relevant information—nor were they asked which characteristics they believed to be critical to *obtain* such a position. Rather, the survey asked only which characteristics they personally valued the highest. In addition, the questionnaires gave respondents a list of characteristics from which to choose rather than allowing respondents to come up with their own list. Second, the size break-down of firms is not up-to-date. A firm with 90 lawyers, for instance, would probably be considered mid-size today, but falls into the largest category in this study.

### **C. Sources on Satisfaction Levels within Alternative Careers**

#### **Brian Melendez, ABA Young Lawyers Division Survey: Career Satisfaction**

This article reports the results of a survey conducted by the American Bar Foundation (“ABF”). In 2000, the ABF sent out a questionnaire to a random sample of 2136 members of the American Bar Association Young Lawyers Division to determine the demographics and career satisfaction of young lawyers. 842 of those surveyed completed and returned the questionnaire. The report indicated 1860 hours as the median billable hours for the year. Notably, although the study showed that 7 out of 10 young lawyers were at least somewhat satisfied with the balance between their professional and personal

lives, over 65% would consider switching jobs within 2 years. Although the results are interesting, their implications are narrow. Not only does the survey focus only on members of the ABA young lawyers division, but the results even for that narrow group may be suspect because of self-selection issues.

**NALP Foundation Attrition Reports, including:**

***Keeping the Keepers: Strategies for Associate Retention in Times of Attrition*, NALP Foundation for Research and Education (Mar. 1998).**

***Beyond the Bidding Wars: A Survey of Associate Attrition, Departure Destinations and Workplace Incentives*, NALP Foundation for Research and Education (Sept. 2000)**

***Keeping the Keepers II: Mobility and Management of Associates*, NALP Foundation for Research and Education (2003)**

***Toward More Effective Management of Associate Mobility*, NALP Foundation for Research and Education (2005)**

***The Lateral Lawyer - Why They Leave and What May Make Them Stay*, NALP Foundation for Research and Education (2001)**

This series of reports released by the NALP foundation is targeted at large law firms and focuses on associate attrition and what firms, law schools, and associates can do to manage careers, expectations, and attrition levels. The data are collected from anonymous surveys submitted to law firms as well as focus group interviews with attorneys. The first study looked at attrition in the years 1988-1996, the second one analyzed 1991-1998, the next one 1998-2000, and the latest attrition report focused on 2002-2004. The reports taken as a whole are useful in studying attrition trends, since the data are generally directly comparable. The latest data reveals that associates continue to depart law firms in high numbers, with departures of women and minority attorneys at all time highs. The latter versions of the reports have begun tracking the destinations of departing associates, which is useful for our own research.

The general findings for associate attrition and departure destinations of the September 2000 report are reproduced in Appendix E of this bibliography. It is important to note that the firms in the data are classified by *office size*, rather than firm size. The 2000 report used responses from 78 law offices that tracked the departure destinations for 1,383 associates who left their firms in calendar year 1999. The results reveal that among all associate departures, 41.9% went to another firm (with about one-quarter going to another law firm of the same or larger size) and of these, the majority stayed in the same city. Interestingly, this report did not list “government” as a departure destination. Meanwhile, the 2003 report documented that nearly half (42%) of all entry-level associates who left a law firm job chose another law firm as their subsequent employer, while among laterals, just over one-third (34.5%) went to another firm. Entry level associates also acquired government legal positions at a relatively high rate (12.1%), and about that same percentage of lateral associates (13.7%) took legal jobs in business. As for the reasons behind departures, earlier reports indicated the importance of a life balance (as many associates had taken – and most indicate a willingness to take – a pay cut for a better work schedule), the amount of feedback, quality of management, and mentoring. The 2003 report lists “unmet performance standards” as the most prevalent

reason for departures (20.4% of all associates who left their jobs; 18.2% of women; 22.5% of men; 30.3% of all minorities). Other frequently reported factors for associate departures included geographic preference (16.8%), advancement opportunities (7.4%) and billable hour pressures (6.1%).

When it comes to the choice of young lawyers to go to a big firm private practice in the first place, “compensation” and “keeping doors open” were predictable top factors, but so was “lack of knowledge about other options” was also found to be extremely important. This indicates that simple lack of information about alternatives – a hole our research hopes to fill – may help associate attrition.

*Comment:* While these reports have a lot of detailed information that could be useful for law firms and law firm associates, it is unfortunate that law firms apparently do not track departure destinations as closely as they do other statistics. The reports indicate that authors were only able to obtain reliable information on departure destinations for about two thirds of departing associates (and large offices of 251+ attorneys said a full 46.4% departed for “unknown reasons”). The reports criticize firms for being too lax in their tracking of departing employees and in their avoidance of exit interviews. In addition, when exit interviews do take place, departing associates might not reveal their true reasons for leaving law firms so as to avoid burning bridges and maintain good references.

**Vault Guide to the Top Government and Nonprofit Legal Employers (2003); Vault Guide to Litigation Law Careers (2003).**

Vault, Inc. publishes many “guides” for individuals seeking careers in consulting, finance, and law. These two are the most on-topic for the lawyer who wants to explore alternatives to careers at a large law firm (Vault also publishes a widely read guide to the “Top 100” law firms).

The guide to government and nonprofit employers is devoted to profiling various employers. Most profiles contain the following information: employer's location(s), major departments and practices, number of attorneys, total number of employees, “uppers and downers” (discussing the best and worst things about working for that particular employer), salary, job listings, employment contacts for submitting resumes, “the scoop” (on the employer’s history, recent important developments, major cases and other points of interest), a guide to getting hired by that employer, and “our survey says” (a section of quotes from surveys and interviews with employees about the culture, pay, hours, training and other issues relevant to job seekers).

The guide to litigation careers mainly tells people how to become a litigator (including how to apply to law school) but has a few sections that may be relevant to our research, including a section on “litigation career paths” that gives very broad overviews of various employment settings for litigators.

*Comment:* The Vault guides are only of limited use to our research but could be useful for anecdotal accounts of the alternatives to law. Their social scientific value is dubious

most of all because the guides do not reveal any details of the basis for the claims that they make (such as the interviews with and surveys of “insiders” at various employers, as well as the “Vault research” that goes into compiling statistics such as salary levels). In addition, the guide to employers focuses overwhelmingly on the federal government and a handful of nonprofit organizations that focus exclusively on legal issues, as opposed to the many state and local governments that employ lawyers and other nonprofits that hire lawyers as in-house counsel. Nevertheless, the quotes and stories offered by the guides are anecdotally interesting and the guides to “getting hired” (including overviews of employers' hiring processes and desired qualifications) are useful in analyzing our questions regarding “the most common paths” and “what matters most” in getting an alternative job.

**Appendix A – Relevant Results on Lawyer Demographics (collected from various sources)**

Table 1 – Demographics (as of March 2004) of the Signatory Firms to the New York City Bar Association’s Law Firm Diversity Benchmarking Report (from “Association of Bar of City of NY, Public Benchmarking Report, 2005”)

<b>Partner</b>	<i>Minorities</i>	4.7%
	<i>Whites</i>	95.3%
	<i>Women</i>	15.6%
	<i>Men</i>	84.4%
<b>Special Counsel</b>	<i>Minorities</i>	5.5%
	<i>Whites</i>	94.5%
	<i>Women</i>	35.3%
	<i>Men</i>	64.7%
<b>Associates</b>	<i>Minorities</i>	21.1%
	<i>Whites</i>	78.9%
	<i>Women</i>	43.6%
	<i>Men</i>	56.4%

Table 2 – Employment Of Minorities in large Private Law Firms, 1975-2002 (from “EEOC Diversity in Law Firms Report)

<b>YEAR</b>	<b>1975</b>	<b>1982</b>	<b>1987</b>	<b>1992</b>	<b>1997</b>	<b>2002</b>
<b>% Asian</b>	0.5	1.2	1.5	2.4	3.6	5.3
<b>% African-American</b>	2.3	2.9	2.8	3.1	3.9	4.4
<b>% Hispanic</b>	0.7	1.1	1.2	1.7	2.3	2.9
<b>% Native American</b>	0	0	0.2	0.1	0.1	0.2

Table 3 – Median Salaries for Attorneys by Type of Organization and Years of Experience (from NALP 2006 Public Sector and Public Interest Attorney Salary Report)

<b>Years of Experience</b>	<b>Civil Legal Services</b>	<b>Public Defenders</b>	<b>Local Prosecuting Attorneys</b>	<b>State Prosecuting Attorneys</b>	<b>Public Interest Organizations</b>
<b>Entry-level</b>	\$36,000	\$43,300	\$43,915	\$46,374	\$40,000
<b>5 years</b>	43,291	54,672	54,500	55,177	52,000
<b>11-15 years</b>	55,000	65,500	72,970	67,712	65,000

Table 4 – Employment Settings of Indiana University School of Law-Bloomington Alumni (from “The Pride of Indiana” article)

<b>Setting</b>	<b>5 years out</b>	<b>15 years out</b>
<b>Private practice</b>	53%	41%
<b>50-150+ firms</b>	22%	13.4%
<b>“Other”</b>	18.9%	31.6%
<b>Government</b>	15.3%	13.4%
<b>Corp. counsel</b>	8.5%	10.3%
<b>Public interest</b>	4.3%	3.6%

Appendix B – Relevant Results from “The Racial Gap in the Promotion to Tenure of Law Professors”

TABLE 3A (1990-91) Five-Year Outcomes for New Law School Faculty Hired as Associate and Assistant Professors--by minority/gender		Five-Year Outcome										
		Total		LEFT			NO CHANGE		PROMOTED		TRANSFERRED	
		#	#	%	#	%	#	%	#	%		
Minority	Women	69	13	18.8	30	43.5	21	30.4	5	7.2		
	Men	56	11	19.6	26	46.4	15	26.8	4	7.1		
	All	125	24	19.2	56	44.8	36	28.8	9	7.2		
Non-Minority	Women	117	18	15.4	40	34.2	56	47.9	3	2.6		
	Men	165	19	11.5	50	30.3	89	53.9	7	4.2		
	All	282	37	13.1	90	31.9	145	51.4	10	3.5		
ALL WITH ETHNIC INFORMATION		407	61	15.0	146	35.9	181	44.5	19	4.7		

TABLE 1 (1990-91) Seven-Year Outcomes for New 1990 and 1991 Law School Faculty		7-Year Outcome										
		Total		LEFT			NO CHANGE		PROMOTED		TRANSFERRED	
		#	#	%	#	%	#	%	#	%		
Assoc. Professors		152	25	16.4	48	31.6	71	46.7	8	5.3		
Asst. Professors		345	82	23.8	27	7.8	209	60.6	27	7.8		
Visiting Profs. (at any rank)		171	116	67.8	4	2.3	39	22.8	12	7.0		
Lecturers and Instructors		259	185	71.4	38	14.7	15	5.8	21	8.1		
ALL NEW FACULTY		927	408	44.0	117	12.6	334	36.0	68	7.3		

TABLE 3A (1996-97) Five-Year Outcomes for New Law School Faculty Hired as Associate and Assistant Professors--by minority/gender		Five-Year Outcome										
		Total		LEFT			NO CHANGE		PROMOTED		TRANSFERRED	
		#	#	%	#	%	#	%	#	%		
Minority	Women	21	.	.	11	52.4	7	33.3	3	14.3		
	Men	26	1	3.8	13	50.0	10	38.5	2	7.7		
	All	47	1	2.1	24	51.1	17	36.2	5	10.6		
Non-Minority	Women	52	4	7.7	25	48.1	18	34.6	5	9.6		
	Men	94	8	8.5	41	43.6	36	38.3	9	9.6		
	All	146	12	8.2	66	45.2	54	37.0	14	9.6		
ALL WITH ETHNIC INFORMATION		193	13	6.7	90	46.6	71	36.8	19	9.8		

TABLE 1 (1996-97) Seven-Year Outcomes for New 1996 and 1997 Law School Faculty		7-Year Outcome										
		Total		LEFT			NO CHANGE		PROMOTED		TRANSFERRED	
		#	#	%	#	%	#	%	#	%		
Assoc. Professors		89	18	20.2	27	30.3	37	41.6	7	7.9		
Asst. Professors		164	35	21.3	13	7.9	85	51.8	31	18.9		
Visiting Profs. (at any rank)		135	77	57.0	12	8.9	29	21.5	17	12.6		
Lecturers and Instructors		208	114	54.8	39	18.8	35	16.8	20	9.6		
ALL NEW FACULTY		596	244	40.9	91	15.3	186	31.2	75	12.6		

## Appendix C – Relevant Results from “After the JD” Survey of New Lawyers

Table 1 – Various Descriptive Statistics of Lawyers (those who passed a bar exam in year 2000) by Practice Setting

Setting	% in each setting (by office size)	% in each setting by firm size	% in each setting by gender		“Hours Worked Last Week”			Specialization (in % by practice setting)		Job Mobility (in % by practice setting)		Debt Levels		Means of Job Satisfaction Scores [mean for each factor score in the sample is 0]				
			Female	Male	Mean	Median	% working over 60 hours	50% or More of Time spent in One Area	Self-reported as “Specialist”	At Least One Job Change Thus Far	Intend to Change Jobs within 2 Years	Median Debt (for those that reported some debt)	% Reporting Zero Debt	Factor 1: satisfaction w/ job setting	Factor 2: satisfaction w/ substance of work	Factor 3: satisfaction w/ social index	Factor 4: satisfaction w/ Power Track	
Solo	5	5	4	6	47.6	50	24.00%	49	37	50	12	\$69,000.00	22	0.43	0.05	0.73	-0.12	
2-20 lawyers	28	25	26	30	49.39	50	23.00%	65	38	42	39	\$70,000.00	13	0.16	0.04	-0.04	-0.19	
21-100 lawyers	19	13	17	19	50.5	50	25.00%	75	40	29	41	\$70,000.00	12	-0.12	0.01	-0.27	0.35	
101-250 lawyers	11	8	11	11	51.03	50	28.00%	81	44	23	45	\$70,000.00	16	-0.42	0.05	-0.06	0.61	
251+ lawyers	7	20	6	7	52.15	50	32.00%	79	37	16	55	\$71,000.00	16	-0.48	-0.2	0.19	0.73	
Government*	16	16	18	14	45.66	45	10.00%	78	38	33	54	\$70,000.00	14	0.38	0.11	0.21	-0.84	
<i>Federal</i>	5	5																
<i>State or local</i>	11	11																
Legal Services/Public Defender	3	3	4	2	46.93	45	14.00%	85	54	33	47	\$70,500.00	11	0.23	0.33	0.71	-1.18	
Public Interest	1	1	2	1	44.55	45	7.00%	65	47	41	67	\$72,500.00	13	0.2	0.21	0.6	-1.18	
Business**	9	9	8	10	48.48	48	16.00%	63	51	43	41	\$65,000.00	21	0.18	-0.2	-0.07	-0.21	
Nonprofit / Education / Other***	2	2	3	1	47.96	45	16.00%	48	46	55	48	\$60,000.00	29	0.08	-0.25	0.66	-1	
OVERALL (if applicable)	100	100	100	100	49	50	20.00%	71	40	>33	44	\$70,000.00	15					

\*nearly 20% of government lawyers categorize their jobs as mostly non-legal

\*\*most business lawyers work for Fortune 100 companies; about a third are doing primarily non-legal work

\*\*\*about half this group reports they are doing primarily non-legal work

Table 2 - Practice Setting by Geographic Market

Market	PRIVATE FIRMS					Government	Business	Other
	Solo	Office of 2-20 Lawyers	Office of 21-100 Lawyers	Office of 101-250 Lawyers	Office of 251+ Lawyers			
Oregon	5%	34%	16%	7%	-	21%	8%	9%
Utah	6%	33%	19%	6%	-	20%	7%	9%
St. Louis	2%	34%	16%	21%	5%	11%	6%	4%
Indiana	7%	32%	15%	12%	1%	17%	10%	7%
Oklahoma	10%	47%	12%	-	-	19%	6%	6%
Tennessee	11%	41%	18%	5%	-	14%	7%	4%
Florida	6%	40%	16%	1%	-	24%	7%	7%
New Jersey	2%	23%	29%	12%	2%	19%	10%	3%
Connecticut	5%	32%	29%	6%	3%	14%	8%	4%
San Francisco	4%	27%	25%	10%	5%	12%	10%	7%
Minneapolis	4%	24%	15%	13%	7%	12%	17%	9%
Houston	4%	23%	20%	7%	15%	13%	13%	5%
Atlanta	6%	30%	16%	11%	9%	12%	8%	7%
Boston	8%	19%	12%	7%	13%	14%	16%	10%
Los Angeles	8%	28%	26%	14%	3%	10%	8%	3%
Chicago	3%	20%	23%	14%	12%	16%	7%	7%
District of Columbia	2%	16%	18%	19%	10%	23%	6%	6%
New York City	2%	15%	9%	18%	24%	14%	8%	9%

Table 3 - School Selectivity, Median Income, and % Practice Setting

	TOP 10		TOP 11-20		TOP 21-100		TIER 3		TIER 4	
	Median Salary	%								
Solo	-	0%	-	2%	\$50,000	4%	\$55,000	6%	\$57,500	6%
Office of 2-20 lawyers	136,000	6%	75,500	18%	60,000	20%	55,000	36%	54,500	41%
Office of 21-100 lawyers	190,000	20%	130,000	27%	64,000	20%	85,000	15%	70,500	12%
Office of 101-250 lawyers	145,000	25%	135,000	22%	107,000	10%	65,000	6%	-	2%
Office of 251+ lawyers	150,000	25%	140,000	11%	135,000	5%	137,000	3%	-	1%
Government - federal	74,000	7%	64,902	5%	50,500	6%	60,000	3%	56,000	3%
Government - state/local	53,000	3%	50,000	6%	45,000	12%	43,450	13%	45,000	17%
Legal services or public defender	37,500	3%	-	2%	41,000	3%	45,425	3%	40,250	3%
Public interest	39,000	4%	-	2%	-	1%	-	1%	-	0%
Nonprofit/ education	-	2%	-	2%	52,800	2%	52,500	2%	-	2%
Business	120,000	6%	80,000	5%	84,000	6%	70,000	11%	80,000	11%
Total Median	135,000	100%	107,000	100%	72,787	100%	60,000	100%	56,182	100%
Total N	205		375		1,450		503		433	

Table 4 – School Selectivity, Median Income and Debt

Law School Selectivity	Median Salary	Median Debt (0 values removed)	Percent with \$0 Debt
Top 10	\$135,000	\$80,000	19%
Top 11-20	107,000	70,000	14
Top 21-100	73,500	65,000	14
Tier 3	60,000	75,000	14
Tier 4	56,341	72,000	13

Appendix C [continued]

Table 5 - Salaries by Setting, Gender & Race

Setting	Salaries			Median Salaries by Gender			Median Salaries by Race			
	Median Salary	25 <sup>th</sup> Percentile	75 <sup>th</sup> Percentile	Female	Male	Female/Male	Black	Hispanic	Asian	White
Solo	\$55,000.00	\$45,000.00	\$75,000.00	\$50,000.00	\$55,000.00	91.00%	\$75,000.00	-	-	\$50,000.00
2-20 lawyers	\$60,000.00	\$48,500.00	\$78,000.00	\$56,000.00	\$60,000.00	93.00%	\$65,000.00	\$61,500.00	\$62,500.00	\$58,500.00
21-100 lawyers	\$97,000.00	\$78,000.00	\$132,500.00	\$90,000.00	\$100,000.00	90.00%	\$110,000.00	\$100,000.00	\$135,000.00	\$95,000.00
101-250 lawyers	\$125,000.00	\$96,000.00	\$145,000.00	\$125,000.00	\$120,000.00	104.00%	\$115,000.00	\$106,000.00	\$130,000.00	\$125,000.00
251 + lawyers	\$140,000.00	\$125,000.00	\$158,000.00	\$135,000.00	\$150,000.00	90.00%	\$137,500.00	-	\$150,000.00	\$140,000.00
Government				\$50,000.00	\$50,000.00	100.00%	\$54,000.00	\$60,000.00	\$60,000.00	\$48,000.00
<i>Federal</i>	\$63,000.00	\$54,275.00	\$70,000.00							
<i>State or local</i>	\$45,000.00	\$40,000.00	\$53,500.00							
Legal Services/Public Defender	\$40,100.00	\$36,000.00	\$45,000.00	\$38,500.00	\$43,000.00	90.00%	\$41,000.00	-	-	\$40,500.00
Public Interest	\$38,500.00	\$34,000.00	\$48,000.00	\$37,750.00	\$48,000.00	79.00%	-	-	-	\$39,500.00
Business				\$65,000.00	\$87,000.00	75.00%	\$90,500.00	\$78,000.00	\$80,000.00	\$75,500.00
<i>Professional Services Firm (accounting, investment banking,...)</i>	\$77,500.00	\$61,000.00	\$110,000.00							
<i>Other Fortune 100 industry/service</i>	\$84,000.00	\$63,000.00	\$120,000.00							
<i>Labor union/trade association</i>	\$71,200.00	\$46,200.00	\$90,000.00							
<i>Other business/industry</i>	\$75,500.00	\$60,000.00	\$100,000.00							
Nonprofit / Education / Other***				\$53,300.00	\$51,000.00	105.00%	-	-	-	\$52,600.00
<i>Educational Institution</i>	\$51,800.00	\$43,000.00	\$70,000.00							
<i>Other nonprofit organization</i>	\$51,650.00	\$42,000.00	\$69,500.00							
<i>Other</i>	\$40,200.00	\$33,000.00	\$47,400.00							
<b>OVERALL</b>	\$73,000.00	\$50,000.00	\$110,000.00	\$66,000.00	\$80,000.00	83.00%	\$65,000.00	\$71,000.00	\$80,000.00	\$73,000.00

Table 6 – Mean Attitudes toward Dimensions of Law School Experiences (on a scale where 1 = not at all helpful and 7 = extremely helpful)

	Mean*	Median*	Valid N
Legal employment during summers	5.48	6	1,868
Legal employment during school year	5.04	6	1,433
Clinical courses	4.81	5	1,723
Legal writing	4.75	5	2,029
Internships	4.48	5	1,179
Upper-year lecture	4.26	4	1,798
Course concentrations	3.97	4	1,700
First-year curriculum	3.81	4	2,052
Legal ethics	3.28	3	1,923
Pro bono	3.15	2.5	1,098

Table 7 – Mean Ratings of the Importance of Strategies for Obtaining Jobs by Law School Selectivity (on a scale where 1 = not at all helpful and 7 = extremely helpful)

	Top 10	Top 20	Top 21-100	Tier 3	Tier 4
Other friends	2.23	2.62	2.95	3.16	3.14
Response to an ad	1.44	1.97	2.42	2.89	2.83
Part-time position	1.44	2.25	2.38	2.36	2.51
Family members	1.68	1.95	2.38	2.56	2.5
Summer position	5.28	4.65	3.58	2.63	2.44
Law school's placement	4.5	4.16	3.26	2.76	2.36
Law school classmates	2.08	2.05	1.97	2.06	1.97
Recommendation	1.9	1.92	1.91	1.98	1.97
Experience	1.96	1.68	1.85	1.9	1.95
Law schools alumni	2.16	2.08	2.03	2.09	1.83
On-campus interview	4.94	4.25	2.93	2.12	1.73
Unpaid internship	1.27	1.38	1.51	1.57	1.47



## Appendix E – Relevant Results from NALP Foundation Attrition Reports

Table 1 – Departure destinations for sample of 1,383 associates who left their firms in calendar year 1999

	<i>Office Size By Number of Attorneys</i>				
	<i>Overall</i>	<i>50 or fewer</i>	<i>51-100</i>	<i>101-250</i>	<i>251+</i>
<b>Total Departures</b>	1,383	130	172	314	629
<b>Departures to:</b>					
Same or larger size firm	26.2%	43.1%	35.5%	33.1%	18.3%
<i>within same city</i>	54.4	51.0	44.3	52.9	57.8
<i>to different city</i>	45.6	49.0	55.7	47.1	42.2
Smaller firm	15.7	13.1	17.4	18.5	12.7
<i>within same city</i>	71.0	66.7	83.3	60.3	70.9
<i>to different city</i>	28.0	33.3	16.7	36.2	29.1
Full-time family or community commitments	3.7	4.6	2.9	7.0	2.1
In-house for client	10.6	11.5	11.6	11.1	10.5
Hi-tech non-client	3.4	3.1	3.5	3.8	3.5
Professional service firms	1.6	0.8	0.6	1.2	1.8
Public service	7.5	6.9	9.3	10.2	4.8
Solo practice	0.2	0.8	0.0	0.6	0.0
Unknown	31.1	16.1	19.2	14.3	46.4

Table 2 – Attrition Rates of All New Associates Hired from the Classes of 1991-1998

	<b>Percent of New Associates Leaving Within</b>							
	<i>1 yr</i>	<i>2 yrs</i>	<i>3 yrs</i>	<i>4 yrs</i>	<i>5 yrs</i>	<i>6 yrs</i>	<i>7 yrs</i>	<i>8 yrs</i>
<b>Overall (5486 hires)</b>	8.3	23.0	38.3	50.5	59.6	66.2	70.8	73.3
<b>Offices of:</b>								
<i>50 or fewer attorneys (416 hires)</i>	7.7	24.1	40.2	47.7	53.8	60.6	60.2	65.9
<i>51-100 attorneys (732 hires)</i>	10.8	26.4	42.6	50.6	59.0	64.3	70.6	72.3
<i>101-250 attorneys (1675 hires)</i>	9.3	24.3	37.2	47.3	57.6	63.6	67.4	71.4
<i>251 + attorneys (2190 hires)</i>	7.3	22.6	40.3	56.3	65.6	72.8	78.6	78.3
<b>Men (3135 hires)</b>	7.6	21.7	36.4	49.1	57.5	63.9	69.1	71.7
<b>Women (2272 hires)</b>	9.3	24.5	40.4	52.0	62.1	68.4	72.5	74.6
<b>Minority Men (309 hires)</b>	12.9	36.2	55.7	66.2	70.1	78.5	82.4	82.1
<b>Minority Women (306 hires)</b>	11.4	28.1	46.5	63.7	74.1	83.6	88.9	100

Appendix D – Relevant Results from “Leaving the Law: Occupational and Career Mobility of Law School Graduates” article

Table 1 – Various Descriptive Statistics of Law School Graduates in Year 1993 (“New graduates” are persons who received a law degree between 1988 and 93; N = small number)

	All Races			White		Black			Hispanic			Asian/PI			American Indian			New graduates			
	All	Male	Female	All	Female	All	Male	Female	All	Male	Female	All	Male	Female	All	Male	Female	All	Male	Female	
Estimated Total No.	946150	691722	254443	865899					31920			25914			20421			1628			180179
% of total	100	73.1	26.9	91.5					3.4			2.7			2.2			0.2			19
% Female	26.9	0	100	26					43.5			33.5			29.2			36.9			43.1
% Disabled	2.8	3.1	2.3	2.8					2.9			3.2			0			N			1.4
% Married	72.5	76.3	62.1	73.5					50			65.7			66.3			75.1			51.5
% Divorced/separated	9.5	8.9	11.2	9.3					16.5			12.5			4.3			N			7.6
% with children at home	52.2	54.4	46.2	52.3					47.2			51.6			55.2			50.5			30
% “new law graduates”	19	14.8	30.5	18.6					21.8			24.9			24			31.1			100
Mean biological age	40	41.4	36.1	40.1					39.6			37.9			37.6			37.6			30
Mean career age	15.4	17.4	10	15.6					13.8			12.8			13.6			11.8			2.8
Mean full-time professional experience (years)	15.9	17.8	10.5	16.1					14.7			13.2			11.2			13.7			5.8
Median annual salary	\$70,000	\$75,000	\$55,000	\$70,000					\$60,000			\$55,000			\$50,000			\$50,400			\$43,500
% working as lawyer/judge	74.3	76	69.5	75.5					63.3			66.5			52.3			68.7			72.8
% employed in any job	91.3	93.4	85.6	91.6	93.7	85.5	90.7	90.5	90.9	87.6	89.3	84.3	85.4	88.4	78.1	90.4	94.9	82.4	86.6	89.5	82.7
% unemployed	2.1	1.7	3.3	1.9	1.4	3.1	4.9	4.8	4.9	3.7	2.8	5.5	3.8	4.8	1.4	N	N	N	4.3	3.5	5.4
% not in labor force	6.6	4.9	11.1	6.5	4.8	11.4	4.5	4.7	4.1	8.7	7.9	10.2	10.8	6.8	20.4	N	N	N	9.1	7	11.9
% involuntary out-of-field	1.6	1.4	1.9	1.3	1.3	1.5	3.6	2.2	5.3	3.9	1.9	12.1	4.4	6.3	N	N	N	N	2.9	2.7	3.1
% involuntary part-time	1	0.8	1.5	0.8	0.8	1.1	3.7	0.9	7.4	2.1	1.6	4.8	N	N	N	N	N	N	2.2	2.6	1.6
% “discouraged worker”	0.4	0.3	0.5	0.4	0.3	0.5	0.6	0.7	N	N	N	N	N	N	N	N	N	N	0.3	0.5	N

Table 2 – 1993 Occupational Employment of Law School Graduates (in % of those actually employed)

	All	Male	Female	New Graduates
Total employed	100	100	100	100
Lawyers and judges	81.4	81.4	81.2	84.1
Top/Mid-level management	5.6	5.8	5	2.2
Accounting/financial specialists	1.5	1.7	1	1
Law teaching	1.5	1.2	2.4	0.6
Business services (insurance, securities)	1.3	1.3	1.2	0.6
Other management	0.9	1	0.7	0.3
Sales/marketing occupations	0.9	1.1	0.3	1.1
Clerical and administrative support	0.8	0.5	1.4	2.5
K-12 teachers	0.6	0.3	1.5	0.7
Broadcasters, writers/editors, PR	0.5	0.5	0.7	N
Protective service	0.5	0.7	0	0.8
Personnel/labor relations	0.5	0.6	0.2	0.7
Nonlaw teaching (higher education)	0.5	0.4	0.6	0.7
Other service occupations	0.4	0.4	0.3	0.7
Computer science	0.3	0.4	0.1	0.4
Clergy	0.3	0.4	N	0.4
Social scientists	0.2	0.1	0.7	0.4
Engineers	0.2	0.3	0.1	0.2
Social workers	0.2	0.1	0.3	0.1
Health practitioners (physicians, dentists, etc...)	0.2	0.2	0.1	0.2
Other health practitioners (nurses, pharmacists, etc...)	0.2	0.1	0.5	0.2
Food preparation	0.2	0.1	0.4	0.3
Counselors	0.1	0.2	0.1	0.1
Other health occupations	0.1	0.1	N	0.1
Math/physical scientists	N	N	N	0.1
Life scientists	N	N	N	N
All other occupations	1.3	1.4	1.1	1.7

Table 3 – 1993 Median Salaries of Law School Graduates by relatedness between law degree and job

Closeness of law degree v. job	Median Earnings (in \$)							
	All	Males	Females	Minority				
Closely related	62400	62400	62000	49000				
Somewhat related	59800	62000	51000	55000				
Not related	49296	50000	36878	32000				
<i>Reason for working in Not related job</i>	<i>% of total in not related jobs</i>	<i>Median earnings</i>	<i>% of total in not related jobs</i>	<i>Median earnings</i>	<i>% of total in not related jobs</i>	<i>Median earnings</i>	<i>% of total in not related jobs</i>	<i>Median earnings</i>
<i>Pay/promotion</i>	11.9	70200	15.6	69840	2.4	N	12.6	69840
<i>Career interests</i>	36	50000	39.8	52000	26.1	40000	22.7	27000
<i>Working conditions</i>	11.1	50000	10.5	46800	12.8	78000	3.3	24000
<i>Family related</i>	9.7	48500	5.5	60000	20.7	48500	8.7	22000
<i>No job in degree field</i>	15	40000	12.9	50000	20.5	22000	23.7	39000
<i>Other</i>	14.5	25000	13.4	25000	17.5	23000	26.5	35000
<i>Job location</i>	1.7	N	2.4	N	N	N	2.5	29000

Table 4 – Reasons for Leaving the Legal Field, by Career Age (in % who gave each reason as a factor in leaving)

Reason for leaving	Career Age in 1988						
	1 – 5	6 – 10	11 – 15	16 – 20	21 – 25	26 – 30	30 +"
Pay, promotion opportunities	28.5	26.4	58.9	16.7	N	71.1	N
Working conditions	73.2	46.2	38	4.2	N	71.1	N
Job location	19.1	29.3	12.9	12.5	N	N	N
Change in career/professional interests	68.1	65.6	63.9	26.9	N	71.1	85.8
Family-related reasons	41.6	13.7	20.9	76	N	N	N
School-related reasons	9.2	15.6	23.1	0	N	28.9	N
Laid off or job terminated	1.4	N	1.6	N	N	N	N
Retired	N	N	N	N	N	N	57.2
Other	8	15.6	3.3	N	N	N	N