

Lawyer Satisfaction in the Process of Structuring Legal Careers

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Word count (including references, excluding tables and figures): 16244

*Authors listed alphabetically. This research was supported by grants from the American Bar Foundation, National Science Foundation (Grant No. SES0115521), Access Group, Law School Admission Council, National Association for Law Placement, National Conference of Bar Examiners, and Open Society Institute. The views and conclusions stated herein are those of the authors and do not necessarily reflect the views of individuals or organizations associated with the After the JD study.

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Abstract

This paper proposes a new approach to the study of job satisfaction in the legal profession. Drawing on a Bourdieusian understanding of the relationship between social class and dispositions, we argue that job satisfaction depends in part on social origins and the credentials related to these origins, with social hierarchies helping to define the expectations and possibilities that produce professional careers. Through this lens, job satisfaction is understood as a *mechanism* through which social and professional hierarchies are produced and reproduced. Relying on the first national data set on lawyer careers (including both survey data and in-depth interviews), we find that lawyers' social background, as reflected in the ranking of their law school, decreases career satisfaction and increases the odds of a job search for the most successful new lawyers. When combined with the interview data, we find that social class is an important component of a stratification system that tends to lead individuals into hierarchically arranged positions.

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The published literature on lawyer satisfaction tends to take one of two forms. One comes from those seeking to make the profession, and especially corporate law firms, more open and humane. This literature paints a “gloomy” (Rhode 2000) picture of a profession in “crisis” (Kronman 1993), relying on data on depression and alcohol use in the profession, or on more general measures of career dissatisfaction (e.g. Glendon 1994; Schiltz 1999; Rhode 2000). Much of this work highlights the lack of equal opportunity within the bar, focusing on the relative dissatisfaction of women and lawyers of color (e.g. Rhode 2000). These findings are often picked up on, repackaged, and transmitted by the popular press – with media headlines often reflecting data from bar surveys or polls with relatively low response rates, tending to over represent the more dissatisfied population of lawyers (Dolan 1995, A1; Muir 1995, 16). The overall picture is one of a profession not doing enough to respond to perceived dissatisfaction.

In contrast, a second literature, typically stemming from more systematic social science, tends to minimize the problem of lawyer dissatisfaction. This empirical research often finds that lawyers are relatively satisfied across a range of measures (Hirsch 1985; Taber et al. 1988; Tucker, Albright & Busk 1989; Gellis 1991; Heinz et al. 2005), and that this finding is fairly stable across gender (Chambers 1989; Hagan & Kay 1995) and race (Dau-Schmidt & Mukhopadhaya 1999). These reports of relative satisfaction, however, need to be contextualized by the more general finding that most people, across most occupations, tend to report that they are “satisfied” with what they do (eg. Firebaugh & Harley 1995).

Underlying both strands of work on satisfaction is the implicit assumption that differences in satisfaction are symptoms of discrimination or inequality within the profession. This assumption is not surprising. Decades of work on the legal profession has confirmed that there are hierarchies in

the profession that every lawyer knows. Access to the most prestigious positions has not been attained by women and minorities in proportion to their representation in the lawyer population (see e.g. Carson 2004; NALP 2004). At the same time, however, this inequality is not consistently reflected in measures of job satisfaction – and it is this disjuncture of expressions of job satisfaction within structures of inequality that calls for a new approach to understanding lawyer satisfaction. We therefore seek in this paper to steer the literature on job satisfaction in the legal profession away from models that evaluate the internal interest of lawyers' work or explain differences in satisfaction based solely on the obstacles or rewards that lawyers enjoy within the profession.

Rather than assuming lawyer satisfaction to be a persistent problem, no problem at all, or simply one of discrimination, this paper argues that job satisfaction should be understood as both a manifestation of and a factor in a stratification system that tends to lead individuals into hierarchically arranged positions. We argue that job satisfaction depends in part on social origins and the credentials related to these origins, with social hierarchies helping to define the expectations and possibilities that produce professional careers. As Bourdieu (1998) demonstrates in his work on *The State Nobility* in France, for example, class positions not only explain which schools students will attend, but these social origins also determine how well students will fit with the mission of particular schools. Indeed, Bourdieu's work has clearly demonstrated the ways in which individuals' dispositions across a range of fields – from their taste for film, food, music or art (Bourdieu 1987, 1993), to their career aspirations (Bourdieu 1998)– both reflect and legitimate social differentiation. A Bourdieusian approach thereby emphasizes that social stratification is not merely externally produced, but that individuals, through their *habitus* – the set of practices and dispositions acquired through the repetition of living life – internalize what they can reasonably expect in life, and more

importantly, what they cannot (Calhoun 2002). And in this way, it is often *their* choices and expectations that reproduce patterns of stratification, so long as we recall that the “dispositions that incline them toward this complicity are themselves the effect, embodied, of domination” (Bourdieu 1998:4).

This connection between social origins, hierarchical structures, and dispositions is further supported by empirical research in the sociology of work, with studies finding that “job values”—what individuals expect and seek to obtain from their jobs – are themselves shaped by social origins, rather than inculcated through particular job settings (McClelland 1990; Jacobs et al. 1991; Johnson 2001, 2002; Halaby 2003). Similarly, expressions of job satisfaction are intimately linked to career expectations and aspirations. As Seron (1996) found in her study of solo and small firm lawyers, many of these attorneys were from less advantaged social backgrounds, and came to the profession with hopes for jobs that would provide them with independence and autonomy – and that they did not desire positions in large firms (1996:12).

Drawing this together, this work leads us to inquire whether comparatively lower career expectations – particularly for those for whom joining the profession is itself a ticket to a bourgeois professional status – can keep large numbers of lawyers satisfied, despite positions offering relatively few possibilities to move into elite legal or other careers. Others, who expect naturally to be given a position within the elite, may grumble about their work because it does not comport with their image of where they belong or because they know already that they are passing through to something higher – perhaps in business or the state. And still others, in between these poles, may express dissatisfaction with relatively elite opportunities less because of an expectation of something more elite, and more because they feel they are not welcome in a particular setting. They may translate

their dissatisfaction into a need to leave their jobs or possibly even the profession, with likely downward effects on their professional trajectories.

In this article, we therefore conceive of job satisfaction as a *mechanism* through which social and professional hierarchies are produced and reproduced, and argue that satisfaction and dissatisfaction are part of a process that links particular people to particular careers – supplying, stratifying, and legitimating the legal profession with its various hierarchies. Relative satisfaction is produced out of the chemistry of people, their backgrounds, expectations, and their career possibilities. The process can only be understood by looking at who goes to which law school, what they expect, what they get from practice, and how they view their future. Job satisfaction, in this way, is a mechanism (Stinchcombe 2005:178-180) that connects earlier social backgrounds with the maintenance of professional hierarchies.

This article builds this argument along five sections. We begin with a discussion of the design and methodology of the larger project on which this article is based. The second section provides a review of the literature on lawyer satisfaction. In the third section we begin the analysis by drawing out the contours of the satisfaction data, and in the fourth section we combine satisfaction data with variables that are not often linked to satisfaction, such as law school attended, grades, and social background. The fifth part of this paper seeks to distill the analysis by drawing on in-depth interviews to construct models of lawyer careers that flesh out the relationships between lawyer satisfaction, social and academic background and particular practice settings. This analysis brings into relief the processes of constructing satisfaction and dissatisfaction, and it also reveals some of the challenges faced by the legal profession today, which the conclusion then addresses.

Data and Methods

The After the JD Study

This paper relies on the first wave of data from the *After the JD* (AJD) study, a national longitudinal survey of law graduates, designed to follow a sample of slightly more than 10% of all the individuals who became lawyers in 2000 (Dinovitzer et. al 2005). The study is based on a sample representative of the national population of lawyers who were admitted to the bar in 2000, and was designed by using a two-stage sampling process. In the first stage, the nation was divided into 18 strata by region and size of the new lawyer population. Within each stratum one primary sampling unit (PSU) — metropolitan area, portion of a state outside large metropolitan areas, or entire state — was chosen. The PSUs included all four “major” markets, those with more than 2,000 new lawyers (Chicago, Los Angeles, New York, and Washington, DC); five of the nine “large” markets, those with between 750 and 2,000 new lawyers (Boston, Atlanta, Houston, Minneapolis, San Francisco); and nine of the remaining, smaller markets (CT, NJ remainder, FL remainder, TN, OK, IN, St Louis, UT, OR). In the second stage, individuals were sampled from each of the PSUs at rates that would, combined, generalize to the national population. In addition, the study included an oversample of 1,465 new lawyers from minority groups (Black, Hispanic, and Asian American).¹ The final sample included 9,192 lawyers in the 18 PSUs.

Data collection was based on a mail questionnaire that included sections on the respondent's job history and search process; the nature of the respondent's current job, including its content, the work

¹The sample also included respondents who self-identified as Native Americans, however the number of respondent in this category is too small for the analyses in this paper.

environment, and the respondent's satisfaction with it; the respondent's law school history; and a variety of background and contextual information. Following the initial mailing of surveys in May 2002, nonrespondents were followed up by mail and phone (with the telephone survey using a somewhat abridged version of the mail questionnaire). Approximately 100 in depth-face to face interviews have been conducted with a subset of respondents.

About 20% of the individuals in the sample could not be located, and roughly 20% of those located proved to be lawyers moving from one state bar to another rather than lawyers entering a bar for the first time. These "movers" were included in the sample so long as they had graduated from law school no earlier than 1998. (Consequently, about 6% of the AJD sample began law practice in 1999, and 1.5% began practice in 1998.) Of the original sample members who were located and who met the criteria for inclusion in the study, 71% responded either to the mail questionnaire or to a telephone interview, for a total of 4,538 valid responses. The analyses in this paper rely on data from the national sample only (ie. The minority oversample is not included), comprised of 3,950 respondents.²

Comparisons with external data indicate that the AJD sample is representative of the general population from which the sample was selected. When compared with young lawyers in the 2000

²The analyses in this paper rely on unweighted data (since final weights were not completed at the time of publication), so the bivariate results should be interpreted with some caution. In separate analyses, all bivariate tables were also run using preliminary weights (on file with authors), with the results varying only marginally, and our essential findings remaining very similar.

Census, we find that the racial composition of the sample is almost identical (PUMS 2000, 5% sample, all lawyers and judges, ages 27-32). To the extent practice settings can be inferred from census data, the sample also closely approximates the distribution of lawyers across firms, government, and business employers (PUMS 2000, 5% sample, all lawyers and judges; Carson 2004). Finally, the gender distribution in the sample closely matches data published by the American Bar Association (American Bar Association 2005).

Satisfaction Debates

Academic research on the legal profession finds generally high levels of satisfaction. In one of the original studies of lawyers' job satisfaction, Hirsch (1985) reported on a random probability survey of lawyers in the United States finding that overall levels of reported satisfaction were high (68% of respondents were very or somewhat satisfied with their current job). Similar results have been found from research surveying lawyers across the US (Hirsch 1985, Tucker, Albright & Busk 1989; Chambers 1989) and in particular cities or regions (Taber et al. 1988; Gellis 1991; Adams 1994; Hagan & Kay 1995; Lempert, Chambers & Adams, 2000; Heinz et al., 2005; Boon, Duff & Shiner 2001). Yet, the popular press, along with some academic work, continues to proclaim that law is a dissatisfying career (eg. Tazian 2005; Pedone 2004; Ranalli 2003; National Post 2001; Eviatar 2000).

Sorting out this divergence – and in particular, determining *who* is satisfied and who is not – has become the key source of debate in this area. Faced with a generally satisfied set of lawyers in their sample, the most recent study of the Chicago Bar asks if “Chicago lawyers are special” (Heinz et al. 2005:257). Most research similarly tries to parcel out satisfaction by asking whether certain groups

within the Bar – in particular, women and minority lawyers – are where one finds dissatisfaction within the profession. Here too, however, researchers have been stymied: women (Taber et al. 1988; Chambers 1989; Tucker, Albright & Busk 1989; Gellis 1991; Hagan & Kay 1995; Dau Schmidt and Mukhopadhaya 1999; Lempert, Chambers & Adams 2000:486, Table 33; Reichman and Sterling 2004; Heinz et al. 2005; Boon, Duff & Shiner 2001) and minority lawyers (Dau-Schmidt & Mukhopadhaya 1999; Lempert, Chambers, & Adams 2000; Heinz et al. 2005) continue to report high rates of overall job satisfaction, even if they are less satisfied with certain aspects of their workplace or certain elements of lawyering. Since women and minority lawyers do not, in fact, enjoy the success of white male lawyers (e.g. Hagan & Kay 1995; Wilkins 1999; Chambliss 2000), this has led to a “paradox” of satisfaction (Hull 1999) that researchers continue to investigate.

Analyses of data on Chicago lawyers collected through nearly 800 personal interviews have made an important contribution to this literature (Heinz et al. 2005). Based on these data, Hull (1999) distills two major components of job satisfaction: context satisfaction, which is comprised of measures that relate to lawyers' workplace, such as satisfaction with salary and opportunities for advancement; and content satisfaction, which includes the content of work, control over the amount of work, and level of responsibility. Hull finds that there are in fact different predictors for different types of satisfaction – for example, money and prestige of practice area increase context satisfaction, while working in a larger organization size decreases content satisfaction – calling attention to the need to incorporate more sophisticated approaches to the study of job satisfaction (1999:694; see also Heinz et al. 2005).

Research has also provided a number of additional insights into the relationship between job satisfaction and important structural features of legal practice, such as income and practice setting.

The Chicago Lawyers survey found that income was a positive predictor of high satisfaction, but that lawyers practicing in large law firms were less likely to be highly satisfied than lawyers practicing elsewhere (Heinz et al. 2005). Similarly, Hagan and Kay (1995:170-2) found that lawyers who earn a higher income are more satisfied with their jobs, but that among private practitioners, there was no effect of firm size.³ Analyses of University of Michigan alumni data (Lempert, Chambers & Adams, 2000) suggest that law graduates with jobs in government, legal services/public interest law, and education are significantly more satisfied than those working in private practice despite their lower incomes. Other have found that even after controlling for a wide range of factors, private practice in large firm settings is the least satisfying type of practice even though it is the most lucrative (Dau-Schmidt & Mukhopadhaya 1999: 362). The consensus from these studies is fairly strong – while higher incomes lead to greater satisfaction, those working in large private firms are relatively less satisfied with their jobs.

We can draw on a number of additional findings to better contextualize this strong relationship between income, setting and satisfaction. Sandefur and Heinz (1999) find that satisfaction with income decreases as income inequality within a field increases (14), and that satisfaction with chances for advancement tends to decrease as income inequality increases (15). Other features of practice settings that have been found to increase satisfaction include autonomy and decision making

³Since the measure of practice settings only distinguished between those working in firms of 20 or more lawyers compared to those in smaller settings, it is worth noting that respondents with a large corporate practice were significantly less satisfied with their jobs; these lawyers may be also more likely to be working in larger firm settings.

(Hagan & Kay, 1995; Heinz et al. 2005; Wallace 1995) and mentoring (Mobley et. al 1994).

While the majority of research has focused on expressions of satisfaction, a number of studies have relied on turnover and job changes as indicators of dissatisfaction – with researchers assuming that those who are unhappy change jobs, or intend to change jobs (see generally Kalleberg 1977). There is no doubt that the legal profession is characterized by high rates of job mobility, especially among new lawyers,⁴ and studies have found clear links between expressions of satisfaction and job mobility. A recent ABA (American Bar Association Young Lawyer Division 2000) survey reports that respondents' general job dissatisfaction and desire for greater financial rewards were the strongest reported motivations for leaving their current employer (see also NALP 2001). Kay's (1997) examination of exits from the practice of law concluded that job satisfaction is one of the keys to understanding the "causal forces and motivations that lead to job exits and lateral mobility in law." Furthermore, in a recent analysis of lawyers' intentions to leave their employer and the role of trust within law firms, Kay and Hagan (2003) argue that "intention to leave the firm can also be viewed as a more concrete, or even behavioral, measure of job satisfaction." They find that satisfaction with both the intrinsic (e.g., intellectual challenge and enjoyment in legal work) and extrinsic (e.g., pay, workplace benefits) aspects of lawyers' work increases intentions to stay with the

⁴A recent report from NALP (2003) found that 14% of entry level associates departed their firms within their first year, with an even higher percent (17%) leaving the large (but not largest) firms of 251-500 attorneys. Studies have documented an increase in these rates of mobility over the past few decades (Heinz et al, 2005; American Bar Association Young Lawyers Division 2000), with one study estimating that lawyers beginning their careers in small private firms experience one move every 7.7 years (Heinz et al. 2005) and another finding that within six years of graduating from law school, almost half of lawyers in private practice and almost two-thirds of those with government were no longer working for their first employer (American

firm. And it is not surprising that much of the research on mobility, like the research on job satisfaction, focuses on issues of inequality, with studies finding higher rates of mobility among women (Kay 1997; Kay & Hagan 2003⁵; Sommerlad & Sanderson 1998) and minorities (Heinz et al. 2005; Wilkins & Gulati 1996).

Basic contours of satisfaction in the AJD data

Consistent with prior research, reported levels of job satisfaction in the *After the JD* study are high: when asked to rate their satisfaction with 16 specific dimensions of their jobs, respondents consistently rated themselves as more satisfied than dissatisfied (Table 1). In particular, lawyers expressed higher levels of satisfaction with their relationships with colleagues, their level of responsibility, the control over how they work and the intellectual challenge of their work (all rated 5.39/7 or higher), with somewhat lower ratings given to their performance evaluation process, the diversity of their workplace, and their opportunities for pro bono (all rated 4.4/7 or lower). More strikingly, respondents' satisfaction with their career choice is very high: fully 79% of respondents report that they are extremely or moderately satisfied with their decision to become a lawyer. In contrast, however, when asked how long they plan to stay with their current employer, the data suggest a different pattern, with 44% of respondents expressing that they intend to be looking for a new job within two years – and almost one quarter of these respondents express that they are already

Bar Association Young Lawyers Division 2000).

⁵Women are more likely to express an intent to leave the firm. For men, the intent to leave the firm is influenced by their satisfaction with firm promotion opportunities, pay, job security, and benefits, but for women, plans to leave the firm are more strongly influenced by lack of intrinsic rewards, including limited opportunities to demonstrate legal skill and to attain a sense of accomplishment through the practice of law.

looking for a new position or plan to within one year.

[Table 1 about here]

These data present somewhat of a paradox: on the one hand, we find very high levels of reported satisfaction with the decision to become a lawyer, while on the other, we find fairly high levels of job mobility expectations, often taken as indicating lower levels of professional satisfaction (Kay and Hagan 2003). To get underneath this tension, we disaggregated these findings by the prestige of law school attended by respondents. As Bourdieu has argued (1977, 1998), schools are a key site through which students acquire their professional expectations – schools thereby play a critical role in the reproduction of social stratification, with students not merely acquiring the *skills* they require for professional life, but perhaps more trenchantly they adapt to the *dispositions* necessary for the professional roles they are destined to take. This can be achieved because schools are themselves embedded in the reproduction of students' social origins: the prestige of school that individuals attend is itself a function of their social class, so that in bestowing degrees and credentials, schools *confirm* and *reaffirm* students' anticipated status within the profession (Bourdieu 1998). Research on law schools – from Granfield's (1992) study of *Making Elite Lawyers* to Stover's (1989) *Making It and Breaking It* and to Mertz' (forthcoming 2006) work on the *Language of Law School* – indeed establishes that these are key sites in the development of students' expectations and aspirations.

Our measure of the law school hierarchy is derived from the rankings published in the US News and World Report for 2003; each school in the AJD dataset was assigned its corresponding US News score, and was then placed into one of six major groupings: the top ten, top 11-20, top 21-40, top 41-100, schools in the third tier and schools in the fourth tier. Analyses reveal that these rankings correlate well with the measures of lawyers' social background available in the AJD data. Table 2

indicates that students attending top ten schools report fathers' occupational prestige scores that are significantly higher than those from the fourth tier schools, with reports of fathers' occupational scores declining in a linear fashion along with law school tier. The data on fathers' educational attainment display a similar pattern: over two thirds of top ten school graduates had fathers who completed some graduate education, compared to one-third of fourth tier graduates.

[Table 2 about here]

The law school rankings also map directly on to the settings within law graduates work, an indicator that the social hierarchies that led students into particular law schools will also continue to be reproduced in their professional careers. The data in Table 3 indicate that over half of the graduates from top ten schools work in the mega-firms of over 250 lawyers, compared to just 4% of fourth tier graduates, who are instead working predominantly in small or sole practice. Even when they work in the public sector, graduates of elite schools are more likely to be working in the more prestigious federal government positions, while lower tier graduates are more likely to work for state government.

[Table 3 about here]

Given these patterns, it is perhaps not surprising that measures of job satisfaction also track the hierarchy of law schools. While our initial examination of job satisfaction resulted in somewhat of a paradox, with high levels of satisfaction at the same time as high job mobility intentions, examining these same measures by law school tier sheds considerable light on this disjuncture. The data in Figure 1 indicate that almost 60% of top ten graduates expect to leave their positions within two years, while only 27% report that they are extremely satisfied with their decision to become a lawyer. On the other hand, substantially fewer (41%) of the fourth tier graduates intend to leave their

employer within two years, while substantially more (43%) of these graduates are extremely satisfied with their decision to become a lawyer. These patterns suggest that there is in fact a *convergence*, rather than a divergence, between expressions of career satisfaction and job mobility intentions: the most elite students are the least satisfied with their career choice and the most likely to be thinking of leaving their employer, while lower tier graduates express high levels of career satisfaction and high levels of commitment to their employer.

It may be, however, that this relationship between law school tier and job satisfaction has more to do with the practice settings in which these lawyers work, rather than being a direct consequence of the law schools they attended. After all, the most elite students are the most likely to be working in large corporate law firms (see Table 3), so their lack of satisfaction may be the result of where they work, rather than the dispositions they acquired in law school. To investigate this possibility, we restricted the sample to those respondents working in firms of over 100 lawyers. The data in Figure 2 confirm that even within these large law firms, the most elite graduates continue to express lower levels of career satisfaction than those from the fourth tier (26% of elites report extreme satisfaction compared with almost half (48%) of those in the fourth tier). Similarly, we find that top ten law school graduates are more likely to intend to leave their employer within two years compared to their fourth tier counterparts (59% vs. 27%). These patterns suggest that the relatively lower satisfaction of elite graduates is not merely driven by their work settings, and that there is an independent relationship between law school tier and expressions of satisfaction that requires further investigation.

[Figures 1 & 2 about here]

By incorporating patterns of social stratification into our analysis of satisfaction, we find that

expressions of satisfaction map fairly clearly onto the hierarchy of law schools – and that attention to social hierarchies resolves the apparent tension between lawyers’ career satisfaction and their mobility intentions. We find a pattern consistent with Bourdieu’s (1998) model, in which schools not only play an important role in the transmission of social reproduction, but are also important predictors of the dispositions and aspirations that shape new lawyers’ careers. Below, we build on this approach by relying on multivariate analyses, which allow us to further explore the interplay between the social origins, values and credentials of lawyers across various practice settings.

Satisfaction as Process: Mapping the Structure of the Legal Profession

Four Measures of Job Satisfaction

We begin by exploring the determinants of job satisfaction, which Hull (1999) has argued is best conceptualized as a multivalent concept. Following this approach, we conducted a factor analysis of the 16 measures of job satisfaction reported in Table 1, which reduced the 16 measures of satisfaction into four factors; factors were extracted using principal component analysis, and were then saved as standardized scores with a mean of 0 and a standard deviation of 1.⁶ The first factor represents “job setting satisfaction,” consolidating ratings of recognition received at work, relationships with colleagues, control over the work, and job security. The factor for “work substance satisfaction” reflects the intrinsic interest of the work, while the third factor, “social value satisfaction,” concerns the reported relationship between work and broader social issues (workplace diversity, opportunities for pro bono work, and the social value of the work). The fourth factor, “power track satisfaction,” is comprised of two items: satisfaction with compensation levels and

⁶Alpha scores based on the individual items result in the following scores: setting=.85, substance=.88, social index=.584, and the power track=.62

satisfaction with opportunities for advancement. We then estimated four separate models of job satisfaction – one each for satisfaction with job setting, substance of work, the social index, and the power track.

Table 4 outlines the means and standard deviations for the variables used in all analyses.⁷ Just over half of respondents are male and just over half are married, but under one-third have children and only 16 percent are over 36 years old. Eighty-three percent of respondents are white, with 38% living in major metro areas (NY, Chicago, DC, Los Angeles, San Francisco and Boston) and another 23% living in other metro areas (Atlanta, Houston, Minneapolis, and St Louis); each region is modeled as a dummy variable with the excluded category representing those living in non-metro areas. To control for the effects of practice setting, we relied on a series of dummy variables; the measure of firm size relies on the total number of lawyers employed by the entire firm⁸. The excluded category is small private firms (of 2-20 lawyers), which also accounts for the largest concentration of respondents (28%). The mid-sized firms of 21-100 account for 14% of respondents, 9% work in large firms (101-250 lawyers) and 25% work in the mega firms of 251+ lawyers. We find a smaller proportion of respondents working outside of private practice, with eight percent working for state government, three percent for federal government, and two percent working in sole

⁷We discuss here the descriptive statistics based on the four OLS models of satisfaction, though Table 4 presents the means and standard deviations for all analyses. Please refer to Dinovitzer et. al (2005) for the distribution of respondents across these settings in the sample as a whole.

⁸While the analyses reported in this paper rely on the measure of firm size based on the number of lawyers employed in the entire firm, all analyses were also tested using the measure of firm size derived from the number of lawyers employed in the particular office in which respondents work. Generally, the results were almost identical; any substantively interesting differences are reported in footnotes that accompany the discussion of results.

practice; and less than 11 percent of respondents work in the non-governmental public settings and in business. Of course, the grouping of lawyers in private practice according to firm size conceals much variation within each of the work settings – for example, even among the mega-firms of over 250 lawyers there exists a hierarchy of firms according to profitability, associate to partner ratio, and whether firms have a two-tier partnership track (eg. of equity and non-equity lawyers) (see e.g. Henderson 2005). While this paper cannot address the full range of variation within each setting, the groupings employed in the analyses below reveal important cleavages in the hierarchy of lawyers working in private firms.

[Table 4 about here]

Our analysis includes measures of respondents' social status, law school prestige and law school performance. We include two measures of socio-economic status. The first relies on the International Socio-Economic Index (ISEI) of occupational status scores (Ganzeboom & Treiman 1996), which ranges from 16-90.⁹ The second is a dummy variable indicating whether any of the respondents' immediate family members are lawyers. Tier of law school attended is also modeled as a series of dummy variables, with tier four as the reference category.¹⁰ Just under 10 percent of respondents attended a top ten school, 12% a top twenty school, 16% graduated from a top 21-40 school, 32% from a 41-100 school, 19% from a third tier school, and 14% a tier four school. We also include a measure of respondents' self-reported final law school GPA, which was originally measured on an

⁹We rely here on measures of father's occupational status since about 10% of respondents reported their mother did not work in the paid labor force. Father's occupational status is therefore a more reliable indicator of respondents' socioeconomic background.

¹⁰Following the suggestion of Herbert Kritzer, we also undertook a series of interactions to explore whether law school tier itself structures the very factors that affect job satisfaction and mobility intentions. The results of these analyses are described in Appendix B.

eight point ordinal scale, with .25 increments; the bottom category of the scale was classified as 'under 2.25' and the top category as '3.75-4.0.'¹¹ We assigned midpoints to each category to create a continuous GPA variable, and as indicated in Table 4, the mean GPA in the sample is 3.3. We also include a measure of respondents' salary¹² (mean=\$85,547) which is divided by one thousand. Two measures of debt are included: first, a dummy variable is used to represent the 13% of respondents reporting zero debt; second, a dummy is used to represent respondents reporting a debt load that is in the top quartile of all respondents reporting any debt (ie. above \$90,000). As a measure of respondents' prior job mobility we include a dummy variable to represent those who have held at least one prior position (30% of respondents) compared to those whose current job is their first job after law school.

Two additional variables are included to reflect respondents' career preferences and networking activities. As a measure of respondents' interactions within the firm, we include a dummy variable that equals 1 if respondents report that they join partners or senior attorneys for meals, or if they spend recreational time with partners or senior attorneys; 64% of respondents report these networking activities. In order to account for respondents' career preferences, we include a measure capturing whether they considered a business career in addition to, or instead of law; 32% of respondents report that they considered this option. Both variables derive from the subset of respondents who completed the mail questionnaire (n=2266); these data were not collected from the

¹¹All data in this analysis were reported on this scale (some respondents likely converted their GPAs from other scaled into the format on the questionnaire). Less than 1% (n=28) of respondents reported that they did not receive grades; these cases were dropped from the analysis.

¹²Outliers with reported salaries of 201,000 or higher (n=25) were removed from the analysis since these .

respondents to the telephone survey (n=1627). In order to reduce the potential bias resulting from the additional listwise deletion of cases, missing data were filled in for these two variables by relying on multiple imputation (Allison 2002; Little & Rubin 1987; Schafer 1997); we display the results of analyses relying on these variables as separate models in each of the tables below.¹³

¹³We rely on NORM (Schafer 1997) to create five multiply imputed data sets. Data are imputed by relying on other variables in the data set. All analyses are conducted on each imputed data set, and we then rely on NORM to combine the coefficients and standard errors for the five sets of results; it is these combined results that are reported in the tables.

Focusing on the first model of each of the four OLS regression models in Table 5, we find a number of patterns that are consistent with prior research: men are more satisfied than women with their job setting ($b = .139$, $p < .01$) and the social index ($b = .172$, $p < .001$), but they are less satisfied than women with the substance of their work ($b = -.165$; $p < .01$).¹⁴ Coming from a family where one's father works in a more prestigious occupation increases satisfaction with the substance of work ($b = 0.004$; $p < .05$), which suggests that one is more prepared for the work of lawyering if one's father was involved in more professional work. Almost across the board we find that living in a metro area decreases satisfaction (except for satisfaction with job setting) (b ranging from $-.176$ to $-.249$ in each model, $p < .05$ or better). It seems, then, that working life in large cities – with its higher cost of living and longer commutes – is in and of itself a more challenging experience, since this effect persists even after controlling for practice setting and hours worked.

¹⁴While issues of race and gender are included as important dimensions in the analyses below, our discussion focuses on issues of social class and credentials since these aspects of job satisfaction have received less attention in prior research.

The effects of practice settings are as follows: solo practitioners are more satisfied with their practice setting ($b=.365$, $p<.05$) and with the social index ($b=.744$, $p<.001$), while those working in large and mega firms (100 through 251+ lawyers) are less satisfied with their job setting (b ranging from $-.569$ to $-.620$; $p<.001$). Lawyers in the large and mega firms (100 through 251+ lawyers) are also more satisfied with the power track ($b=.211$, $p<.05$), reflecting satisfaction with their high levels of pay and opportunities for advancement. In contrast, just about every setting outside of private practice suggests an increased dissatisfaction with the power track (b ranging from $-.179$ to $-.641$; $p<.05$ or better), and every public sector setting is related to an increase in satisfaction with the social index (b ranging from $.235$ to $.658$; $p<.05$ or better). Finally, working in smaller firms of 21-100 lawyers leads to significantly lower levels of satisfaction with the social value of their jobs ($b= -.349$, $p<.001$), as does having graduated from a third tier law school ($b=-.229$, $p<.01$).¹⁵

Salary, as expected, is a positive predictor of satisfaction with the power track ($b=.010$; $p<.001$). We find that a \$100,000 increment in salary leads to a one standard deviation increase in this aspect of satisfaction, while a \$100,000 increment in salary leads to a three standard deviation increase in satisfaction with job substance ($b=.003$; $p<.05$). But more unexpected is the finding that respondents with a higher GPA are also more satisfied with the power track ($b=.211$; $p<.001$); this relationship between GPA and satisfaction with the power track suggests that those who earned higher grades perceive themselves to be on a faster track, and they are happy to be there. We also find that debt is

¹⁵Relying on the measure of office size, we also find that respondents in the mid-sized offices of 21-100 lawyers are less satisfied with their practice setting, and that lawyers in the largest offices (251+) get an additional “bonus,” expressed as a greater satisfaction with the social index. The analysis based on office size also indicates that even controlling for networking and career aspirations, lawyers in the largest offices (251+ lawyers) continue to be significantly more satisfied with the power track.

generally unrelated to job satisfaction.

The data in the four equations for Model 2 suggest that social networks play an important role in lawyers' satisfaction with their job setting ($b=0.281$, $p<.05$), the substance of their work ($b=0.278$, $p<.05$), and the social index ($b=.109$, $p<.05$), suggesting that relationships with more senior lawyers result in better, or at least more interesting, work assignments. As we later discuss, this finding has interesting implications for graduates of elite law schools, who – at this point in their careers – do not seem to be investing as much as others in these types of social networks. While the introduction of these variables slightly moderates the effects of salary and firm size in two of the models, the main patterns of sign and significance are generally unchanged across the four measures of job satisfaction.

[Table 5 about here]

Our theoretical approach led us to expect to find a relationship between law school credentials and job satisfaction. Yet none of the models in Table 5 show any sustained association between law school tier and any of the measures of satisfaction.¹⁶ One may be tempted to conclude from the above analyses that satisfaction in the legal profession is unrelated to social background, and that while law school credentials may be important for getting jobs (see eg. Heinz et al. 2005), the effects of these

¹⁶ In separate analyses (on file with authors) we modeled the four satisfaction regressions with law school tiers only the first step in the model. We find that graduates of top ten through top 40 law schools are significantly less satisfied with their job setting ($p<.05$ or better), with satisfaction decreasing as law school tier increases. Graduates of all law schools other than the top ten are significantly less satisfied with the social index ($p<.05$ or better). We also find that graduates from top 10 through top 100 law schools are significantly more satisfied with the power track compared to fourth tier graduates ($p<.05$ or better), and satisfaction with the power track increases with law school tier. As we describe in the text, however, the effects of practice settings (among others) moderate these initial relationships.

credentials equalize once lawyers enter their practice settings. There are other reasons to question that conclusion. In particular, the overwhelming importance of job setting in the four models of satisfaction may mask more subtle relationships. To probe further, we consider two additional measures of satisfaction which provide a broader perspective on lawyers' careers: satisfaction with the decision to pursue a legal career and job mobility intentions.

Exploring Career Satisfaction

We begin by investigating the determinants of respondents' satisfaction with their decision to become a lawyer. Rather than focusing on specific indicators of job satisfaction – which, as earlier models suggested, are conditioned by one's immediate environment – focusing on satisfaction with career choice provides a much broader indication of career strategies and preferences. Prior research has already suggested links between social background, aspirations (eg. Seron 1996) and job values (McClelland 1990; Jacobs et al. 1991; Johnson 2001, 2002; Halaby 2003), and Bourdieu's work has provided further insight into the roles of schools in this process. Indeed, Bourdieu argues that it is in school that students “acquire not only the assured manners and style that are among the surest signs of nobility, but also the high opinion of themselves that will lead them ... towards the most lofty ambitions and the most prestigious enterprises. (Bourdieu 1989:112). Career satisfaction, then, is the product of expectations and circumstances, which themselves are largely shaped by individuals' social background.

In the analyses below, we draw on responses to the question, “How satisfied are you with your decision to become a lawyer?” which were provided on a five point scale, ranging from 1 (“Extremely Satisfied”) to 5 (“Extremely Dissatisfied”). Since the distribution of responses is skewed towards the satisfied end of the spectrum (35% reported that they were “extremely satisfied,” while

an additional 44% indicated that they were “moderately satisfied”), we focus here on those respondents who reported that they are extremely satisfied with their decision to become a lawyer.¹⁷ Satisfaction, therefore, is modeled as a dummy variable, and we again employ logistic regression, drawing on the same set of variables described in Table 5.

The results of this analysis both confirm some of our earlier findings and suggest additional patterns (see Table 6). In the first model, we find that the demographic factors that are related to career satisfaction reflect a particular life stage: respondents with children are more likely to report that they are extremely satisfied with their decision to become a lawyer ($b=.280$, $e^b=1.323$; $p<.05$) as are respondents who are over 36 years old ($b=.329$, $e^b=1.89$, $p<.05$). This demographic of respondents – those who are beginning their careers later in life or who have a family to support – is clearly satisfied with their choice to pursue a legal career. We also find a positive and significant relationship between father’s occupational status and career satisfaction ($b=.008$, $e^b=1.008$, $p<.05$). This effect is difficult to explain, but it may be that the children of higher status parents know better what to expect from the legal profession.

We also consider the relationship between practice setting and career satisfaction, again relying on small private firms (2-20 lawyers) as the reference category. The data indicate that sole

¹⁷We modeled an additional regression to predict the likelihood of expressing dissatisfaction with the decision to become a lawyer (which represented 13.3% of respondents). The results were generally consistent with those described below, with the addition of the finding that men have significantly lower odds of expressing dissatisfaction with their career choice than women.

practitioners are as satisfied as small firm practitioners with their decision to become a lawyer. For lawyers working in private law firms, the pattern is clear: the larger the firm, the lower the expressions of career satisfaction, with satisfaction decreasing as firm size increases (b ranging from -.400 to -.864; $p < .05$ or better). Outside of private practice, we find that respondents working in state government are significantly more satisfied with their career choice ($b = .578$, $e^b = 1.783$; $p < .001$).

Measures of prestige and performance are also related to career satisfaction. The effects of law school tier reinforce the patterns related to practice settings: lawyers graduating from elite law schools are significantly less satisfied with their decision to become a lawyer. When compared with graduates of fourth tier schools, graduates of top ten schools have the lowest odds of reporting that they are extremely satisfied ($b = -.646$, $e^b = .524$; $p < .05$), followed by graduates of top twenty schools ($b = -.465$, $e^b = .628$; $p < .05$). While not quite attaining significance at the .05 level, we also find that graduates of top 40 schools express lower levels of satisfaction compared to their fourth tier counterparts ($b = -.349$, $e^b = .705$; $p = .06$); respondents graduating from all other tiers report levels of satisfaction that are no different than respondents who graduated from fourth tier schools. Finally, we find that salary is positively and significantly related to the odds of being extremely satisfied with the decision to become a lawyer ($b = .009$, $e^b = 1.009$; $p < .001$).

We include the effects of networking and aspirations in the second model in Table 6. We find that new lawyers who network with senior lawyers have 1.29 times the odds of expressing strong sentiments of satisfaction with their decision to become a lawyer. Reinforcing the pattern of eliteness and diminished enthusiasm about their legal careers is the finding that respondents who considered careers in investment banking or consulting had significantly lower odds of reporting that they are extremely satisfied with their decision to become a lawyer ($b = -.276$, $e^b = .759$; $p < .05$).

This analysis confirms the important relationship between measures of social stratification and expressions of satisfaction. We find that respondents with the most elite credentials – graduates of top law schools working in the most prestigious settings – are the least satisfied with their decision to become a lawyer. On the other hand, those graduating from the less selective law schools, and working in the less prestigious (and remunerative) settings, are the most likely to express extreme satisfaction with their decision to become a lawyer. There is no doubt that for many of the graduates of lower tier law schools, gaining entry to the legal profession is part of the project of upward mobility. Yet, the patterns of satisfaction seen in this analysis legitimate and reinforce a system of stratification that places particular law graduates into particular practice settings, with law schools playing a pivotal role in the reproduction of this hierarchy.

[Table 6 about here]

Job Satisfaction and Plans for Job Mobility

We further explore sentiments of satisfaction by considering respondents' intentions to leave their employer. Expressions of intentions to leave one's employer embody relative dissatisfactions with and expressions of uncertainties about chosen career paths, but they are also an indicator of the pattern of moves and adjustments that people make as they build their careers. While prior research has tended to understand job mobility as a manifestation of dissatisfaction, which is of course true, we argue that this research must also take into account the structural features of mobility. Mobility may take someone into a more lucrative or prestigious path, or it may be a move spurred by a sense that chances for success may be better in a different but less prestigious environment. Either way, understanding mobility requires understanding where someone came from and where they might be going, with intentions to move acting as indicators – and aspects of – the sorting process.

We modeled respondents' intentions to leave their employer using multinomial logistic regression to explore the factors that influence the likelihood of respondents' intentions to leave their employer within each of four different time frames: 1) currently or under one year; 2) within 1-2 years; 3) within 3-5 years; 4) in over 5 years. Multinomial logistic regression models calculate the log odds of being in a particular category of the dependent variable relative to some reference category of the dependent variable (Long 1997); we rely on the fourth category – expecting to remain with their current employer for at least five years – as the reference category. The regressions are modeled with the set of independent variables described above, with one exception: in order to control for the possibility that job search intentions are related to the conditions of one's work, these models also include controls for job satisfaction, by relying on the four measures of job satisfaction described above. While the results are complex, the patterns are fairly consistent across all the categories of the dependant variable; as a result, we distill below the major findings and patterns, with the full results displayed in Table 7.

Demographic factors are important predictors of job search intentions. Compared to respondents expecting to remain with their employer for more than five years, men have significantly lower odds than women to be thinking of leaving their employer within one year ($b=-0.573$, $e^b=0.564$, $p<.01$), as are respondents with children ($b=-0.571$, $e^b=0.565$, $p<.05$) and those who report their racial or ethnic status as white ($b=-0.530$, $e^b=0.589$, $p<.05$). We also find that living in a large city results in a significant increase in the odds of intending to look for new employment – respondents living in major metro areas have more than twice the odds of intending to leave their employer within two years compared to respondents living in non-metro areas ($b=0.754$, $e^b=2.126$, $p<.001$).

These models also evidence important patterns of mobility intentions that are related to social

stratification. Respondents working in the largest private law firms and graduates of the most elite law schools have the highest odds of reporting that they intend to leave their employer within the next five years. For example, respondents working in mega firms (over 251 lawyers) are more than twice as likely to be thinking of leaving their employer within five years than respondents in small private firms (of 2-20 lawyers) ($b=0.831$, $e^b=2.295$, $p<.01$);¹⁸ a similar pattern of a higher odds of mobility intentions emerges among respondents working in prestigious federal government positions ($b=1.505$, $e^b=4.505$, $p<.01$). We also find that graduates of top ten law schools have 2.4 times the odds of intending to leave their employer within five years compared to graduates of fourth tier schools ($b=0.869$, $e^b=2.385$, $p<.05$); indeed, across all models, top ten graduates have higher odds of reporting mobility intentions than comparable fourth tier graduates. Finally, having received good grades in law school significantly decreases the odds of intending to look for a new job within a five year period; this confirms the earlier finding that lawyers who earned higher grades perceive that they are investing in the fast track, and are committed to pursuing it. We also modeled the same set of multinomial regressions with the addition of controls for networking and career aspirations, and the results are presented in Appendix A. These variables were not significant predictors of mobility intentions, and did not substantially alter the sign or significance of the independent variables in the original models.

It is important to note that these relationships between law school credentials, practice settings, and job mobility intentions all hold even controlling for measures of satisfaction. As indicated in Table 7, all four measures of job satisfaction are significant, and all decrease intentions to leave one's

¹⁸When relying on the measure of setting based on office size, we find that there is no significant relationship between office size and intentions to leave the firm. In these models, the

employer. Yet despite these workplace satisfaction measures, we continue to find a strong relationship between social stratification and satisfaction. In short, these findings indicate that the relationship between stratification and job satisfaction is not the result of the conditions of lawyers' work, but are in fact expressions of the expectations and aspirations that stem from particular positions within social space (see generally Bourdieu 1987).

[Table 7 about here]

Summary

By relying on a range of measures of job satisfaction, these multivariate analyses have provided insight into the relationship between social class and satisfaction. We found that while measures of social class contribute somewhat to the variations in specific types of workplace satisfaction (context, substance, social index and power track), these forms of satisfaction are best explained by lawyer demographics and the settings within which lawyers work. On the other hand, the more general measures of career satisfaction and mobility intentions are clearly related to patterns of social stratification. The analyses revealed that lawyers most satisfied with their career choice graduated from less selective law schools and work in less prestigious settings, thereby legitimating a hierarchy in which it is the most privileged who attain the positions of high prestige and pay in the legal profession. Similarly, lawyers least committed to staying with their employer are those who have the most options: graduates of top tier law schools, working in larger private firms and in the federal government. In short, these patterns reinforce a structure of the profession whereby lawyers from the less selective school remain in the positions that are relatively less prestigious and remunerative,

effect for top ten law schools remains the same as reported in Table 7, however.

with expressions of satisfaction playing a key role in this process.

Models of the Role of Satisfaction and Dissatisfaction

The analyses we have presented provide compelling evidence for the relationship between stratification and satisfaction. As we argue above, this relationship is produced not merely by external structures of domination, but are instead internalized in individuals' expectations. While these patterns are evident in the quantitative analyses above, the full extent of the embeddedness of hierarchical structures is often clearly revealed through a study of individual biographies (see generally Dezalay and Garth 2002). In this next section, we draw on in depth interviews with AJD respondents in which they recount how they found their jobs, describe their practice settings and work life, and discuss their expectations for the future. These accounts reveal the ways in which individuals make meaning of their lives and find satisfaction in the positions that they occupy (Lamont 2000), while also being mechanisms through which stratification is reproduced and legitimated.

The discussion below constructs six major categories of lawyers, based on the tier of law school¹⁹ they attended; this discussion is exploratory, informed by the findings discussed above and on the bivariate statistics provided in Table 8 and in previous tables. These groupings are intended to provide a first approximation of the kinds of people who graduate and make careers from the different law schools, building on the basic insight that the higher ranked the law school, the more likely the graduates are to have come from privileged backgrounds – and it extends this insight by

¹⁹We rely on the rankings provided by the US News & World Report, but our approach is focused on understanding the relationship between career outcomes and law school credential;

including a range of factors that grow out of, and are reinforced by, one's class position.

In constructing these analyses we draw more explicitly on Bourdieu's theoretical framework, relying on two concepts central to Bourdieu's understanding of how social class is reproduced. One is the notion of the ability to "play the game." From this perspective, career success depends on an ability to master particular rules of the game; however the key is not so much learning the rules, but anticipating developments that provide opportunities to be seized by the most natural players. As Bourdieu (1998) explains, individuals who are well-socialized in a particular field are able to master it because they have a "feel for the game" – they know what they should be investing in and how to position themselves and, like a good tennis player, they position themselves not where the ball is but where it will be (Bourdieu 1998: 79). It is important to note that for Bourdieu, these moves and strategies are not conscious. "Having the feel for the game is having the game under the skin; it is to have a sense of the history of the game. While the bad player is always off tempo, always too early or too late, the good player is the one who *anticipates*, who is ahead of the game. Why can she get ahead of the game? Because she has the immanent tendencies of the game in her body, in an incorporated state: she embodies the game" (Bourdieu 1998: 80-81). In a similar way, lawyers building their careers are playing a game, and those who succeed anticipate the right move at the right time. Intentions to change jobs and expressions of job satisfaction, then, are part of this process, suggesting some of the strategies these new lawyers are forming.

These strategies are also related to individuals' preferences and dispositions, which are best understood through Bourdieu's concept of making a virtue out of necessity. From this perspective,

that hierarchy might differ in some way from the rankings produced by US News.

individuals' aspirations and motivations are not constructed in a vacuum. Rather, Bourdieu argues that individuals adjust their dispositions to the set of possibilities that are available to them, valuing those within reach and excluding those that are not. In other words, the conditions within which people live “engender aspirations and practices objectively compatible with those objective requirements, [thus] the most improbable practices are excluded, either totally without examination, as *unthinkable*, or at the cost of the *double negation* which inclines agents to make a virtue of necessity, that is, to refuse what is anyway refused and to love the inevitable” (Bourdieu 1977: 77). As a result, those who do not have access to high-paid elite positions may, for example, celebrate that their job provides them the opportunity to do socially fulfilling work or, as we observed in the analyses above, those from lower tier schools may place more value on settings that accommodate their lifestyle, making a virtue of their necessity.

While we draw fairly strong characterizations of individuals in the descriptions below, we also recognize that these are not determinative – some individuals are able to convert their capital (see Bourdieu 1986) so that their law school tier, for example, does not always necessarily dictate their career trajectory. Furthermore, as the respondents in this study continue to build their careers, they may accumulate a wider range of capital that may enable this process. Such conversions are difficult, but it is important to note that our approach incorporates these possibilities. As a whole, this analysis provides a way to tie together the parts that make up the stratified legal profession. The social hierarchies within the legal profession, as we see, produce – and reproduce – different goals, expectations, rewards, and satisfactions.

[Table 8 about here]

The elites: Biding time

Brian²⁰ comes from an elite law school and a well-connected family in the south, and works in a large firm in Chicago. He is on the fast track to pick up more credentials, reflected in his comment that: “I don’t consider myself an attorney ... going to law school was more to me as a way to ... just get a great degree.” He pays relatively little attention to what it might take to make partner because he has no intention to stay at the firm, seeing it as “more of a testing period.” He is in no hurry but expects that he will go into business or public service in the city where his family is located. He knows he has many options, not limiting himself “simply because I have the law degree.” His behavior suggests that he is not “satisfied” with his job setting but is confident that he is on a power track, which might or might not involve law.

Jennifer works in a major San Francisco firm. Her father worked at a prominent law firm as well. She attended an elite law school, joined a firm to do litigation, and left at a time when the economy was down. Using a headhunter, she moved to another leading firm, but she complains of “lack of mentorship, lack of interest,” in a firm that sees associates as “here to bill hours to make them money.” There are women partners, but they are “basically men.” She is not looking immediately to move, but she is not happy with the situation.

²⁰ All names are pseudonyms, to protect respondents' anonymity.

Graduates from top ten schools are overwhelmingly the children of advantage (see Table 2). They went to law school for elite reasons, like the intellectual challenge of law school or developing a satisfying career.²¹ At the same time, they were more likely than graduates of other tiers to have considered alternative lucrative and prestigious options, such as a career in investment banking. Their options in the legal field are plentiful, which is reflected in the number of job offers they received in the private sector; very few of them even sought positions in the public sector. Once on the job market, they were drawn to the four major metro areas, to the large law firms (over 100 lawyers), and (compared to the sample as a whole) to public interest firms – which for them does not necessarily foreclose other options in private practice. They are on a fast track, and they are there by choice, which is reflected in their valuing of prestige and mobility versus “lifestyle” in their choice of sector of legal practice.

Graduates of top tier schools have all the advantages, but the data suggest that they do not necessarily appreciate them. While they are significantly less likely to have already changed jobs, they are more likely to express plans to leave their employers in the relatively near future; when compared to their counterparts from all other tiers who are also working in large firms, we continue to find that they are more likely to express intentions to leave their employer. Their practice settings

²¹ Respondents were asked to rate eight goals in their decision to attend law school. These were reduced into three factors relying on factor analysis. The first factor, “helping”, is comprised of items reflecting their desire to help others; “prestige” is comprised of items reflecting the intellectual challenge of law and a desire to defer entry into the job market; and “careerist” reflects a concern with financial security and building skills.

require them to put in significantly longer hours, which translates for them into much less satisfaction with their job setting. This sense of ambivalence with their jobs is paralleled by their ambivalence with their choice of career, reporting the lowest level of satisfaction with their decision to become a lawyer. This relative ambivalence is also seen in their involvement at work, with the elite students reporting less contact with partners, suggesting that they are not investing much in accumulating social capital where it requires the most effort. The combination of privileged position and relatively less satisfaction suggests that these top tier graduates take for granted that they will be successful, but at the same time that they also have some regret about other options they could have pursued, options that they know might have been at least as satisfying. These elite graduates are ready and expect to move if and when something better comes up, but their relative lack of mobility to date suggests that the grumbling seen in plans to move does not necessarily lead to actual moves in the short term. At this stage of their careers they are still going through the motions that were planned for them by their enrollment in elite law schools.

Yet the path of the elite is not of one piece. As the story of Jennifer suggests, even among the elites women and minorities continue to face obstacles. Thus while the elite credential bestows – and reaffirms – a successful trajectory for most graduates, it does not wholly overcome the well established structures of inequality in the profession. These obstacles are not the focus of this article, but it is clear that the institutions of the legal profession are structured such that mastery of “the game” of success in the legal profession comes easier to elite white males.

The “almost” elites - always in second (Top 11-20)

Kate enjoyed 21 callbacks when she was on the job market, confidently saying that she “whittled it down to three ... that’s all I bothered doing.” She decided to work in a smaller branch of a large firm, because it provides “a nice family sort of feel.” And

like Brian, she chose a large firm because she “wanted to keep [her] options open.” She is working hard, on track to bill 2800 hours, and has already learned that she “wasn’t as pushy” as she should have been in her first year. She is also gaining experience through her extensive pro bono work, which counts towards her billable hours. She knows that if she “wanted to,” she could “go on and become partner,” but might move into government if the hours impose too much on her personal time. Her parents were not professionals, however, and her approach is not one of entitlement – she says “it’s just up to me to learn how to manage my time and say no.”

Across nearly all measures, graduates of schools ranking in the top 11-20 are “almost” identical to the elite students. The background of these respondents is clearly privileged, reporting significantly higher levels of occupational prestige and education for their fathers compared to respondents from all other schools, and they also have invested heavily in the private sector. And while they are privileged compared to the average respondent, they are not given quite the same opportunities as the elite group, which is reflected in comparatively fewer offers, a lower likelihood of working in the largest law firms, somewhat lower salaries and hours worked, and more attention to salary as a factor in their choice of a position. Many of them also had to work harder to get their positions than those from the elite schools, suggesting that grades matter more as one moves down the law school hierarchy.

It is not surprising that those who worked harder to earn their positions are not as casual about leaving them. These graduates report a high rate of prior job stability and they are not more likely than other graduates to express intentions to leave their job within two years. While they express the same relative dissatisfaction with aspects of large firm settings as the elite graduates, more of them are satisfied with their decision to become a lawyer (though they are still less satisfied than graduates of all other tiers). Their greater commitment to their jobs is also reflected in the fact that a larger percent of these graduates network with partners, reflecting an effort to build relationships in their

settings; we also see this commitment in their ratings of their opportunities for advancement, which are relatively high. In short, while the group is rather close to the elite in terms of where they work, they tend to be more grateful for the place they have found, sharing some of the characteristics of those from lower ranked schools.

Between elites and the middle (Top 21-40)

Mike's father held a relatively low prestige white collar position. Mike graduated from a leading state university law school and found work doing employment law in a large law firm. He is married, likes his work, and would move only if one of the leading partners in his group moved. His approach is somewhat less confident than that of the higher tier graduates, as he says "I just kind of focus on day to day, doing my job, trying to do it as best I can and quite frankly hoping that things fall into place." And whereas Brian and Kate were exceeding their billables, Mike says "[w]e have a 2000 hour minimum. I personally actually work pretty much the 2000 hours." He believes he is learning important skills and is on track for partnership, and he has little to say by way of complaint.

Graduates of law schools ranked 21-40 have social backgrounds similar to those of the groups described above. But the lines of demarcation become much stronger at this level. On almost every measure other than social class, graduates of top 21-40 schools are below those from top 20 schools: they received fewer job offers, a smaller proportion of them work in large firms, and they earn less. They also express sentiments that diverge from those of the elite: they are less likely, for example, to have gone to law school to "help" others. Grateful for the opportunities they have, when compared to graduates of the tiers above them, they are more committed to their employers, they network more, and are more satisfied with their decision to become a lawyer. While still below the median for the sample, they are more likely than the elites to express a preference to work in settings that are identified with a better lifestyle than is found in the large corporate firms. Valuing "lifestyle," we see

here and within the lower ranking tiers, is not just a preference that some people express. It begins to come into play at this stage to help adjust law graduates to the fewer hours, less intense, and less prestigious work that is for the most part available to them. A law graduate who cannot gain access to the most elite positions tends, therefore, to find “lifestyle” reasons to accept that fate.

Happiness at the top of the middle (top 41-100 schools)

Graduating from an urban law school, Robert, whose parents were not college graduates, found a position in a relatively large insurance defense firm, where he says “the training ... is unbelievable.” Working in a firm is therefore more than just a credential for him, and while also happy with the experience he is getting in litigation, with mentoring, and with relationships at the firm, he envies those in “silk-stocking firms.” Also in contrast to the higher tier graduates, he says that the “toughest part of this job is the ...billing requirements. It’s a source of constant stress, it’s a very tough goal to meet.” His plans for the future are to move into commercial litigation and then he hopes to land a job as in-house counsel. He recognizes that he is fortunate to date, but that it is up to him to build the career he wants. He cannot count on professional success.

Those who graduated from the top 41-100 schools come from less privileged backgrounds than those at the higher ranking schools, and they understand law school as part of a project of upward mobility. When asked why they decided to go to law school, for example, they gave somewhat higher than average ratings to careerist reasons. Their prospects are limited, with far fewer offers in the private sector and only 10 percent of these graduates making it to the larger firms (of at least 100 lawyers). These respondents give significantly higher ratings to “lifestyle” in their choice of practice setting, as could be expected, but they are still close enough to the top that they continue to emphasize the importance of prestige in their choices.

With law providing them with upward mobility, we find this group investing strongly in their career paths. A large proportion of these graduates expect to be staying with their current employer

for more than two years. They know that law school made a difference in their career prospects, with over a third extremely satisfied with their decision to become a lawyer. They do not take for granted that they will have a successful career, working fairly long hours and working hard, even at networking. They are trying assiduously to learn the rules for advancement rather than relying on a “feel for the game.” The payoffs for these investments are also tangible: while their salaries are below the average in the sample they are higher than those from the lower tiers, while their hours of work are no different than the average. Furthermore, their satisfaction with their job setting is higher than the average but their satisfaction with the power track is comparatively lower – at the same time, their position in the hierarchy means that they are still more satisfied with the power track than graduates of the tiers below them. They know they have achieved upward mobility and are pleased, even though they do not have the same actual career prospects as those who start at the top.

The third tier– the battle for upward mobility

While graduating from a slightly higher ranked urban school than the third tier, Mary’s experience is instructive. An evening student from a blue collar background, without high grades, she found a job only by extending her part-time employment into full-time employment for a collection firm. She continues to have a difficult time, “looking at a lot of non-lawyer positions or staff-attorney position actually.” She rejects the idea of aspiring to be a partner in a firm based on lifestyle reasons: “working seventy eighty hours,” she says, “it’s like no.” Thinking of going back to school to somehow acquire more skills, her career is not moving at this stage. She does not like the job she has, and says the same is true of her law school classmates: “we’re pretty much all in the same boat actually ... [n]one of us want to do what we’re doing.”

Heather attended a third tier school’s evening program and accepted a coveted job in the federal government. She explains that while the “law school name itself wouldn’t have gotten [her] the position,” she used the US News specialty rankings to prove that she had the right background and experience for the job. Heather says she has always been an “average student” and her parents had working-class jobs, but she is investing heavily in her future, working ten to eleven hour days and many weekends. Her outlook is optimistic, seeing many opportunities for advancement, “so you never,

never say never.” And while she is single now, she believes that even with a family, her workplace is one in which “the work life balance ... is achievable.”

In terms of socioeconomic background, law school for the third tier appears to represent an aspiration of upward mobility: more of these graduates reported that they went to law school for careerist reasons, but they also went to law school to help others – perhaps because they remember where they came from. Their experience on the job market is fairly similar to those in the tier above them, but they tend to work predominantly in sole or small practice. Many of them justify that choice as a lifestyle decision – with Mary’s comment about the hours required in private firms exemplary of this perspective – again reflecting their “choice” not to work in environments that were not in fact available to them.

The experiences of this group also suggest a continuing struggle. They are less settled than other respondents, with a combination of high mobility in past employment and expected high mobility in the near future. Evidence of this struggle is also reflected in their ratings of their opportunities for advancement, which are the lowest of all groups. These low ratings reflect a very different strategy when compared with the low ratings reported by elite students, who take for granted that they will start and end at the top. Graduates of the third tier are working hard as they try to build their careers, working the same number of hours as those in the tiers above. The benefits do not come as easily to them, however, as they are earning less and express low levels of satisfaction with the power track. Yet the legal profession continues to offer them some satisfaction, particularly with their job setting, which they rate somewhat higher when compared with the average respondent. And for those who have made it into the largest firms the commitment is clear, with their expressions of intentions to leave their employer among the lowest for those working in large firms. Thus despite their lower pay

and hard work, they are aware of their upward mobility, with more than a third reporting that they are extremely satisfied with their decision to become a lawyer.

The fourth tier: the most satisfied?

Anna graduated from a low ranking urban law school while running a business part-time. For Anna, law is an upwardly mobile career path: "My mom was housecleaner ... I knew that's not what I'm going to do." While in law school, a faculty member helped her secure an externship with a judge, and after graduation began a clerkship for a busy urban court. And when asked if she would work in private practice, she points to lifestyle reasons, explaining "it's too many hours, you know. And I knew I didn't want to do that." Excelling through hard work, she has succeeded in acquiring skills and now works as a local attorney general, getting trial experience and credentials that will keep her career moving. She is an exceptional example from the fourth tier but instructive in the steps she had to take to get on a path to a "respectable" career.

Susan graduated near the top of her class and is working in a law firm of 100 lawyers. While she "originally thought [she] wanted to go with a large law firm" of a few hundred lawyers, she says that "after looking at how many billable hours are required at those firms ... I do not want that." In contrast to the elite graduates, Susan says she chose this setting because "[t]he law is not my life," and while large law firms have an "incredible reputation," she "really wanted ... a family orientated firm." Susan is doing well in this setting, evidenced by her statement that "I cannot get over how happy I am." And again in contrast to the expressions of dissatisfaction and mobility intentions expressed by the elite graduates, when asked where she will be in five years, Susan responds: "I will be a partner, I will be married and I will have two children by that time. I will have argued ... before State Appellate Court, I will have several more clients... I will have published at least 4 more times... that's what I know for now."

Graduates of fourth tier schools come from the least advantaged social backgrounds; their parents are the least educated and have the lowest occupational prestige scores in the sample. They were more likely than others to have considered starting their own business as an alternate career strategy, a dramatic contrast with the aspiration to work as an investment banker that was expressed by elite graduates. Moreover, the interviews again reveal the influence of a lifestyle preference for these graduates, who reject the long hours associated with working in a large law firm. At the same

time, their experience on the job market suggests that they are fulfilling a particular market need – while fewer of them received more than two offers, their odds of receiving at least one offer is no different than the average. Their work settings are a stark contrast to the settings of the elite graduates: almost half of the fourth tier graduates work in small or sole practice; they are also the least likely of all respondents to express that prestige and mobility were important in their choice of sector of practice. Perhaps this reflects the somewhat limited choices they faced in the job market.

Graduates of the fourth tier are working hard to make it. They work as hard as most other new lawyers (except for the elites) – yet they earn the least. They have experienced some instability already, with about 35% of this group having already changed jobs at least once. Their commitment is clear, however, with almost 60% intending to stay with their current employer longer than two years and expressing that they see some opportunities for advancement. Given that they are staying where they are, they report high levels of satisfaction with their job setting, the substance of their work, and the social index – again making virtues out of necessities. A higher percentage of these lawyers than any other group report being extremely satisfied with their decision to become a lawyer. Thus despite the worse objective circumstances compared with graduates of other law school tiers, these graduates are well aware of the boost that the law degree gave to their careers. They believe that they are lucky, and that it makes little sense to want the professional rewards that are unattainable to them. They are therefore more or less pleased with where they are and plan to stay, especially if they are one of the few who made it to a large firm – if they can hang on to the position.

Mixing and Matching Careers and People: Social Class in Professional Sorting

At this early stage of lawyer careers, it is already clear how sentiments of satisfaction and

dissatisfaction play into and legitimate the hierarchical structures of the legal profession. Those who can obtain the most prestigious and lucrative positions in large corporate law firms do so, they work long hours, and they internalize a relative dissatisfaction that encourages them to move. The relative unhappiness with the work and job setting in the large corporate law firms helps those from the lower ranked schools – who typically are from relatively disadvantaged backgrounds – to feel pride in other choices, or to find what Lamont (2000) calls “dignity.” As McGill (2003) has shown in her study of law school culture, the lower-ranked law schools themselves encourage students to make a professional virtue out of the careers that are available to their graduates. They emphasize values such as service to clients or the achievement of gaining access to the legal profession. In the meantime, the rite of passage of some tenure in large corporate law firms is so built into the elite opportunity structure that few from the top tiers of schools turn it down at the initial stages of their careers. The difficulties of that work are part of a process that makes it easier to accept the unequal access to high paying and prestigious law jobs.

The relative lack of elite satisfaction, we note, also plays a role in the internal dynamics of the large corporate law firms. It is clear that the economics of the large law firm depend on relatively few associates making it to partner (Galanter & Palay 1991). The long hours that associates work, on the other hand, are essential to partner profits. Too many partners would depress those profits. This basic structure is the basis of Galanter and Palay’s hypothesis of the “tournament of lawyers.” It is difficult to administer a tournament, however, when there are too many contestants and the criteria for victory are not very precise. Our hypothesis is that relative dissatisfaction encourages attrition and makes the screening process far more manageable for law firm managers. While there is no detailed research about the partnership decision as such, it would be difficult for partners to make defensible decisions

if all the associates sought to stay. It is probably relatively easy to use evaluations to determine workplace success among associates, but difficult to determine who is so outstanding as to warrant partnership. The difficult lifestyle of the large law firm that encourages very high attrition makes this decision somewhat easier.

The patterns of expected mobility raise some cause for concern, however, when examined by race and gender. Our data indicate that women are more likely than men to be planning to leave their employers within one year and that minorities are also more likely to express these intentions. Law firms are under strong pressure to hire and retain more women and minorities (see e.g. Wilkins 2004; McDonough 2005), but the system of high attrition reaffirms the patterns of the large corporate law firm as still a white male institution. One minority woman in the AJD sample, for example, attended a reception at a corporate law firm designed to encourage minorities to consider careers in such firms. Feeling “out of place and weird” during the reception with discussions of golf and similar subjects, she however took away a different message – and ultimately pursued a career in the public sphere. Another minority respondent with a working class background and elite credentials stated that the corporate firm for which he worked “wants him to succeed,” but he feels like an “outsider” “faking it” to get along in an environment where he does not fit in. These expressions are relatively common among interviewees. Minorities and women who choose to leave may believe that it is their own choice – perhaps for lifestyle reasons – but the cumulative impact and sentiments such as those just quoted suggest that the institutional dynamics of law firms are also part of this process.

Conclusion

The implications of the system of stratification documented in this paper and in others (e.g.

Heinz et al. 2005; Hagan, Huxter and Parker 1988; Auerbach 1976) are significant. We know for example, from the pathbreaking work of the Chicago Lawyers project (Heinz et al. 1995, 2005), that the legal profession is divided into two hemispheres, with one sphere serving corporations and the other serving personal clients. It is clear from the AJD data that this segmentation of lawyers into separate spheres begins early in their careers, and that it is related to patterns of stratification. According to the data in Figure 3, top ten law school graduates report, on average, that they spend 69% of their time serving corporate clients and 35% of their time representing personal clients or small businesses.²² The patterns almost reverse as we follow the hierarchy of law school tier, with average fourth tier graduates devoting 28% of their time representing corporate clients and 57% of their time on personal clients or small businesses. The direct correlation between law school tier and client type, and the step-graded pattern of this correlation, demonstrates that the system of stratification in the legal profession is even more complex than the two hemispheres thesis suggests.

The streaming of top law graduates into the corporate sphere has long raised questions about the ways in which the resources of the legal profession are expended (eg. Abel 1989; Hadfield 2000), and the patterns we document in this paper call for further reflection on the implications of stratification for the legal field (Bourdieu 1987). With lawyers from lower tier law schools not only accepting of their place in the profession's hierarchy, but also extolling its virtues by relying on the

²² Corporate clients were defined as: Fortune 500 business services and other large or middle sized business; Personal clients were defined as high, middle or low income individuals and small businesses; Other clients were defined as government, start up businesses, insurance companies, non profit organizations and other.

benefits of lifestyle, we find a continued convergence of elite lawyers and corporate clients that is reproduced through career preferences. As recent research indicates, it is precisely this elite convergence that continues to provide law firms with their own status, and underwrites their ability to retain and bill corporate clients (Uzzi and Lancaster 2004). That this hierarchy is legitimated through individual career aspirations ensures that any change would be difficult to effect – and elite law schools, continuing to draw their students from predominantly privileged social origins, will continue to place their graduates in large, urban law firms generating wealth for corporate clients. This is a paradigm that some of these new elite lawyers may be challenging, as they look outside of the large law firms for opportunities. The implications of this challenge, however, remain unknown: while it may result in reform of law firms, it may instead work to their advantage by differentiating among elite students, with departures even extending the influence of firms and law schools beyond the legal field. Lawyer satisfaction, as a result, provides an early signal for how law's symbolic value may be remade – or reproduced – in the coming decades.

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Appendix B

We also tested for interactions to explore whether law school tier itself structures the very factors that affect job satisfaction and mobility intentions. This involved splitting the sample into six subsamples based on law school tier, and building all the models presented in the paper within each of these subsamples. We then compared the b coefficients produced in each model across the law school tiers (using the appropriate Z tests) to test for significant interactions. While the results are complex, they continue to complement the findings presented in the paper, and we report here on some of the most salient and significant findings ($p < .05$ or better for all effects reported below).

Modeling respondents' intentions to leave their employer, we find that top ten graduates with high debt are more likely to be thinking of leaving their job within two years compared to fourth tier graduates. We also find that satisfaction with job substance and the social index reduces job mobility intentions for top ten law school graduates compared to all other law school graduates.

In the models for career satisfaction we find a significant effect for gender: men from top ten schools report higher levels of satisfaction than women when compared to graduates of top 40 and fourth tier schools. We also find that for graduates of top 40 schools, having had a prior position reduces career satisfaction significantly when compared to graduates of schools ranked 100 or below.

The models for the four types of job satisfaction suggest that salary can work in different ways for respondents from different law schools: salary significantly increases setting satisfaction for fourth tier graduates compared to top ten graduates, and it increases the 'power track' satisfaction for graduates of third tier schools compared to top ten graduates. The models also indicate that father's socioeconomic status works is conditioned by law school rank: for top ten graduates, increases in father's socioeconomic status result in significantly higher levels of satisfaction with the job setting

compared to graduates from all other law schools (except of those from the third tier). The data also suggest that age interacts in important ways with law school tier. Respondents who are over 36 years old and who attended a law school in the top 20 report lower levels of satisfaction with their job substance than graduates of the lower tier law schools. We also find that law school GPA significantly increases setting satisfaction for top ten graduates compared to those from the top 40, top 100 and third tier.