

**THE NEW CLASS:  
A COMPARATIVE ANALYSIS OF MODERN LEGAL PRACTICE SETTINGS  
AND THE EXPERIENCES OF FEMALE ATTORNEYS AT THE OUTSET OF  
THEIR CAREERS**

by

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A thesis submitted to the Faculty of the University of Delaware in partial fulfillment of  
the requirements for the degree of Master of Arts in Sociology

Fall 2012

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## **ABSTRACT**

Using data compiled by the National Association of Legal Career Professionals (NALP) assessing the experiences of the cohort of attorneys who passed the Bar Exam in 2000, this study utilizes logistic regression models of analysis to examine the potential difference in workplace experience between genders in different legal practice settings with regard to mentorship and internal networking opportunities with partners and supervisors. This study examines whether female attorneys are more likely to have workplace experiences that have been shown to be positively correlated to career satisfaction and advancement in non-traditional non-firm settings, and whether the increased “feminization” of the legal profession yields more gender-equal experiences in this modern cohort of attorneys across settings. Overall, results indicate potential progress in terms of mentorship for female attorneys in all practice settings, thereby suggesting progress in the increasing feminization of the legal profession. However, disadvantages for female attorneys can still be seen in informal networking such as dining with partners in private law firm settings, leading to potential indications that increasing feminization has still not alleviated gendered discrepancies in informal tools for career advancement in private law firm settings. Comparisons to public interest and non-firm settings indicate that female attorneys do not report disparate experiences from male attorneys with regard to mentorship satisfaction or informal networking

opportunities. Finally, further research is warranted to examine racial discrepancies found within the public interest and non-firm sectors.

## Chapter 1

### INTRODUCTION

*“Legal service salaries are so low that many legal services staff are de facto subsidized by a spouse/partner, and a divorce/breakup can make the legal services person’s financial situation untenable. Legal services staffs are becoming disproportionately female. We must ask ourselves what role we are unwittingly playing in culture that conditions women to work for less.”*

*- John Tobin, Executive Director of New Hampshire Legal Assistance (2003).*

*“I do worry that perhaps their [female legal services lawyers] male counterparts are staying away because they will not accept our salaries. I am alarmed at the possibility that legal services managers and boards are creating our own low paid ‘pink collar’ workplace.”*

*- Catherine Carr, Executive Director of Community Legal Services in Philadelphia (2007).*

The past thirty years have yielded great advancement in the status of female attorneys. In the early stages of a legal career, women are almost equal in representation to men. For example, by 2005, near equal numbers of men and women attend law school, and in some years, female enrollment narrowly surpassed male enrollment (Wilder, 2007). In 2000, 45 percent of new attorneys admitted to the bar were women, and as of 2011, women represent 47 percent of summer associates and 45 percent of all associates in the United States (NALP, 2011; ABA, 2011; Wilder, 2007).

However, despite the influx of female attorneys and immense progress in formal gender equality such as official gender neutral operating, hiring and promotion procedures in all legal settings, the legal profession still remains male-dominated and

masculine in nature, to the detriment of female attorneys. Although women are currently equal in number to men in their entrance to the profession, women's further legal career advancement and retention reflect substantial gender disparity. Currently, only 31 percent of all lawyers were women (NALP, 2011; ABA, 2011). Additionally, it is estimated that women represent only 19 percent of all law firm partners (NALP, 2011), 21 percent of all law school deans (AALS, 2008-2009), 19 percent of Fortune 500 General Counsels (MCCA, 2010), and 26 percent of all federal and state judges nationwide (Center for Women in Government and Society, 2010). Lastly, a significant wage gap between male and female attorneys as a whole exists with female attorneys earning 75 percent of male attorneys' weekly salaries (Bureau of Labor Statistics, 2009). This disparity is enormously compounded when race is taken into consideration. Additionally, women are less likely than men to work in private firms and considerably more likely to work in public interest, legal services and other nonprofit organizations for less pay and prestige than traditional law firms (Wilder, 2007; Sandefur, 2007; Heinz et al., 2005; Sarat and Scheingold, 2005; Sandefur, 2001; Hull & Nelson, 2000; Laumann and Heinz, 1977).

Existing literature examines the experiences and advancement of older cohorts of attorneys, without the ability to assess the current experiences of new cohorts in the modern legal profession landscape. Established research in the traditional law firm setting indicates that female attorneys' opportunity for career advancement and

satisfaction are hindered by: their sex; identifying as a racial minority; having children; working part-time; being excluded from mentorship opportunities; and having less access to networking opportunities with their superiors in the workplace. However, research has yet to examine the experiences of female attorneys in the “alternative” settings outside of the traditional private law firm to which female attorneys seem to be increasingly drawn. Scholars predicted an eventual feminization of the legal profession as the number of female attorneys approaches a potential critical mass (Chiu & Leicht, 1999; Martin & Jurik, 1996; Menkel-Meadow, 1989). What are the workplace experiences of this modern cohort of female attorneys? Do their experiences differ between types of practice setting? Are female attorneys more likely to have workplace experiences that have been shown to be positively correlated to career satisfaction and advancement in non-traditional non-firm settings? Using data compiled by the National Association of Legal Career Professionals (NALP) assessing the experiences of the cohort of attorneys who passed the Bar Exam in 2000, this study utilizes logistic regression models of analysis to examine the potential difference in workplace experience between genders in both firm and non-firm settings.

## Chapter 2

### LITERATURE REVIEW

#### 2.1 *The Gendered Institution*

Removal of formal barriers to employment based on gender has produced gender-neutral policies in all professions as well as the assumption that employment policies and practices are based upon and created for a gender neutral “ideal worker.” However, these “gender neutral policies” continue to have a disproportionately negative impact on women (Shulz, 2004). Joan Acker’s seminal 1990 study established that organizational structure is not gender neutral and that assumptions about gender underlie the organization and function of the workplace structure. She established that the “worker is actually a man; men’s bodies, sexuality, and relationships to procreation and paid work are subsumed in the image of the worker” (Acker, 1990, p.139). This male image of the worker is not acknowledged and appears to be gender neutral. The gender-neutral ideal worker is critiqued by feminists as a myth, where they assert that the neutral “norm” is actually a *male* standard, based upon the lives of men (Shulz, 2004).

Work organizations are gendered on three levels: at the structural level; through the cultural and ideological assumptions upon which the structure and individuals draw; and the agency of male and female workers themselves (Acker, 1990; Karman, 2004; Britton, 2003). The agency of individuals within a gendered work organization is

constrained by the gendered structural and cultural aspects of the workplace (Acker, 1990; Britton, 2003). Gendered standards for hiring, promotion, and job assignment, as well as gendered meanings and assumptions of masculinity and femininity contribute to gendered differences, expectations, and disparities within a work organization (Acker, 1990; Risman, 2004). At the cultural and ideological level, the genderization of meanings and construction/assumptions of masculinity and femininity contribute to gendered expectations (Bird, 1996; Britton, 2003). Risman (2004) found that even when men and women work in organizations with formally gender-neutral roles, gender inequality is reproduced in everyday interaction. Risman (2004) describes this as the “cultural component of the social structure” in which habitual, non-reflexive action is “taken for granted or cognitive image rules that belong to the situational context” (p. 432). Such interactional and routine expectations attached to sex category create and maintain inequality in workplace relationships (Martin, 2003). It is within these structural and cultural constraints that female workers make their everyday work and career path choices (Britton, 2003).

## *2.2 The Gendered Legal Profession*

Numerous studies have specifically classified legal education and the legal profession as gendered institutions that are masculine in nature (Martin & Jurik, 1996; Pierce, 1995; Epstein 1995; Gorman, 2005; Seimsen, 2004; Thornton, 1998; Guinier et

al., 1997). This masculine nature causes discrimination against female attorneys in subtle and structural ways (Epstein et. al., 1999; Laband & Lentz, 1995). Research has shown that selection criteria in hiring practices are based on masculine properties (Gorman, 2005, p.703) and that, as a gendered institution, women are disadvantaged on many levels (Martin & Jurik, 1996; Pierce, 1995; Epstein, 1995; Gorman, 2005; Seimsen, 2004). Female attorneys therefore assume an “outsider within” position (Gilligan, 1982) and experience a double bind in which they must carefully balance performing aggressively enough to be considered competent to handle demanding legal scenarios while maintaining the softness and agreeability required of hegemonic femininity (Rhode, 2001; Pierce, 1995). Studies of private law firms expose the myth of the gender-neutral attorney that assumes both men and women are equally situated and able to achieve promotions within their firms, when in reality, the standard is that of a white male without primary child-care and household responsibilities (Pierce, 1995; Garcia-Lopez, 2008). These structural and cultural constraints therefore influence female attorneys to choose their professional trajectories accordingly, sometimes resorting to playing to their strengths outside of the traditional corporate law firm model (Garcia-Lopez, 2008).

With the influx of equally-gendered graduating classes of law school students and a steadily increasing (albeit slowly) promotion of female attorneys to partnership and supervisory positions, scholars have predicted a “feminization” of the traditionally masculine legal profession and hoped that such feminization could lead to more fair

hiring and promotion processes, increased mentorship for female attorneys, and more equal wages between sexes (Chiu & Leicht, 1999; Martin & Jurik, 1996; Menkel-Meadow, 1989). Specifically several studies reflect that gender disparity with regard to promotion is greatly diminished when female leadership is institutionalized in the legal setting. For example, Gorman's (2006) study of the promotion events of large law firms reflected that law firms with greater numbers of existing female partners tend to promote more female associates (see also Beckman & Phillips, 2005; and Phillips, 2005). Additionally, Chused's (1998) study of law school faculty found that female law professors are more likely to be granted tenure when a greater number of tenured faculty are female. These findings suggest that the continued feminization of the legal profession may lead to future increased advancement of female attorneys.

Although recent data shows gender equality with regard to new hires into the most prestigious large law firms (Gorman, 2005; Hull & Nelson, 2000) as well as similar gender proportions across all private firm sizes (Wilder 2007), women are less likely than men to work in private firms and considerably more likely to work in public interest, legal services and other nonprofit organizations (Wilder, 2007; Sandefur, 2007; Hull & Nelson, 2000). Employment in such nonprofit/public settings may include more flexible working conditions, generous family leave and government benefits at much lower salaries when compared to the high salaries and steep billable hours requirements of private corporate law firms. The NALP's study (Wilder, 2007) of young attorneys that

passed the bar exam in 2000 used in this study found that women and men report different reasons for choosing to practice law and in what setting they choose to do so. The study found that more women than men choose to practice law in order to “help people” and “change society” (Wilder, 2007, p.4). Women are also more likely to choose their first legal practice setting based on its “potential for balancing work and life” whereas men report basing this decision on financial security reasons first and foremost (Wilder, 2007, p.4).

The importance of organizational context and a hierarchy of prestige and pay within the legal profession is well-established in the exigent literature (Heinz et al, 2005; Sarat and Scheingold, 2005; Sandefur, 2001). Laumann and Heinz’s landmark 1977 study of Chicago lawyers established that the characteristics of whom an attorney represents are the strongest indicator of professional prestige. This client-type thesis of prestige ties high professional prestige to those attorneys who represent socially powerful clients, therefore conferring high professional prestige on those attorneys and firms that represent private corporate entities and accordingly lower prestige to attorneys and organizations that represent individuals of lesser socioeconomic status and social power. Further, Sandefur’s 2001 study of Chicago lawyers incorporates client-type prestige and the professional “purity thesis,” in which the profession attributes great esteem to legal work that concentrates on abstract legal issues, or what she describes as “professionally pure” and free of “non-legal considerations.” According to Sandefur, “lawyers’ esteem

for professionally pure work complements their tendency to derogate service to people-especially those with little wealth or power-and to esteem service to large, powerful, and wealthy organizations” (Sandefur, 2001, p. 382). Accordingly, both client-type and professional purity theories of prestige in the legal profession place public interest and non-profit settings in subordinated positions of prestige. As a follow-up to Laumann and Heinz’s landmark 1977, Heinz et al.’s 2005 study of the modern legal system found that gender and race continue to be strong markers of difference in career opportunity, career trajectories, and career prestige. Larger private firms that provide their services to powerful clients and the private sector maintain the highest professional prestige and external social hierarchies continue to shape career opportunity and advancement (Heinz et al., 2005). Therefore, female attorneys’ growing propensity to work in the public interest/non-profit sphere of the legal profession has contributed to the appreciable salary and prestige gap between male and female attorneys that exists today.

### *2.3 The Traditional Private Law-Firm Model*

The traditional law firm model, centered around the billable hour, has been found to contribute to the difficulty of lawyers finding a work-life balance and the gender disparity found in practice and promotion (Epstein et al., 1999; Reichman & Sterling, 2002). The model places high value on competition and aggressive self-promotion while it measures success by compensation, the most hours worked and the biggest book of

business (Epstein et al., 1999; Abbott, 2004; Williams, 2000). As Epstein et al. describe, “Unprecedented demands for availability and client service are now made on lawyers, and a tally of their billable hours is distributed to everyone within law firms” (1999, p.5). At first, many lawyers thrive on this model due to the financial compensation, exciting challenges and professional success, however, as research shows, for most lawyers, this model eventually becomes unhealthy as both male and female attorneys, with or without children, report experiencing substantial work/life conflict (Catalyst, 2001). The legal profession’s movement from a “competitive meritocracy” model that encouraged participation of women and minorities in the legal profession in the past has evolved into the prevalent “hypercompetitive ideology” of today (Wald, 2010).

Literature suggests that the traditional law firm model is inherently discriminatory against women as it is based on men's experience (Abbott, 2004; Williams, 2000; Pierce, 1995). According to Williams (2000), it assumes a married male lawyer with a wife attending to home and children and glorifies the workaholic lawyer who takes no time for family life. Reichman and Sterling’s (2002) study of Colorado attorneys reveals that law firm structure and culture disproportionately negatively affect women because successful employment and advancement is based upon two expectations with regard to time: uninterrupted and full time work; and the expectation that attorneys be on-call and available at all times for work. Reichman and Sterling argue that law firm mandates that work is the “uncontested priority” of both female and male attorneys’ time accordingly

produces a distinctly gendered disparity for success in the legal profession (2002, p.948; see also Epstein et al., 1999). On a structural level, Gorman (2006) found that firms with lower formal minimum billable hour requirements were more likely to promote female attorneys, in contrast to the classic high billable hour requirements of most firms. It is estimated that lower billing requirements would provide a “reasonable objective standard of productivity and commitment,” thereby leveling the playing field for women on the partner track (Kay & Gorman, 2008).

Mentorship of new attorneys or associates by senior attorneys is considered to be critical for advancement in the legal profession and is positively linked to job satisfaction (Laband & Lentz, 1995; Mobley et al., 1994; Reichman & Sterling, 2002). Specifically, mentorship has been found to be distinctly linked to female attorneys’ job satisfaction and promotion prospects (Epstein, 1995, 2004; Mobley et al., 1994; Riley and Wrench, 1985; Wallace, 2001). An associate’s mentor plays an important role in the promotion process by: educating a new attorney on firm culture and the necessities for advancement; providing a professional role model; and serving as an advocate for their mentee among the supervisory ranks of the workplace (Reichman & Sterling, 2002). Studies show that female attorneys are more likely than male attorneys to be excluded from mentor/mentee relationships, finding it uniquely difficult to form such a relationship with senior attorneys who are most likely male (McManus, 2005; Epstein et al., 1999). Epstein et al. (1999) note that the informality of the mentor structure contributes to the exclusion of

women in this imperative relationship, and therefore contributes to the disparate treatment of women desiring to advance to partner. Further, Kay and Wallace's (2010) study of the long term effects of receiving mentorship revealed that having more than one mentor more than doubles the beneficial effect of mentorship across a variety of career factors.

It is also well-asserted that female attorneys find themselves at a disadvantage with regard to networking inside their own workplaces with partners and superiors, thereby affecting their potential for advancement within their firms. Kay & Hagan (1998) found that female attorneys score lower in firm social and cultural capital, which in turn has a negative effect on their promotion prospects. It has also been shown that networking and social interaction in firm culture and with partners has a distinct positive effect on female attorneys' promotion prospects when compared to men (Kay & Gorman, 2008; Noonan & Corcoran, 2004; Kay & Hagan, 1998). Alternatively, and interestingly, networking and social interaction in firm culture has been shown to have no significant effect on male attorneys' potential advancement, thus suggesting that men's abilities in these areas are assumed (Kay & Gorman, 2008; Noonan & Corcoran, 2004; Kay & Hagan, 1998).

The vast majority of research about female attorneys in the legal profession examines their experiences practicing within private law firms, at the exclusion of public-interest sector settings. However, in one of the few studies to examine different practice

settings, Hull and Nelson's (2000) small study of Chicago lawyers showed that in non-firm settings female attorneys are more likely than male attorneys to be promoted to supervisory and senior-level positions. While this finding is possibly illuminative of the difference in structure and culture between private firm and public interest settings, further in-depth and generalizable research is necessary to explicate what disparities actually exist between legal settings with respect to gender.

## **Chapter 3**

### **METHODOLOGY**

#### *3.1 Sample*

The data set utilized for this study, entitled “After the JD -- Wave 1: A Longitudinal Study of Careers in Transition Data Collection: May 2002-May 2003,” is the largest longitudinal study to capture the professional lives and careers of attorneys throughout the first ten years of their careers post law school graduation. Funding for this study was provided by the National Association of Legal Career Professionals. Data was collected through a national survey and follow-up interviews. Wave 1, the data set utilized for this study, was collected between May 2002 and May 2003, with subsequent research waves occurring in 2007 and 2012. The sample includes attorneys who passed the bar examination in the year 2000, encompassing eighteen legal markets including the four largest markets-- New York, District of Columbia, Chicago and Los Angeles--as well as fourteen areas that include smaller metropolitan areas and states. The Wave 1 sample is comprised of 45 percent female attorneys and 55 percent male attorneys, with 64 percent of respondents reporting that they were employed in a private law firm setting. This sample is analogous to the general national population of new lawyers in the year 2000, reflecting an attorney-gender division of 43 percent female and 57 percent male.

### 3.2 *Practice Setting Models*

With regard to setting distinctions, some previous research compares the experiences of male and female attorneys in “private” and “public” legal practice settings (Rosenberg et al., 1993) as well as contrasts gendered experiences by private “firm” versus “non-firm” settings (Hull and Nelson, 2000). Rosenberg et al.’s 1993 study included private in-house corporate legal counsel and solo practitioners in one category designated as “private” and all other forms of employment (including government positions, legal services and academia) as “public.” However, Hull and Nelson’s subsequent 2000 study of Chicago attorneys found that female attorneys who worked in “non-firm settings” were more likely than men to attain senior-level positions throughout their career. Their finding also extended to women who are employed in the private business sector as in-house legal counsel. Hull and Nelson included the following categories as “non-firm” settings: government, public interest settings, law schools, and in-house corporate counsel offices. Additionally, Kay and Wallace’s 2010 study of mentorship across settings distinguished between private law firms and what they termed “other settings” that included: government, corporate settings, legal aid and law clinics, private industry, and all other legal workplaces. While business/in-house counsel legal departments lack the billable hour structure and potential organization culture of the private law firm, it maintains a higher (and increasing) prestige than public interest settings (Heinz et al., 2001). Therefore, in this study the experiences of business/in-house

counsel attorneys were measured in their own model, as well as included in another model combined with the public interest settings to create a “non-firm” model. Lastly, because this study intends to measure work experiences within a potentially gendered organization with coworkers and superiors, attorneys who reported to be employed as a solo practitioner were excluded from the sample.

This study examined three separate regression models to examine if male and female lawyers differentially experience mentorship within three contexts: 1) private firms, 2) public interest firms, and 3) non-firm settings. The “private firm” model included only those attorneys who indicated they were employed at a private law firm of any size excluding solo practice. The “public interest” model included those attorneys who reported to work in the following settings: “federal government (including judiciary)”; “state or local government (including judiciary)”; “legal services or public defender”; “public interest organization”; “other non-profit organization”; and “educational institution.” The “business/in-house counsel model” included those respondents who indicated working in “professional service firms,” “other fortune 1000 industry/service,” “other business/industry,” “labor union trade association,” and “other.” Lastly, a “non-firm” model was created to measure the experiences of the attorneys who reported working in any setting other than “private law firm.”

### 3.3 *Dependent Variables*

Three dependent variables of interest will be utilized in this study in order to compare the differential experiences of women and men in different legal settings. The following dependent variables were chosen to measure attorneys' experiences in two substantive areas that research has shown to greatly influence the advancement of women in their legal careers: social participation and networking within their place of employment with supervisors and the receipt of mentorship by supervising attorneys and/or partners. The dependent variables were coded as follows:

#### Social participation and networking

1. Variable name: **PARTNERLUNCH**

“Which of the following do you do on a regular basis? Join partners (if you are in a law firm) or senior attorneys (if you are in another setting) for breakfast and lunch.”

[coded 0 for “no,” and 1 for “yes”]

2. Variable name: **PARTNER\_REC**

“Which of the following do you do on a recurring basis? Spend recreational time with partners (if you are in a law firm) or senior attorneys (if you are in another setting).”

[coded 0 for “no,” and 1 for “yes”]

### Mentorship

#### 3. Variable name: **MOREMENTOR**

“What changes would you most like to see in your job? More and/or better mentoring by senior attorneys/partners.”

[coded 0 for “no,” and 1 for “yes”, indicating a desire for better mentoring]

### *3.4 Independent Variables*

In order to execute a comparison of male and female attorneys’ experiences in private firm and alternative practice settings, eight independent variables and an interaction term were generated based upon the existing literature with regard to gender differences in legal employment. Accordingly, race, law school class rank, law school grade point average, marital status, employment status, and whether or not respondents indicated having children living with them were included in all models as controls. See Table 1 for the full descriptive statistics of the independent variables utilized in all analysis models.

**Table 1: Descriptive Statistics for Independent Variables Used in Setting Logistic Regression Models**

Variable Name	Variable Description	Mean or Percent Private Law Firm	Mean or Percent Public Interest	Mean or Percent Business/In-House Counsel
Gender	Sex of respondent (1=female)	45.26%	52.92%	47.80%
Race	Race of respondent (1=nonwhite)	25.87%	33.60%	28.12%
Class rank	Law school class rank (1= top 10% to 5 fourth quarter of class)	2.32	2.80	2.84
GPA	Law school grade point average (1=3.75-4.00 to 8=2.25-2.49)	3.19	3.85	3.94
Status	Employment status (0=part-time, 1=full-time)	98.33%	96.77%	96.84%
Married	Respondent's marital status (1=married/partnered)	57.64%	51.50%	58.86%
Children	Respondent has children that live with them for part of the year (1=has children)	24.45%	25.95%	33.43%
Genchild	interaction term (gender*children)	8.01	12.78	12.90

### *3.5 Data Analysis Strategy*

Because all three of the dependent variables are dichotomous variables, individual logistic regression models were utilized to assess the differences in likelihood of satisfaction of mentorship and networking/socialization experiences between male and female experiences in private firm, public interest, and business/in-house counsel settings. Due to the relatively small sample size for business/in-house counsel settings, in addition to the three aforementioned individual settings, a fourth set of models that combined the public interest and business/in-house settings into a "non-firm" setting was created to further explore the impact of employment setting.

Eight independent variables were regressed upon the subject dependent variables, including: respondents' gender (GENDER); respondents' race (RACE); respondents' law school class rank (LSclassrank); respondents' law school grade point average (LSGPA); their employment status as either full-time or part-time employees (STATUS); whether a respondent is married (MARRIED); whether a respondent has children (CHILDREN); and finally an interaction term measuring how respondents' gender and having children potentially work together to shape the dependent variables (GENDER\*CHILDREN). Model results expose whether the odds that a respondent reports a desire for further mentorship and participation in social networking with supervisors are influenced by their gender in each of the employment settings.

## **Chapter 4**

### **RESULTS**

The first set of models measured attorneys' experiences in private firm settings with regard to a desire for "better mentorship," having lunch with partners or supervisors, and participating in recreational activities with partners or supervisors respectively. Results from the logistic regressions indicate that only the model predicting the odds that a respondent participates in having lunch with firm partners or supervisors is significant at the  $p > .001$  level. Within the significant model, gender was the only significant predictor of the odds that an attorney lunched with partners when all other variables were held constant. Accordingly, it can be interpreted that, relative to male attorneys, the odds that an attorney lunched with partners or supervisors in the law firm setting *decreases* by 37% when they identified as female. Within the mentorship and recreational activity models, although neither model was significant, being female, when compared to male in the private firm settings, yielded slightly decreased chances that an attorney would report desired "better mentorship" and participation in recreational activities with partners. For full results please see Tables 2-4.

**Table 2** Results from Model 1: Private Firm Settings – Satisfaction with Mentorship

<b>Variable</b>	<b>Coefficient</b>	<b>Standard Error</b>	<b>Odds Ratio</b>
Gender	-.02	.17	.98
Race	.26	.18	1.30
Class rank	.05	.12	1.05
GPA	-.09	.09	.91
Status	1.24	.83	3.45
Married	-.26	.16	.77
Children	.16	.21	1.17
Gender*children	.03	.03	1.03

LR chi2 = 9.63      Log likelihood = -562.49      N=819

\*p<.05; \*\*p<.01; \*\*\*p<.001

**Table 3** Results from Model 1a: Private Firm Settings – Lunch with Partners/Supervisors

<b>Variable</b>	<b>Coefficient</b>	<b>Standard Error</b>	<b>Odds Ratio</b>
Gender	-.46**	.17	.63**
Race	-.35	.19	.70
Class rank	.04	.13	1.04
GPA	.14	.10	1.15
Status	-.05	.71	.95
Married	.03	.17	1.03
Children	.31	.23	1.36
Gender*children	-.27	.35	.76

LR chi2 = 29.67\*\*\*      Log likelihood = -534.01      N=819

\*p<.05; \*\*p<.01; \*\*\*p<.001

**Table 4** *Results from Model 1b: Private Firm Settings–  
Recreation with Partners/Supervisors*

Variable	Coefficient	Standard Error	Odds Ratio
Gender	-.08	.18	.92
Race	-.34	.20	.71
Class rank	.12	.13	1.12
GPA	.08	.10	1.09
Status	-1.01	.71	.36
Married	-.05	.17	.96
Children	.10	.22	1.10
Gender*children	-.13	.36	.87

LR chi2 = 13.12      Log likelihood = -516.80      N=819

\*p<.05; \*\*p<.01; \*\*\*p<.001

In the public interest setting models, gender was not a significant predictor of the odds that an attorney would express a desire for better mentorship or participate in either lunches or recreational activities with supervisors when the remaining personal characteristics were held constant. Although not a significant predictor, in public interest settings, gender had almost no effect on the odds of reporting a desire for better mentorship, the odds that a female attorney would participate in lunch with supervisors was only slightly decreased when compared to male attorneys, and women were less likely to participate in recreational activities with supervisors when compared to men.

However marriage and race were significant predictors in two of the public interest setting models. Respondents, when they reported to being either married or partnered, were 49% less likely to indicate satisfaction with the mentorship they received. Further, respondents who identified as non-white were 63% less likely to participate in recreational activities with partners and supervisors. For full results please see Tables 5-7.

**Table 5** Results from Model 2: Public Interest Settings – Satisfaction with Mentorship

Variable	Coefficient	Standard Error	Odds Ratio
Gender	-.00	.33	1.00
Race	.10	.33	1.11
Class rank	-.21	.21	.81
GPA	.17	.16	1.20
Status	-.54	1.05	.58
Married	-.67*	.31	.51*
Children	-.21	.46	.81
Gender*children	.37	.68	1.45

LR chi2 = 8.63      Log likelihood = -150.66      N=225

\*p<.05; \*\*p<.01; \*\*\*p<.001

**Table 6** Results from Model 2a: Public Interest Settings –  
Lunch with Partners/Supervisors

Variable	Coefficient	Standard Error	Odds Ratio
Gender	-.08	.33	.92
Race	-.45	.34	.64
Class rank	.34	.22	1.41
GPA	-.27	.17	.80
Status	.51	1.08	1.67
Married	.27	.31	1.31
Children	.06	.45	1.10
Gender*children	.89	.69	2.44

LR chi2 = 9.20      Log likelihood = -149.97      N=225

\*p<.05; \*\*p<.01; \*\*\*p<.001

**Table 7** Results from Model 2b: Public Interest Settings –Recreation with Partners/Supervisors

Variable	Coefficient	Standard Error	Odds Ratio
Gender	-.35	.36	.70
Race	-1.01*	.42	.36*
Class rank	.16	.23	1.17
GPA	.02	.17	1.02
Status	-.60	1.08	.55
Married	.32	.34	1.37
Children	-.18	.48	.83
Gender*children	-.11	.74	.89

LR chi2 = 10.70      Log likelihood = -132.52      N=225

\*p<.05; \*\*p<.01; \*\*\*p<.001

The sample size for business/in-house counsel setting models was very small at n=46, therefore the models did not yield significant results upon which to draw conclusions about gendered mentorship or networking in the business/in-house counsel setting. When the non-firm settings were combined to include both public interest and business samples, females were less likely than their male counterparts to report desiring better mentorship and less likely to participate in recreational activities with their supervisors. However, female attorneys in non-firm settings were not less likely than males to have lunches with their supervisors. Class rank and race were also significant predictors in the non-firm setting models. As an attorney’s law school class rank

decreased, they were *less* likely to report being satisfied with their received mentorship, and *more* likely to attend lunch with partners and supervisors. When a respondent identified as non-white in non-firm settings, their likelihood of reporting to have participated in recreational activities with partners or supervisors *decreased* by 59%. Please see Tables 8 through 10 for full results.

**Table 8** Results from Model 4: Non-firm Settings – Satisfaction with Mentorship

Variable	Coefficient	Standard Error	Odds Ratio
Gender	-.15	.30	.86
Race	-.04	.31	.96
Class rank	-.21*	.19	1.50*
GPA	.22	.15	.77
Status	-.67	.89	1.79
Married	-.75	.29	1.22
Children	-.14	.41	1.14
Gender*children	-.08	.62	1.79

LR chi2 = 12.23      Log likelihood = -179.28      N=268

\*p<.05; \*\*p<.01; \*\*\*p<.001

**Table 9** Results from Model 4a: Non-firm Settings – Lunch with Partners/Supervisors

Variable	Coefficient	Standard Error	Odds Ratio
Gender	-.01	.30	.99
Race	-.39	.31	.68
Class rank	.40*	.20	1.50*
GPA	-.25	.15	.78
Status	.58	.89	1.79
Married	.20	.29	1.22
Children	.13	.40	1.14
Gender*children	.58	.61	1.79

LR chi2 =8.89      Log likelihood = -180.96      N=268

\*p<.05; \*\*p<.01; \*\*\*p<.001

**Table 10** Results from Model 4b: Non-firm Settings – Recreation with Partners/Supervisors

Variable	Coefficient	Standard Error	Odds Ratio
Gender	-.31	.32	.73
Race	-.89*	.37	.41*
Class rank	.07	.20	1.08
GPA	.08	.15	1.09
Status	.02	.94	1.02
Married	.21	.31	1.23
Children	-.27	.42	.76
Gender*children	.05	.65	1.06

LR chi2 =9.47      Log likelihood = -163.45      N=268

\*p<.05; \*\*p<.01; \*\*\*p<.001

## **Chapter 5**

### **DISCUSSION**

The results of this paper indicate possible progress in informal networking and mentorship for new female attorneys, as well as some variation by practice setting. Within the private firm setting, only gender, specifically, identifying as female when compared to male, had a significant diminutive effect on the odds that a new attorney will report having lunch with partners from their firm. No significant effect was reported for any of the other independent variables or on any of the other networking and mentorship variables. This result is consistent with the extant literature regarding law-firm attorneys of all ages and experience: that female attorneys are asked to participate in such informal and valuable networking experiences with supervising attorneys less frequently than male attorneys (Kay & Gorman, 2008; Noonan & Corcoran, 2004; Kay & Hagan, 1998). The results of this study particularly indicate that modern, newly admitted female attorneys, even in the age of increased “feminization” of the legal profession, still do not participate in these valuable informal networking experiences – such as “lunching” -- as much as their male counterparts in private law firms. However, within the private law firms, female attorneys were no more likely to report dissatisfaction with their received mentorship or participate less in recreational activities with partners. This discrepancy may be because of the difference between formal and informal firm procedures. Many private law firms, especially larger firms, have instituted formal mentorship programs in

an effort to avoid discrimination by race and gender in obtainment of a firm mentor (McManus, 2005). Also, it is possible the recreational activities involving both staff attorneys and partners are formally regulated as well within the law firm. Conversely, going out to lunch with firm partners is almost always an “informal” networking opportunity as lunch is rarely regulated by any formal workplace policies. It is therefore possible that the private firm results are consistent with the extant literature that establishes informal networking experiences as the arena from which female attorneys are excluded in private firms (Kay & Gorman, 2008; Noonan & Corcoran, 2004; Kay & Hagan, 1998).

The results in public interest and non-firm models perhaps indicate a difference between practice settings on a few variables. First, the public interest and non-firm settings did not indicate any significant discrepancy in mentorship or informal networking along gender lines. This is perhaps caused by the increased feminization of these practice settings, as it is suspected that these practice sectors are more likely to have female attorneys on staff and more female attorneys in supervisory roles (Wilder, 2007; Nelson, 2000). Unfortunately however, both public interest and non-firm settings showed a significant decrease in participation with supervisors when a respondent identified as non-white. This suggests a racial divide in socialization that may be harmful for racial minority attorneys in the public interest and non-firm settings that was not indicated in private firms. Further qualitative research is warranted to determine the

causes and effect of such discrepancy. Interestingly, in public interest settings, those who reported as being married or partnered, as well as those who reported lower class ranks were less satisfied with their received mentorship. This raises questions about the mentorship programs, if any, in public interest and non-firm settings. Existing research does not yet indicate the presence of formal programs in these non-firm settings, therefore further inquiry and research is warranted to determine how mentorship occurs in these settings and how successful those mentorship efforts are.

Overall, results indicate potential progress in terms of mentorship for female attorneys in all practice settings, thereby suggesting progress in the increasing feminization of the legal profession (Chiu & Leicht, 1999; Martin & Jurik, 1996; Menkel-Meadow, 1989). However, disadvantages for female attorneys can still be seen in informal networking such as dining with partners in private law firm settings, leading to potential indications that increasing feminization has still not alleviated gendered discrepancies in informal tools for career advancement in private law firm settings. Comparisons to public interest and non-firm settings indicate that female attorneys do not report disparate experiences from male attorneys with regard to mentorship satisfaction or informal networking opportunities. Finally, further research is warranted to examine racial discrepancies found within the public interest and non-firm sectors.

## **Chapter 6**

### **SUMMARY & CONCLUSION**

#### *6.1 Limitations*

Of course, as with any research, this study has limitations. First, the NALP surveys did not contain questions that would provide a variable indicating the level or prestige of the respondents' law schools. It is common knowledge within the legal profession that the reputation and/or "tier" of the law school that an attorney attended carries great weight both in obtaining one's first legal job and throughout one's legal career, as it is considered a reliable proxy for attorneys' abilities (Merrit & Reskin, 1997; Hagan & Kay, 1995). Inclusion of a variable for law school status or reputation could possibly affect the results of this study due to the evidenced impact that independent variables such as law school grade point average and class rank had on networking and mentorship satisfaction in this study. With regard to the mentorship measure, the question asked on surveys only inquires as to whether or not the respondent cites a desire for "better" mentorship, indicating a potential dissatisfaction with mentorship. However, this limited question does not assess or measure whether or not a respondent actually received mentorship, what type of program (if any) their workplace provides, whether they received formal or informal mentorship, or how many mentors they had. This question does not assess what the respondents' expectations or desires for mentorship were before they received the mentorship from which they base their indicated desire for "better."

While the results may possibly indicate a possible (and positive) lack of difference between genders with regard to desiring “better mentorship” in all settings, further and more in-depth research is required to adequately assess the progress or setting differences with regard to mentorship.

The inadequate size of the sample of attorneys who practice as business/in-house counsel does not allow conclusions to be made distinguishing three types of settings: private firms, public interest, and business. While the differences between these settings in structure, pay, prestige, and culture are noted extensively, this study and sample size does not provide the opportunity to fully examine further specific differences between settings.

## *6.2 Implications and Conclusions*

The findings of this study have practical implications and call for further in-depth research. First, this study indicates that there is a possible lack of progress and existing inequality to the detriment of female attorneys with respect to the ever-important informal networking with partners in private law firms. Dining with partners during business hours provides invaluable networking opportunities with those who shape a new attorney’s career trajectory within the law firm (Kay & Gorman, 2008; Noonan & Corcoran, 2004; Kay & Hagan, 1998). This finding may imply that, while private law firms have made progress in formal equality for new attorneys with regard to formal

mentoring programs/assignments and hiring and promotion policies, inequalities still exist in informal practices that arguably have greater impact on an attorney's career trajectory. Further research is warranted to inquire as to why and how this discrepancy exists and the future implications of such discrepancy.

This data set, consisting of two additional waves of research, is ripe for further longitudinal research with regard to all of the previously identified gender issues in the professional legal workplace. Valuable research would include actual promotion of this modern class of attorneys, their retention in the profession and in different settings, possible movement of female attorneys out of private law into non-firm settings, and the effect of marriage and child care responsibilities on advancement, salary and retention. Further, while such quantitative data is undoubtedly valuable in making generalizations for a large sample of subjects, future qualitative study into the types of mentorship and networking programs – both formal and informal – in different settings, and the implications of such experiences on attorneys' career trajectories is warranted to understand the complexities of the culture and structure in which these experiences occur.

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