

WALKING THE PATH OF THE LAW: HOW LAW GRADUATES NAVIGATE CAREER CHOICES AND TOLERATE JOBS THAT FAIL TO MEET EXPECTATIONS

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I. INTRODUCTION

During certain times of the academic year, one can walk the hallways of most law schools and hear sustained chatter between students about what they are doing to find a job, what kind of a job they are hoping to find, what job they have just accepted, or how certain kinds of jobs are hard to obtain. From the hallway conversations, one culls a sense that students have a somewhat clear picture of their career paths and that they believe there are certain prescribed trajectories that lawyers follow.

What is unclear from the hallway conversations is where students get their ideas about standard career trajectories or about what counts as a “good” or “bad” job. Do the students’ ideas mirror fact? In other words, do the students have some source of descriptive data about law school graduates that help them discern how they will pick their jobs and travel through their careers? Do the students’ ideas mirror hope? Do they have some sense about the characteristics that one finds in different kinds of legal jobs and are they seeking out legal jobs with characteristics attractive to them? Or are students working from unsubstantiated information that somehow gets swirled around the student body?

Legal employers are also concerned about lawyers’ job trajectories. Employers have to make decisions about whether they should target their recruiting

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efforts to students at particular schools, what retention rate they hope to meet, and whether the work conditions that they foster affect employees positively or negatively. Employers may be able to discern some of the information they need from thoughtful self-scrutiny, but they are as in need of objective data as are those just entering the legal profession.

This Article reports on data collected from a random sample of graduates from an elite law school during the period 1970 to 1999.¹ The focus here is on three themes: where do lawyers start their practice; when and why do lawyers leave a job, and is there a pattern; and do lawyers' hopes about their jobs match the realities of those jobs. If their hopes do not meet the realities of those jobs, does that incongruence cause lawyers to leave their jobs? We are interested in whether there are differences in the ways in which women and men develop their legal careers, and differences in the particular job characteristics that are important to women and men.² As we describe more fully below, previous research has identified some gender differences in job trajectories and in the kinds of jobs sought by women and men. We want to make sure that law students and employers consider objective data before they make assumptions about whether kinds of legal jobs are "better" on account of one's gender.

Equally importantly, we hoped to gather richer, more nuanced data about lawyers' job satisfaction. Prior research generally has looked at job satisfaction in three ways. First, with a blunt measure such as the question "how much do you like your job?" Next, with an indirect measure such as asking a participant how likely it was that she/he would stay at a current job for some period of time—a year, five years, etc. Lastly, researchers have used a set of specific questions about the lawyer's current job, such as "how satisfied are you with [level of pay/chance for advancement/interactions with colleagues, etc.]" Those three measures each are lacking—the first two because they provide no information about why a lawyer is or is not happy at a job, and the third because it presumes that the subset of job factors asked about are all equally important to the lawyer and equally relevant to a lawyer's satisfaction with a job.

Our study moves the state of research forward by using a two-pronged assessment. We consider both whether a specific job characteristic was important to a participant and whether the participant found that characteristic to be true about a particular job. For example, we asked participants how important it was to them that their work was challenging, then asked them how true it was that their particular job provided them with challenging work. In asking about both "importance" and "truth" of a job characteristic, we were able to contrast participants' expectations of a job with the realities they found. We were then able

¹ The study participants graduated from Yale Law School.

² We had also hoped to consider differences related to race/ethnicity, but we did not have a sufficient number of survey respondents of color to provide any such data.

to discern whether participants found their hopes to be congruent with their experiences and to look at whether incongruity affected the participants' decision to stay at a job. We discovered a surprising pattern: lawyers stay at jobs even though they may experience modest, but encompassing, levels of incongruence between their hopes and experiences.³ Of equal note, we found that men and women both experience incongruence along several similar dimensions related to balancing work and non-work responsibilities. In other words, "work-life balance" is not just a challenge for women.⁴ We more fully describe our findings in Section III.B.

This Article first reviews findings from prior research that used a methodology similar to our study. Section III.A describes our study methodology. Section III.B details our results. We then contrast our findings with prior research in Section III.C and detail our conclusions.

II. WHAT HAS COME BEFORE: A REVIEW OF THE LITERATURE ON LEGAL CAREERS

Over the last twenty years, there have been a remarkable number of empirical studies about lawyers, looking at multiple facets of lawyers themselves and their workplaces. In order to place our study in context, it is useful to summarize some of that past work and to highlight common findings that provide a basis for several of the hypotheses we made. Our review is not exhaustive. We limit our review to studies about lawyers, as opposed to studies that looked more broadly at professionals or at workers in general. Furthermore, studies have varied in scope, in methodology, and in kinds of statistical analysis. For purposes of this review, we focus on a study's quantitative data rather than any qualitative data such as anecdotes from interviews. We also limit our focus to our three themes: where do lawyers start their practice; when and why do lawyers leave a job, and is there a pattern; and, what level of congruence is there between what lawyers hope their jobs will be like and the realities of those jobs.⁵

We summarize five studies below and highlight in particular findings related to gender—either where women and men differed, or where we may have expected them to differ, but they did not.⁶ Because the research findings have not been

³ Of course, we expected to find that some number of individuals would have decided to stay at a job they did not like, because of some other factor—they needed to be in a specific geographic area, a partner or spouse could not relocate, and the like. What is novel is that our data showed such a strong pattern of incongruence among our total group of participants.

⁴ We expect those female and male readers who are now practicing attorneys to be unsurprised by our results. The challenge for many new lawyers is that "work-life balance" is often considered an issue for women only, which has unfortunate consequences. It means that the scope of work-life balance often gets unreasonably narrowed to questions about being a working mother. Thus, new lawyers feel pressure not to raise work-life issues other than mothering, and women bear the brunt of conversations about work-life balance.

⁵ All of the studies we review—including our own—collected data on topics in addition to these three themes. Readers who are interested in topics such as number of hours worked at jobs, or number of jobs held, may wish to survey the literature independently.

⁶ As noted in the Introduction, we had hoped to be able to report findings related to race/ethnicity,

collated or contrasted before in publication, we provide detailed information for those readers who wish an in-depth review. At the end of the summary, we note common findings across the studies. Readers may go to that section for a condensed discussion.

A. New U.S. Lawyers from Across the Country: After the JD

In 2004, the American Bar Foundation and the National Association of Legal Professionals (“NALP”) published preliminary findings from their joint study, “After the JD,” reporting on approximately 4000 lawyers who entered into practice in the United States in 2000.⁷ After the JD surveyed a sample of new lawyers from eighteen geographic areas across the U.S., including four large urban areas, smaller metropolitan areas, and rural areas.⁸ Almost all responding lawyers came from U.S. law schools.⁹ Slightly less than half—46%—of the responding lawyers were women.¹⁰

As of the time of the survey, about 66% of lawyers worked in firm practice.¹¹ Of that group, around 40% were in firms of 100 or more lawyers, while roughly 60% worked in small or medium-sized firms—2 to 100.¹² Looking at graduates from elite law schools, 50% worked in firms of 100 or more lawyers and another 20% at firms of 21 to 100 lawyers.¹³ Thus, 70% of elite law school graduates worked in medium or large-sized firms.

Outside of firm practice, 16% of all responding lawyers worked in government, and 4% reported working in public interest law and public defense.¹⁴ Looking across law school rankings, elite law school graduates represented the highest percentage of respondents working in federal government and in public

but did not have a sufficient number of responses to do so. Other researchers have been able to report data related to lawyers of color, including: AMERICAN BAR ASSOCIATION, *VISIBLE INVISIBILITY: WOMEN OF COLOR IN LAW FIRMS* (2006); AMERICAN BAR ASSOCIATION, *MILES TO GO 2000: THE PROGRESS OF MINORITIES IN THE LEGAL PROFESSION* (2004); D. Chambers, R. Lempert & T. Adams, *Michigan’s Minority Graduates in Practice: The River Runs Through Law School*, 25 *LAW & SOC. INQUIRY* 395 (2000).

⁷ AFTER THE JD: FIRST RESULTS OF A NATIONAL STUDY OF LEGAL CAREERS (2004) [hereinafter AFTER THE JD]. The study is longitudinal and will continue to follow the lawyers originally surveyed. *Id.* at 89-90. In addition to the AFTER THE JD primary report, there have been a few monographs based on the data, including GITA Z. WILDER, *WOMEN IN THE PROFESSION FINDINGS FROM THE FIRST WAVE OF THE AFTER THE JD STUDY* (2007), available at http://www.nalp.org/assets/863_ajdgendermonograph2007.pdf. The Wilder monograph provides further detail about gender-related findings from AFTER THE JD.

⁸ *Id.* at 14.

⁹ *Id.* at 19.

¹⁰ *Id.*

¹¹ *Id.* at 27.

¹² AFTER THE JD, *supra* note 7, at 27. These percentages are calculated by only looking at the number of lawyers in firm practice—about 2416 of the total 3663.

¹³ Most empirical studies define “elite” law schools as those schools ranked in the top ten by US News & World Report. After the JD followed that definition. *Id.* at 42, 44.

¹⁴ *Id.* at 27

interest.¹⁵ Finally, 9% of all respondents worked in business, a category that includes in-house counsel as well as non-legal work within a business.¹⁶

There were similar percentages of women—34%—and men—37%—working in large and medium-sized firms.¹⁷ There were slightly more men than women working as solo practitioners—6% compared to 4%—and more men than women working in small firms—30% compared to 26%.¹⁸ In contrast, there were somewhat more women than men working in government—18% compared to 14%—and more women than men working in public interest and public defense—4% compared to 2%.¹⁹

As a measure of job satisfaction, After the JD lawyers were asked about their intentions to change jobs. Some 44% reported that they intended to change jobs within two years.²⁰ Furthermore, women were significantly more likely—48%—than men—38%—to indicate that they intended to change jobs within two years.²¹ Unlike those who had actually changed jobs, solo practitioners were least likely to report that they intended to move jobs—12%, while large firm lawyers were likely to report that they intended to move firms—55%.²² As the After the JD authors note, those lawyers who had already changed jobs indicated a willingness to stay at the new job, whereas those lawyers who had yet to change jobs indicated a willingness to change.²³ The After the JD does not report on to what kinds of jobs lawyers moved. Thus, the study provides data only that newer lawyers are willing to change jobs, but does not illuminate whether there are any typical job trajectories.

The respondents were also asked to rate sixteen variables about their work, including items such as job security, value of work to society, relationships with colleagues, compensation, and level of responsibility.²⁴ Using the statistical technique of factor analysis, the authors found that the attorneys' responses to the sixteen items clustered along four dimensions:

Satisfaction with job setting—which included items such as recognition at work, relationships with colleagues and control over work,

Satisfaction with substance of work—which included items like intellectual

¹⁵ *Id.* at 44. The percentages of respondents working in federal government sorted by law school rankings are fairly similar for the top twenty schools—7% for schools ranked in the top ten versus 5% for schools ranked 11-20. It is unlikely that the differences are statistically significant between those schools.

¹⁶ *Id.* at 27.

¹⁷ AFTER THE JD, *supra* note 7, at 59.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.* at 53.

²¹ *Id.* at 58.

²² AFTER THE JD, *supra* note 7, at 53, 54.

²³ *Id.*

²⁴ *Id.* at 49.

challenge,

Satisfaction with social value of work—which included items like value of work to society,

Satisfaction with power track—which included compensation and opportunities for advancement.²⁵

The four satisfaction dimensions were correlated. Attorneys who were satisfied with their job settings, were also satisfied with the substance of their work and the social value of their work.²⁶ However, those attorneys satisfied with the power track were likely to be dissatisfied with the other three dimensions.²⁷ Those correlations were specific to job settings. In particular, attorneys at large firms were satisfied with the power track, but dissatisfied with job setting and substance of work.²⁸ In contrast, but not surprisingly, lawyers in public interest and public defense were dissatisfied with power track, but satisfied with job setting, substance of work and social value of work.²⁹

The After the JD study also found gender differences in relation to the four satisfaction dimensions. In particular, women were less satisfied than men on three dimensions: job setting, social value of work, and power track.³⁰ They were more satisfied than men with the substance of their work.³¹

B. Chicago Lawyers

Chicago lawyers have provided a wealth of information about the legal profession and its changes over time. They have been studied in depth twice by an overlapping team of researchers—once in 1975³² and again in 1995.³³ While the 1975 study provides an interesting historical snapshot, the 1995 study provides data that is more comparable to our study. The 1995 study included slightly less than 800 Chicago attorneys, ranging in age from under thirty-five years to over sixty-five years old. Most of the respondents graduated from law school in the 1970's and onward.³⁴

Chicago lawyers ranked various kinds of legal careers as having different

²⁵ *Id.* at 47, 49.

²⁶ *Id.* at 48.

²⁷ *Id.*

²⁸ AFTER THE JD, *supra* note 7, at 50.

²⁹ *Id.*

³⁰ *Id.* at 58.

³¹ *Id.*

³² JOHN P. HEINZ & EDWARD O. LAUMANN, CHICAGO LAWYERS: THE SOCIAL STRUCTURE OF THE BAR, (1992).

³³ JOHN HEINZ ET AL., URBAN LAWYERS: THE NEW SOCIAL STRUCTURE OF THE BAR (2005) [hereinafter URBAN LAWYERS]. Subsets of the 1995 data also have been reported independently of URBAN LAWYERS; see also Kathleen E. Hull & Robert L. Nelson, *Assimilation, Choice, or Constraint? Testing Theories of Gender Differences in the Careers of Lawyers*, 79 SOCIAL FORCES 229 (2000).

³⁴ URBAN LAWYERS, *supra* note 33, at 23.

levels of prestige. More particularly, the lawyers reported that large to very large firms—more than 100 lawyers—carried the most prestige, followed by medium-size firms—40 to 100 lawyers, in-house counsel, federal government, state government and small firms, solo practice, and local government, with public defender/legal services having the least prestige.³⁵ Furthermore, lawyers who graduated from the higher-ranked law schools in the Chicago area—University of Chicago and Northwestern University—were more likely to practice at a large firm than were graduates of the lower-ranked area schools—such as De Paul University.³⁶ Graduates of the lower-ranked schools were overrepresented in solo practice and small firms.³⁷

In terms of gender representation by type of legal job, at the start of their careers women and men worked in roughly equal proportions at large firms—25.5% for women compared to 24.2% for men—while men worked as solo practitioners or in small and medium-sized firms at a higher proportion than women—49.3% for men compared to 36.6% for women.³⁸ At the start of their careers, women were substantially more likely than men to work as government employees, in public interest, or in academia.³⁹

There were no overall patterns of job trajectories for lawyers as they changed jobs, except that lawyers were unlikely to move between “spheres.” Roughly 79% of respondents who started in private practice, stayed in private practice, even though they might have moved between firms.⁴⁰ Similarly, government lawyers were unlikely to move into large firms, and any movement that did occur generally was by a federal government lawyer moving to a large firm.⁴¹ Furthermore, solo and small firm lawyers generally did not move into large firms and vice versa.⁴² Thus, there was little movement within broad spheres, such as private practice to government, and also little movement between sub-spheres, such as solo practice to firm practice. There were also some gender differences in job trajectories. More women than men left law firms of all sizes and moved into in-house counsel and non-legal positions.⁴³ More men left government work than women.⁴⁴

Chicago lawyers reported overall ratings on their job satisfaction and reported about particular job qualities. Overall, 84% of the surveyed lawyers said that they were “satisfied” or “very satisfied” with their jobs.⁴⁵ Women and men were

³⁵ *Id.* at 97.

³⁶ *Id.* at 57-58.

³⁷ *Id.* at 58.

³⁸ Hull & Nelson, *supra* note 33, at 239-240.

³⁹ *Id.* at 241-242.

⁴⁰ *Id.* at 143.

⁴¹ *Id.* at 145-146.

⁴² *Id.* at 245.

⁴³ Hull & Nelson, *supra* note 33, at 239-240.

⁴⁴ *Id.* at 239-241.

⁴⁵ *Id.* at 257, 266.

equally likely to be “very satisfied.”⁴⁶ No lawyers aged fifty-five or older reported being dissatisfied, but 6% of lawyers aged thirty-five years or younger were dissatisfied, and 11% of those aged thirty-six to forty-five were dissatisfied.⁴⁷ Unsurprisingly, a dissatisfied lawyer is not likely to continue to practice.

Job satisfaction for Chicago lawyers also varied somewhat by practice setting, with large firms having the lowest number of “very satisfied” respondents—37%—while also having low numbers of “dissatisfied” and “very dissatisfied” lawyers—1% each—leading the authors to conclude that large firm lawyers are moderately satisfied.⁴⁸ In contrast, solo practitioners, small firm lawyers, and government lawyers had similar percentages of those who were “dissatisfied” and “very dissatisfied”—with cumulative percents ranging from 9 to 11%.⁴⁹ Public interest lawyers were the most likely to be very satisfied—60%.⁵⁰ Those working as in-house counsel were midway between firm lawyers and public interest lawyers with 50% being very satisfied.⁵¹

In terms of specific job characteristics, Chicago lawyers were likely to be satisfied with their jobs if they had autonomy over issues, such as selecting their clients, designing their legal strategies, and day-to-day independence.⁵² Satisfied lawyers also reported that their area of the law regularly had new developments and that the area required the particular skills of a lawyer rather than that of an educated lay person.⁵³ Female lawyers—who, recall, were equally likely as men to be satisfied with their jobs—reported less autonomy than did male lawyers.

There were further gender differences along six other job characteristics. Women were more satisfied than men with their relationships with colleagues.⁵⁴ However, men were more satisfied than women with their: level of responsibility, amount of recognition for work, chances for advancement, employer policies and administration, and salary.⁵⁵ There were also gender differences on factors related to conflicts between work demands and personal life. In particular, women with children were more likely than men with children to say that there had been conflicts between their career responsibilities and other personal priorities.⁵⁶ There were no gender differences on the work/personal life conflict measures between women and men without children—in other words, those men and women

⁴⁶ *Id.* at 260.

⁴⁷ *Id.*

⁴⁸ Hull & Nelson, *supra* note 33, at 260.

⁴⁹ *Id.* at 261.

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² *Id.* at 267.

⁵³ Hull & Nelson, *supra* note 33, at 267.

⁵⁴ *Id.* at 262.

⁵⁵ *Id.*

⁵⁶ *Id.* at 264-265.

perceived equal levels of conflict, not that they perceived no conflict at all.⁵⁷

C. Colorado Lawyers

Colorado lawyers have also provided some detailed information about job trajectories and levels of job satisfaction. In particular, in the late 1990's and again in the early 2000's, researchers looked at a sample of 100 lawyers working in law firms in Denver to determine whether there were gender differences in job trajectories and in job satisfaction. They found several differences.⁵⁸

Among the 100 Colorado lawyers, women changed jobs more than men, and 46% of the women made their first job change within the second year they had been practicing.⁵⁹ The male lawyers were most likely to have waited to make their first move until their fourth or fifth year of practice.⁶⁰ By the fifth year of practice three-quarters of the sample had changed jobs at least once.⁶¹

Among the Colorado sample, the median rate of job movement was 1.1 moves per ten years.⁶² However, more women in the sample were "high movers" than were men—they moved at a rate higher than the median compared to men.⁶³ The study did not report to what kinds of jobs the 100 lawyers moved.⁶⁴

The 100 Colorado firm lawyers were also asked how satisfied they were at their jobs. The lawyers reported high levels of overall satisfaction, but women and men differed on certain specific measures of job satisfaction.⁶⁵ Of seventeen specific measures of job satisfaction, women were less satisfied than men with their compensation and their opportunities for advancement, but women and men were

⁵⁷ *Id.* at 265.

⁵⁸ Denver lawyers were studied in a multi-phase project. The project included economic surveys in 1993 and 2000, interviews of a selected sample of lawyers in 1996 and 1998, and a mapping of job trajectories of a sample of lawyers compared from 1996 to 1997. See Nancy J. Reichman & Joyce S. Sterling, *Recasting the Brass Ring: Deconstructing and Reconstructing Workplace Opportunities for Women Lawyers*, 29 CAP. U. L. REV. 923 (2002) [hereinafter Brass Ring]; see also, Nancy J. Reichman & Joyce S. Sterling, *Sticky Floors, Broken Steps, and Concrete Ceilings in Legal Careers*, 14 TEX. WOMEN & L. 27 (2004) [hereinafter Sticky Floors].

⁵⁹ Sticky Floors, *supra* note 58, at 50-51.

⁶⁰ *Id.* at 51.

⁶¹ *Id.*

⁶² *Id.* Reporting that 53% of women were high movers compared with 41% of men. In Brass Ring, the statistics were slightly different: 35% of women were high movers compared with 15% of men. Brass Ring, *supra* note 58, at 976 (Table 3).

⁶³ Brass Ring, *supra* note 58, at 976.

⁶⁴ Since the 100 lawyers were all in firms, one might reasonably assume that many moves had, at least, been from one private practice setting to another. Brass Ring also looked at Denver firm lawyers listed in Martindale-Hubbell in 1996 and then again in 1997 to track job moves. *Id.* at 928-30. The Martindale-Hubbell data showed that of those firm lawyers who had changed jobs from 1996 to 1997, more women than men had made a downward move—meaning a move from partner to associate. *Id.* at 929.

⁶⁵ Sticky Floors, *supra* note 58, at 46. The study does not report the percentage of attorneys who reported that they were highly satisfied.

equally satisfied with the remaining measures.⁶⁶ In interviews with the lawyers, both women and men noted that they faced conflicts between work demands and personal responsibilities.⁶⁷ The study did not quantify these interviews in any way.

D. Associates at U.S. Law Firms

In 2003, NALP reported on its survey of a nationwide sample of law firms regarding associate retention for the period of 1998 to 2003.⁶⁸ The eighty-four participating firms represented all geographic regions of the United States and were fairly evenly divided between very large firms—more than 500 attorneys,—large firms—251 to 500 attorneys,—and medium firms—250 or fewer attorneys.⁶⁹ The firms were asked about rates of associate retention, demographics of those associates who left, information about leaving associates' next jobs, and firm-assessed reasons for an associate's departure.⁷⁰ The study did not collect quantitative data from associates on their assessed reason for leaving.⁷¹ The survey looked at both new hires—i.e. attorneys entering the firm job market following graduation from law school—and lateral hires.⁷²

For both new hires and laterals, the most common destination for their next jobs was another law firm. In particular, 42% of new hires and 34.5% of laterals remained in law firm practice when they changed jobs.⁷³ For new hires who changed jobs, but did not go to another law firm, the next most likely destination was a legal position in government—12.1%.⁷⁴ For lateral hires, the next most likely destination was a legal job in business—13.7%.⁷⁵

⁶⁶ *Id.* at 46-47. The study does not list all seventeen measures, thus it is unclear what the remaining fifteen specific factors were. The study lists only three of those factors: tasks performed, intellectual challenge, and satisfaction with relationships at work. On none of those measures were there statistically significant differences between women and men, although the authors note a "trend" of women being less satisfied with relationships at work. *Id.* at 47. Because the "trend" is not statistically significant, one should be very cautious in giving weight to it.

⁶⁷ *Id.* at 48.

⁶⁸ NALP, KEEPING THE KEEPERS II: MOBILITY AND MANAGEMENT OF ASSOCIATES (2003), available at: <http://www.nalpfoundation.org/webmodules/articles/annviewer.asp?a=89> [hereinafter KEEPING THE KEEPERS II].

⁶⁹ *Id.* at 119.

⁷⁰ *Id.* at 121-22.

⁷¹ *Id.* at 7-8. The study included associate focus groups, so there are some anecdotal reports from associates about their reasons for leaving.

⁷² *Id.* at 11.

⁷³ KEEPING THE KEEPERS II, *supra* note 68, at 80. Note that there was no data about departure destinations for almost one third of the new hires and no dates for slightly more than 40% of laterals. Because so much data is missing, one should be cautious about interpreting patterns of job changes.

⁷⁴ *Id.*

⁷⁵ *Id.*

E. U.S. Lawyers From Elite Law Schools

In 2001, the nonprofit research organization, Catalyst, surveyed graduates from five elite law schools: Columbia University, University of California-Berkeley, Harvard University, University of Michigan, and Yale University.⁷⁶ Catalyst's survey sampled graduates from the five schools' classes of 1970 through 1999, and 24%, or around 1400 lawyers, responded.⁷⁷ Of the respondents, 35% were men and 65% were women.⁷⁸

Catalyst found that about 70% of elite law school graduates in its sample entered law firm practice, with a third of that group going to firms with over 300 lawyers, another quarter to firms of 150 to 300 lawyers, and the remainder to firms with under 150 lawyers.⁷⁹ At the time of the survey, 40% of the respondents said their current job was in a law firm.⁸⁰ However, there were gender differences by cohort. For example, for 1970's graduates, at the time of the survey, 52% of the men worked in firms, compared with 30% of the women.⁸¹ For the 1980's cohort, 43% of the men worked in firms as did 35% of the women.⁸² For the 1990's graduates, 56% of the men were working in firms as were 51% of the women.⁸³ Thus, over time, women had left firm practice in greater numbers than had men. Finally, as of the time of the survey, about 55% of the men working in law firms were partners, whereas 33% of the women in firms were partners.⁸⁴

While many of the Catalyst respondents worked in firms, there were contingents working as in-house counsel, in government, in the nonprofit sector and in academia. As of the time of the survey, roughly 15% of the respondents worked as in-house counsel.⁸⁵ Those respondents were distributed relatively evenly over the three cohorts with slightly lower numbers from Cohort 3—1990 to 1999.⁸⁶ There were more women—75 respondents—than men—42 respondents.⁸⁷ Furthermore, 55% of the men were corporate general counsel, while 34% of the women were general counsel.⁸⁸ Thus, female in-house counsel were more likely than males to hold subordinate positions such as senior staff attorney, staff

⁷⁶ CATALYST, WOMEN IN THE LAW: MAKING THE CASE (2001), available at http://www.catalystwomen.org/knowledge/titles/title.php?page=lead_wlmcake_01. [hereinafter Catalyst Study].

⁷⁷ *Id.* at 10.

⁷⁸ *Id.* at 11.

⁷⁹ *Id.* at 29.

⁸⁰ *Id.*

⁸¹ Catalyst Study, *supra* note 76, at 30.

⁸² *Id.*

⁸³ *Id.* .

⁸⁴ *Id.* at 32.

⁸⁵ *Id.* at 48.

⁸⁶ Catalyst Study, *supra* note 76., at 48.

⁸⁷ *Id.*

⁸⁸ *Id.* at 49. .

attorney, or assistant general counsel.⁸⁹ For government, nonprofit, and academic settings, Catalyst reported only the number of women working in those fields and not the number of men.⁹⁰

Like After the JD, as a measure of job satisfaction, Catalyst asked respondents how many years they planned to stay with their current employers. Across all types of legal jobs, women said they intended to stay with their current employers three years less than men did.⁹¹ That same finding was true for women in firms—both female partners and female associates estimated that they would stay with their firm three years less than their male counterparts.⁹² In contrast, female in-house counsel positions intended to stay with their current employer an average of two years more than their male counterparts.⁹³

In addition to looking at job satisfaction as measured by eagerness to leave, Catalyst also measured overall job satisfaction and satisfaction with specific factors. Overall, for respondents in firms, 55% of women were highly satisfied with their employers compared to 67% of men.⁹⁴ Female associates were the least likely to be highly satisfied—51%—while male partners and associates were equally likely to be highly satisfied—68%.⁹⁵ Female partners were in the middle, with 64% highly satisfied with their firms.⁹⁶

For respondents working as in-house counsel, there was no significant difference in the number of women—55%—and men—64%—who were highly satisfied with their employers.⁹⁷ Of women working in government, 65% were highly satisfied with their employers.⁹⁸ Similarly, 60% of women working in nonprofit and 57% of women in academia were highly satisfied with their employers.⁹⁹

Respondents were asked to rank specific sources of satisfaction, including: compensation, immediate supervision, control over work, accessibility of leadership, professional development, advancement, influence in decision-making, performance evaluations, recognition for good work, and mentor availability.¹⁰⁰ For respondents in firms, men and women were highly satisfied with compensation,

⁸⁹ *Id.*

⁹⁰ *Id.* at 58.

⁹¹ Catalyst Study, *supra* note 76, at 31.

⁹² *Id.*

⁹³ *Id.* at 50.

⁹⁴ *Id.* at 34.

⁹⁵ *Id.*

⁹⁶ Catalyst Study, *supra* note 76, at 34.

⁹⁷ *Id.* at 50. The Report goes on to say that twice as many women as men said they were not very satisfied with their employer. However, the Report does not indicate that the finding was statistically significant. Thus, it appears that the difference in reporting between men and women is just as likely to be random.

⁹⁸ *Id.* at 59.

⁹⁹ *Id.*

¹⁰⁰ *Id.* at 34-35, 50, 51.

immediate supervision, and accessibility of leadership.¹⁰¹ Both included control over work and professional development in their top five sources of satisfaction, but on each measure men were more satisfied than women.¹⁰² All law firm respondents were least satisfied with performance evaluations.¹⁰³

Respondents working as in-house counsel had a slightly different list of top five sources of satisfaction compared to their law firm counterparts. In-house counsel reported that they were highly satisfied with control over work, accessibility of leadership, recognition for good work, immediate supervisor, and influence in decision-making.¹⁰⁴ All in-house counsel respondents were the most dissatisfied with mentor availability.¹⁰⁵ The report does not include any information on the top five sources of job satisfaction for respondents working in government, nonprofits, and academia.

As seen above, in no setting did respondents' top five list of sources of satisfaction include opportunities for advancement. However, there were significant gender differences for those working in law firms and as in-house counsel. In particular, 45% of women in firms were highly satisfied with their opportunities to advance, whereas 59% of law firm men were highly satisfied.¹⁰⁶ Looking solely at associates, only 38% of women associates were highly satisfied with opportunities to advance compared to 51% of their male counterparts.¹⁰⁷ For corporate settings, only 26% of female in-house counsel were satisfied with their opportunities to advance compared to 47% of male in-house counsel.¹⁰⁸ It is not clear what the percentages would be if those who were already general counsel were to be excluded. In other words, if one looked only at junior in-house counsel, it is unknown whether there was a gender difference in the percentage of junior respondents who were highly satisfied with their opportunity to advance.

The final relevant area of the Catalyst survey relates to respondents' reports on whether they had difficulty balancing work responsibilities with personal responsibilities. For firm lawyers, the great majority—over 70%—agreed that it was difficult to balance work demands with personal responsibilities.¹⁰⁹ There were no gender differences nor differences between partners and associates. Furthermore, firm lawyers agreed that the conflict came first because of the fast pace of work, the high workload, client demands, and secondarily because of

¹⁰¹ Catalyst Study, *supra* note 76, at 34.

¹⁰² *Id.* at 76.

¹⁰³ *Id.* at 35.

¹⁰⁴ *Id.* at 50.

¹⁰⁵ *Id.* at 51.

¹⁰⁶ Catalyst Study, *supra* note 76, at 51.

¹⁰⁷ *Id.* at 35.

¹⁰⁸ *Id.* at 51.

¹⁰⁹ *Id.* at 40.

pressure to bill.¹¹⁰ Female and male lawyers agreed that their ability to control work hours helped them manage conflict between work and personal life.¹¹¹ Women with children were more likely than any others to report that a reduced work schedule helped them manage conflict.¹¹²

Similarly, for in-house counsel, the majority—slightly over 60%—reported that it was difficult to balance work demands and personal responsibilities.¹¹³ There were no gender differences in reported conflict. Women and men identified similar reasons for the conflict: excessive workload, fast turnaround, client-related demands, and face time—a reason not identified by firm lawyers.¹¹⁴ However, women were more likely than men to have said that fast turnaround times were responsible for conflict.¹¹⁵ As with firm lawyers, in-house counsel said that their ability to control their work hours and schedules helped them to manage conflict.¹¹⁶ Similarly, female in-house counsel with children were more likely than any others to report that a reduced work schedule helped them manage conflict.¹¹⁷

Finally, for government, academic, and nonprofit work, the Catalyst study reports only women's responses on whether they experienced conflict between work demands and personal life: 59% of women in government, 66% in academia, and 57% in nonprofit reported conflict.¹¹⁸ The study provides no information on how those levels compare with male counterparts nor on the sources of conflict or solutions to it.

F. Common Results Across Studies

1. Where Lawyers Work

The Chicago, Catalyst, and After the JD studies all found that most lawyers work in private practice and that most graduates of elite law schools work in larger firms. Furthermore, Chicago, Catalyst and After the JD confirmed that in the largest firms, women and men enter in roughly the same numbers. The Chicago and After the JD studies both found that women were overrepresented in government settings and in public interest/public defense. The After the JD study also suggested that compared to graduates of schools ranked outside the top twenty,

¹¹⁰ *Id.* Note that the Catalyst Study did not report on the average number of hours worked by its sample of attorneys. Thus, there is no quantitative measure of the amount of time attorneys may have felt pressured to work.

¹¹¹ Catalyst Study, *supra* note 76, at 40-41.

¹¹² *Id.* at 41.

¹¹³ *Id.* at 54.

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ Catalyst Study, *supra* note 76, at 55.

¹¹⁷ *Id.* at 55.

¹¹⁸ *Id.* at 61.

elite law school graduates were overrepresented in federal government and public interest.

2. Job Satisfaction

Four of the studies looked quantitatively at job satisfaction—all but Keeping the Keepers. The Chicago study asked lawyers to rate their overall satisfaction with their jobs, and found that a large majority of lawyers were satisfied or very satisfied. The study found no gender difference for overall job satisfaction.

Looking at satisfaction by job setting, Chicago and Catalyst found that law firm lawyers had the lowest percentage of members who were very satisfied with their job. Catalyst found that female associates were significantly less likely to be very satisfied than male associates or male and female partners. In contrast to firm lawyers, public interest lawyers were happy overall. The Chicago study found that public interest lawyers were the most likely to be very satisfied, and Catalyst, reporting only on women respondents, found that a good majority of its public interest lawyers were highly satisfied. Finally, the Chicago and Catalyst studies both found that half to slightly more than half of in-house counsel reported being very satisfied with their jobs.

In terms of specific job characteristics, each of the studies gathered its data in slightly different fashions. Thus, it is hard to match results exactly, but there were some common motifs. For example, many lawyers across jobs like their colleagues. The majority of Colorado lawyers reported being satisfied with work relationships,¹¹⁹ and both Chicago and After the JD lawyers had high mean levels of satisfaction.¹²⁰ Nonetheless, Chicago women lawyers were more satisfied than their male counterparts with relationships with colleagues, while the After the JD women were less satisfied than After the JD men.¹²¹

Autonomy was also important to lawyers across settings. Chicago lawyers were more likely to be satisfied with their jobs if they had significant autonomy and Catalyst lawyers included various measures of control over work in their top five sources of job satisfaction. Nonetheless, in both studies men reported having more control than did women.¹²²

¹¹⁹ Sticky Floors, *supra* note 58, at 47.

¹²⁰ Urban Lawyers, *supra* note 33, at 263; AFTER THE JD, *supra* note 7, at 49.

¹²¹ Recall that in AFTER THE JD, the researchers performed a factor analysis on the specific job characteristics and “relationships with colleagues” was one component of the “Satisfaction with Job Setting” factor. Women were less satisfied than men on the job setting factor, but there is no measure given that is solely for “relationships with colleagues.”

¹²² “Control over work” was another specific characteristic included in the AFTER THE JD factor of “Satisfaction with Job Setting.” Thus, it may be that the AFTER THE JD men also have more autonomy over their work than do AFTER THE JD women. Again, since there are no individual measures for the specific characteristic, one cannot say for certain.

In terms of external factors, men were more satisfied than women with opportunities for advancement across all job settings. Men in the Chicago, Colorado, and After the JD studies were also more satisfied with their compensation than were women.

3. Balancing Work Obligations and Other Activities and Responsibilities

Finally, lawyers across all studies report trouble balancing the demands of work with responsibilities in their personal lives. According to the Catalyst study, that difficulty appears to be more pronounced for lawyers in firms. Further, women with children appear to experience the highest levels of conflict, while women and men without children experience conflict at similar levels.

III. THE CURRENT STUDY: METHODOLOGY AND RESULTS

A. Methodology, Survey Content, and Basic Descriptives of the Sample

In July of 2002, we sent our survey to a random sample of Yale Law School graduates from the classes of 1970 to 1999. We surveyed a total of 2808 graduates, equally distributed between ten-year age cohorts—i.e., Cohort 1 = 1970 to 1979, Cohort 2 = 1980 to 1989, and Cohort 3 = 1990 to 1999. In order to ensure a large enough sample size for women in the first cohort, we sampled 100% of women who graduated from 1970 to 1979. We also sampled 100% of graduates of color from all cohorts, although we knew at the outset that even if all graduates of color responded, it would remain challenging to have a sufficient sample size for our statistical analyses.¹²³

Along with the paper survey, recipients were offered a choice of completing the survey online. Over the course of approximately nine months after the surveys were mailed, those recipients who had not returned their surveys were contacted at least twice. Ultimately, we received 665 responses, for a 24% response rate—which is consistent with most studies of this type.¹²⁴ Respondents were fairly equally divided as to gender: 357 women—53.7%—and 307 men—46.2%—responded. The largest racial/ethnic group represented in the sample was Whites—70%.¹²⁵

The survey instrument included five general sections. The first inquired about basic demographic and socioeconomic information. The second focused on

¹²³ As we have noted earlier, our concern proved true. We did not have a sufficient number of respondents of color to be able to analyze any data by race/ethnicity.

¹²⁴ Our response rate is consistent with response rates in some of the other studies we highlighted previously, such as the Catalyst Study.

¹²⁵ The remaining groups were represented as follows: Black—12%, Asian—9%, Hispanic/Latino—4%, American Indian—1%. Five percent of respondents chose not to disclose their race/ethnicity.

various aspects of the respondent's law school experience. The third was a "job grid" in which respondents were asked to provide information for their first non-clerkship job after graduation and for up to four subsequent jobs—for a total of five jobs. For each job, respondents were asked to report the type of job, their seniority level at that job, the average number of hours they worked each week at the job, how much they liked the job using a seven-point Likert scale,¹²⁶ the primary reason they left the job, their partnered status at the time of the job, and the number of dependents they had while at the job.

The fourth section of the survey focused on specific characteristics of work environments. Using a seven-point Likert scale, respondents were asked to rate twenty-nine particular work characteristics and to rate how important the characteristic was to them and how true the characteristic was about the job. Respondents were asked to complete the twenty-nine-factor list for the job at which they were the happiest, the job at which they stayed the longest, and for their career overall.

The final section of the survey asked a series of questions about income levels and about how much time respondents currently spent on a list of non-work related responsibilities, including tasks such as preparing meals, household cleaning or maintenance, household errands, household finances, child care or family care, recreation, or other social activities. Respondents were also asked whether they currently hired anyone to help with those same tasks. Finally, respondents were asked how satisfied they were with their decision to pursue law, how satisfied they were currently with their careers, and how satisfied they were with their careers overall.

B. Results Related to Three Themes

1. Where Graduates Start Their Legal Careers

The distribution of law graduates in this study across types of legal jobs is similar to the distributions found in other studies. As with the other studies, a substantial portion of graduates went into private firm practice after they graduated or after court clerkships. Specifically, 54.6% of graduates worked at a law firm upon graduation—with 28.7% at small to medium firms of up to 200 lawyers and 25.9% at large firms of more than 200 lawyers. In contrast to the notable percentage of graduates who went into private practice for their first jobs, 9.6% of respondents worked in government, 9.4% worked in public interest/public defense, 4.4% worked in academia, and 1.6% worked as prosecutors or as in-house counsel.

¹²⁶ A Likert scale is a common psychometric scale used in survey research. A seven-point Likert scale runs from one to seven with each end representing the opposite end of a spectrum. For example, the seven-point Likert scale for job liking defined "1" as "dislike" and "7" as "like very much."

Table 1 shows the percentages of respondents in each job category over the course of up to five job changes.¹²⁷

TABLE 1: DISTRIBUTION OF YALE LAW SCHOOL GRADUATES BY TYPE OF JOB ACROSS NUMBER OF JOBS

TYPE OF JOB	Job 1 % (n)	Job 2 % (n)	Job 3 % (n)	Job 4 % (n)	Job 5 % (n)
Solo Practitioner	0.9 (5)	3.2 (16)	4.7 (17)	6.1 (15)	5.7 (7)
Small/Medium Firm	28.7 (162)	22.3 (112)	22 (80)	17.2 (42)	19.5 (24)
Large Firm	25.9 (146)	16.1 (81)	8.8 (32)	10.7 (26)	5.7 (7)
In-House Counsel	1.6 (9)	7.0 (35)	8.3 (30)	9.0 (22)	11.4 (14)
Prosecutor	1.6 (9)	3.8 (19)	3.6 (13)	2.0 (5)	2.4 (3)
Public Interest/Public Defense	9.4 (53)	11.8 (59)	10.5 (38)	7.8 (19)	6.5 (8)
Judiciary	14.5 (82)	5.6 (28)	2.8 (10)	1.6 (4)	6.5 (8)
Government	9.6 (54)	11.2 (56)	16.3 (59)	18.9 (46)	17.1 (21)
Academia	4.4 (25)	11.4 (57)	11.8 (43)	12.7 (31)	9.8 (12)
Other*	3.4 (19)	7.8 (39)	10.7 (39)	13.9 (34)	15.4 (19)
TOTAL	100 (560)	100 (498)	100 (367)	100 (249)	100 (129)

In Table 1, “Other” includes non-legal corporate jobs, owners of non-legal business, non-legal political work, and full-time caregivers. Each of those categories ranged in percent from less than 1% to no more than 3% of respondents at any job number. Across all number of jobs—1 to 5—there were twenty-one

¹²⁷ Note that 14.5% of respondents said that their first job was in the judiciary. The survey instructions explicitly asked respondents not to include a judicial clerkship as their first job, as the “judiciary” category was intended to cover those people who worked in the judiciary as a career. One would not expect such a high percent of graduates to have their first career job in the judiciary. Thus, we believe this figure is inaccurate and that many of the respondents included in this category were erroneously reporting about judicial clerkships.

women and fourteen men who reported that they were full-time caregivers. For each job number, there were both women and men acting as full-time caregivers. In other words, at no time were there only women or only men acting as full-time caregivers.

As they entered the legal job market, women and men respondents selected particular jobs in similar proportions, and in patterns consistent with the overall distribution discussed above. There were no meaningful differences between women and men entering firm practice—53.3% of women and 56.8% of men—public interest/public defense—9.5% each—and government—9.1% of women and 9.9% of men. Furthermore, there were no significant gender differences in the distribution of women and men across different types of jobs, over the course of job changes. Table 2 shows the distribution of women and men in each job category over the course of five job changes. In an upcoming section, we discuss in more detail the patterns related to job changes after the first job.

TABLE 2: DISTRIBUTION OF YALE LAW SCHOOL GRADUATES BY TYPE OF JOB AND GENDER ACROSS A NUMBER OF JOBS

TYPE OF JOB	Job 1				Job 2			
	Female %	<i>n</i>	Male %	<i>n</i>	Female %	<i>n</i>	Male %	<i>n</i>
Solo Practitioner	0.6	2	1.2	3	3.6	10	2.2	5
Small/Medium Firm	29.1	89	28.4	72	22.3	61	22.4	50
Large Firm	24.2	74	28.4	72	15.7	43	17	38
In-House Counsel	0.6	2	2.8	7	5.5	15	9	20
Prosecutor	2	6	1.2	3	4.4	12	3.1	7
Public Interest Public Defense	9.5	29	9.5	24	13.1	36	10.3	23
Judiciary	15.3	47	13.8	35	6.2	17	4.9	11
Government	9.1	28	9.9	25	10.9	30	11.6	26
Academia	6.2	19	2.4	6	12.4	34	11.6	26
Other*	3.3	10	2.4	6	5.8	16	7.6	17
TOTAL	99.9	306	100	253	99.9	274	99.7	223

TABLE 2 CONT'D: DISTRIBUTION OF YALE LAW SCHOOL GRADUATES BY TYPE OF JOB AND GENDER ACROSS A NUMBER OF JOBS

TYPE OF JOB	Job 3				Job 4				Job 5			
	Female %	<i>n</i>	Male %	<i>n</i>	Female %	<i>n</i>	Male %	<i>n</i>	Female %	<i>n</i>	Male %	<i>n</i>
Solo Practitioner	3	6	6.7	11	6.1	9	6.9	7	5.1	4	6	3
Small/Medium Firm	20.9	42	23	38	18.4	27	14.8	15	19	15	18	9
Large Firm	9.9	20	7.3	12	8.8	13	11.9	12	5.1	4	6	3
In-House Counsel	7.5	15	9.1	15	8.8	13	8.9	9	11.4	9	10	5
Prosecutor	3.5	7	3.6	6	2	3	2	2	2.5	2	2	1
Public Interest/Public Defense	9.9	20	10.3	17	7.5	11	6.9	7	1.3	1	14	7
Judiciary	2.5	5	3	5	2	3	1	1	8.9	7	2	1
Government	20.9	42	10.9	18	18.4	27	17.8	18	19	15	12	6
Academia	11.4	23	12.7	21	12.2	18	12.9	13	11.4	9	10	5
Other*	10.4	21	13.3	22	15.6	23	16.8	17	16.4	13	20	10
TOTAL	99.9	201	99.9	165	99.8	147	99.9	101	100.1	79	100	50

As we did in Table 1, in Table 2, “Other” includes non-legal corporate jobs, owners of non-legal business, non-legal political work, and full-time caregivers. Each of those categories ranged in percentages from less than 1% to no more than 3% of respondents at any job number. Across the five different jobs, there were twenty-one women and fourteen men who reported that they were full-time caregivers. For each job number, there were both women and men acting as full-time caregivers. In other words, at no time were there only women or only men acting as full-time caregivers.

2. Where Graduates Go When They Change Jobs

After their first jobs, a notable percentage of our respondents migrate from private practice into other areas such as academia, government, and corporate counsel. The data in Table 1 reveal that 54.6% of graduates worked at a law firm upon graduation—with 28.7% at small to medium firms of up to 200 lawyers, and 25.9% at large firms of more than 200 lawyers. By the second job, which includes

88.9% of respondents, the percentage of lawyers working in law firms declines to 38.4%—22.3% in small and medium firms and 16.1% in large firms. In other words, roughly 16% fewer respondents worked in firms as their second job. Similarly, of the 65.5% of respondents who held three jobs, only 30.8% worked in law firms—22% in small/medium firms and 8.8% in large firms. It is interesting to note that almost all of the law firm attrition by the third job is from lawyers leaving large firms and not from lawyers leaving small and medium firms.

Tables 3 and 4 show the choices that large firm and small/medium firm lawyers are making for their second jobs, respectively. If one looks at the second jobs of respondents at large firms, one sees that 40% remained in private practice with roughly half going to another large firm and the other half going to small or medium firms. Another quarter—24%—moved in equal proportions to corporate counsel and government positions. Finally, around 14% moved in equal proportions—7.2% each—to public interest/public defense and academic positions.

TABLE 3: SECOND JOB FOR THOSE WHOSE FIRST JOB WAS LARGE FIRM

TYPE OF JOB	<i>n</i>	%
Solo Practitioner	3	2.4
Small/Medium Firm	26	20.8
Large Firm	24	19.2
In-House Counsel	15	12
Prosecutor	5	4
Public Interest/Public Defense	9	7.2
Judiciary	5	4
Government	15	12
Academia	9	7.2
Other	14	11.2
TOTAL	125	100

TABLE 4: SECOND JOB FOR THOSE WHOSE FIRST JOB WAS SMALL/MEDIUM FIRM

TYPE OF JOB	<i>n</i>	%
Solo Practitioner	9	6.4
Small/Medium Firm	45	31.9
Large Firm	17	12.1
In-House Counsel	16	11.3
Prosecutor	4	2.8
Public Interest/Public Defense	10	7.1
Judiciary	7	5
Government	10	7.1
Academia	17	12
Other	6	4.3
TOTAL	141	100

Lawyers in small and medium firms have a somewhat similar pattern to large firm lawyers, with 44% remaining in private practice. However, 31.9% go to another small or medium firm, while 12.1% move to a large firm. A similar percentage of small/medium firm lawyers moved into corporate counsel positions as did large firm lawyers—11.3% compared to 12%. Small/medium firm lawyers also moved into public interest/public defense in similar percentages to large firm lawyers—7.1% compared to 7.2%. Finally, a slightly higher percentage of small/medium lawyers moved into academia than large firm lawyers—12.1% compared to 7.2%.¹²⁸

In contrast to the notable percentage of respondents who went into private practice for their first jobs, 4.4% of respondents worked in academia for their first job. By the second job, that number increased to 11.4%, and remained steady at 11.8% for the third job. It is not surprising to see the percentage rise for

¹²⁸ Since it was clear that the most prominent migration pattern from first job onward was by lawyers in firms to other job settings, we do not report on migration patterns of those lawyers starting in other job settings. Further, the numbers (*n*) are small for lawyers who started in each of the other non-firm settings and who moved, making it hard to demonstrate that any job trajectory represents a pattern.

respondents' second jobs because the common advice that graduates—especially elite law graduates—hear about academic positions is that they should “go dip their toes” into the practice of law, and move into academia after a short stay in practice.¹²⁹ It is also not surprising to see that the percentage of our respondents working in academia is as high or higher than the percentages of respondents working in other areas outside private practice given that elite law school graduates are often a notable percentage of law school entry-level hires.¹³⁰

The number of lawyers working in government jobs also increased over time. There were 9.6% of respondents who worked in government for their first jobs. That percentage increased to 11.2% by their second jobs, and 16.3% of respondents were working in government by their third jobs. Similarly, the percentage of respondents who worked in public interest or public defense began at 9.4% for first jobs, increased to 11.8% for second jobs, and held somewhat steady at 10.5% for third jobs.

Turning then to data about women's job trajectories and men's trajectories, the data show few differences in patterns. Table 2 shows the distribution of women and men, by type of job, across the number of the five jobs. Unlike other studies, our data does not show that more women than men leave private practice nor that women leave private practice sooner than men. For example, looking at respondents at their first job, 24.2% of women worked at large firms as did 28.4% of men. For respondents who had a second job, 15.7% of women worked at large firms as well as 17% of men. In other words, for women respondents, from their first job to their second, the decline of women working at a large firm was 8.5 percentage points. For men, from their first job to their second, the decline in men working at large firms was 11.4 percentage points. These two drops in firm employment among men and women are not significantly different.

Furthermore, unlike other studies, our data does not show that more women than men work in government or in public interest/public defense. Women and men were found in similar numbers across all types of jobs and across each job.

Respondents were asked to give the primary reason they left each job. Respondents could choose from seventeen reasons including: job required too many hours, spouse/partner relocated, offered a better-paying job, offered a job with better benefits, desire to work in a different substantive area of the law, desire to work at a different type of legal job, desire for geographic change, desire to be

¹²⁹ See Lawrence B. Solum, *2005-06 Report on Law School Entry Level Hiring*, available at http://lsolum.blogspot.com/archives/2006_05_01_lsolum_archive.html#114129865560132000 (last visited Mar. 19, 2008).

¹³⁰ Lawrence B. Solum, *2004-05 Report on Law School Entry Level Hiring*, available at http://lsolum.blogspot.com/archives/2005_04_01_lsolum_archive.html#111318173249256399 (last visited Mar. 19, 2008); Lawrence B. Solum, *2003-04 Report on Law School Entry Level Hiring*, available at http://lsolum.blogspot.com/archives/2004_07_01_lsolum_archive.html#108984154092353890 (last visited Mar. 19, 2008).

full-time caregiver, employer's unwillingness to accommodate request to work part-time, and lack of opportunity for advancement. Tables 5 through 7 report the reasons given for leaving the first through third jobs, with overall percentages by reason and gender percentages by reason.¹³¹

TABLE 5: REASON FOR LEAVING FIRST JOB OVERALL BY GENDER

REASON FOR LEAVING JOB	Overall %	Overall <i>n</i>
Spouse/Partner relocated	6.1	26
Job required too many hours	6.6	28
Illness/Medical reasons	0.9	4
Offered a job that paid more	9	38
Offered a job with better benefits	2.6	11
Desire for geographic change	9.9	42
Desire to work in a different substantive area of law	6.6	28
Desire to work at a different type of legal job	32.9	139
Desire to be a full-time caregiver	2.4	10
Desire to leave the field of law	5.2	22
Employer would not accommodate request to work part-time	0.7	3
Lack of opportunity for advancement	8.5	36
Did not like my supervisor	2.4	10
Did not like my work colleagues	1.6	7
Did not like my clients	0.9	4
Fired	3.3	14
Other	0.2	1
TOTAL	99.8	423

¹³¹ We have not included charts showing respondents' reasons for leaving fourth and fifth jobs as relatively few respondents had that many jobs. Recall that the average number of jobs for respondents was 2.7, thus we account for most job changes after we account for the reasons for leaving a third job.

TABLE 5 CONT'D: REASON FOR LEAVING FIRST JOB OVERALL BY GENDER

REASON FOR LEAVING JOB	Female %	<i>n</i>	Male %	<i>n</i>	Significance
Spouse/Partner relocated	6.7	16	5.4	10	—
Job required too many hours	6.7	16	6.5	12	—
Illness/Medical reasons	0.4	1	1.6	3	—
Offered a job that paid more	8.9	21	9.2	17	—
Offered a job with better benefits	2.5	6	2.7	5	—
Desire for geographic change	11	26	8.6	16	—
Desire to work in a different substantive area of law	5.5	13	8.1	15	—
Desire to work at a different type of legal job	31.2	74	34.6	64	—
Desire to be a full-time caregiver	2.9	7	1.6	3	—
Desire to leave the field of law	4.2	10	6.5	12	—
Employer would not accommodate request to work part-time	0.8	2	0.5	1	—
Lack of opportunity for advancement	8.9	21	8.1	15	—
Did not like my supervisor	2.9	7	1.6	3	—
Did not like my work colleagues	1.7	4	1.6	3	—
Did not like my clients	0.8	2	1.1	2	—
Fired	4.2	10	2.2	4	—
Other	0.4	1	0	0	—
TOTAL	99.7	237	99.9	185	

Across all job changes, the greatest number of respondents said that they left their job because of a desire to work at a different type of legal job. Specifically, 32.9% of respondents left their first jobs for that reason, 22% left their second jobs for that reason, and 22.2% left their third jobs for the same reason. No other reason garnered a percentage of respondents even close to those who left for a different type of legal job. For example, for respondents leaving their first job, the second most likely reason given was “desire for geographic change,” but only 9.9% of respondents gave that reason.

We were surprised by the above results and expected to see a more diverse set of responses and did not expect one reason to so dominate. We are not sure what explains the data, but we do make a few observations. It may be that our expectations were wrong. The data may accurately capture why graduates are changing jobs. Our respondents may be particularly interested in working at a range of legal jobs and may actively look for opportunities to try different kinds of

legal jobs. Further, while anecdotal reports of lawyers' dissatisfaction with their jobs may highlight factors such as long work hours, or dislike for clients, those factors may not cause lawyers to change jobs, even if the factors cause lawyers to like their jobs less.

On the other hand, in crafting the phrase "desire to work at a different type of job," we may have inadvertently used ambiguous language. We conceived of the phrase as capturing changes such as a move from being a litigator to being a transactional lawyer, or a move from being a lawyer in private practice to being a government lawyer. Nonetheless, respondents may have seen it as encompassing more kinds of changes.

TABLE 6: REASON FOR LEAVING SECOND JOB OVERALL BY GENDER

REASON FOR LEAVING JOB	Overall %	Overall n
Spouse/Partner relocated	8.8	30
Job required too many hours	5.6	19
Illness/Medical reasons	1.5	5
Offered a job that paid more	10	34
Offered a job with better benefits	1.2	4
Desire for geographic change	9.4	32
Desire to work in a different substantive area of law	7	24
Desire to work at a different type of legal job	22	75
Desire to be a full-time caregiver	5	17
Desire to leave the field of law	7.6	26
Employer would not accommodate request to work part-time	1.2	4
Lack of opportunity for advancement	9.7	33
Did not like supervisor	4.7	16
Did not like work colleagues	1.5	5
Did not like clients	0.3	1
Fired	4.1	14
Other	0.3	1
TOTAL	99.9	340

TABLE 6 CONT'D: REASON FOR LEAVING SECOND JOB OVERALL BY GENDER

REASON FOR LEAVING JOB	Female %	<i>n</i>	Male %	<i>n</i>	Significance
Spouse/Partner relocated	12.9	25	3.4	5	p<.001
Job required too many hours	4.1	8	7.6	11	—
Illness/Medical reasons	1	2	2.1	3	—
Offered a job that paid more	6.7	13	14.5	21	—
Offered a job with better benefits	2.1	4	0	0	—
Desire for geographic change	8.2	16	10.3	15	—
Desire to work in a different substantive area of law	9.3	18	4.1	6	p<.01
Desire to work at a different type of legal job	21.6	42	22.7	33	—
Desire to be a full-time caregiver	5.7	11	4.1	6	—
Desire to leave the field of law	6.2	12	9.6	14	—
Employer would not accommodate request to work part-time	1	2	1.4	2	—
Lack of opportunity for advancement	9.8	19	9.6	14	—
Did not like supervisor	5.1	10	4.1	6	—
Did not like work colleagues	1	2	2.1	3	—
Did not like clients	0	0	0.7	1	—
Fired	5.1	10	2.7	4	—
Other	0	0	0.7	1	—
TOTAL	99.8	194	99.7	145	

For example, we know that 19% of our respondents who started in a large law firm changed jobs by moving to another large law firm. Respondents reasonably could have understood “different type of job” to have meant moving from one large law firm to another even though they continued to do the same kind of lawyering work at both firms—i.e., litigation to litigation. Because we did not give respondents a reason along the lines of “desire for a different practice setting, while maintaining the same kind of lawyering,” respondents would have likely chosen “different type of legal job” as most accurately reflecting such a job change. Thus, one possible explanation for “different type of legal job” as the dominant reason people gave for leaving a job is that the reason actually encompasses several different, but related, rationales.

We did find a few gender differences, but not until respondents were leaving a second job. There were no gender differences in reasons that women and men

gave for leaving their first job. When leaving a second job, the dominant reason for both women and men remained “desire for a different type of job.” However, among the 8.8% of respondents who left their second job because a spouse or partner relocated, there were significantly more women than men in that group. Further, of the 7% of respondents who left their second job to “work in a different substantive area of law,” there were significantly more women than men.

TABLE 7: REASON FOR LEAVING THIRD JOB OVERALL AND BY GENDER

REASON FOR LEAVING JOB	Overall %	Overall <i>n</i>
Spouse/Partner relocated	8.3	19
Job required too many hours	4.3	10
Illness/Medical reasons	2.2	5
Offered a job that paid more	13.9	32
Offered a job with better benefits	3.9	9
Desire for geographic change	3.5	8
Desire to work in a different substantive area of law	5.6	13
Desire to work at a different type of legal job	22.2	51
Desire to be a full-time caregiver	6.5	15
Desire to leave the field of law	6.5	15
Employer would not accommodate request to work part-time	2.2	5
Lack of opportunity for advancement	8.7	20
Did not like supervisor	4.8	11
Did not like work colleagues	1.7	4
Did not like clients	0	0
Fired	4.3	10
Other	1.3	3
TOTAL	99.9	230

TABLE 7 CONT'D: REASON FOR LEAVING THIRD JOB OVERALL AND BY GENDER

REASON FOR LEAVING JOB	Female %	<i>n</i>	Male %	<i>n</i>	Significance
Spouse/Partner relocated	6.4	9	11.1	10	—
Job required too many hours	2.9	4	6.7	6	—
Illness/Medical reasons	2.1	3	2.2	2	—
Offered a job that paid more	15	21	12.2	11	—
Offered a job with better benefits	3.6	5	4.4	4	—
Desire for geographic change	2.9	4	4.4	4	—
Desire to work in a different substantive area of law	6.4	9	4.4	4	—
Desire to work at a different type of legal job	26.4	37	15.5	14	p<.001
Desire to be a full-time caregiver	7.1	10	5.5	5	—
Desire to leave the field of law	5.7	8	7.8	7	—
Employer would not accommodate request to work part-time	3.6	5	0	0	—
Lack of opportunity for advancement	5.7	8	13.3	12	—
Did not like supervisor	4.3	6	5.5	5	—
Did not like work colleagues	2.1	3	1.1	1	—
Did not like clients	0	0	0	0	—
Fired	4.3	6	4.4	4	—
Other	1.4	2	1.1	1	—
TOTAL	99.9	140	99.6	90	

Our finding that there are more women than men in the small group of people who change jobs because a partner or spouse relocates is consistent with anecdotal reports. Nonetheless, we highlight the relatively small percentage of respondents who left jobs to accommodate a spouse or partner who was relocating. We take that small percentage as a positive indicator that most respondents in committed relationships are not starting from the proposition that one partner's career takes priority and the other partner is presumed to be mobile. Instead it appears that many respondents are starting from a proposition that career planning is a joint venture in which both partners' careers are to be taken into consideration.

We do want to focus on the data about whether graduates report that they are taking time off to be full-time caregivers. On the job grid, there were two places where respondents could indicate that they were acting as full-time caregivers. They could report that they were leaving a job because of their desire to be a full-

time caregiver or they could report “full-time caregiver” as a job they held. For example, a person could report leaving from a first job because of a desire to be a full-time caregiver and then report working as a full-time caregiver as a second job.

Across all number of jobs—jobs one through five—there were thirty-four responses from women and sixteen responses from men reporting leaving a job because of a desire to be a full-time caregiver.¹³² Each job departure—i.e., job one to job two, job two to job three, etc.—included both women and men leaving to be full-time caretakers. In other words, at no point were there only women or only men saying they were leaving for that reason. The number of responses for full-time caretaking as a reason for leaving is a very small percentage of the total number of responses across jobs—only fifty responses of a total of 1114 responses.

Similarly, across all number of jobs, there were twenty-one responses from women and fourteen responses from men reporting a job as a full-time caregiver.¹³³ For each job number, there were both women and men acting as full-time caregivers. In other words, at no time were there only women or only men acting as full-time caregivers. The total number of jobs reported on the job grid was 1799 and only thirty-five of those jobs were as full-time caregivers. Thus, the data suggest that respondents generally are not opting out of the workforce to be full-time caregivers. Further, the small number who do opt to be full-time caregivers at some point in their work careers include both women and men.

3. The Extent to Which Graduates Like Their Jobs

As part of the job grid, respondents were asked for each job they held, how much they liked the job. Respondents ranked their level of “liking” on a seven-point scale from “dislike” to “like very much.” Respondents started out liking their jobs at a modest level, with a mean liking value of 4.89 at their first jobs—Table 8 shows mean liking levels by each job number. Liking levels increased as respondents change jobs. For example, the mean liking level for the 88% of respondents who held a second job rose to 5.22. For the 65% of respondents who held a third job, their mean liking level increased to 5.33. Thus, respondents do seem to take knowledge about their current job environment and use it to pick another job at which they will be happier.

¹³² We did not assess whether any of the responses were from the same person because the relevant information was the number of times anyone, even the same person at two different times, left a job because of a desire to be a full-time caretaker.

¹³³ As with the reason for leaving a job, we did not assess whether any of the responses were from the same person.

TABLE 8: MEAN LEVELS OF JOB “LIKING” ACROSS NUMBER OF JOB

	Overall	<i>n</i>
Job 1	4.89	564
Job 2	5.22	498
Job 3	5.33	375
Job 4	5.5	250
Job 5	5.81	125

There were no gender differences in liking levels for respondents who had held one or two jobs.¹³⁴ Both women and men liked their first and second jobs a modest amount, with each having a mean liking of 5.22 for their second jobs. Table 9 shows mean liking levels for each gender across the number of jobs. The only statistically significant gender difference was for those respondents who held three or more jobs. There, women’s liking mean remained modest at 5.13, whereas men’s liking mean was 5.58. It is not at all clear from the data what might be affecting women’s liking levels at their third job, since there are no other jobs at which there is a gender difference.

TABLE 9: MEAN LEVELS OF JOB “LIKING” ACROSS NUMBER OF JOB BY GENDER

	Female	<i>n</i>	Male	<i>n</i>	Significance
Job 1	4.86	308	4.93	255	—
Job 2	5.22	272	5.22	225	—
Job 3	5.13	208	5.58	166	p<.001
Job 4	5.5	149	5.49	100	—
Job 5	5.64	78	6.09	47	—

¹³⁴ We note that our study replicates a common finding of no gender difference in job satisfaction, and that researchers have been puzzled about the lack of a gender difference given other data suggesting women earn less at their jobs and may feel less likely to advance. See John Hagan & Fiona Kay, *Even Lawyers Get the Blues: Gender, Depression, and Job Satisfaction in Legal Practice*, 41 LAW & SOC’Y REV. 51 (2007) (detailing the literature about the “paradox of the contented female lawyer” and positing that women lawyers truly are less satisfied with their jobs, but that they internalize their dissatisfaction rather than publicize it).

If one looks at how much respondents liked particular kinds of jobs, there are some notable differences in the levels of liking. Table 10 shows mean liking levels for the same categories of jobs as in Table 2, but the job categories are arranged in the order of the highest liking mean to the lowest.¹³⁵ There are three rough clusters of jobs: one cluster with a high liking level—mean liking levels around six, one with a moderately high level—mean liking levels around five, and a bottom cluster with a modest liking level—mean liking level around 4. It is interesting that no type of job had a mean liking level lower than four on a seven-point Likert scale. Thus, the least-liked job was still liked moderately well.

TABLE 10: MEAN LEVELS OF JOB LIKING BY TYPE OF JOB (LISTED FROM HIGHEST MEAN TO LOWEST)

TYPE OF JOB	Mean Liking Level	Significance
Judiciary	6.31	p<.05 (Judiciary to In-House Counsel); p<.01 (Judiciary to Solo and all job categories lower)
Academia	6.06	p<.01 (Academia to In-House Counsel and all job categories lower)
Government	5.82	
Other	5.81	
Public Interest/ Public Defense	5.79	
In-House Counsel	5.32	
Solo Practitioner	5.17	
Prosecutor	5.13	
Small/Medium Firm	4.47	p<.05 (Small/Med Firm to all job categories from Solo higher)
Large Firm	4.05	p<.05 (Large Firm to all other job categories)

¹³⁵ The liking means were calculated by taking all reports of liking levels for the particular job category, regardless of when a respondent held a job. In other words, if a respondent worked in a large law firm as her first and second jobs, then we used her liking rating for Job 1 and her rating for Job 2. We collapsed liking ratings across job number in order to ensure that we had a sufficient number of responses for every category of job. Had we looked at liking levels for each category of job by each job number—i.e., liking for large firm at Job 1 compared to liking for large firm at Job 2—we would not have had a sufficient number of responses for most job categories except for large firm and small/medium firm. We recognize that our technique may potentially distort some of the data. For example, if a person really disliked a small firm, and changed jobs three times, but each time the person went to another small firm that the person disliked as well, that one respondent would have contributed three low liking scores to the small firm mean. However, we think the risk of distortion is small given that we know the liking means generally increased over the course of job changes, that our respondents only changed jobs an average of 2.7 times, and that respondents dispersed across most job categories as they changed jobs.

With respect to Table 10, the survey instructed respondents not to include a judicial clerkship as a job. Nonetheless, there were a notable number of people who listed “judiciary” as their first job. We suspect that to be a reporting error, and believe that most of the respondents who listed “judiciary” as their first job were actually law clerks. To correct for the reporting error, we have not included Job 1 liking rankings in our overall judiciary liking mean.

In addition, not all significant differences between each type of job are listed. We have listed those which help to show clusters of similar liking means. For example, there is a cluster of jobs with high liking means including Judiciary, Academia, Government, Other, and Public Interest/Public Defense. There is a cluster of jobs with medium levels of liking including In-House Counsel, Solo Practitioner, and Prosecutor. Finally, the liking mean for Large Firm is significantly lower than the means for all other job categories. The liking mean for Small/Medium Firm straddles between the mean for the middle cluster and the mean for Large Firm.

There was only one gender difference in liking levels by type of job, as noted in Table 11. Women in public interest/public defense jobs like their work more than do men at those jobs. Note that women do not dislike firm work more than do men.

With respect to Table 11, note again that the survey instructed respondents not to include a judicial clerkship as a job. Nonetheless, there were a notable number of people who listed ““judiciary”” as their first job. We suspect that to be a reporting error, and believe that most of the respondents who listed ““judiciary”” as their first job were actually law clerks. To correct for the reporting error, we have not included Job 1 liking rankings in our overall judiciary liking mean.

TABLE 11: MEAN LEVELS OF LIKING FOR TYPE OF JOB BY GENDER

TYPE OF JOB	Female Mean Liking Level	Male Mean Liking Level	Significance
Judiciary	6.32	6.3	—
Academia	5.94	6.21	—
Government	5.78	5.87	—
Other	5.68	5.96	—
Public Interest/ Public Defender	6.5	5.57	p<.05
In-House Counsel	5.09	5.59	—
Solo Practitioner	5.24	5.11	—
Prosecutor	5.42	4.72	—
Small/Medium Firm	4.38	4.58	—
Large Firm	3.99	4.11	—

We also asked respondents three overarching satisfaction questions: how satisfied were they about their decision to pursue a career in the law; how satisfied were they with their careers now; and how satisfied were they were their careers overall. As to all three questions, respondents said they were satisfied, with all means over five on a seven-point Likert scale. More particularly, the means were as follows: decision to pursue law—5.65; career now—5.38; and career overall—5.38. There were no gender differences on any of the questions.

In addition to asking the subjective question of how much one liked a job, we gathered objective data on several specific characteristics about a job. We used a methodology we hoped would help us to understand the salience of particular factors about a job and whether those factors influenced career choices.

4. The Truth and Importance of Various Job Characteristics

After completing the job grid, respondents were asked to select the job from the grid at which they were the happiest and to consider twenty-nine specific job characteristics.¹³⁶ For each characteristic, respondents were asked to rank “how true is this statement” and “how important was this factor” using a seven-point Likert scale. Respondents were next asked to select the job at which they worked the longest and to rank that job along the same twenty-nine factors for both the truth of the statement and the importance of the factor. Finally, respondents were to assess their career overall along the same twenty-nine factors and truth/importance dimensions.

¹³⁶ Table 12 delineates the twenty-nine factors as they were listed in the survey.

Some examples of the twenty-nine factors include: “I did challenging work,” “I felt my work significantly impacted society,” “I was satisfied with my pay,” “I formed a close professional relationship with a superior,” “I felt I was respected by my colleagues,” and “I felt I had enough time for my spouse/partner.” The factors were designed to inquire about four broad areas: the substance of one’s work, one’s relationships with work colleagues, external rewards—pay and advancement, and time for responsibilities and activities outside work.

We expected that respondents’ rankings about the importance of each factor would remain relatively constant across jobs. In other words, we hypothesized that, across jobs, respondents remained consistent in their hopes for the kind of job environment in which they wished to work. We hypothesized that a good measure of job satisfaction would be how congruent were respondents’ rankings of importance with their rankings of truth. We expected that respondents would be very satisfied at a job where most of their rankings of the importance of specific characteristics were the same as their rankings of the truth of those characteristics. Thus, we hypothesized that at the happiest jobs, respondents’ truth and importance rankings of each factor would be congruent.

Further, given other studies’ findings that lawyers are very willing to change jobs, we also hypothesized that people would not stay long at jobs at which there was too much incongruence between what job characteristics were important to them and what job characteristics were true. Thus, we expected that if respondents held a job for a long time, it was also likely that they would have fairly congruent truth and importance rankings for that job. Finally, because other studies suggested that women were less satisfied with many dimensions of their jobs than were men, we expected that women might show more incongruence between importance and truth rankings at their jobs than did men.

TABLE 12: SPECIFIC JOB CHARACTERISTICS

SPECIFIC JOB CHARACTERISTICS
I did interesting work.
I did challenging work.
I did prestigious work.
I felt my work significantly impacted society.
I felt my work was beneficial to others.
I received credit for participating in a work-related service activity.
I was satisfied with my opportunity for advancement.
I was satisfied with my pay.
I was supported and encouraged by my superiors.
I formed a close professional relationship with a superior.

I felt my superior looked out for my best professional interests.
I felt my supervisor was responsive to my need for flex time.
I felt my personal appearance was part of the basis on which I was evaluated.
I felt comfortable with my colleagues.
I liked to socialize with my colleagues outside of work.
I had to time to socialize with my colleagues outside work.
I was satisfied with my interactions with my colleagues.
I felt pressured to socialize with my colleagues outside work.
I took part in a work-organized service or recreational activity.
I felt I was respected by my colleagues.
I felt my work was respected by my colleagues.
I felt pressured to spend more time in the office.
I had a lot of independence.
I felt I had enough time for my spouse/partner.
I felt I had enough time for my children or other family members.
I felt I had enough time for domestic responsibilities.
I felt I had enough time for recreation, exercise, relaxation.
I felt I had enough time for volunteer activities.
I felt I had enough time for friends.

In order to more easily determine whether respondents' truth and importance rankings were congruent, we took the means for every characteristic and grouped them into four possible categories: very true/important, moderately true/important, slightly true/important, not very true/important. Each category included the range of means as listed below:

- Very true/important = Means greater than 6.0
- Moderately true/important = Means from 5.9 to 5.0
- Slightly true/important = Means from 4.9 to 4.0
- Not very true/important = Means from 3.9 or lower

We then used the four categories to assess congruence. If truth and importance means for a factor were in the same category, then we said there was congruence. If the truth and importance means were in different categories, we said there was incongruence. Tables 13, 14, and 15 show the truth and importance means by category for the happiest jobs and the longest jobs, and for career overall, respectively.

TABLE 13: RANKING OF SPECIFIC JOB CHARACTERISTICS FOR HAPPIEST JOB

Very True (6+)	Moderately True (5.9 to 5.0)	Slightly True (4.9 to 4.0)	Not Very True (3.9 and below)
Interesting work	<i>Prestigious work</i>	<i>Work had significant impact</i>	Received credit for work service
Challenging work	Work beneficial to others	<i>Satisfied with opportunity for advancement</i>	Personal appearance* (m=2.66, f=3.00)
	Supported by supervisors	Satisfied with pay	Liked to socialize with colleagues outside work
	Close relationship with supervisor	Supervisor looked out professionally	Supervisor responsive to need for flextime (men)* (m=3.83)
	Comfortable with colleagues	Supervisor responsive to need for flextime (women)* (f=4.22)	Pressured to socialize with colleagues outside work
	Satisfied with interactions with colleagues	<i>Time to socialize with colleagues outside work</i>	Performed work service
	Respected by colleagues	<i>Time with spouse</i>	<i>Pressure to spend time in office</i>
	Work respected by colleagues	<i>Time with family</i>	<i>Time to relax (women)* (3.83)</i>
	Independence	<i>Time for domestic responsibilities* (m=4.45, f=4.12)</i>	<i>Time to volunteer* (m=3.87, f=3.53)</i>
		<i>Time to relax (men)* (m=4.2)</i>	
		<i>Time for friends</i>	
Key: * p<.05, † p<.01, ‡ p<.001		“m”= male mean, “f”= female mean	italics = difference in truth and importance rankings

TABLE 13 CONT'D: RANKING OF SPECIFIC JOB CHARACTERISTICS FOR HAPPIEST JOB

Very Important (6+)	Moderately Important (5.9 to 5.0)	Slightly Important (4.9 to 4.0)	Not Very Important (3.9 and below)
Interesting work	<i>Work had significant impact</i>	<i>Prestigious work</i>	Received credit for work service
Challenging work	Work beneficial to others	Satisfied with pay	Supervisor responsive to need for flextime (men)* (m=3.67)
	<i>Satisfied with opportunity for advancement</i>	Supervisor looked out professionally	Personal appearance* (m=2.46, f=2.79)
	Supported by supervisors	Supervisor responsive to need for flextime (women)* (f=4.51)	Liked to socialize with colleagues outside work
	Close relationship with supervisor	<i>Pressure to spend time in office</i>	<i>Time to socialize with colleagues outside work</i>
	Comfortable with colleagues	<i>Time to volunteer</i>	Pressured to socialize with colleagues outside work
	Satisfied with interactions with colleagues		Performed work service
	Respected by colleagues		
	Work respected by colleagues		
	Independence		
	<i>Time with spouse</i>		
	<i>Time with family</i>		
	<i>Time for domestic responsibilities</i>		
	<i>Time to relax</i>		
	<i>Time for friends</i>		

TABLE 14: RANKING OF SPECIFIC JOB CHARACTERISTICS FOR LONGEST JOB

Very True (6+)	Moderately True (5.9 to 5.0)	Slightly True (4.9 to 4.0)	Not Very True (3.9 and below)
	<i>Interesting work</i>	Prestigious work	Received credit for work service
	<i>Challenging work</i>	<i>Work had significant impact</i>	<i>Supervisor responsive to need for flextime</i>
	Comfortable with colleagues (women)* (f=5.14)	<i>Work beneficial to others</i>	Personal appearance
	Respected by colleagues* (m=5.04, f=5.37)	<i>Satisfied with opportunity for advancement</i>	<i>Liked to socialize with colleagues outside work</i>
	Work respected by colleagues	<i>Satisfied with pay</i>	Time to socialize with colleagues outside work
	Independence	<i>Supported by supervisors</i>	Pressured to socialize with colleagues outside work
		<i>Close relationship with supervisor</i>	Performed work service
		<i>Supervisor looked out professionally</i>	<i>Time for domestic responsibilities</i>
		<i>Comfortable with colleagues (men)* (m=4.82)</i>	<i>Time to relax</i>
		<i>Satisfied with interactions with colleagues</i>	<i>Time to volunteer</i>
		Pressure to spend time in office	<i>Time for friends</i>
		<i>Time with spouse</i>	
		<i>Time with family</i>	

TABLE 14 CONT'D: RANKING OF SPECIFIC JOB CHARACTERISTICS FOR LONGEST JOB

Very Important (6+)	Moderately Important (5.9 to 5.0)	Slightly Important (4.9 to 4.0)	Not Very Important (3.9 and below)
<i>Interesting work</i>	<i>Work had significant impact</i>	Prestigious work	Received credit for work service
<i>Challenging work</i>	<i>Work beneficial to others</i>	<i>Supervisor responsive to need for flextime†</i> (m=4.38, f=4.93)	Personal appearance
	<i>Satisfied with opportunity for advancement</i>	<i>Liked to socialize with colleagues outside work</i>	Time to socialize with colleagues outside work
	<i>Satisfied with pay</i>	Pressure to spend time in office	Pressured to socialize with colleagues outside work
	<i>Supported by supervisors</i>	Time to volunteer	Performed work service
	<i>Close relationship with supervisor</i>		
	<i>Supervisor looked out professionally</i>		
	<i>Comfortable with colleagues†</i> (m=5.15, f=5.54)		
	<i>Satisfied with interactions with colleagues</i>		
	<i>Respected by colleagues*</i> (m=5.45, f=5.83)		
	<i>Work respected by colleagues</i>		
	<i>Independence</i>		
	<i>Time with spouse</i>		
	<i>Time with family</i>		

	<i>Time for domestic responsibilities</i>		
	<i>Time to relax</i>		
	<i>Time for friends</i>		
Key: * p<.05, † p<.01, ‡ p<.001		“m”= male mean, “f”= female mean	italics = difference in truth and importance rankings

TABLE 15: RANKING OF SPECIFIC JOB CHARACTERISTICS FOR OVERALL CAREER

Very True (6+)	Moderately True (5.9 to 5.0)	Slightly True (4.9 to 4.0)	Not Very True (3.9 and below)
	<i>Interesting work</i>	Prestigious work	Received credit for work service
	<i>Challenging work</i>	<i>Work had significant impact</i>	Personal appearance
	Work beneficial to others	<i>Satisfied with opportunity for advancement</i>	<i>Liked to socialize with colleagues outside work</i>
	Respected by colleagues	<i>Satisfied with pay</i>	Time to socialize with colleagues outside work
	Work respected by colleagues	<i>Supported by supervisors</i>	Pressured to socialize with colleagues outside work
	Independence	<i>Close relationship with supervisor</i>	Performed work service
		<i>Supervisor looked out professionally</i>	<i>Time for domestic responsibilities (women)‡ (f=3.74)</i>
		Supervisor responsive to need for flextime	<i>Time to relax‡ (m=3.96, f=3.50)</i>

		<i>Comfortable with colleagues</i>	<i>Time to volunteer</i> † (m=3.62, f=3.24)
		<i>Satisfied with interactions with colleagues</i>	<i>Time for friends*</i> (m=3.89, f=3.59)
		Pressure to spend time in office	
		<i>Time with spouse*</i> (m=4.58, f=4.24)	
		<i>Time with family</i>	
		<i>Time for domestic responsibilities (men)</i> † (m=4.18)	
Very Important (6+)	Moderately Important (5.9 to 5.0)	Slightly Important (4.9 to 4.0)	Not Very Important (3.9 and below)
Interesting work	Work had significant impact	<i>Prestigious work</i>	Received credit for work service
Challenging work	Work beneficial to others	<i>Supervisor responsive to need for flextime*</i>	Personal appearance*
	Satisfied with opportunity for advancement	<i>Liked to socialize with colleagues outside work</i>	Time to socialize with colleagues outside work
	Satisfied with pay	<i>Pressure to spend time in office</i>	Pressured to socialize with colleagues outside work
	Supported by supervisors	<i>Time to volunteer</i>	Performed work service
	Close relationship with supervisor		
	Supervisor looked out professionally		

	Comfortable with colleagues		
	Satisfied with interactions with colleagues		
	Respected by colleagues		
	Work respected by colleagues		
	Independence		
	Time with spouse		
	Time with family		
	Time for domestic responsibilities* (m=5.31, f=5.02)		
	Time to relax		
	Time for friends		
Key:			
* p<.05, † p<.01, ‡ p<.001		“m”= male mean, “f”= female mean	<i>italics</i> = difference in truth and importance rankings

5. Importance Rankings Across Happiest and Longest Jobs and Overall Career

As we hypothesized, respondents were consistent across all jobs on their rankings of the importance of the twenty-nine specific characteristics. In particular, respondents said that it was very important that they did interesting and challenging work. No other characteristics were ranked as highly.

Respondents placed the bulk of the specific characteristics in the “moderately important” category, and those characteristics could be grouped into four topical areas: characteristics related to whether their work was beneficial to others and significantly impacted society; external characteristics such as level of pay and satisfaction with opportunities for advancement; characteristics related to work colleagues and supervisors, including close relationships with supervisors, satisfaction with interactions with colleagues, respect by colleagues, and comfort with colleagues; and characteristics related to time for personal life, including time for spouse, family, friends, recreation, and relaxation.

Respondents said it was slightly important to them that their work was prestigious, that their supervisors were responsive to their need for flextime, and that they were pressured to spend time in the office. It was not important to respondents that they did work-related service or received credit for it, that they had

time to socialize with colleagues outside work, or that their personal appearance was evaluated.

6. Rankings for Happiest Job

As we expected, when considering the jobs at which they were the happiest, respondents' rankings of truth and importance of many characteristics were congruent. In fact, the happiest job was the only job where respondents' rankings of "very important" characteristics were congruent with their rankings of "very true" characteristics. The two very important and very true characteristics were interesting work and challenging work.

Further, the happiest job was the only job at which respondents said that some characteristics were more true than they were important, meaning that the job was better than respondents had hoped. For example, it was only slightly important to respondents that their work was prestigious, but it was moderately true. Similarly, it was not very important to respondents that they had time to socialize with their colleagues outside work, but it was slightly true. Additionally, it was slightly important to respondents whether they felt pressured to spend time in the office, but it was not very true that they actually felt such pressure.

Nonetheless, for each of the characteristics related to personal time, respondents said that while those characteristics were moderately important to them, each was only slightly true. Thus, even at their happiest jobs, respondents were finding conflicts between work responsibilities and personal life. Interestingly, as to the specific characteristic about whether a supervisor was responsive to the needs for flextime, respondents ranked the characteristic at the same level of importance and truth.¹³⁷ In other words, while respondents did express conflict between work and personal life, they also indicated that in some way their employers may have positively responded to that conflict.¹³⁸ The only other two characteristics in which respondents found their happiest job less than they had hoped were significant impact of work and satisfaction with opportunities for advancement. For both characteristics, respondents said each was moderately important, but slightly true.

There were a few gender differences in rankings of characteristics about happiest jobs, three of which related to work/life conflicts.¹³⁹ For both women and

¹³⁷ There was a gender difference as to the ranking category. Women reported saying responsiveness to flextime was slightly important and slightly true while men reported saying it was not very important and not very true. So, both women and men were congruent as to their respective rankings, but women's rankings were one category higher than were men's rankings.

¹³⁸ We do not wish to place too much weight on this observation as flextime is only one of many ways in which employees may seek to manage work/life conflicts and in which employers may or may not positively respond.

¹³⁹ Table 13 shows the significance levels for each gender difference with the related means. Note also the gender difference about flextime already reported in the footnote above.

men it was moderately important that they have time for domestic responsibilities. As noted above, both women and men also ranked truth for that characteristic as one category lower: it was only slightly true that they had time for domestic responsibilities. Within the slightly true category, however, women were lower in the range than were men, with women having a mean ranking of 4.12 compared 4.45 for men. Thus, while both women and men were incongruent on the characteristic, women were slightly more so.

Similarly, both women and men said that it was moderately important that they had time for relaxation and recreation. However, men found it slightly true that they had time for relaxation—mean=4.2—whereas women found it not very true—mean=3.83. Finally, both women and men said it was slightly important that they have time to volunteer, and both said that it was not very true that they had such time, but women once again had a lower mean in the range—mean=3.53—as compared to men—mean=3.87. Note that there were no differences in the levels of incongruence that women and men reported related to time for spouse and time for family. For those characteristics, women and men had the same level of incongruence: the characteristics were moderately important to them, but only slightly true.

Our data relating to conflicts between work and personal life at respondents' happiest jobs suggest that both women and men feel conflict, but that women feel it at a slightly higher magnitude and related to particular issues. Not surprisingly, given other reports that show women generally handle more domestic responsibilities than do men, women reported a higher level of conflict regarding their responsibilities at home. This may also explain why men, while dissatisfied with the amount of time they had for relaxation and recreation, were slightly less dissatisfied than were women who had even less time for recreation and relaxation.

The other gender difference in characteristics for happiest job was not a difference in rankings, but a difference in means within the same category range on the characteristic of personal appearance. Both women and men said that evaluation of personal appearance was not very important and not very true. However, women claimed that the characteristic was slightly more important and more true. There were no other gender differences on characteristics for happiest job.

In sum, for both women and men, there was a high level of congruence between job characteristics at their happiest jobs that were important to them and whether they found those characteristics to be true. Significantly, there was complete congruence for the most important characteristics of interesting work and challenging work, as well as complete congruence for moderately important characteristics related to respondents' work colleagues and supervisors. Thus, at respondents' happiest jobs, there was harmony between respondents' hopes and

experiences on the major components of one's job: substance of work, people with whom one works, and people by whom one is supervised.

7. Rankings for Longest Job

Turning now to the job at which respondents worked the longest, recall that we hypothesized that respondents were not likely to stay at a job they found to be below their expectations on many job characteristics, and thus we expected that there would be congruence between importance and truth rankings for longest jobs. We were wrong. On most characteristics for longest job, respondents ranked the characteristic at least one range higher in importance than in truth.

For example, respondents said it was very important to them that their work be interesting and challenging, but ranked it one category lower for truth—moderately true. Similarly, for the bundle of characteristics related to supervisors, respondents ranked that bundle as moderately important, but only slightly true. Finally, for the bundle of characteristics about time for personal life, respondents ranked those as moderately important, but slightly true to not very true. Thus, our data suggest that respondents were willing to stay at jobs that were not meeting their hopes in several aspects.

It is not clear why respondents were willing to stay at a job where their hopes were not being met. Anecdotally, one hears reports of lawyers staying at jobs they do not particularly like because they are paid very well.¹⁴⁰ But, if that were true for our respondents, one would expect that their reports about levels of importance and truth of satisfaction with pay would be the same. However, respondents said that satisfaction with pay was moderately important to them, but that it was only slightly true that they were satisfied with their pay.

It could also be that respondents were willing to tolerate the level of incongruence because it was modest and not extreme. For most incongruent characteristics, there was a single drop in category. For example, a characteristic that was moderately important was usually never lower than slightly true. It may be that respondents do not expect a job environment to be perfect and are willing to stay at a job so long as their hopes about the job environment are met modestly.

Nonetheless, for three characteristics related to personal life—time for domestic responsibilities, time to relax and time for friends—there was substantial incongruence. Those factors were ranked as moderately important and were not very true. It may be that respondents tolerate the incongruence on those factors because they believe that they would find similar levels of incongruence at other legal jobs, and therefore, changing jobs would not make things better.

¹⁴⁰ See also, W. Henderson & D. Zaring, *Young Associates in Trouble*, 105 MICH. L. REV. 1087 (2007) (looking at associates at very large law firms and finding that some may tolerate harsh work conditions in favor of higher salaries.).

We have some indirect support for this conclusion from our job grid data about reasons respondents gave for leaving jobs. If respondents believed that a job took away too much time from their personal lives and that another job would offer better hours, then they should have reported on the job grid that they were leaving a job because it required too many hours. In contrast, if respondents thought that most legal jobs would require similarly large amount of hours, then all jobs would require too many hours, and respondents would change jobs for a different reason. The job grid data did not show any notable percentage of respondents reporting that they were leaving the job because it required too many hours.¹⁴¹ The primary reason given at every job change was the “desire to work at a different type of legal job.” Thus, in some ways, respondents may be resigned to the fact that they hope to have enough time for domestic responsibilities, friends and relaxation, while knowing that it is unlikely they will have enough time. Such resignation would allow respondents to tolerate a greater level of incongruity for those job characteristics.

There were some gender differences in characteristic rankings for longest job, although they did not follow the same pattern as that found for the happiest job. For example, there were no gender differences along characteristics about time for personal life. Both women and men reported the same level of incongruence between how important and how true those factors were.¹⁴² For the longest job, the gender differences related to characteristics about work colleagues.

Both women and men said that it was moderately important that they feel comfortable with their colleagues and feel respected by them. Women, however, had higher means than did men for both characteristics. Regarding comfort with colleagues, women had a mean of 5.54 compared with 5.15 for men. Regarding respect by colleagues, women had a mean of 5.83 compared with 5.45 for men. Further, for women, there was congruence between the importance and truth of those two factors. In other words, it was also moderately true for women that they felt comfortable with and respected by their colleagues. However, men found it only slightly true that they felt comfortable, and while they found it moderately true that they felt respected, they had a somewhat lower mean in the category than did women—women had a mean of 5.37 and men had a mean of 5.04. Thus, men reported more incongruence than did women on whether they felt comfortable with their colleagues and felt respected by them.

Despite the gender difference above, we note that both women and men said that it was moderately important and true that their work was respected by their colleagues. Further, both women and men said that it was moderately important that they be satisfied with interactions with colleagues, but that it was only slightly

¹⁴¹ See *supra* Tables 5-7.

¹⁴² Cf. John Hagan & Fiona Kay, *supra* note 132, at 69-70 (noting that female lawyers in their study had more anxiety than did male lawyers about issues related to having children).

true for them. Our data suggest that, at their longest jobs, men hoped for better interactions with their colleagues than they experienced, whereas women had a more consistent level of positive interactions with their colleagues.

We cannot ascribe any causal relationship to the fact that women had better relationships with their colleagues than did men at their longest jobs. In other words, we do not know whether women stayed at a job longer because they had collegial relationships, or, whether women made efforts to build collegial relationships because they were staying at a job. As for men, the data suggest that they experienced less collegiality than they had hoped for at their longest jobs.

One final gender difference related to flextime. Both women and men said that it was slightly important to them that their supervisor be responsive to their needs for flextime. However, women had a higher mean in the category than did men: 4.93 for women compared to 4.38 for men. Both women and men reported that it was not very true that their supervisors were responsive and there were no significant differences in women's and men's truth means. Thus, it appears that women and men were similarly disappointed about that characteristic.

It is interesting to consider whether there is any interplay between happiest and longest jobs. What do we know about how many of our respondents said that their happiest job was also their longest job? We asked respondents to identify their happiest and longest jobs using the job number from the job grid. Almost a third of respondents failed to provide enough information for us to determine whether their happiest and longest jobs were the same. Thus, we were able to consider the question for only the two-thirds of respondents who gave us complete information; roughly half said that their happiest and longest jobs were the same and half said that they were not. Overall, this means that we have no information for one-third of respondents, that happiest and longest jobs were the same for another one-third of respondents, and that happiest and longest jobs were different for the remaining one-third of respondents. Because we are missing information for a substantial portion of our sample, we are reluctant to draw any conclusions about whether there is any interplay between rankings of job characteristics for happiest and longest jobs.

8. Rankings for Overall Career

Respondents' rankings of the twenty-nine job characteristics for their overall careers followed a pattern similar to that of their longest jobs. There were similar patterns of incongruence for characteristics related to the substance of work, for relationships with supervisors, and for some characteristics related to work colleagues. There were also similar levels of incongruence for characteristics related to personal time. In sum, when looking at their overall career, respondents reported that they experienced a modest incongruence between their hopes for desirable job environments and their actual job experiences throughout their career,

just as they did at their longest jobs. It is not surprising that the characteristic rankings for longest jobs and overall career follow similar patterns, as one would expect that experiences at one's longest job would be very salient in one's overall assessment, given that the longest job experiences likely lasted for an extended period of time.

The gender differences in overall career rankings relate to time for personal life. As with the longest job, both women and men reported incongruence between how important it was to have time for personal life and how true it was. Recall that, at their longest job, both women and men ranked characteristics related to personal time as moderately important, and both reported similar drop in truth to slightly true—time with spouse and family—or not very true—domestic responsibilities, friends, relaxation. In ranking characteristics for the overall career experiences, however, women reported slightly more incongruence than did men for time with spouse, domestic responsibilities, time for friends, and time for relaxation. That pattern is somewhat similar to the pattern of gender differences for happiest job where women also reported slightly more incongruence than did men on characteristics related to personal life.

Interestingly, at happiest, longest, and overall job assessments, women did not report more incongruence than did men on factors related to substance of work or relationships with work colleagues and supervisors, other than the slight—but statistically significant—gender differences related to personal life. On the whole, contrary to our expectations based on the results from other studies, women and men reported a remarkably similar congruence between the importance and truth rankings across job characteristics. Thus, our study suggests that women and men have very similar hopes about the work environment in which they would like to be and very similar actual work experiences, but women feel more of a pinch on time for personal life.

C. Consistent Findings and Unique Findings

We had both consistent and unique findings compared with the results from other studies overviewed in this paper. In terms of where lawyers start their careers, like new lawyers in the other studies, more than half our respondents started their careers at a law firm. We found a small “silo” effect like the one reported in Chicago, wherein it was common for private firm lawyers to have their first job change be a move from one firm to another. However, we did find a consistent trickle of lawyers out of private practice and into other types of legal jobs. For the second job and onward, we had a notable percentage of respondents working in corporate legal departments, public interest/public defense, government, and academia.

As did other studies, we found that an equal number of women and men start practice at a law firm. However, our study did not replicate other studies' finding

that women tend to leave law firms earlier than do men. Instead, we found that the trickle out of private practice was made up of equal numbers of women and men. In contrast to the Chicago study, we also found that equal proportions of women and men start their careers in government and public interest/public defense.

The lawyers in our study liked their jobs, but some of them at modest levels. Consistent with the Chicago and Catalyst studies, respondents who worked at large firms liked their jobs the least. Unlike Catalyst, however, we found no gender differences between women and men working at firms. We also found, as did the Chicago study, that public interest/public defense lawyers generally liked their jobs. Unlike other studies, our public interest/public defense lawyers were joined by happy lawyers in government, academia, and the judiciary. The female public interest/public defense lawyers in our study were significantly happier than were the men, and that was the only gender difference we found as to the level of job liking.

Finally, when considering particular characteristics about a job, we found that the most important factors for all our respondents were issues related to the substance of one's work—that one did interesting and challenging work. Of next importance were factors related to whether one's work had an impact on society, whether one had good relationships with work colleagues, whether one had time for activities and responsibilities outside work, and whether one was externally rewarded by work—with pay or by advancement.

Overall, women and men were equally satisfied with their jobs. In contrast to the Chicago and Colorado studies, there were no gender differences related to levels of pay or opportunities for advancement. For both women and men, those factors were moderately important, and both women and men were slightly disappointed in their expectations. Similar to the Chicago study, we found that, overall, women appear to have slightly closer relationships to their work colleagues than do men.

We have comparative data that is unique compared to other studies because we asked respondents to tell us about specific factors related to the job at which they were happiest, the job they held the longest, and their career overall. As discussed above, we found that, in general, our respondents were willing to tolerate a modest amount of incongruity between their hopes for the kind of job they would like and their actual experiences.

IV. CONCLUSION

Our study challenges some of the notions commonly held about legal careers. First, women in our study are not abandoning firm practice in any greater number than are men. Men in our study are going into public interest/public defense and government positions in equal proportions as women. Thus, our study is a strong reminder to law students and new lawyers that they should not presume that certain

kinds of legal jobs are a better fit because of their gender. As our respondents made clear, what is most important to women and to men is that their jobs be substantively interesting and challenging.

Our study also challenges the notion that women experience conflict between work and non-work responsibilities and activities, but that men are not particularly affected. In our study, both men and women said that it was moderately important that they have time for friends, family, a spouse or partner, and other non-work activities. Both men and women found that their hopes for having sufficient time outside work were not met. Women felt the conflict to a greater degree than did men, but our study is a reminder that work-life balance is an issue that is equally important to men as it is to women.

Our study sounds a hopeful chord that the law is an engaging and satisfying career choice. Even those lawyers who had the lowest liking scores still liked their jobs at a modest level. Furthermore, the lawyers in our study were generally satisfied about their decision to pursue law as a career, about their career overall, and about the state of their career when they answered the survey.

Finally, we hope that our study reminds law students in particular that there is not a "right" career path. The myriad of individual career paths followed by our respondents demonstrates the wonderful diversity of choices presented by a career in the law. While we may have been able to discern some common career trajectories, we think that our data show how much room there is in the law for individual choice.

