
LSAC RESEARCH REPORT SERIES

- **Gender and the Legal Profession: The Michigan Alumni Data Set 1967–2000**

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Executive Summary

In the last three and a half decades, the legal profession has undergone a dramatic transformation in the gender composition of its members. During that time, the number of women applying to law school and entering the profession has gone from a few gallant pioneers to a number roughly equal to that of men. Between 1970 and 2000, the percentage of first-year law students who were female climbed from 8% to 49%. The percentage of women practicing law has risen from 3% in 1970 to 27% in 2000, while the percentage of men practicing law during this period has declined.

In this study, we use the University of Michigan Law School Alumni Data Set (hereafter referred to as the Michigan data set) to undertake an empirical analysis of the impact of this transformation on the legal profession, and the differences that gender makes in the careers and lives of attorneys. With regular survey responses from Michigan alumni from 1967 until the present, the Michigan data set provides a unique opportunity to examine these questions from the days when female attorneys were rare, to the arrival of the first generation of women to achieve a significant presence in the legal profession. This data set is also useful in examining these questions because of its richness in numbers of observations and the breadth of the questions explored in the questionnaire. At least since the 1981 survey of the classes of 1966 and 1976, the Michigan data set contains information on a wide variety of aspects of the alumni's family lives and careers. The limitation of the Michigan data set is that it covers only University of Michigan alumni, a diverse but relatively elite swath of the legal profession. To act as a check on our analysis and to guide our interpretation of the results, we conducted focus-group discussions of our findings with groups of female and male attorneys and collected similar data on Indiana University law alumni to test our primary results. The insights from these focus groups are reported here, while the results of the study of Indiana alumni are reported elsewhere.¹ In exploring the impact of gender on the legal profession, we examine what the Michigan data set, and our other resources, tell us about each step in the typical lawyer's legal career from his or her law school experience, to the choice of a first job, to his or her experience in practice, to balancing family life and work, to promotion and partnership, and finally to plans for retirement. Because the Michigan data set contains numerous observations over a period of many years, we also hope to gain some insight into how the impact of gender on these important career stages has changed over the last several decades.

Findings

The entry of women into the legal profession has forever changed both lawyers and the legal profession. Women have brought to the profession a different set of assets and problems than have men. Although there is of course tremendous overlap in personal characteristics between the genders, on average the women in this study reported that they are more desirous of social change, compassionate, honest, and liberal than the men. On the other hand, the men reported that they have a greater desire for money and are more confident, better dealmakers, and more aggressive than the women. Moreover, because of their different roles in courtship and the family, male and female lawyers tend to have different family characteristics and tend to address the problem of accommodating work and family in different ways. The men in this study were more likely to be married, to have a spouse who focuses on child care, and to have more children; the women were more likely to have a spouse with a demanding job and to enjoy much higher spousal income. In balancing productivity in the workplace and the home, the men worked 32.7% more hours outside the home than the women 15 years out of law school, while by this same time the women were more than 12 times as likely to have taken time away from paid work to perform child care. Among the 3.2% of men and 39.6% of women who either did not work or worked part time to perform child care by 15 years out of law school, the average number of months they took reduced paid work to perform child care was 23 for the men and 58—almost 5 years—for the women. Over the course of the last 30 years, it appears that the type of woman who enters the legal profession has shifted to one who is more family oriented: The average number of children the women have has increased, as has the percentage who took time away from paid work to perform child care and the period of time they committed to child care, while the average number of hours in paid work done by women has decreased.

These differences in personal and family characteristics according to gender—and in particular whether the attorney took time away from paid work to perform child care—can have an enormous impact on the legal careers of men and women. Reflecting their different levels of desire for money and social change, and their different commitments to child care, men in this study were more likely to go into private practice and business, while the women were more likely to go into corporate counsel positions, government work, public interest work, and legal education. Despite these general trends, the women showed an equal propensity to go into practice in the largest firms, perhaps because these firms are viewed as more dependable in accommodating child care early in a woman's career. Within practice, the men were disproportionately drawn to specialties and activities that yielded a high income, while the women were drawn to specialties and activities that yielded predictable and lower hours. On average, the men with children who did not take time away from paid work to perform child care worked the greatest number of hours in a year (2,520) followed by men

1. Kenneth G. Dau-Schmidt, Jeffrey S. Stake, Kaushik Mukhopadhyaya & Timothy A. Haley, *The Pride of Indiana: An Empirical Study of the Law School Experience and Careers of Indiana University School of Law—Bloomington Alumni*, 81 IND. L.J. 1427-78 (2006); Jeffrey E. Stake, Kenneth G. Dau-Schmidt & Kaushik Mukhopadhyaya, *Income and Career Satisfaction in the Legal Profession: Survey Data from Indiana Law Graduates*, 4 J. of Emp. Leg. Stud. 939 (2007).

and women with no kids (2,341), men who took time away from paid work to perform child care (2,092), women who had kids but did not take time away from paid work to perform child care (1,908), and women who took time away from paid work to perform child care (1,328). Even among partners in private firms, women worked significantly fewer hours a year (2,314) than the men (2,570), with women who took time away from paid work to perform child care working the least (2,008). Men were more likely to enter and stay in private practice, and to be a partner 15 years out of law school, but taking into account family situation, we find that the men who missed paid work to perform child care were the least likely group to remain in private practice and be a partner, followed by the women who missed paid work to perform child care. Interestingly, among the women, women who had kids but did not miss paid work to perform child care were the most likely to enter and remain in private practice, and make partner, even though they worked significantly fewer hours than the women without kids. Our logistic regression of the probability of being a partner shows an insignificantly negative effect for being a woman, but this effect was disproportionately borne by women who performed child care, who suffered a disadvantage similar to that of the men who performed child care.

The myriad of decisions and events that occur over the course of their careers resulted in significant differences in income and career satisfaction between the men and women. Although they began the practice of law with only a small difference in their average income, by 15 years out of law school the women on average earned significantly less per year (\$132,170) than the men (\$229,529). However, our means and regression analysis suggest that, once again, the impact of lower income was disproportionately borne by the women who performed child care, who suffered a disadvantage similar to that of the men who performed child care. In our regression analysis, only the women who performed child care experienced a significantly negative impact on income, and that impact was similar to the negative impact on income suffered by the men who performed child care. In our decomposition of the male–female income gap, we found that all of the observed difference in income could be explained by differences in hours and acquired assets between the men and women. The men’s primary advantages in assets were working more hours, doing less child care, going into types of practice that yield higher income, and having personal characteristics (primarily a greater desire for income) that yield higher income. The men’s advantages in payments for certain activities in practice and being mentored were offset by the women’s advantages in higher payment for hours worked, entering certain types of practice (primarily large private practices), getting good grades, and doing summer clerkships.

There are significant rewards for bright women who dedicate themselves to large practice firms and forsake child care. However, the reward for women who perform child care is that they enjoy significantly higher career satisfaction and satisfaction with their work–family balance compared to their male colleagues and to their female colleagues who do not perform child care. The impact of child care on men’s career satisfaction is mixed and less clear, but the men who performed child care did report being significantly more satisfied with their work–family balance than either the men or women who did not miss paid work to perform child care.

In undertaking a legal career, both men and women have to choose where to situate themselves in dedicating hours and effort to child care or to their career. Our analysis revealed a wide variety of commitments to family and work among both the women and men, which had profound impacts on their legal careers, income, and career satisfaction. Those who made the greatest commitments to family and child care worked significantly fewer hours in paid employment as lawyers and were much less likely to be found in the highest paid types of practices or as partners in private practice. This commitment to family had a strongly negative impact on the lawyer’s income, but a significantly positive impact on his or her satisfaction with career and work–family balance. The men and women who made the greatest commitments to paid work labored a significantly greater number of hours in paid employment and were much more likely to be found in the highest paid types of practices or as partners in private practice. This commitment to paid work had a strongly positive impact on the person’s income, but a significantly negative impact on his or her satisfaction with career and work–family balance. Of course this “choice” was influenced and greatly constrained by personal characteristics, the expectations of mates, and social norms for behavior. As a result, although there was great individual variation, women tended to locate toward the left end of the continuum with a greater commitment to work for the family and men tend to locate to the right end of the continuum with a greater commitment to paid work. Following our figures on hours worked, going from left to right, the women who took time away from paid work to perform child care showed the greatest investment in hours worked to the family, followed by other women with kids, men who missed paid work to perform child care, men and women without kids, and finally men with kids but who did not take time away from paid work to perform child care; the latter occupy the far right end of the continuum. A person’s location along the continuum influenced a host of decisions and events during the course of his or her career that ultimately produced either greater career satisfaction or greater income. Of course greater income can enhance career satisfaction, but this indirect effect seems to be dominated by the direct effects of location along the hours-worked continuum. Because more women were located along the left of this continuum and more men were located along the right, the result was that the women on average enjoyed greater career satisfaction and satisfaction with work–family balance while the men enjoyed much greater income.

The entry of women into the legal profession has changed not only who practices law, but the profession itself. Our data suggests substantial accommodation of female lawyers in the profession and modest accommodation of both male and female lawyers who want to perform child care. The women in our sample reported being as satisfied with law school as the men; had opportunities to do some of the best jobs in the profession, including large firm practice, corporate counsel positions, and academic positions; enjoyed at least as much mentoring as the men; and expressed greater satisfaction with their careers and work–family balance. On the issue of child care, our data suggest that more men and women who want to perform child care are entering the profession and that they are taking significantly longer periods away from paid work to perform child care and working fewer hours each year. Unfortunately there is still a substantial price to pay for the opportunity to perform child care for both men and women in terms of a substantially reduced probability of being a partner and significantly reduced income. Even on these counts, however, there is little reason for optimism in the convergence of male and female median wages. Perhaps one of the most profound changes that the entry of women has wrought on the legal profession is that now, among the men, a few gallant pioneers are undertaking significant amounts of child care even at the expense of their paid career. Certainly there is much more diversity in commitment to family and work in the profession now that women constitute a significant proportion of the profession.

Introduction

In the last three and a half decades, the legal profession has undergone a dramatic transformation in the gender composition of its members. During that time, the number of women applying to law school and entering the profession has gone from a few gallant pioneers to a number roughly equal to that of men. Between 1970 and 2000, the number of female first-year law students climbed from 8% to 49%.² Because the existing bar consisted primarily of male lawyers, the percentage of women in the legal profession changed more slowly, but still rose dramatically. The number of female lawyers, as a percentage of all practicing lawyers, has risen from 3% in 1970 to 27% in 2000, while the percentage of lawyers who are male has made a corresponding decline.³ From 1970 to 2000, the number of women in the legal profession increased from fewer than 10,000, to almost 300,000,⁴ marking a steady growth rate of 12% a year. Over the same period, the number of male lawyers has increased from approximately 290,000 to 780,000, for an annual growth rate of just 3.3% per year.⁵

In this study, we undertake an empirical analysis of the impact of this transformation on the legal profession and the differences that gender makes in the careers and lives of attorneys. In this analysis, our primary source of data is the University of Michigan Law School Alumni Data Set (hereafter referred to as the Michigan data set). With regular survey responses from Michigan alumni from 1967 until the present, the Michigan data set provides a unique opportunity to examine these questions from the days when female attorneys were rare, to the arrival of the first generation of women to achieve a significant presence in the legal profession. This data set is also useful in examining these questions because of its richness in numbers of observations and the breadth of the questions explored in the questionnaire. At least since the 1981 survey of the classes of 1966 and 1976, the Michigan data set contains information on a wide variety of aspects of the alumni's family lives and careers. The limitation of the Michigan data set is that it covers only University of Michigan alumni, a diverse but relatively elite swath of the legal profession. To act as a check on our analysis and to guide our interpretation of the results, we conducted focus-group discussions of our findings with groups of female and male attorneys and collected similar data on Indiana University law alumni to test our primary findings. The insights from these focus groups are reported here, while the results of the study of Indiana alumni are reported elsewhere.⁶ Less precise checks of our results can be made by reference to the existing empirical literature, particularly the excellent work done in the Chicago Lawyers Survey⁷ and the American Bar Association's "After the JD" Survey.⁸

An overriding theme of the study is the transition of the legal profession from one dominated by men in the 1970s, to a profession in which women are now achieving significant representation. In exploring this theme, we examine what the Michigan data set, and our other resources, tell us about each step in the typical lawyer's legal career from his or her law school experience, to the choice of a first job, to the lawyer's experience in practice, to balancing family life and work, to promotion and partnership, and finally to plans for retirement. Because the Michigan data set contains numerous

2. GITA Z. WILDER & BRUCE WEINGARTNER, DATABOOK ON WOMEN IN LAW SCHOOL AND IN THE LEGAL PROFESSION, tbl.29, (LSAC, 2003).

3. By decade, women constituted 3% of the profession in 1971, 8% in 1980, 20% in 1991, and 27% in 2000. Clara N. Carson, *The Lawyer Statistical Report: The U.S. Legal Profession in 2000*, 2004 American Bar Foundation 1–3.

4. *Id.*

5. *Id.*

6. Kenneth G. Dau-Schmidt, Jeffrey S. Stake, Kaushik Mukhopadhyaya & Timothy A. Haley, *The Pride of Indiana: An Empirical Study of the Law School Experience and Careers of Indiana University School of Law–Bloomington Alumni*, 81 IND. L.J. 1427–78 (2006).

7. John P. Heinz, Kathleen E. Hull, & Ava A. Harter, *Lawyers and Their Discontents: Findings from a Survey of the Chicago Bar*, 74 IND. L.J. 735, 748–9 (1999); JOHN P. HEINZ, ROBERT L. NELSON, REBECCA L. SANDEFUR & EDWARD O. LAUMANN, URBAN LAWYERS: THE NEW SOCIAL STRUCTURE OF THE BAR 189, 195 (2005).

8. RONIT DONOVITZER, BRYANT G. GARTH, RICHARD SANDER, JOYCE STERLING AND GITA Z. WILDER, AFTER THE JD: FIRST RESULTS OF A NATIONAL STUDY OF LEGAL CAREERS (2004), at <http://www.abf-sociolegal.org/ajd.pdf>

observations over a period of many years, we also hope to gain some insight into how the impact of gender on these important steps has changed over the last several decades.

Analysis of the Data

Description of the Data Set

The Michigan data set, which began in 1967 with a detailed survey of the University of Michigan Law School's class of 1952, provides a uniquely continuous and detailed perspective on the legal careers of the graduates of a great American law school. This survey of the school's alumni 15 years after graduation has continued each year to the present time. In 1972, the law school added a similar survey of its graduates 5 years after graduation, and in 1997 the law school added a survey of graduates 25, 35, and 45 years after graduation. In all, the data set contains the responses of 17,012 surveys returned from University of Michigan Law School alumni for the survey years 1967–2000 from the classes of 1952–1996. Of these surveys, 14,297 were returned by men and 2,708 by women. The survey enjoyed an overall response rate of 68.80%, with 69.76% of men responding and 64.23% of women responding. In the years since 1981 (the primary years of our analysis), when the more extensive survey began, a total of 11,977 surveys have been returned, 9,480 by men and 2,496 by women. Since 1981, the overall survey response rate has been 66.27%, with 66.96% of men responding and 63.89% of women responding.

The surveys ask a variety of questions about each respondent's legal career from its inception until its end. The data set contains data on each respondent's reasons for going to law school, experiences in law school, first job, current job, type of practice, job satisfaction, income, hours, child care responsibilities, satisfaction with his or her balance between family and job, mentoring, future work plans, and retirement plans. In addition, the data set contains some information on the respondent from the law school's files, such as race, gender, Law School Admission Test (LSAT) score, and grade point average (GPA). Although the survey form and questions have varied over the years, and also vary according to whether the survey is for an alumnus 5 years after graduation or 15 or more years after graduation, there is remarkable consistency between survey years and among the surveys for graduates of different vintages. The typical record contains 815 responses or bits of information from survey responses and school files.

Personal Characteristics of the Survey Participants

Perhaps since the dawn of mankind, people have identified certain personal characteristics as being associated with a particular gender. Men are thought to be more aggressive, more concerned with money, and more conservative, while women are thought to be more compassionate and more liberal. Although "equality feminists" have argued that gender roles and their associated characteristics are socially constructed,⁹ scientists and social scientists have identified a number of characteristics that are associated with gender. Researchers from a variety of sciences have found that men are better at math, tests of spatial ability, and large motor tasks, while women are better with language and small motor tasks.¹⁰ These scientists generally ascribe such differences to peoples' growth and development under exposure to their respective sex hormones and to evolutionary advantages in finding a mate and ensuring the survival of offspring. A characteristic of one gender may also influence the other gender through evolution or social interaction. For example, one reason that men might be more concerned with making money is that studies show that women are more concerned with the earning power of prospective mates than are men.¹¹ Psychologists consistently find that men are more aggressive and hold more permissive attitudes toward casual sex, although some psychologists argue that men and women are much more alike in their psychology than they are different.¹² Of direct relevance to the study of lawyers, Teitelbaum, Lopez, and Jenkins found that the men who attend law school are more likely than the women to be motivated by prestige and financial rewards, while the women are more likely to cite personal and social motivations, such as personal growth and social change.¹³ Heinz et al. found that female lawyers are more liberal than male lawyers both on economic issues such as government aid to the poor and on social issues such as affirmative action and

9. However "difference feminists" have argued that different personal characteristics are indeed associated with, and inherent to, a particular gender, or at least are acquired so early in life that they can be treated as inherent. CAROL GILLIGAN, *IN A DIFFERENT VOICE: PSYCHOLOGICAL THEORY AND WOMEN'S DEVELOPMENT* (1982).

10. JOHN COLAPINTO, *AS NATURE MADE HIM: THE BOY WHO WAS RAISED AS A GIRL* (2001); Doreen Kimura, *Sex Differences in the Brain*, *SCI. AM.*, May 13, 2002, available at <http://www.sciam.com/article.cfm?articleID=00018E9D-879D-1D06-8E49809EC588EEDE>. See also LINDA MEALEY, *SEX DIFFERENCES: DEVELOPMENTAL AND EVOLUTIONARY STRATEGIES* (2000).

11. G. J. HITSCH, A. HORTACSU & D. ARIELY, WHAT MAKES YOU CLICK?—MATE PREFERENCE AND MATCHING OUTCOMES IN ON-LINE DATING (2006), <http://fmwww.bc.edu/ec-j/semf206/Hort.pdf>; John Tierney, *Romantic Revulsion in the New Century: Flaw-O-Matic 2.0*, *N.Y. TIMES*, Apr. 10, 2007, at D1, D5; Peter M. Todd, L. Penke, B. Fasolo & A. P. Lenton, *Different Cognitive Processes Underlie Human Mate Choices and Mate Preferences*, *PROC. NAT'L. ACAD. SCI.* (forthcoming).

12. Janet Shibley Hyde, *The Gender Similarities Hypothesis*, 60 *AM. PSYCHOLOGIST* 581 (2005).

13. Lee F. Teitelbaum, Antoniette S. Lopez & Jeffrey Jenkins, *Gender, Legal Education, and Legal Careers*, 41 *J. LEGAL EDUC.* 443, 456 (1991); see also Janet Taber, et al., *Gender, Legal Education, and the Legal Profession: An Empirical Study of Stanford Law Students and Graduates*, 40 *STAN. L. REV.* 1209, 1238 (1988).

abortion.¹⁴

The Michigan data set contains a number of self-evaluations of personal characteristics that allow us to assess how these personal characteristics vary by gender, and whether these differences have changed over the examined period. In addition to recording the respondent's gender, race, ethnicity, and age,¹⁵ the data reports the respondent's evaluation of whether he or she is aggressive, compulsive about work, desirous of money, confident, a deal maker, an effective writer, desirous of social impact, honest, compassionate, and liberal as compared with other lawyers.¹⁶ The alumnus' reported evaluations of these personal characteristics are recorded on a 7-point scale from -3 for "much less than most" to 3 for "much more than most." In addition, the survey asks whether the respondent participates in activities that are political, religious, charitable, or of another character.¹⁷ We divided the sample into two periods: Period 1 for the survey years 1991 and before, generally 1981–1991, although not all questions were available in all years during this early period; and Period 2 for survey years 1996–2000. A break of 5 years was left between these two periods in order to allow for the comparison of two distinct periods of time. The means for the responses to the personal characteristic questions for alumni surveyed 5 years after graduation are reported for each period in Table 1, for all observations and separated according to gender. The difference between the male and female means for each of the variables for each time period is reported in a separate column. A two-tailed *t* test was performed to determine whether this difference was significantly different from zero, with one asterisk indicating that the difference was significant at the 0.1 level. A comparison of changes in the differences between the genders between the two periods is presented in the last two columns of the table. The minimum number of observations on which the means are based is reported in the row labeled *N* below each column of variables.

The results reported in Table 1 indicate that the men and women entering the legal profession have systematically varied in their personal characteristics and that there has been some change in this variation over time. The women entering the legal profession have been significantly more likely to be in a minority group, to report a greater desire for social impact, and to view themselves as being more honest, compassionate, and liberal than the men. In addition, the women have reported that they engage in charitable activity significantly more often than have their male counterparts. The men entering the legal profession have viewed themselves as more aggressive, desirous of money, confident, and deal making than have their female counterparts.¹⁸ Interestingly, the women were significantly older than the men in the surveys before 1992, while the men were significantly older than the women in the 1996–2000 surveys. The genders also traded positions with respect to who saw themselves as more compulsive about work over the examined time period, with the men reporting being more compulsive before 1992 and the women reporting being more compulsive after 1996. Even where the relative positions of the male and female means have not changed over time, some interesting results have surfaced. The women reported being more liberal during both periods, but the amount by which both men and women report being liberal has dropped, with the rating among the men dropping more than that among the women. Similarly, over the two periods the desire for social impact has dropped for both men and women, with a larger drop for men. The data shows women making small inroads into men's advantage in confidence over time. There seems to be no significant difference between the genders with respect to Hispanic ethnicity, the evaluation of their effectiveness as writers, political activity, and religious activity. The difference between the male and female means for various personal characteristics in each period is represented in a bar graph in Figure 1, which depicts male- to female-associated characteristics going roughly from left to right.

14. JOHN P. HEINZ, ROBERT L. NELSON, REBECCA L. SANDEFUR & EDWARD O. LAUMANN, *URBAN LAWYERS: THE NEW SOCIAL STRUCTURE OF THE BAR* 189, 195 (2005).

15. These variables are taken from law school records and are reported for all survey years.

16. This data is recorded in variables 737–746 for the survey years 1987 to the present, except for the variable compassion, which the survey began collecting in 1989.

17. This data is recorded in variables 72–79 for the survey years 1981 to the present.

18. Consistent with this finding, several participants in our focus groups affirmed that they believed that the men were more interested in making money. As described by one of the senior women, she thought men often didn't realize there was more to life than making money. As described by a senior man, higher salaries fed male egos. Whether they needed the money or not, some men would compete to see who could make the most money.

TABLE 1
Personal characteristics: 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
% Black	6.00	4.90	10.40	-5.40*	8.80	7.30	11.20	-3.90*	-1.50	FF
% Hispanic	1.70	1.60	2.00	-0.50	5.30	5.40	5.10	0.30	-0.10	FM
% Asian	0.60	0.40	1.40	-1.00*	3.70	2.30	5.70	-3.40*	2.40	FF
% Native American	0.30	0.20	0.70	-0.50*	1.40	1.30	1.60	-0.30	-0.20	FF
Age	31.36	31.17	32.08	-0.91*	31.80	31.96	31.55	0.41*	-50.2	FM
<i>N</i>	6,886	5,515	1,371		1,870	1,135	735			
Aggressive	0.346	0.425	0.172	0.253*	0.175	0.298	-0.004	0.302*	4.90	MM
Compulsive work	0.130	0.190	-0.003	0.193*	0.111	0.019	0.245	-0.226*	3.30	MF
Desire for money	-0.572	-0.395	-0.962	0.567*	-0.423	-0.175	-0.784	0.609*	4.20	MM
Confidence	0.831	0.965	0.536	0.430*	0.890	1.034	0.680	0.354*	-7.60	MM
Dealmaker	0.790	0.896	0.553	0.343*	0.682	0.818	0.483	0.335*	-0.80	MM
Effective writer	1.678	1.656	1.725	-0.06.9	1.678	1.713	1.627	0.087	1.80	FM
Desire social impact	0.674	0.600	0.839	-0.239*	0.433	0.243	0.710	-0.468*	22.90	FF
Honest	1.792	1.746	1.896	-0.150*	1.702	1.646	1.783	-0.137*	-1.30	FF
<i>N</i>	1,242	857	385		1,161	691	470			
Compassionate	1.179	1.006	1.531	-0.525*	1.149	0.987	1.384	-0.396*	-12.9 0	FF
<i>N</i>	733	492	241		1,184	699	485			
Liberal (-3 - 3)	0.57	0.43	0.94	-0.52*	0.45	0.26	0.71	-0.45	-0.07	FF
% Political activity	23.90	24.00	23.80	0.20	17.30	18.50	15.60	2.90	2.70	MM
% Religious	24.20	24.10	24.40	-0.30	25.80	26.30	25.30	1.00	0.70	FM
% Charitable activity	30.70	29.50	34.00	-4.60*	35.60	32.40	40.40	-8.00*	3.40	FF
% Other	30.80	28.90	36.00	-7.10*	31.20	29.70	33.30	-3.60	-3.50	FF
<i>N</i>	2,795	2,035	760		1,195	707	488			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

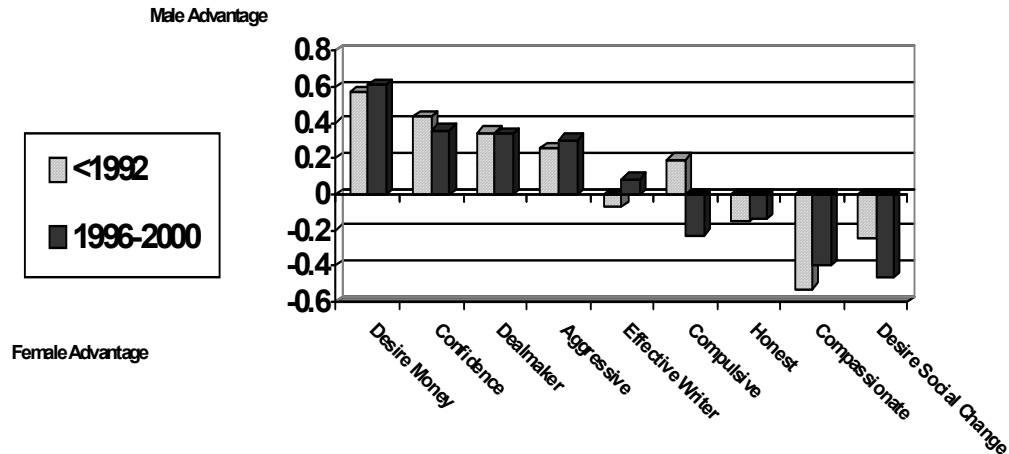


FIGURE 1. *Personal characteristics: Difference in male and female means for the 5-year survey, survey years <1992 and survey years 1996–2000*

Later in our analysis of legal careers we found that having children and taking time away from paid work to perform child care had a big impact on the lawyers' careers, their income, and their levels of satisfaction. Because of these differences, we felt it pertinent to explore whether personal characteristics varied among the survey respondents according to whether they had kids and took time away from paid work to perform child care. Accordingly, in Table 2 we report the mean values of various personality characteristics for respondents to the 1996–2000 surveys 5 years after law school, broken down by gender and whether the respondent had kids and did child care. Both the men and women are broken down into three groups: (1) those with kids, (2) those who had kids but did not take time away from work to perform child care and (3) those who had kids and indicated that, for some period, they either worked part time or did not work in order to accommodate child care. For each variable, we performed two-tailed *t* tests on the differences between the means of each set of subgroups within the genders to determine whether the observed differences were statistically significant. If a "(1)" followed by an asterisk appears next to the mean for group (3), this indicates that the mean for the first group with kids is significantly different at the 0.1 level from the mean for the third group who took time away from paid work to perform child care. Similarly, if a "(2)" followed by an asterisk appears next to the mean for group (1), this indicates that the mean for the second group who had kids but did not take time away from paid work to perform child care is significantly different at the 0.1 level from the mean for the first group with no kids. These efforts produced some very interesting results.

In Table 2 we see that men who took time away from paid work to perform child care reported being significantly less compulsive about work and more desirous of having a social impact, while their law school records indicated that they had somewhat lower LSAT scores and GPAs. These results make sense within the context of the traditional economic analysis in that one might expect men who are less compulsive about work and more desirous of social change to be more likely to undertake child care at the expense of their paid career, especially if their paid opportunities are somewhat less than average because of lower than average grades. It should be stressed, however, that just because these men's grades were lower on average than the grades of the other men in the survey, this does not mean they were unproductive or had no paid career opportunities. Their average LSAT score could have gotten them into any top law school in the country, and their grades from such a competitive school as Michigan represent them as highly productive and motivated individuals. Perhaps their child care efforts are best understood as an individual choice to put child care above their career, at least for a time in their life.

Also in Table 2 we see that the women who took time away from paid work to perform child care differed from the other women in both predictable and unpredictable ways. Perhaps it would be expected that women who took time away from their careers to perform child care would be significantly less aggressive, less compulsive about work, and less desirous of money. Surprisingly, however, these women's responses also indicate that they are less compassionate than the other women, and their law school records indicate that they had significantly higher LSAT scores and GPAs compared to the women who had kids but did not take time away from their careers to perform child care.¹⁹ Similar results were obtained for the women in the 15-year sample for the same years, except that in the 15-year survey the

19. Neither economic theory nor the feminist literature has been kind to these women. Under traditional economic theory, one would predict that women with less market opportunities and therefore lower opportunity costs would tend to do more child care, so one would expect that women who do more child care would have a lower average GPA. See GARY S. BECKER, *A TREATISE ON THE FAMILY: ENLARGED EDITION* (2005). In the feminist literature, at least some see women who interrupt their careers for significant periods of time for child care as slackers or, worse yet, collaborators in male oppression. See LINDA R. HIRSHMAN, *GET TO WORK ... AND GET A LIFE, BEFORE IT'S TOO LATE* (2007). Our results are inconsistent with both of these views.

women who did child care indicated that they were significantly more compassionate than the other two groups.²⁰ The lower responses with respect to compassion 5 years out of law school may be explained in this way: Women who actively participate in child care may have more opportunity to exhibit their tendencies toward compassion. It occurred to us that there might be a disproportionate number of returning students among the women who performed child care, and that age and life experience might account for the higher LSAT scores and GPAs, but in fact the average age of the women who did child care was lower than the average age of the women with children who did not perform child care, and there was only a very small and negative correlation between age and LSAT score in the sample.²¹ It also occurred to us that bright, less aggressive, and less compulsive women might do very well in the competition for spouses, so that perhaps these women married men who were high wage earners, and therefore these women could better afford to undertake child care. However, although women who took time away from work to perform child care reported average spousal income (\$177,117) greater than that for any of the other five groups—and this income advantage was significant with respect to the women without kids (\$86,947)—their spousal income was not significantly greater than that of the women who had kids but did not take time away from paid work to perform child care (\$154,143).²² Evidently, some very smart women use some of the opportunity their success in school affords them to perform child care, even at the expense of their careers.

TABLE 2
Personal characteristics: 5-year survey, survey years 1996–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Aggressive	0.300	0.251	0.000	0.042 (3)*	0.073 (3)*	-0.358 (1)*(2)*
Compulsive work	0.038 (3)*	0.041 (3)*	-0.833 (1)*(2)*	0.293 (3)*	0.309	-0.060 (1)*
Desire for money	-0.106 (2)*	-0.299 (1)*	-0.583	-0.731 (3)*	-0.836	-1.014 (1)*
Confidence	0.975	1.129	1.167	0.676	0.655	0.681
Deal maker	0.801	0.911	0.417	0.523	0.472	0.288
Effective writer	1.660 (2)*	1.810 (1)*	2.083	1.598	1.800	1.594
Desire social impact	0.233 (3)*	0.216 (3)*	0.917 (1)*(2)*	0.758	0.500	0.565
Honest	1.592 (2)*	1.773 (1)*	1.500	1.754	1.857	1.826
Compassionate	0.894 (2)*	1.193 (1)*	1.250	1.462 (3)*	1.339	1.043 (1)*
<i>N</i>	473	192	12	346	53	66
LSAT	167.1	167.0	164.2	165.9 (3)*	165.0 (3)*	168.3 (1)*(2)*
Law school GPA	3.273 (2)*	3.335 (1)*(3)*	3.129 (2)*	3.194 (3)*	3.173 (3)*	3.320 (1)*(2)*
<i>N</i>	480	194	12	350	56	67

CC = child care.

*Difference in means significantly different from zero at the 0.1 level, two-tailed *t* test.

20. These results are reported in Tables A1 and A2 in the Appendix.

21. In this sample, the average age of the women without kids was 31.14 years, average age of the women who had kids but did not take time from paid work to perform child care was 32.28 years, and average age of women who took time from paid work to perform child care was 31.60 years. The women without kids were significantly younger than the other two groups, but there was no significant difference in age between the women who had kids but did not miss paid work to perform child care and those who did. The correlation between age and LSAT score for the 5-year sample since 1996 was -0.0753 for the sample as a whole and -0.0079 just for the women—both insignificant.

22. Our full analysis of family characteristics broken down by gender and whether the respondent reported having children and doing child care is presented in Table A3 in the Appendix.

Experience in Law School: Hostility and Alienation or Convergence of Interests?

Much of the existing literature presents a very bleak picture of women's law school experiences as compared with those of men. A 1978 study of law students by Roberts and Winter conducted at a large state university found that less than half of the women found law school rewarding, compared to two thirds of the men, and women were less likely to rate the teaching and classroom experience highly.²³ A study of Harvard law students by Granfield in the late 1980s found that more than half of the female students believed the faculty was biased against women, and many female students experienced feelings of "alienation," "marginality," and "otherness."²⁴ Likewise a recent University of Pennsylvania study by Guinier, Fine, and Balin found that the law school was "a "hostile" learning environment for "a disproportionate number of its female students," citing the hostility of both male peers and faculty.²⁵ Guinier et al. also found that, in the University of Pennsylvania Law School classes of 1990–1993, male students earned higher grades, were three times more likely to be in the top decile of their class, and received more honors than female students, even though these students entered law school with virtually identical average undergraduate GPAs and LSAT scores.²⁶ However, a contemporaneous national survey of over 6,000 law students by Wightman found no significant gender differences in how students evaluated the law school environment or the accessibility of faculty.²⁷ Moreover, most research, including a national study of over 25,000 student records for 1991–1992, shows that men and women have comparable academic performance in law school given their LSAT scores.²⁸

Although the Michigan data set suggests some differences in the law school experiences of men and women, it does not support the grimmest assessments of the existing literature. The survey asks for the respondent's level of satisfaction with his or her law school experience with respect to intellectual challenge, preparation for career, social, and "overall" on a scale from –3 for "very unsatisfied" to 3 for "very satisfied."²⁹ The means of these variables are reported in Table 3, broken down by gender and the examined period, along with the means of other personal characteristics relevant to the law school experience such as LSAT score, GPA, participation in certain law school activities, and debt after law school.³⁰

23. E. R. Robert & M. F. Winter, *Sex-Role and Success in Law School*, 29 J. LEGAL EDUC. 449, 452 (1978).

24. Robert Granfield, *Contextualizing the Different Voice: Women, Occupational Goals, and Legal Education*, 16 LAW AND POL'Y 1, 9–10 (1994).

25. LANI GUINIER, MICHELLE FINE & JANE BALIN, *BECOMING GENTLEMEN: WOMEN, LAW SCHOOL, AND INSTITUTIONAL CHANGE* 57 (1997). The American Bar Association's Commission on Women in the Profession held a series of hearings around the country in 1994–95 to assess the law school climate. Based on the hearing testimony, the Commission reported that "many women still experience debilitating instances of gender bias and discrimination in law schools" ABA Comm. on Women in the Profession, *Elusive Equality: The Experiences of Women in Legal Education*, Op. 2 (1996).

26. *Id.* at 35–42.

27. Linda F. Wightman, *Women in Legal Education: A Comparison of the Law School Performance and Law School Experiences of Women and Men*, LSAC RESEARCH REP. SER. 38 (1996).

28. Alice Jacobs, *Women in Law School: Structural Constraint and Personal Choice in the Formation of Personal Identity*, 24 J. LEGAL EDUC. 462 (1972); Robert & Winter, *supra* note 25; James White, *Women in Law*, 65 MICH. L. REV. 1051 (1967). The most extensive study on this point was conducted by Wightman, who examined the grades of over 25,000 first-year law students for the 1991–92 school year and found that women's first-year GPA was slightly lower than men's and that this difference was consistent with gender differences in students' LSAT scores. Wightman, *supra* note 29, at 11, 15.

29. This data is recorded in variables 407–410 for survey years 1981 and later.

30. This data is recorded in variables 38, 413, 141, 421 and 425. The data on LSAT score and GPA is available for all survey years, and the data on the other variables is recorded for survey years 1981 and later.

TABLE 3
Law school experience: 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Personal Stats										
LSAT	166.49	166.45	166.68	–0.23	166.09	166.58	165.33	1.25*	1.02	FM
LS GPA	3.089	3.093	3.070	0.023*	3.213	3.243	3.168	0.074*	0.05	MM
Age at LS entry	23.24	23.02	24.08	–1.06*	23.97	24.11	23.76	0.36*	–0.70	FM
<i>N</i>	6,421	5,096	1,325			1,122	731			
Participate in journal	24.8	25.2	23.8	1.4	37.4	37.8	36.8	1.0	–0.4	MM
Participate in moot court	17.1	17.2	16.8	0.4	13.2	13.5	12.7	0.9	0.5	MM
Part. in student activity	50.2	49.7	51.5	–1.8	43.4	39.4	49.3	–9.9*	8.1	FF
<i>N</i>	2,234	1,603	631		1,221	724	497			
Satisf w/LS Experience										
Satisfaction LS intellectual challenge	1.626	1.647	1.569	0.078	1.723	1.719	1.728	–0.009	–0.069	MF
Satisfaction LS career	0.907	0.946	0.803	0.143*	0.566	0.632	0.468	0.163*	0.02	MM
Satisfaction LS social	0.670	0.630	0.775	–0.145*	0.876	0.872	0.882	–0.011	–0.134	FF
Satisfaction LS overall	1.147	1.170	1.083	0.088	1.196	1.239	1.132	0.107	0.019	MM
<i>N</i>	2,273	1,633	640		1,178	702	476			
Other LS stats										
Debt after LS (2004 \$)	25,251	24,585	26,822	–2,237*	49,929	49,193	51,004	–1,811	–426	FF
<i>N</i>	1,756	1,233	523		1,179	703	476			

F = female; LS = law school; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

These data show that the men were slightly, but insignificantly, more satisfied with their law school experience overall, and especially with their preparation for a career, although the results are mixed as to which gender was more satisfied intellectually, and women seemed more satisfied socially with their law school experience. The mean overall satisfaction with their law school experience was approximately 1 for both men and women, which means that, on average, they were “somewhat satisfied” with the experience. In part, the women’s relative lack of satisfaction with law school for career preparation may be because, as we will see, they are more likely to go into public interest, government work, and teaching, and both male and female graduates who go into these types of practice report being less satisfied with their career preparation than are those who go into large private practices.³¹ With respect to participation in law school activities, the Michigan data set shows no significant differences between the men and women, except that the women were significantly more likely to undertake some law school–related activity in the survey years 1996–2000. The men seemed to hold a slight, but significant, advantage in terms of GPA, since their average was higher both in the earlier period, when their LSAT scores were slightly lower, and in the later period, when their LSAT scores were slightly

31. Dau-Schmidt et al., *supra* note 9, at 1427–78.

higher. We do find evidence that men do well in the top decile for grades, although it seems the Michigan alumni also included a disproportionate number of men with high LSAT scores and the men's grades could be attributable to their efforts rather than some latent discrimination against the women. Although men constituted only 59.6 % of the 5-year sample since 1996, they constituted 73.3 % of the top decile of the grade distribution. The average LSAT score for the men in the top decile for grades was 169.8, the same as the average for women in the top decile. Men constituted 66.4% of the members of the top decile in LSAT scores. The Michigan data set suffers from the same limitation as the samples in most of the studies to date in that it covers only one law school, which may be more or less accommodating of women or men. Our analysis of similar data collected on Indiana University alumni for the purpose of testing the general applicability of the Michigan results shows that, at Indiana University, female alumni report being significantly more satisfied with their law school experience than the men, and report having engaged in a significantly greater number of activities.³²

In an attempt to separate the direct impact of gender on satisfaction with the law school experience from the impact of other variables, such as the type of practice the alumnus undertakes, we used linear regression to estimate overall satisfaction with law school as a function of a variety of variables, including gender, for both the period before 1992 and the period 1996–2000. The independent variables included in these regressions consist of gender, race, ethnicity, annual income, annual hours of work, overall job satisfaction, law school GPA, participation in various law school activities, debt after law school, and type of practice or employment. The default case in which all the dummy variables are zero is a white, non-Hispanic male, who works in a “supersized” (greater than 150 attorneys) private law firm and did not participate in any law school activities.³³ The results, reported below in Regression 1, for the period before 1992, and Regression 2, for the period 1996–2000 (Table 4), show a negative coefficient for the female dummy variable, but in neither period is this coefficient significantly different from zero. In the period before 1992, satisfaction with law school is found to be positively and significantly related to annual income, law school GPA, participation in various law school activities, and being Hispanic. Satisfaction with law school is negatively and significantly related to undertaking a variety of types of practice relative to practice in a supersized firm, including large private practice, small private practice, corporate counsel, legal services, and non-practice. In the second period, satisfaction with law school is found to be positively and significantly related to job satisfaction, law school GPA, working as a judge, and being Black or Hispanic. Satisfaction with law school is negatively and significantly related to being engaged in a legal practice outside the traditional types of practice listed (i.e., “other practice”) or being engaged in work outside the practice of law. The coefficient for the female dummy variable is found to be insignificantly negative in both periods, and even closer to zero in the second period than in the first, suggesting that the women were more satisfied with their law school experience in the second period, given their other characteristics accounted for in the regression equation. Indeed the coefficients for gender, race, and ethnicity suggest that Michigan University has had some success in making female and minority students feel more welcome over time, since the coefficients for these variables are seen to be either positive or growing closer to zero between the two examined periods.

32. Female Indiana alumni from the classes of 1995–1999 were significantly more satisfied with their law school experience intellectually, socially, and overall than were their male counterparts. These women were also more satisfied with their career preparation, but the difference was very small and not statistically significant. The women in these classes also reported undertaking all law school activities in at least the same percentages as the men with significant and striking advantages in participation in student group activities (60% of women, 36% of men) and clinic (55% of women and 34% of men). *Id.* at 1433–34, tbl. 2.

33. A “dummy variable” is a variable that has the value 1 when the surveyed person has that characteristic and 0 otherwise. For example the “female dummy variable” is 1 if the respondent is female and 0 if the respondent is male. By entering dummy variables for various characteristics into the regression equation, we can estimate the average impact of these characteristics on the dependent variable, independent of the other variables in the estimated equation.

TABLE 4
Regression analysis of respondents' satisfaction with law school experience

Regressions With "Satisfaction With Law School" (-3 to +3) as the Dependent Variable	Regression 1 Survey Years 1991 & Before 5-Year Survey		Regression 2 Survey Years 1996–2000 5-Year Survey	
	Coefficient	Robust SE	Coefficient	Robust SE
Independent Variables				
Female	-0.115	0.089	-0.051	0.087
Black	-0.284	0.22	0.761**	0.188
Hispanic	0.532**	0.257	0.406**	0.206
Asian	-0.223	0.427	-0.240	0.308
Real income (2004 \$)	0.001	0.001	0.001	0.001
Annual hours of work	-7.1E-05	9.30E-05	2.60E-05	8.30E-05
Career satisfaction overall	0.225**	0.038	0.262**	0.041
LS GPA	0.718**	0.12	1.283**	0.153
Participate in journal	0.273**	0.091	0.063	0.09
Participate in moot court	0.206**	0.099	0.109	0.107
Participate in student activity	0.230**	0.078	0.086	0.085
Debt after LS (2004 \$)	-4.8E-04	0.002	-0.001	0.001
Private practice large (51–150)	-0.239*	0.127	0.183	0.131
Private practice medium (16–50)	-0.192	0.137	0.049	0.153
Private practice small (1–15)	-0.284*	0.146	-0.189	0.142
Corporate counsel	-0.281*	0.156	0.063	0.146
Government practice	-0.150	0.16	-0.133	0.212
Legal services	-1.117**	0.254	-0.239	0.235
Other practice	-0.653	0.423	-0.333	0.391
Teach law	-0.324	0.326	-0.332	0.283
Judge	—	—	0.414**	0.166
Public official	-0.456	1.499	—	—
Business non-practice	-0.382	0.278	-0.332	0.235
Government non-practice	-0.233	0.398	-0.553	0.368
Other non-practice	-0.657**	0.268	-0.375	0.259
Parent non-practice	—	—	0.404	0.27
Unemployed not parenting	—	—	0.406**	0.205
Constant	-1.220**	0.473	-3.418**	0.564
Regression summary statistics	Number of obs = 1,107 F (24, 1082) = 9.63 Prob > F = 0.0000 R-squared = 0.1637 Root MSE = 1.2734		Number of obs = 965 F (25, 938) = . Prob > F = . R-squared = 0.1838 Root MSE = 1.254	

LS = law school.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

Several studies have documented that women and men begin law school with differing career aspirations and motivations. Women are more likely than men to begin law school with aspirations to work in legal settings that promote social change while men are more likely to want to work in private practice and make money. Over the course of law school, however, women's career aspirations turn more toward private practice and begin to look more like the men's. In their 1990 survey of University of Pennsylvania law students, Guinier et al. found that 33% of female first-year students expected to practice in the field of public interest law, but only 10% of third-year women had this expectation; by contrast, only 8% of first-year men and 5% of third-year men aspired to the public interest field.³⁴ Similarly, in her 1991

34. Guinier, Fine & Balin, *supra* note 28 at tbl. 4.

national survey of first-year law students, Wightman found that women were twice as likely as men to report an aspiration to work in public interest law, with 10% of women and 5% of men reporting this goal.³⁵ In a prior study using the Michigan data set from the classes of 1982–1988, Kornhauser and Revesz found that at the beginning of law school women were disproportionately interested in careers in the not-for-profit sector, but by graduation female students were disproportionately interested in for-profit work. Kornhauser and Revesz concluded that “women enter law school more committed to not-for-profit jobs than men, but law school disproportionately channels them toward for-profit jobs.”³⁶

The Michigan data set contains the respondents’ recollections, 5 years after law school, of their general career aspirations both before and after law school. The alumni were asked whether they aspired, before and after law school, to 1 or more of 9 different types of jobs, including private practice in a “large” firm, private practice in a “medium sized” firm, private practice in a “small” firm, corporate counsel, prosecutor, politics, legal services, education, and business.³⁷ The percentage of respondents who expressed a preference for each of these types of practice before law school are represented in Table 5, broken down by gender and time period. The percentage of respondents who expressed a preference for each of these types of practice after law school are represented in Table 6, broken down by gender and time period.

With a few exceptions, the results reported in Tables 5 and 6 suggest that the men’s and women’s career aspirations, although different, became more and more alike during the course of the law school experience and have been becoming more alike over time. In this convergence of aspirations, both the men and women have changed, but it is primarily the women who have changed their minds from pursuing careers in government or public interest work to pursuing jobs in large private practices. As we will see later in the discussion of careers, however, women have also been more likely to later leave large private practices for work in other areas. Comparing the responses for before and after law school in Tables 5 and 6 for Period 2 (1996–2000), we see that both the men and the women have become much more interested in large private practice and much less interested in legal services work over the course of law school, although the women’s interests have changed the most. The results for the first period show a similar transformation of the interests of both the men and the women over the course of law school. The changes in the respondents’ interests from before to after law school are represented in Figure 2. Comparing the responses from Period 1 (before 1992) and Period 2 (1996–2000), in either Tables 5 and 6, we see that there has also been a shift in favor of large firm practice over time, although in this case it has been at the expense of small and medium firm practice and politics. Of course some of this change is due to the fact that law firms have been growing over time, and in the later period a much higher percentage of the available jobs were to be found in large firms. Both male and female respondents have also expressed a greater interest in prosecutorial jobs and business jobs over the course of the two periods. Once again, the women’s interests seem to have changed more over time than the men’s.³⁸ This trend in favor of large-firm private practice, prosecution, and business is represented for the figures on interests before law school in Figure 3. Because the women’s interests have changed more both in law school and over time, we see a modest convergence of the men’s and women’s job interests over the course of law school and over time. After law school, the interests of the men and women in the later period converged to the point where the only statistically significant differences were that women expressed a greater interest in legal services, while men expressed a greater interest in business. This convergence in interests may be due to a variety of factors including common experiences in summer jobs, socialization in the law school experience, or accommodation of interests to the realities of job prospects. Indeed, given the growth of large private firm practice over the course of the last two decades, it would be remarkable if there were not some growth in interest in these jobs among graduates seeking employment.

35. Wightman, *supra* note 30, at tbl. 31.

36. Lewis Kornhauser & Richard Revesz, *Legal Education and Entry into the Legal Profession: the Role of Race, Gender and Educational Debt*, 70 N.Y.U. L. REV. 829, 942 (1995).

37. This data is recorded in variables 110 and 111 for the survey years 1981 to the present.

38. Several female participants in our focus groups attributed the increase in women’s relative interest in supersized and large firms to maternity leaves and family friendlier work arrangements that they felt were unavailable in smaller firms. At least when the women were young they seemed to have some preference for the institutional guarantees of child care accommodation in the large firms rather than the more ad hoc arrangements many make later in life in small firms.

TABLE 5
Career plans before law school: Percentage of respondents who planned to go into a type of practice, 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	M/F Rel Pos
Large private practice	14.20	15.50	10.60	5.00*	23.20	24.50	21.30	3.20	–1.80	MM
Medium private practice	6.30	6.30	6.50	–0.20	3.60	3.70	3.30	0.40	0.20	FM
Small private practice	5.30	5.60	4.60	1.00	2.10	2.70	1.30	1.50*	0.50	MM
Solo practitioner	1.20	1.40	0.70	0.70*	0.20	0.10	0.20	–0.10	–0.60	MF
Private practice	10.50	11.00	9.10	1.90	8.30	9.20	7.10	2.10	0.20	MM
Corporate counsel	1.40	1.20	2.10	–0.90*	2.20	1.30	3.60	–2.30*	1.40	FF
Prosecutor	1.00	0.90	1.20	–0.30	4.30	3.30	5.60	–2.30*	2.00	FF
Legal services	10.90	7.90	19.30	–11.40*	12.90	7.60	20.50	–12.90*	1.50	FF
Politics	10.90	11.20	10.20	1.00	7.20	7.50	6.90	0.60	–0.40	MM
Education	1.80	1.80	1.80	–0.10	2.20	3.20	0.80	2.30*	2.20	FM
Business	2.40	2.60	1.80	0.80	4.50	5.70	2.70	3.00*	2.20	MM
<i>N</i>	2,819	2,061	758		1,175	697	478			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE 6
Career plans after law school: Percentage of respondents who planned to go into a type of practice, 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	M/F Rel Pos
Large private practice	39.90	41.60	35.50	6.10*	42.70	42.30	43.40	–1.20	–4.90	MF
Medium private practice	14.50	14.90	13.40	1.50	8.70	9.10	8.10	1.00	–0.50	MM
Small private practice	5.70	5.60	6.00	–0.40	3.00	3.30	2.50	0.80	0.40	FM
Solo practitioner	0.80	0.90	0.50	0.30	0.60	0.70	0.40	0.30	0.00	MM
Private practice	6.10	5.60	7.40	–1.80*	5.50	5.80	5.10	0.70	–1.10	FM
Corporate counsel	2.70	2.30	3.70	–1.40*	3.70	3.20	4.40	–1.30	–0.10	FF
Prosecutor	1.00	1.00	0.90	0.10	3.20	2.90	3.60	–0.70	0.60	MF
Legal services	6.90	5.00	12.10	–7.10*	8.00	5.50	11.70	–6.20*	–0.90	FF
Politics	7.00	7.00	6.80	0.30	5.80	6.50	4.90	1.60	1.30	MM
Education	2.20	2.40	1.90	0.50	3.00	3.00	3.00	0.10	–0.40	MM
Business	2.60	3.10	1.20	1.90*	4.60	6.50	1.90	4.60*	2.70	MM
<i>N</i>	2,805	2,050	755		1,165	693	472			
Career Plans										
Change in LS										
Plans change in LS	49.30	50.20	46.50	3.70	69.10	70.20	67.50	2.70	–1.00	MM
<i>N</i>	2,016	1,483	533		638	386	252			

F = female; LS = law school; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

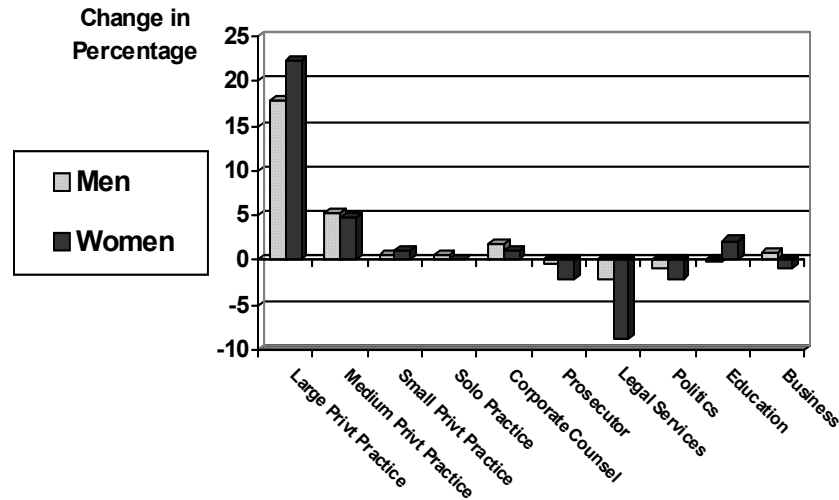


FIGURE 2: Career plans—change in percentage of respondents who expressed interest in a type of practice or job from before to after law school, Period 2 (1996–2000), 5-year survey

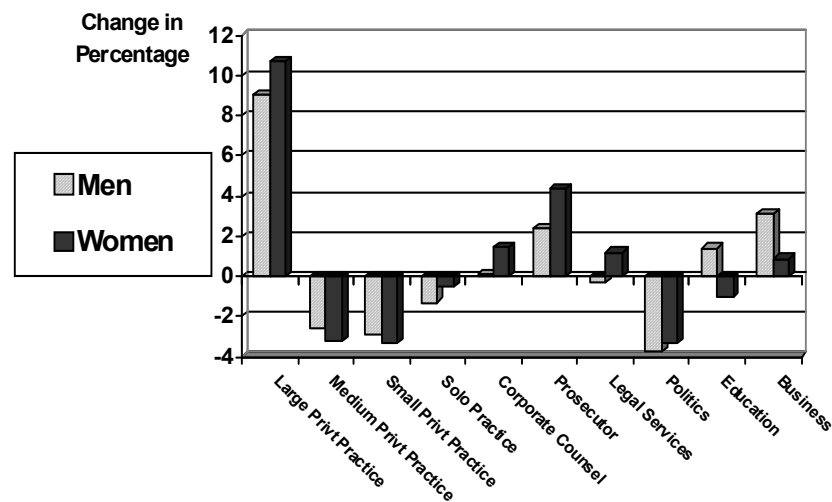


FIGURE 3: Career plans—change in percentage of respondents who expressed interest in a type of practice or job before law school from Period 1 (≤ 1991) to Period 2 (1996–2000), 5-year survey

Family Characteristics of the Survey Participants

Differences in personal characteristics and social roles may lead to differences in family characteristics associated with gender among lawyers. For example, if women focus more on wealth and earning potential in seeking a mate than do men,³⁹ this would lead to a higher percentage of male lawyers being married, since they are relatively skilled and highly paid compared to the male population as a whole. Unmarried men would be found disproportionately among low-income males. Similarly, since women do a disproportionate share of housework and child care,⁴⁰ young female lawyers may be more likely than their male counterparts to postpone parenting and even marriage in order to devote sufficient time to their professional aspirations. Female lawyers who want to focus on their careers may also have fewer children than their male counterparts.

39. Hitsch, Hortacsu & Ariely, *supra* note 14, at D1, D5.

40. Suzanne M. Bianchi, Melissa A. Milkie, Liana C. Sayer, & John P. Robinson, *Is Anyone Doing the Housework? Trends in the Gender Division of Household Labor*, 79 SOC. FORCES 191, 211, (2000); Liana C. Sayer, Suzanne M. Bianchi, & John P. Robinson, *Are Parents Investing Less in Children? Trends in Mothers' and Fathers' Time with Children*, 110 AM. J. SOC. 1, tbls. 1 & 2 (2004).

The Michigan Alumni Survey asks a variety of questions having to do with family situation. The respondents were asked about their marital status—cohabiting, married, divorced, widowed—and the number of children they had.⁴¹ For the surveys after 1991, the respondents were also asked how many children lived with them at that time and the amount they spent on child care each year.⁴² In addition, the respondents were asked to rate their satisfaction with their family situation on a 7-point scale from “very unsatisfied” (−3) to “very satisfied” (3).⁴³ The survey also asks a variety of questions having to do with spouse’s job and household income.⁴⁴ From the responses we were able to compute variables for whether the respondent had a spouse working full time in the home, working as an attorney or other professional, or working in an “intense job” (professional or business manager). We were also able to compute the spouse’s real income, the household’s real income from other sources, and the household’s total real income. The percentages of respondents with a certain family characteristic, or the mean value of continuous variables, are reported in Tables 7 and 8, broken down by gender and the examined period. Table 7 contains the responses from alumni 5 years after graduation, and Table 8 gives the responses 15 years after graduation. By examining Tables 7 and 8 we can observe gender differences in family characteristics and any change in these characteristics between the two periods and over the life cycle.

The results reported in Table 7 suggest that there were significant differences in the family characteristics of the male and female Michigan alumni 5 years out of law school, although many of these differences seem to have mitigated over time. In the period before 1992, the male alumni were significantly more likely to be married and less likely to be divorced than their female counterparts. However, in the period from 1996–2000, these differences were no longer large enough to be statistically significant.⁴⁵ The men had a significantly greater number of children than the women in both time periods, and in fact the male parity advantage increased slightly in the later period. Interestingly, the male alumni reported spending significantly more on child care, on both an average per-alumnus and an average per-child basis, even though they were significantly more likely to have a spouse in the home. In both time periods, the women were much more likely to have a spouse with a demanding job, and in particular to be married to another attorney. Perhaps as a result, the women enjoyed a significant advantage in the size of their spouse’s income and, at least in the first period, total household income. However, these differences with respect to the spouse’s employment and income seem to have decreased over time, except that the women show a slightly increased attachment to spouses with intense jobs. The men reported being more satisfied with their family situation in the first and second periods, although this advantage was not statistically significant in either period. Indeed, as the results in the second to last column on the change in the male–female differential between the two periods suggest, most of the differentials in these family characteristic variables seem to have declined over time. It is only in the number of children and spending on child care that the men have increased their differentials 5 years out of law school, and it is only in having a spouse with a demanding job that women have increased their differential.

41. This data is found in variables 28 and 36 for survey years 1981 to the present. It is also available for even earlier survey years in the 15-year survey.

42. This data is found in variables 758 and 763 for survey years 1991 to the present.

43. This data is found in variable 80 for survey years 1981 to the present.

44. This data is found in variables 431, 433, 434, and 435 for survey years 1985 to the present.

45. Despite the relatively modest size of the male advantage in being married (2.7 percentage points), the “marriage gap” was a major source of concern for the single young women who participated in our focus groups. Several female participants commented on the problem of finding a husband while working as a practicing attorney, usually referring to the long hours and small circle of acquaintances. At one focus group attended only by women, when the participants heard that we were having a separate group of men the next night, they asked to see the list of scheduled participants and then went down the list discussing the marital status and relative merits of each man on the list. Although it may just be that they have been socialized not to express such concerns, none of the male participants in the focus groups expressed any concerns about meeting women or getting married.

TABLE 7
Family characteristics: 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
% Cohabiting	7.30	7.30	7.20	0.10	8.00	7.90	8.20	–0.40	0.30	MF
<i>N</i>	2,299	1,663	636		900	547	353			
% Married	66.00	67.30	62.30	5.10*	60.40	61.50	58.80	2.70	–2.40	MM
% Divorced	5.50	4.70	7.60	–2.90*	2.50	2.10	3.00	–1.00	–1.90	FF
% Widowed	0.10	0.00	0.20	–0.20	0.20	0.30	0.20	0.10	–0.10	FM
Number of kids	0.591	0.618	0.524	0.095*	0.458	0.520	0.370	0.150*	0.055	MM
Child care costs (2004 \$)					1,275	1,423	1,060	363		0M
Satisfaction with family	1.745	1.766	1.688	0.078	1.610	1.630	1.581	0.049	–0.029	MM
<i>N</i>	2,766	2,019	747		1,013	590	423			
% Spouse at home	10.70	15.40	0.40	15.00*	8.30	12.70	1.60	11.10*	–3.90	MM
% Spouse attorney	25.40	17.00	43.60	–26.50*	33.60	28.40	41.70	–13.30*	–13.20	FF
% Spouse other prof	15.80	16.90	13.50	3.40*	9.40	10.20	8.20	2.10	–1.30	MM
<i>N</i>	1,545	1,056	489		809	490	319			
% Spouse intense job	42.30	36.20	55.20	–19.00*	50.70	43.00	62.70	–19.60*	0.60	FF
<i>N</i>	2,059	1,399	660		897	546	351			
Spouse's income ^a (2004 \$)	39,057	29,151	61,433	–32,282*	54,816	44,106	71,934	–27,828*	–4,454	FF
Other income (2004 \$)	6,789	6,167	8,201	–2,034	9,813	11,504	6,983	4,521*	2,487	FM
Total household inc (2004 \$)	132,064	126,705	144,797	–18,092*	148,134	146,934	149,911	–2,977	–15,115	FF
<i>N</i>	1,203	835	368		949	594	355			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

^aMean calculated only for respondents with spouses.

The results for Michigan alumni 15 years out of law school (Table 8) show similar significant differences between male and female family characteristics with convergence over time. The men were significantly more likely to be married and the women significantly more likely to be divorced or widowed, but the women were significantly more likely to be cohabiting, and the differences in marital status between men and women decreased from the earlier to the later period. The men continued to have more children, although 15 years out of law school the women were spending more on child care. This change in the relative spending on child care of men and women between 5 and 15 years out of law school could be due to the female lawyers having their children later than the men. However, assuming that the only differences between the 5-year respondents and the 15-year respondents are life-cycle differences rather than generational differences, we see that in the second period the men, on average, had 0.15 more children by 5 years after law school and 0.35 more children by 15 years out of law school, so on average it seems the men have slightly quickened their parity advantage as they got older. Interestingly, the average number of children enjoyed by the men dropped substantially from the earlier to the later period while the average number of children enjoyed by the women increased over the same time. Since the parity rate has dropped for Americans in general during the post-war period, this increase

in parity among female lawyers 15 years out of law school may indicate that a greater number of family-oriented women are now entering the legal profession and have been doing so for some time. It may also be an indication that the profession has improved in its ability to accommodate careers for women with children. The men were much more likely to have a spouse working full time in the home, and the women were much more likely to have a spouse with an intense career, and in particular a spouse who is an attorney. As a result, the women still reported much higher income for their spouses, but the men began to close the gap in these regards between the two periods, and the male respondents actually reported higher total household income, although this finding was not statistically significant. The women reported greater overall satisfaction with their family situation, although this result was not statistically significant in either period. As with the data from the 5-year survey, the data from the 15-year survey suggests that the men and women converged with respect to family characteristics. The only variable that shows divergence in its mean values for men and women between the two periods is that women had a slightly increased advantage over the men in terms of satisfaction with their families.⁴⁶

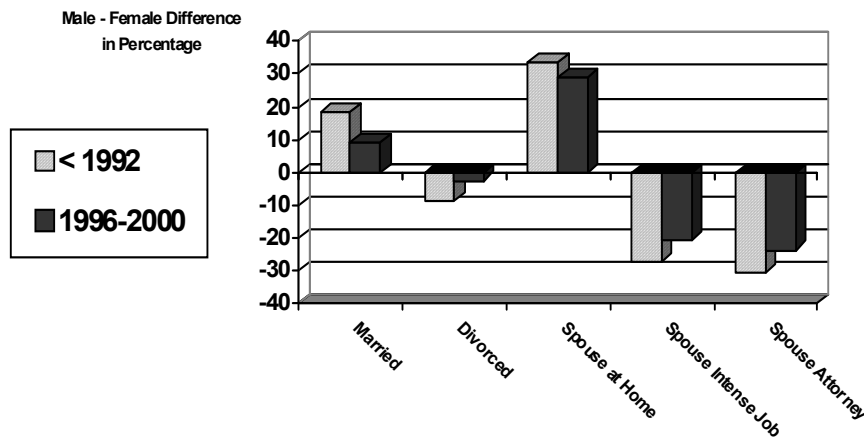


FIGURE 4: Family characteristics: Male-female difference in percentage of respondents who reported various family characteristics: 5-year survey, survey years <1992 and 1996-2000

46. The results of the 15-year survey with respect to family characteristics broken down according to gender and whether the respondent had kids and did child care are reported in Table A3 in the Appendix. These data show some very predictable results—and a few surprises. As predicted, both the men and women without kids were less likely to be married, women who did not take time away from work to perform child care spent the most on child care, both men and women with kids were happier with their family situation, men who did not take time away from work for child care were the most likely to report having a spouse at home and to have the lowest spousal income, and both men and women who did child care were more likely to have a spouse with an intense job and less likely to be the “breadwinner” (i.e., to earn two thirds or more of the total household income). Interestingly, men who did child care reported the lowest total family income and women without kids reported the lowest spousal income among the groups of women.

TABLE 8
Family characteristics: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
%	3.50	3.20	6.60	–3.40*	2.30	2.10	2.90	–0.70	–2.70	FF
<i>N</i>	2,181	1,983	198		1,108	795	313			
% Married	86.80	87.70	69.00	18.60*	82.60	85.10	76.10	9.10*	–9.50	MM
% Divorced	7.00	6.50	15.30	–8.80*	5.70	5.00	7.40	–2.50	–6.30	FF
% Widowed	0.10	0.10	0.80	–0.70	0.50	0.40	1.00	–0.60	–0.10	FF
Number of kids	2.264	2.306	1.412	0.894*	1.760	1.859	1.511	0.347*	–0.547	MM
Child care cost (2004 \$)					7,783	7,252	9,112	–1,860*		0F
Satisfaction with family	1.930	1.928	1.946	–0.017	1.875	1.844	1.952	–0.108	0.091	FF
<i>N</i>	2,588	2,386	202		924	660	264			
% Spouse at home	31.10	34.40	0.70	33.70*	23.70	31.50	2.40	29.10*	–4.60	MM
% Spouse attorney	12.80	9.80	40.30	–30.50*	23.00	16.60	40.30	–23.70*	–6.80	FF
% Spouse other prof	9.00	9.20	6.90	2.30	11.80	12.40	10.10	2.30	0.00	MM
<i>N</i>	1,457	1,313	144		927	679	248			
% Spouse	29.80	26.70	54.30	–27.60*	40.30	34.40	55.00	–20.50*	–7.10	FF
<i>N</i>	1,670	1,484	186		1,092	779	313			
Spouse's Inc ^a (2004 \$)	39,027	26,017	135,336	–109,319*	68,545	41,231	145,994	–104,763*	–4,556	FF
Other income (2004 \$)	20,700	20,201	24,319	–4,118	38,190	37,758	39,474	–1,717	–2,401	FF
Total household inc (2004 \$)	241,824	239,130	263,932	–24,802	292,449	296,075	282,671	13,404	–11,398	FM
<i>N</i>	1,205	1,059	146		849	635	214			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

^aMean calculated only for respondents with spouses.

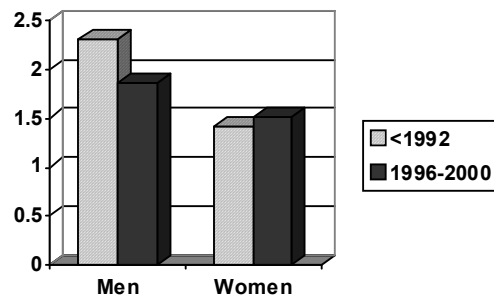


FIGURE 5: Number of children, 15-year survey, survey years <1992 and survey years 1996–2000

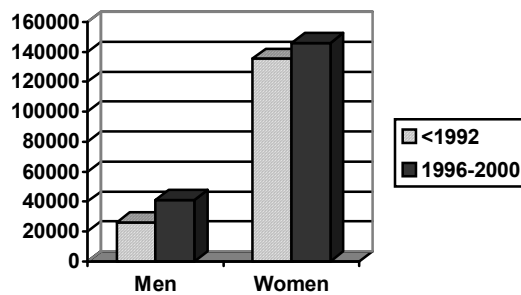


FIGURE 6: Spousal income, 15-year survey, survey years <1992 and survey years 1996–2000

Experience in the Legal Profession

Hours of Work: Balancing Productivity in the Profession and the Home

Determining hours of work and balancing work and family responsibilities is a central problem in peoples' careers. The high number of work hours commonly demanded by the practice of law has been a longstanding issue in the profession. The rise of the two-career family and the increased costs of child rearing and education in terms of parents' time and resources have increased the conflict between lawyer's roles in the workplace and their roles as fathers and mothers.⁴⁷ In her recent survey of Alberta lawyers, Wallace found that, among lawyers with spouses and/or children, 47% felt work demands interfered with their family and home life, and 23% felt their home life interfered with their work.⁴⁸ Because many women retain primary child care responsibilities, this problem of the conflict between work and family responsibilities falls disproportionately on women. In their study of Chicago lawyers, Heinz, Hull, and Harter found that women with children were more likely than men with children to say that their career choices or opportunities had been limited by personal/family priorities, that they were unwilling to work overtime, and that they tried to avoid work that required overnight travel.⁴⁹ Wallace found that full-time female lawyers generally experienced the greatest work–family conflict (i.e., work interfering with home life), whereas part-time female lawyers experienced the greatest family–work conflict (i.e., family interfering with work obligations).⁵⁰ Moreover, the period of greatest career demands,

47. Kenneth G. Dau-Schmidt & Carmen Brun, *Protecting Families in a Global Economy*, 81 IND. L.J. 1427 (2006); Deborah L. Rhode, *Balanced Lives: Changing the Culture of Legal Practice*. ABA Comm. on Women in the Profession (2001). A recent survey of lawyers in the province of Alberta found that, among lawyers with spouses and/or children, 47% felt work demands interfered with their family and home life, and 23% felt their home life interfered with their work. Jean E. Wallace, *Juggling It All: Exploring Lawyers' Work, Home, and Family Demands and Coping Strategies: Report of Stage Two Findings*, LSAC Research Rep. RR-01-03 (2004); see also Jean E. Wallace, *Juggling It All: Exploring Lawyers' Work, Home, and Family Demands and Coping Strategies: Report of Stage One Findings*, LSAC Research Rep. RR-00-02 (2002).

48. Wallace, LSAC Research Rep. RR-01-03, at 46 (2004); see also Wallace, LSAC Research Rep. RR-00-02 (2002).

49. John P. Heinz, Kathleen E. Hull, & Ava A. Harter, *Lawyers and Their Discontents: Findings from a Survey of the Chicago Bar*, 74 IND. L.J. 735, 748–9 (1999).

50. For example, 43% of full-time female lawyers said it was difficult to fulfill their family responsibilities, compared to 36% of full-time male lawyers, 33% of part-time female lawyers, and 11% of part-time male lawyers. Wallace, LSAC Research Rep. RR-01-03, at 46 (2004), *supra* note 49, at 45. Part-time female lawyers were much more likely than male lawyers or full-time female lawyers to report cutting back on work time, being unavailable to clients, and refusing to take on additional work or work long hours; fully 30% of the part-time female lawyers said they had refused a promotion because of family responsibilities. *Id.*

when young lawyers are trying to make partner, generally coincides with the greatest demands of child rearing.⁵¹ Especially for women, the demands of child rearing may mean temporarily leaving the paid workforce or changing to a less demanding job.⁵² Although a number of firms and other employers have made adjustments to foster more “family friendly” workplaces (e.g., on-site daycare, flextime work schedules, compressed work weeks, part-time arrangements, job sharing, telecommuting, and better formal leave policies), it is still a struggle for young families to meet the demands of two careers and child rearing.⁵³

The Michigan Alumni Survey asks each alumnus’s reported annual hours of work, years of work since law school, number of jobs since law school, and whether the alumnus has ever not worked or worked part-time to perform child care.⁵⁴ With respect to the annual hours of work, the survey asks for an estimate of the total number of hours worked for their job, including both billable and unbillable hours. With respect to time away from work to perform child care, the survey also asks for an estimate of the number of months since law school that the alumnus has not worked outside the home in order to perform child care and the number of months since law school that the alumnus has worked part time in order to perform child care. The results for the survey 5 and 15 years out of law school are reported in Tables 9 and 10, respectively, broken down by gender and period.

TABLE 9

Hours of work, years of practice and child care: 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Annual hrs of work	2,424	2,455	2,335	120*	2,527	2,598	2,423	175*	55	M M
<i>N</i>	2,609	1,940	669		1,164	693	471			
No. yrs practice	4.743	4.779	4.647	0.132*	4.582	4.628	4.514	0.114*	–0.018	M M
<i>N</i>	2,815	2,054	761		1,198	710	488			
No. jobs since LS	1.891	1.862	2.016	–0.154*	2.160	2.094	2.256	–0.162*	0.008	FF
<i>N</i>	5,058	4,128	930		1,203	715	488			
Ever wk PT or not wk to do CC	3.9	0.5	11.7	–11.3*	6.9	1.7	14.5	–12.9*	1.6	FF
# Mo. not work to do CC	0.587	0.040	1.862	–1.822*	0.948	0.241	1.951	–1.710*	–0.112	FF
<i>N</i>	2,383	1,668	715		1,213	718	495			
Satis. work–family balance	0.565	0.561	0.576	–0.015	0.235	0.221	0.255	–0.034	0.019	FF
<i>N</i>	2,730	2,015	715		1,163	698	465			

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

51. JOHN HAGAN & FIONA KAY, *GENDER IN PRACTICE: A STUDY OF LAWYERS’ LIVES*. (Oxford Univ. Press 1995); Dau-Schmidt & Brun, *supra* note 49; Carrie Menkel-Meadow, *Exploring a Research Agenda of the Feminization of the Legal Profession: Theories of Gender and Social Change*, 14 *LAW & SOC. INQUIRY* 289 (1989).

52. 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). Reichman and Sterling undertook a study of Denver lawyers to examine differences in career mobility across practice settings and between genders. Their analysis of the career histories of 100 lawyers showed that the women changed jobs more often and at an earlier career stage than the men, with gender being the single best predictor of job movement. The Denver data also suggest that female lawyers are more likely than male lawyers to move to less demanding jobs and that the women are more likely to move from large to smaller law firms or to move out of private practice entirely.

53. Dau-Schmidt & Brun, *supra* note 49. Mary J. Mossman, *Lawyers and Family Life: New Directions for the 1990’s (Part Two)*, 2 *FEMINIST LEGAL STUD.* 159 (1994).

54. The data on hours and years of work is reported in variables 478, 479, and 464 for the survey years 1981 to the present, while the data on not working or working part time to perform child care is contained in variables 782 and 786 for years 1985 to the present.

TABLE 10
Hours of work, years of practice and child care: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Annual hours of work	2,372	2,385	2,212	173*	2,306	2,471	1,861	610*	437.578	MM
<i>N</i>	2,412	2,233	179		1,052	767	285			
Number of years of practice	11.30	11.27	11.83	–0.56*	13.29	13.66	12.35	1.31*	0.75	FM
<i>N</i>	5,100	4,858	242		1,103	790	313			
Number of jobs since LS	2.50	2.47	3.11	–0.64*	2.89	2.85	2.99	–0.14	–0.5	FF
<i>N</i>	5,263	5,016	247		1,103	790	313			
Ever wk PT or not wk to do CC	4.3	0.8	31.9	–31.0*	13.5	3.2	39.6	–36.4*	5.4	FF
Months not work to do CC	1.74	0.12	14.74	–14.62*	6.98	0.72	22.77	–22.05*	7.43	FF
<i>N</i>	1,634	1,452	182		1,102	789	313			
Satis. work– family balance	1.064	1.064	1.068	–0.004	0.719	0.668	0.849	–0.181	0.177	FF
<i>N</i>	2,563	2,369	194		1,033	762	271			

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

Not surprisingly, the results in Tables 9 and 10 show that the men work a significantly greater number of hours outside the home, both 5 and 15 years after graduation, and generally have more years of practice experience, while the women, on average, do significantly more child care and have a more interrupted work history. Between the examined periods, the difference in the average number of hours worked by men and women actually increased. In the period before 1992, men 5 years out of law school on average worked 2,455 hours a year, while the women worked 2,335 hours (a 120-hour difference), and men 15 years out of law school on average worked 2,385 hours a year, while the women worked 2,212 hours (a 173-hour difference). By the second period, 1996–2000, men 5 years out of law school on average worked 2,598 hours a year, while the women worked 2,423 hours (a 175-hour difference), and men 15 years out of law school on average worked 2,471 hours a year, while the women worked 1,862 hours (a 610-hour difference). In large part the growth in this difference 15 years out of law school is due to a very substantial drop in the average number of hours worked by women between the two periods. The data from the 15-year survey also shows that, although the women had significantly more years of practice in the early period (11.83 for women versus 11.27 for men), in the later period they had significantly less (12.35 for women versus 13.66 for men). Women had a significantly greater number of jobs and were *much* more likely to perform child care in all surveys and periods (23–40 times as likely in the first period and 8–12 times as likely in the second period), and even though the men were more than three times more likely to perform child care in the later period, the women increased their percentage difference in this regard (11.3–12.9% 5 years out and 31–36.4% 15 years out). The women reported being consistently happier with the balance of work and family, although this advantage is small and not statistically significant. The findings that the women worked fewer hours and years in the second period, and performed more child care, are consistent with the idea that the population of people who become lawyers now includes a larger proportion of family-oriented women.⁵⁵ These women's child care responsibilities undoubtedly have important impacts on their careers. Of course, not all women have children or take

55. This idea emerged out of our focus group discussions. In these discussions several of the younger women described a generational divide between them and their senior female partners. As they described it, the new generation of women is less likely to wait until they make partner to get married or have kids than the previous generation. Also they thought that the new generation of women was more willing to compromise their career for family. A few even expressed some alienation from the previous generation of women, stating that some had a “chip on their shoulder” and resented the decisions in favor of family that younger women had made. When asked about the attitudes of male lawyers, at least one participant stated that the older male lawyers also sometimes resented decisions in favor of family, but that the younger males were more accommodating of the idea of working mothers. At least one senior male volunteered that he thought that the senior women (both partners and judges) were harder on the junior women than the men were.

time away from practice to perform child care, so it is important to separate the impact of gender from the impact of child care in analyzing legal careers.

To examine the impact of children and child care on hours worked outside the home and the balancing of work and family responsibilities, we analyzed the mean values of several variables, broken down into groups according to their gender and family situation. In Table 11 we present the mean values of annual hours worked, number of years of practice, number of jobs since law school, number of months in which the respondent did not work or worked part-time to perform child care, and satisfaction with work–family balance, all broken down according to gender and family situation. These means suggest that on average the men who had kids and did not take time off for child care worked the greatest number of hours each year (2,520 hours) followed by women and men with no kids (2,363 hours and 2,328 hours, respectively), men who had kids and took time off to perform child care (2,092 hours), women who had kids but did not take time off to perform child care (1,908 hours), and finally women who had kids and took time off to perform child care (1,386 hours). The fact that men with kids worked a significantly greater number of hours than the men without kids suggests that many of these men felt pressured to make income to provide for their family. On the other hand, women with kids, even those who did not take time away from paid work to perform child care, no doubt worked significantly fewer hours than similarly situated men, or women without kids, to accommodate child care responsibilities. These figures also show that the men and women who took time away from paid work to perform child care continued to work fewer hours than similarly situated members of their own gender, perhaps indicating a greater desire to do more child care and less paid work. This substantial reduction in annual hours is in addition to the time these people took out of their careers to perform child care, which averaged 22.76 months for the men compared to 57.47 months—or almost 5 years—for the women. Predictably, the men and women who performed child care also had fewer years of practice than their colleagues, although only the men who did child care had a significantly greater number of jobs. Interestingly, the women without kids (versus women with kids) had the greatest number of jobs. As we will see, the reduction in hours worked and years of practice due to performing child care had a significant impact on these people’s prospects for promotion and earning income. The tradeoff was that both the men and women who took time away from paid work to perform child care, and who worked fewer hours, were significantly happier with the balance of work and family in their lives as compared with any of the other groups.

TABLE 11

Hours of work, years of work, and family situations: 15-year survey, survey years 1996–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Annual hours of work	2,328 (2)*	2,520 (1)*(3)*	2,092 (2)*	2,363 (2)*(3)*	1,908 (1)*(3)*	1,386 (1)*(2)*
# of years of practice	13.24 (2)*	13.81 (1)*(3)*	11.72 (2)*	12.70	12.53	11.88
# of jobs since LS	2.93 (3)*	2.79 (3)*	3.68 (1)*(2)*	3.33 (2)*(3)*	2.82 (1)*	2.90 (1)*
Months not wk or PT wk to do CC	0 (3)*	0 (3)*	22.76 (1)*(2)*	0 (3)*	0 (3)*	57.62 (1)*(2)*
Satis. work–family balance	0.37 (2)*(3)*	0.72 (1)*(3)*	1.36 (1)*(2)*	0.43 (3)*	0.64 (3)*	1.34 (1)*(2)*
<i>N</i>	127	523	22	77	78	83

CC = child care; LS = law school.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

The length of the Michigan Alumni Survey also allows us to examine trends over time in the number of hours worked by the respondents, broken down according to gender and whether the respondents have children and perform child care. In Figures 7–10 we examine the average number of hours worked each year by the respondents of the 15-year survey for the survey years 1985–2000, separated according to gender and whether the respondents had kids and performed child care.

In Figure 7 we examine the trend in average hours worked for male and female alumni 15 years out of law school over the survey years 1985–2000. A solid trend line is fitted to each plot of data. These trend lines suggest that, while the average number of hours worked by male lawyers in paid labor has held roughly constant over the examined 16 years, the average number of hours worked by female lawyers in paid labor has dropped steadily over the last 16 years by a total of almost 600 hours. This divergence in the average number of hours worked by men and women could be partially due to a greater number of women who place a priority on personal child care entering the legal profession, and a reduction in hours worked by women with child care responsibilities over time. The data in Table 11 provides some support for this hypothesis; it shows that, between the two examined periods, the percentage of women who took time

away from paid work to perform child care rose from 31.9% to 39.6% while the average number of hours worked by women dropped between the two periods by about 350 hours a year.

To examine trends in the number of hours worked in paid labor among the groups according to family circumstance, we constructed Figures 8 and 9. Figure 8 presents the average number of hours worked for male alumni 15 years out of law school over the survey years 1985–2000, broken down according to whether they had kids and took time away from paid work to perform child care. Solid trend lines are fitted to each plot of data: one for men without kids, one for men who had kids but did not perform child care, and one for men who had kids and did perform child care. Figure 9 presents similar trend lines for the women. In Figure 8 we see that men who had kids but did not take time off to perform child care consistently worked the greatest number of hours on average each year, and there has been little diminution in these hours over time. Men without kids and men who performed child care worked fewer hours and even showed a trend toward a modest decrease in annual hours worked over time. In Figure 9 it is the women without kids who generally worked the greatest number of hours in each year and showed only a modestly declining trend in hours over the examined 16 years. Both women who had kids but did not take time away from paid work to perform child care and those who did take time away from paid work to perform child care worked fewer hours and showed a more pronounced downward trend in number of hours worked over time. The downward trend for women with kids is a modest but good sign for the accommodation of child care in the legal profession. However, most men with kids either chose to continue to focus on earning income, or did not get the chance to work fewer hours and care for children. A small but growing percentage of men are taking time away from paid work to perform child care, and their trend for number of hours worked is down.

In Figure 10 we examine the trend in the average number of months of part- or full-time child care that the men and women who undertook this responsibility reported in each year from 1985 to 2000. This data suggests that, although a small but increasing percentage of men took time away from paid work to perform child care, the number of months they committed to such child care did not increase. For the women who took time away from paid work to provide child care, the trend line suggests that the number of months they took away from work to provide child care increased by about 50% over the examined 16 years.

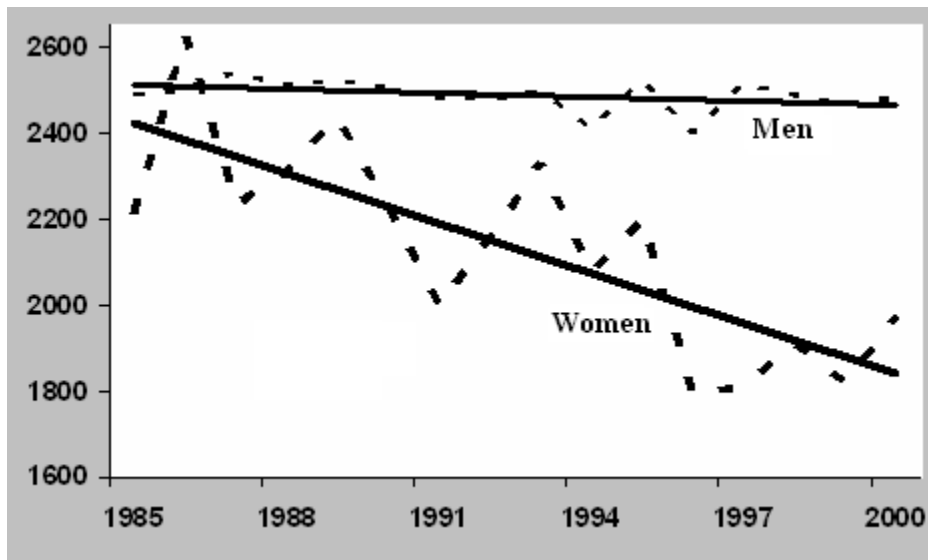


FIGURE 7: Average annual hours worked, classes of 1970–1985: 15-Years out

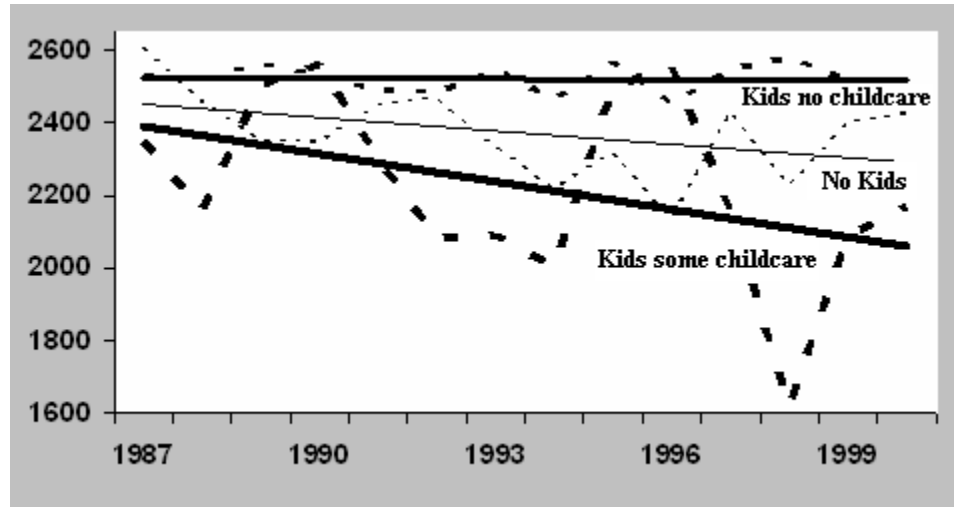


FIGURE 8: Average annual hours worked—men, classes of 1972–1985: 15 years out

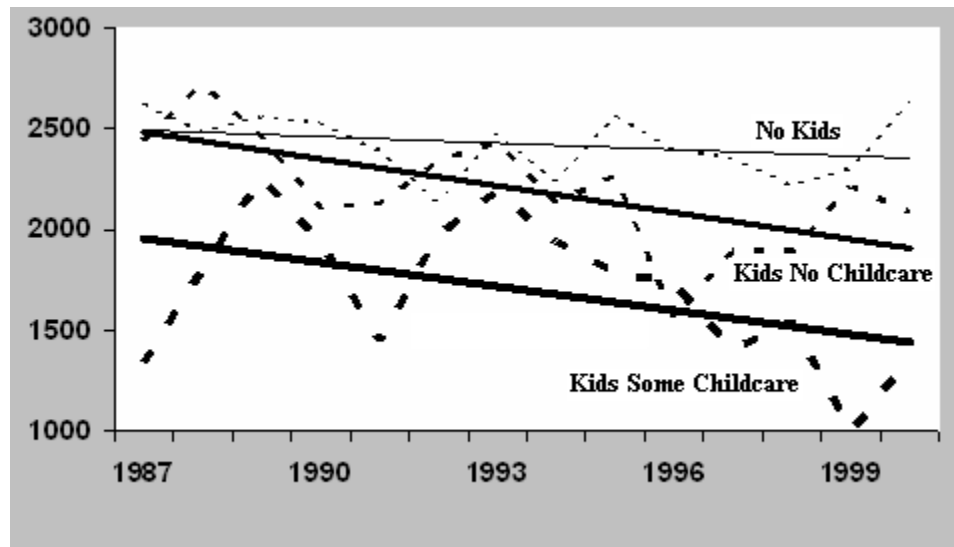


FIGURE 9: Average annual hours worked—women, classes of 1972–1985: 15 years out

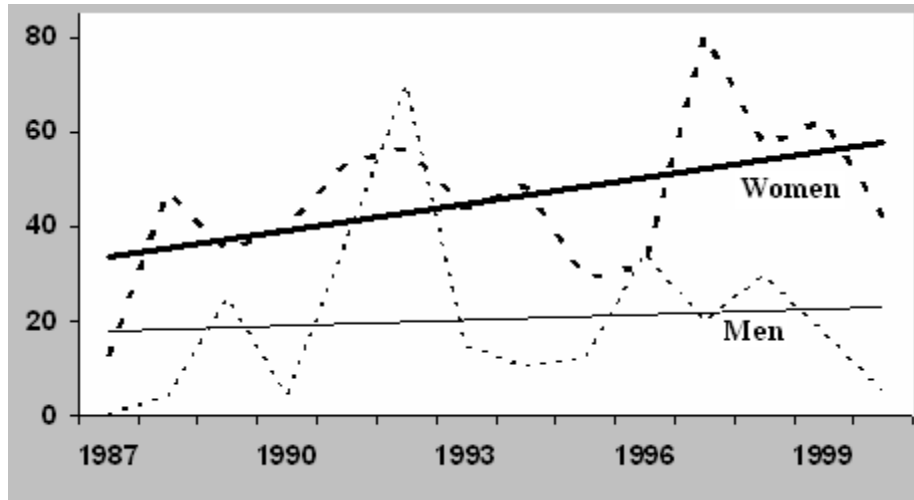


FIGURE 10: Average months of child care, classes of 1972–1985: 15 years out

Work Setting, Area of Specialization, and Type of Tasks Performed

The legal profession offers a variety of practice settings, each characterized by its own set of advantages and disadvantages. It is well established that monetary rewards tend to be highest in large-firm private practices, particularly on the coasts. Results from our Indiana Survey and the Michigan Alumni Survey suggest average large firm salaries of approximately \$250,000 a year 15 years out of law school.⁵⁶ Indeed, private practice in general tends to provide substantially larger monetary rewards than government or legal service work—somewhere on the order of \$50,000 to \$100,000 more a year for comparable work 15 years out of law school.⁵⁷ Not surprisingly, however, the demands of a practice in terms of the hours worked and the interference with family life offset these financial rewards. Although many large firms have made progress in making their firm culture more “family friendly,” the typical number of hours worked in a large firm practice can exceed those in government or legal services work by about 500 hours a year.⁵⁸ The prestige of a given type of practice tends to “follow the money,” although there are notable exceptions, such as being a judge or a law professor. Interestingly, career satisfaction tends to be greatest in the types of practice where monetary rewards are least.⁵⁹ This may in part be due to a lower number of work hours, but such an inverse relationship makes sense in a competitive labor market in which firms must compensate lawyers to attract them to less enjoyable work and conditions. There are some exceptions to this inverse rule, for example being in-house counsel for a corporation appears to yield a nice mix of both income and career satisfaction for those who undertake such work.⁶⁰

Given the different personal characteristics and family situations of men and women in the legal profession, it is not surprising that they evince somewhat different patterns in the types of practice they undertake. Gender differences in the practice setting have been observed since the beginning of the rapid increase in the number of female lawyers starting in the 1970s,⁶¹ although these differences have declined over time.⁶² Typically researchers have found that men tend to go into private practice while women tend to go into corporate counsel, government work, legal services, and legal education.⁶³ Within private practice, women seem to go into the largest practices and avoid smaller firms.⁶⁴ Hull and

56. Numerous studies over the last several decades have documented the differences in status and financial rewards associated with different legal practice settings in North America. MARC GALANTER & THOMAS PALAY, *TOURNAMENT OF LAWYERS: THE TRANSFORMATION OF THE BIG LAW FIRM* (Univ. of Chicago Press 1991); Hagan & Kay, *supra* note 53; JOHN P. HEINZ & EDWARD O. LAUMANN, *CHICAGO LAWYERS: THE SOCIAL STRUCTURE OF THE BAR* (Russell Sage Foundation and American Bar Foundation 1982); HEINZ ET AL., *supra* note 17; ERWIN O. SMIGEL, *THE WALL STREET LAWYER: PROFESSIONAL ORGANIZATION MAN?* (Indiana University Press 2d ed. 1969); Kenneth G. Dau-Schmidt & Kaushik Mukhopadhyaya, *The Fruits of Our Labors: An Empirical Study of the Distribution of Income and Career Satisfaction Across the Legal Profession*, 49 J. LEGAL EDUC. 342 (1999); Jo Dixon & Carroll Seron, *Stratification in the Legal Profession: Sex, Sector, and Salary*, 29 LAW & SOC'Y REV. 381 (1995).

57. Dau-Schmidt et al., *supra* note 9, at 1457–62, 1471.

58. *Id.* at 1458.

59. Dau-Schmidt & Mukhopadhyaya, *supra* note 58, at 364–65.

60. *Id.* at 363.

61. CYNTHIA F. EPSTEIN, *WOMEN IN LAW* (Univ. of Ill. Press 2d ed. 1993).

62. Charlotte Chiu & Kevin T. Leicht, *When Does Feminization Increase Equality? The Case of Lawyers*, 33 LAW AND SOC'Y REV. 557 (1999).

63. Fiona M. Kay & Joan Brockman, *Barriers to Gender Equality in the Canadian Legal Establishment*, 8 FEMINIST LEGAL STUD. 169, 178 (2000); Linda Liefland, *Career Patterns of Male and Female Lawyers*, 35 BUFF. L. REV. 601 (1986); Paul W. Mattesich & Cheryl W. Heilman, *The Career Paths of Minnesota Law School Graduates: Does Gender Make a Difference?* 9 LAW AND INEQ. 59 (1990). By contrast, a study of Stanford law alumni found no gender differences in the first or current practice setting, but found that male graduates stayed in their first job longer and were more likely to be specializing in corporate law than their female counterparts, Taber et al., *supra* note 16. A study of University of New Mexico law alumni found no differences in current practice setting but found that men were more likely to specialize in corporate, criminal, personal injury, and

Nelson's analysis of a 1995 survey of Chicago lawyers provides additional insight into the relationship between gender and practice setting. They found that similar proportions of men and women started their careers as large firm associates, but women were less likely to start in solo practice or small- to medium-size firms and more likely to start in government or public interest law.⁶⁵ They used linear regression to show that women were significantly less likely to work in solo/small firm settings and more likely to work in government/public interest settings even after controlling for first job and other relevant variables.⁶⁶ On the national level, aggregate data for the year 2000 indicated that 71.2% of female lawyers in the United States were in private practice compared to 75% of male lawyers, and 12.2% of female lawyers worked in nonjudicial government or legal aid/public defender settings compared to 7.2% of males.⁶⁷

The Michigan Alumni Survey asks respondents about their practice or work setting and the number of attorneys in their firm or place of work.⁶⁸ As a result, we were able to examine whether the respondents worked in private firms of various sizes; worked as corporate counsel, a government attorney, a public interest attorney, or a law teacher; or worked in various non-practice settings. This data allowed us to undertake a detailed analysis of the work setting of Michigan alumni by gender both 5 and 15 years after graduation, and to examine how any observed gender patterns have changed over time. The results for the 5-year surveys for the periods before 1992 and 1996–2000 are reported in Table 12, while the results for the 15-year surveys for the same periods are reported in Table A5 in the Appendix.

Our results confirm the findings with respect to gender differences in work setting previously discussed. The results for the 5-year survey in Table 12 show that, among the Michigan alumni, men were significantly more likely to go into private practice and business non-practice. There were a few exceptions to this pattern: Period 1 women were more likely to work for supersized firms (greater than 150 attorneys)⁶⁹ and men enjoyed no significant advantage in going into business non-practice; Period 2 women closed the gap with respect to practice in medium-sized firms (16–50 attorneys). Women were significantly more likely to go into corporate counsel positions, government practice, legal services, “other” practice positions, law teaching, and government non-practice positions,⁷⁰ although the men seemed to be closing the gap with respect to government practice, “other” practice, and “other” non-practice since the differences are not statistically significant in the second period. Interestingly, women held a significant advantage in gaining jobs in the supersized firms in the earlier period while men held a significant advantage in gaining such jobs in the later period.⁷¹ In the 5-year survey, the men and women showed modest coalescence in the types of practice they undertook between the period before 1992 and the period 1996–2000. The women made modest inroads into private practice, particularly in medium and small firms, while the men made modest progress in obtaining corporate counsel, government positions, legal services positions, and “other” positions. Between the two periods, men increased their advantage in business non-practice and in large private firms while the women increased their advantage in law teaching and government non-practice positions. In both periods, women were significantly more likely to report themselves engaged in parenting or unemployed. These results are complicated by the fact that almost all of the unemployed men and women with kids also reported themselves as “parenting.” The percentage that reported themselves unemployed but did not report themselves parenting is presented in the row labeled “Unemployed & not parenting.” Of course it is a very different thing to decide to do parenting and be “unemployed” as a result than to find yourself unemployed and using your hours in productive parenting. For those who reported themselves as unemployed in the survey years 1997 to the present, the Michigan Alumni Survey asked whether they were unemployed “in order to care for children” or due to “disability,” “retirement,” or “other reasons.”⁷² Among the unemployed respondents to the 5-year survey for the period 1997–2000, 63.6% said they were unemployed in order to perform child care, including 16.7% of the unemployed men and 74.1% of the unemployed women. Applying these percentages to the percentage unemployed reported for the second period in Table 12, we estimate that the unemployment rate not due to child care was 1.1% for all observations, 0.8% for men, and 1.6%

real estate law and women more likely to specialize in domestic relations and natural resources, Teitelbaum, Lopez & Jenkins, *supra* note 16. Unlike earlier alumni studies that examined only bivariate relationships between gender and practice setting, a 1995 study of alumni of the New York University and University of Michigan law schools used multivariate models to predict first position, which tested the effect of gender on practice setting while controlling for other relevant variables, Kornhauser & Revesz, *supra* note 38. This study found no significant gender differences in first job sector after controlling for career preferences and other variables.

64. Carson, *supra* note 6, at 29; Kay & Brockman, *supra* note 65, at 179.

65. Kathleen E. Hull and Robert L. Nelson, *Gender Inequality in Law: Problems of Structure and Agency in Recent Studies of Gender in Anglo-American Legal Professions*, 23 LAW & SOCIAL INQUIRY 681-705 (1998); Kathleen E. Hull and Robert L. Nelson, *Assimilation, Choice or Constraint? Testing Theories of Gender Differences in the Careers of Lawyers*, 79 SOCIAL FORCES 229-64 (2000).

66. *Id.*

67. Carson, *supra* note 6, at 28.

68. This data is found in one form or another in variables 429–30, 436, 452, 454, 456, 459, 468, 770, 791, 792, 793, 766–67, 771 for the survey years 1973 to present.

69. Some of the participants in the focus groups attributed young women's advantage in supersized firms to client preferences. According to them, some large corporate clients such as Walmart and Sears insist that women and minority lawyers do substantial work on their legal problems.

70. A few participants in the focus groups attributed young women's advantage in corporate counsel positions to corporate preferences for diverse legal teams. By their account, large corporations are aggressively hiring women for their legal staffs.

71. The results of our Indiana survey show that in the most recent classes, women are actually going into the large private firms in greater numbers than the men, but this difference is not statistically significant. Dau-Schmidt et al., *supra* note 9, at 1452; Jeffrey E. Stake, Kenneth G. Dau-Schmidt & Kaushik Mukhopadhyaya, *Income and Career Satisfaction in the Legal Profession: Survey Data from Indiana Law Graduates* 4 J. OF EMP. LEG. STUD. 939 (2007).

72. Variable 786 for the years 1997 to the present.

for women.

The results of the 15-year survey reported in Table A5 present some very similar patterns. The only real differences are that men had an insignificant advantage in holding corporate counsel positions 15 years out, and the category of business non-practice is mixed, with women holding an insignificant advantage in the first period and men holding a significant advantage in the later period. Once again the women show much higher rates of both parenting and unemployment. For the unemployed respondents to the 15-year survey 1997–2000, 74.1% said they were unemployed to perform child care, including 33.3% of the unemployed men and 85.7% of the unemployed women. Applying these percentages to the unemployment figures reported for Period 2 in Table A5, we estimate that the overall unemployment rate not due to child care in the 15-year sample is 1.5% overall, 1.2% for men and 2.3% for women. The results of the 15-year surveys also show convergence in the type of jobs undertaken by male and female lawyers between the two periods, with women moving into private practice and men moving into some of the areas in which women have held an advantage. The results of the 5- and 15-year surveys with respect to type of practice or work suggest that female lawyers are currently moving in two directions that, in the past, might have been thought of as inconsistent: into private practice and into greater child care responsibilities. Although the hours requirements in private practice are still very high and inflexible, and undoubtedly a barrier to people who are interested in doing child care, there is some evidence in the Michigan data set that the women moving into private practice are undertaking more child care responsibilities than their predecessors. In Table A4 we examine the hours of work and child care just of men and women in private practice over the periods before 1992 and 1996–2000. These data show that, although the percentage of men in private practice who performed child care has not changed between the two periods, the percentage of women increased from 33.3% to 37.9% between the two periods, and the average number of months these women performed child care rather than paid work increased from 15.0 to 21.6 months.

In Table 13 we examine the type of practice data from the 15-year survey for the years 1996–2000, broken down by gender and whether the respondent had children and took time away from paid work to perform child care. These statistics suggest that the men who performed child care had a looser attachment to the traditional practice of law. If they practiced law, these men were less likely to be in private practice (16.7% versus 58.6% for other men), and more likely to be in government practice (16.7% versus 5.4% for other men). However, they were also much more likely to teach law (8.3%), or work in the government (8.3%) or “other” non-practice positions (20.8%). The only non-practice positions they did not disproportionately go into were the business positions. They were also much more likely to be a parent (16.7% versus 0.9% for all men) or unemployed (16.7% versus 1.8% for all men). The women who performed child care showed a similar, but less pronounced, pattern. They were more likely than the men who perform child care to work in private practice (35.2%), and this percentage was not significantly different than that for the other groups of women. These women seemed to gravitate toward the very large and very small practices, perhaps to take advantage of formal child care arrangements in the large firms or the ad hoc flexibility in hours of the small practices. They were highly over-represented among those currently parenting (25.4% versus 14.8% for all women) and among the unemployed (24.6% versus 15.8% for all women). Interestingly, both the men and women without kids were less likely to be in private practice and more likely to be in government practice. Finally, the men who had kids but did not do child care were the least likely to be unemployed in the sample (0.5%), while the women who had kids but did not do child care showed significant unemployment (14.6%), but not as much as the women who took time away from work to perform child care (24.6%). Both the men and women without kids reported about 5% unemployment. Once again we have the problem of separating being “unemployed” while voluntarily undertaking parenting from involuntary unemployment. Referring to the data from the survey years 1997–2000 on the reasons respondents gave for their unemployment, we find that our six groups reported being unemployed in order to provide child care in the following percentages: men without kids (0%), men with kids who had not previously done child care (33.3%), men with kids who had previously done child care (75.0%), women without kids (0%); women with kids who had not previously done child care (80.0%), and women with kids who had previously done child care (100.0%). Using these percentages we can estimate the following involuntary unemployment rates for these groups: men without kids (5.0%), men with kids who had not previously done child care (0.3%), men with kids who had previously done child care (4.2%), women without kids (4.9%); women with kids who had not previously done child care (2.9%), and women with kids who had previously done child care (0%).

TABLE 12
Type of practice: 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
% Private practice	66.2	69.2	52.7	16.5*	65.9	71.1	58.2	12.9*	–3.6	MM
% Private practice super (>150)	10.3	9.2	15.2	–6.1*	32.1	34.0	29.4	4.7*	–1.4	FM
% Private practice large (51–150)	17.2	17.7	15.1	2.5*	11.7	13.3	9.4	3.9*	1.4	MM
% Private practice med (16–50)	14.9	16.5	7.6	9.0*	8.1	8.4	7.8	0.6	–8.4	MM
% Private practice small (1–15)	23.6	25.6	14.5	11.1*	13.5	15.1	11.3	3.7*	–7.4	MM
% Corporate counsel	8.1	7.6	10.5	–2.9*	7.1	6.0	8.7	–2.7*	–0.2	FF
% Government practice	11.8	11.1	14.8	–3.8*	6.7	6.0	7.7	–1.7	–2.1	FF
% Legal services	1.4	1.0	3.4	–2.4*	3.0	2.3	4.0	–1.7*	–0.7	FF
% Other practice	2.2	2.0	3.0	–1.0*	0.9	0.7	1.2	–0.5	–0.5	FF
% Teach law	0.6	0.5	1.3	–0.8*	1.8	1.3	2.5	–1.2	0.4	FF
% Judge	0.1	0.1	0.1	3.6E-02	0.1	0.0	0.2	–0.2	0.2	MF
% Public official	0.7	0.6	0.9	–0.2	0.1	0.1	0	0.1	–0.1	FM
% Business non-practice	1.4	1.5	1.0	0.5	5.0	6.0	3.5	2.5*	2.0	MM
% Government non- practice	0.3	0.1	1.0	–0.8*	1.8	1.3	2.5	–1.2	0.4	FF
% Other non-practice	6.4	6.1	7.4	–1.3	4.6	4.1	5.2	–1.1	–0.2	FF
% Parent	0.7	4.8E-02	3.4	–3.4*	1.9	0.1	4.6	–4.4*	1.0	FF
% Unemployed	0.8	0.1	3.9	–3.8*	3.1	1.0	6.2	–5.2*	1.4	FF
% Unemployed & not parenting	0.1	2.4E-02	0.4	–0.4*	1.2	0.9	1.7	–0.8	0.4	FF
<i>N</i>	5,114	4,183	931		1,181	700	481			

F = female; M = male.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE 13
Type of practice and family situations: 15-year survey, survey years 1996–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
% Private practice	46.0 (2)*(3)*	61.2 (1)*(3)*	16.7 (1)*(2)*	35.4	43.8	35.2
% Private practice super (>150)	14.6 (2)*	21.9 (1)*	8.3	13.4	14.1	10.7
% Private practice large (51–150)	8.8	11.5 (3)*	0.0 (2)*	7.3	8.7	4.1
% Private practice med (16–50)	3.6 (2)*	9.1 (1)*	4.2	8.5	8.7	4.9
% Private practice small (1–15)	18.2 (3)*	18.0 (3)*	4.2 (1)*(2)*	6.1 (3)*	9.8	15.6 (1)*
% Corporate counsel	11.5	13.6	12.5	12.2	9.4	11.5
% Government practice	9.4 (2)*	4.3 (1)*(3)*	16.7 (2)*	15.9 (3)*	9.4	6.6 (1)*
% Legal services	2.9 (2)*	0.3 (1)*	0	1.2	3.1	0.8
% Other practice	1.4	1.0	0	6.1 (3)*	2.1	1.6 (1)*
% Teach law	2.9	1.9 (3)*	8.3 (2)*	3.7	5.2	4.1
% Judge	0.7	0.9	0	0	0	1.6
% Public official	1.4	0.3	0	1.2	0	0
% Business non-practice	10.1	9.1	0	2.4	4.2	0.8
% Government non- practice	2.9	1.5 (3)*	8.3 (2)*	3.7	2.1	6.6
% Other non-practice	5.8 (3)*	5.3 (3)*	20.8 (1)*(2)*	13.4 (3)*	6.3	5.7 (1)*
% Parent	0 (3)*	0.5 (3)*	16.7 (1)*(2)*	0 (2)*(3)*	14.6 (1)*(3)*	25.4 (1)*(2)*
% Unemployed	5.0 (2)*(3)*	0.5 (1)*(3)*	16.7 (1)*(2)*	4.9 (2)*(3)*	14.6 (1)*(3)*	24.6 (1)*(2)*
% Unemployed & not parenting	5.0 (2)*	0 (1)*	0	4.9 (2)*(3)*	0 (1)*	0 (1)*
<i>N</i>	139	582	24	82	96	122

CC = child care.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

Within a given type of practice, men and women may tend to specialize in the practice of a particular type of law. Less empirical work has been done on this question, but an early study of Stanford alumni by Taber et al. found that men were more likely to specialize in corporate law than their female counterparts,⁷³ and a study by Teitelbaum, Lopez, and Jenkins of University of New Mexico alumni found that men were more likely to specialize in corporate, criminal, personal injury, and real estate law and women were more likely to specialize in domestic relations and natural resources law.⁷⁴ The Michigan Alumni Survey asks the alumni to classify their area of specialty according to 23 different subject areas and to report whether their area of expertise was the area in their “main plan” in law school or “one” of the areas in their career plans.⁷⁵ The results of the 5-year survey suggest that, across the examined periods, the men were significantly more likely to specialize in corporate law (37.1% versus 28.9% in the second period) and patent law (8.8% versus 5.3%), while the women were significantly more likely to specialize in civil rights (10.0% versus 14.1%) and domestic relations (0.8% versus 3.3%).⁷⁶ Comparing results from the first and second period, it seems that the men moved into debtor–creditor, communications, and environmental law while increasing their lead in corporate and patent law. Women moved into administrative law, energy law, estate tax, and labor law, while increasing their lead in domestic relations. The men were significantly more likely to report that their area of specialty was their main plan (31.1% versus 19.8%) while the women were significantly more likely to report that their area of specialty was not planned (31.4% versus 38.8%). The results of the 15-year survey show the men disproportionately entering corporate law (37.5% versus 26.8%) over the examined periods and the women once again going into civil rights (5.6% versus 9.8%) and domestic relations (1.3% versus 3.9%). In the 15-year data, men seemed to be moving toward debtor–creditor, communications law, corporate law, environmental law, income tax, and torts, while the women seemed to be moving toward administrative law, banking, employee benefits, estate tax, insurance law, and patents. Again, the women were

73. Taber et al., *supra* note 16.

74. Teitelbaum, Lopez & Jenkins, *supra* note 16.

75. The area of specialty data is contained in variables 537–559 for survey years 1981–2000, and the response on whether this area was a main plan or one plan is contained in variable 563 for survey years 1985–2000.

76. Some of the participants in our focus groups thought that women were drawn to domestic relations, estate planning, and real estate (closings) because these were areas of law that were more consistent with child care (i.e., the practitioners of these specialties had more control over their hours).

significantly more likely to indicate that their area of specialty was not planned (44.1% versus 68.3%). We examined this data for systematic variations in practice specialty according to gender and whether the respondent had children and did child care, but the sample size was too small to discern reliable patterns. The full results of our analysis of practice specialty are reported in Tables A6–A8.

Within a given type of practice and specialty, an attorney may spend more or less of his or her time performing various tasks. Practitioners typically divide into “litigators” and “non-litigators,” but even within these divisions some attorneys may spend more time doing library work, interviewing clients, negotiating, or drafting documents. Because the hours requirements of some of these activities (e.g., litigation) are inconsistent with many women’s family commitments, it is reasonable to suppose that there will be gender differences in the types of activities men and women undertake in the practice of law. The Michigan Alumni Survey asks each respondent to report what percentage of his or her time the respondent spends in any of 12 different “lawyering tasks.”⁷⁷ The survey also asks what percentage of the respondent’s time he or she spends working for the rich, the middle class, or the poor and the number of pro bono hours he or she works. Given the men’s and women’s expressed different preferences for money and effecting social change previously discussed, one might reasonably believe that there might be some systematic differences in their work in this regard.

The results of the 5-year survey suggest that the men during the examined periods spent significantly more of their time at work litigating (30.8% versus 26.1% in the second period)⁷⁸ and socializing (3.9% versus 3.4% in the second period), while the women displayed no consistently significant pattern across the two periods. In the first period, the men reported doing significantly more work for the rich (8.0% versus 4.7%); in the first period the women reported doing significantly more drafting (21.3% versus 24.1%), and in the second period they reported doing significantly more library work (9.6% versus 11.5%), firm legal education (3.6% versus 4.0%), and “other” work (0.7% versus 1.8%). Unlike family characteristics, there seems to be some divergence between the genders with respect to activities performed in practice. According to the 5-year results, over time the men seemed to be specializing in litigating and negotiating while the women seemed to be specializing in library work, interviewing clients, lobbying, recruiting, and “other” activities. These conclusions hold only weak confirmation in the 15-year data, although it does seem that the men did significantly more litigating in the second period (24.3% versus 18.5%) while the women did significantly more library work in the first period (6.1% versus 8.1%). In the 15-year data the women also reported doing significantly more work for the middle class or poor in the first period (16.3% versus 25.3%) and more drafting in the second period (17.6% versus 22.4%). Once again, the men 15 years out of law school reported doing more work for the rich, although this result is not significant. Interestingly, the men in this period also reported doing significantly more pro bono work than the women (52.5 hours versus 32.7 hours a year). Breaking the results of the 15-year survey in the second period down according to gender and family situation, we see that the men who performed child care were more likely to spend time interviewing clients (25.2% versus 18.3% for other men), less likely to engage in negotiating (5.8% versus 10.3% for other men) and much less likely to do work for the rich (0.8% versus 7.6% for other men). Women who performed child care were more likely to do drafting (25.2% versus 20.5% for other women) and legal education work (5.4% versus 4.5% for other women) and less likely to do appellate work (1.7% versus 3.6%). Both men and women who did child care undertook significantly fewer hours of pro bono work than the other respondents, probably because they worked disproportionately in jobs where they already served the poor or public interest. The full results of our analysis of practice activity are reported in Tables A9–A11.

Experience in the Firm: “Should I Stay or Should I Go?”⁷⁹

Both men and women tend to be more mobile during the early years of their career. Some may plan to move from one job to another in order to gain training, income, increased personal freedom, or other benefits. Others may have no choice but to leave, for example those who do not make partner in a traditional “up or out” law firm promotion scheme. Of course, a person’s experience within a firm or other place of work, whether he or she is mentored and welcomed in the firm, can have a great impact on whether the person succeeds or decides to move on.⁸⁰ In the course of these changes, a lawyer may leave private practice to a variety of destinations, or enter private practice from a variety of jobs. If the

77. This data is reported in variables 486–497 and 513–536 for the survey years 1981–2000.

78. Participants in our focus groups also gave an hours constraint explanation for men’s dominance of litigation. In their view, litigation specialists had very unpredictable hours that were workable only for people without significant child care responsibilities.

79. Mick Jones & The Clash, *Combat Rock* (1982), http://en.wikipedia.org/wiki/Should_I_Stay_or_Should_I_Go (“If you say that you are mine, I’ll be here ‘til the end of time ... If I go there will be trouble, An’ if I stay it will be double”).

80. Undoubtedly the best story on the potential importance of mentoring that came out of our focus groups was related by Alice O’Brien of Arcadia, Indiana. Alice was a high school dropout who began working in an attorney’s office in Arcadia as a secretary. That attorney saw something in her and paid for her to study to get her GED and to be trained as a paralegal. Before he retired, he also arranged for her to get a job at another law firm in town. The partner she worked for in that firm was also impressed with her abilities and he encouraged her to study law and become an attorney. With the support of her husband and four kids, Alice enrolled to study law in the night program at Indiana University—Indianapolis, where she benefited from working as the research assistant to a male professor. In 3 years she graduated with an LL.B., since she had no undergraduate degree, passed the bar, and is now practicing as an attorney in the same firm where she had worked as a paralegal in Arcadia, Indiana.

practice of law does not meet a person's needs, or if he or she gets a sufficiently attractive opportunity outside of the legal profession, that person may leave the profession altogether.

There have been a number of studies examining gender differences in relation to why and whether people leave the practice of law. In her 1991 survey of inactive members of the Alberta bar, Brockman examined people's reasons for not practicing law.⁸¹ The top reasons given by nonpracticing women were: demanding hours (73%), stress (61%), the inflexibility of firm work (60%), feeling burnt out (43%), and child care commitments (42%). By contrast, the top reasons cited by men were: the desire to use different skills (47%), the adversarial nature of the work (46%), inability to find a job (45%), stress (43%), and demanding hours (40%); only 8% of the men cited child care commitments.⁸² Brockman's earlier study of lawyers who did not renew their law society membership in British Columbia yielded similar findings: long hours and child care commitments were more relevant considerations for women leaving the practice of law, whereas the opportunity to pursue an opportunity outside of law was more important for men.⁸³ Carson's analysis of 2000 aggregate data suggests that women are more likely to leave the practice of law than men at every stage of their legal career.⁸⁴ Epstein et al. argued that women may be less likely to make partner and more likely to leave private practice and the practice of law because senior partners may be ambivalent about becoming mentors to female attorneys, and formal mentoring programs for women are a poor substitute for more effective informal mentoring relationships.⁸⁵ Wilkins and Gulati argued that the long and unpredictable hours that firms require associates to work to make partner may systematically disadvantage women in the private practice of law because of their greater child care responsibilities.⁸⁶ However, in their multivariate analysis of lawyers who began their careers in law firms, Hagan and Kay found that men leave the legal profession more slowly than women, although the gender effect disappeared when they controlled for the respondent's hours spent on child care, suggesting that women's faster departure from law is driven by child care responsibilities.⁸⁷

The Michigan data set contains information on the Michigan alumni's practice experience both inside and outside of firms. In both the 5- and 15-year surveys, respondents were asked whether they expected to be in the same practice setting in 5 years and, if not, what their reasons might be for leaving.⁸⁸ The respondents were also asked whether they had one or more mentors in the firm and the gender of those mentors.⁸⁹ In the results for the 5-year survey reported in Table 14 and the 15-year survey reported in Table 15, we see that the men were significantly more likely to report that they expected to be in the same practice setting in 5 years in both the 5- and 15-year survey, but this difference was modestly diminishing over time. The men were more likely to report that they might leave for advancement, because they are bored, or to get a new job, while the women were more likely to report that they might leave for family reasons or "other reasons," both positive and negative. The association of different reasons for possibly leaving with gender appeared to be decreasing over time in the 5-year survey, before partnership would be granted, but increasing over time in the 15-year survey after that decision had been made. Women were more likely to report having a mentor than the men, although this result was not statistically significant for either the 5- or 15-year surveys in either period. Both the men and the women were more likely to report having a mentor of the same gender, although the female advantage was much greater in this regard, and this difference appeared to be growing slightly over time. The data in Table 15 is consistent with the idea that one reason women may be more likely to report having a mentor than the men is that senior male attorneys are more likely to mentor both women and men, while senior female attorneys focus more on just mentoring women.⁹⁰

81. Joan Brockman, *Leaving the Practice of Law: the Wherefores and Whys*, 32 ALBERTA L. REV. 116 (1994).

82. *Id.* at 128–33.

83. Joan Brockman, "Resistance by the Club" to the Feminization of the Legal Profession, 7 CANADIAN J. L. SOC'Y 47 (1992).

84. In 2000, 5% of lawyers were retired or inactive, and women had disproportionate representation across every age category, with the greatest over-representation among midcareer lawyers in their 30s and 40s. Carson, *supra* note 6, at 14. For example, 38% of lawyers aged 30–34 and 35% of lawyers aged 35–39 were women, but women made up 55% and 56% of the retired or inactive lawyers in these age categories, respectively. In Canada, women represent 31% of practicing lawyers but 39% of those who have left the practice of law. Kay & Brockman, *supra* note 65, at 177. Career history data from a 1990 survey of Ontario lawyers shows that women are more likely than men to leave law practice at each step of their career; by their third position after law school, nearly 16% of women left law compared to 6% of men, and by their fourth position 22% of women were not practicing compared to 12% of men. Hagan & Kay, *supra* note 53, at 113. Note that these data understate the real rate of attrition from the legal profession because they only include lawyers who maintain their license (in the United States) or their law society membership (in Canada).

85. Cynthia F. Epstein, Robert Saute, Bonnie Oglensky, & Martha Gever, 1995. *Report: Glass Ceilings and Open Doors: Women's Placement in the Legal Profession*, 64 FORDHAM L. REV. 291–449 (1995).

86. David Wilkins & G. Mitu Gulati, *Reconceiving the Tournament of Lawyers: Tracking, Seeding, and Information Control in the Internal Labor Markets of Elite Law Firms*, 84 VA. L. REV. 1581 (1998).

87. Hagan and Kay, *supra* note 53, at 115–16. In Hagan and Kay's study of Toronto lawyers, more than three quarters of men and women expressed high overall career satisfaction at both waves of the survey, but women were more likely than men to report plans to look for another job in the next year, and much more likely to say they had considered looking for a job that would allow better balance of personal life and work. *Id.* at 169. A multivariate analysis of plans to change jobs among private-practice lawyers revealed that gender remains a significant predictor until income and hours of child care are included in the model, suggesting that women in private practice are more likely to consider changing jobs because of dissatisfaction with earnings and work–family balance. *Id.* at 171.

88. This data is reported in variables 481 and 482 for survey years 1985 to the present.

89. This data is reported in variables 747–754 for survey years 1985 to the present.

90. This insight was suggested by junior male attorneys in our focus groups.

In Table 16 we present the results for the 15-year survey for the years 1992–2000,⁹¹ broken down by gender and whether the respondent had kids and did child care. The men and women who performed child care were significantly less likely to see themselves in the same practice in 5 years than their colleagues of the same gender, and the men who performed child care were the least stable in this regard. The reasons these men gave for a possible move were not because they were “bored,” but instead “other positive reasons.” Men and women without kids were also more likely to see themselves making a move, but this result was only significant for the women. Interestingly, the group that was most likely to move for “family reasons” was women who had kids but did not take time away from paid work to perform child care. Perhaps they were anticipating future child care or a move resulting from their husband’s job, but we cannot tell from the data.

TABLE 14
Practice environment: 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Same practice setting										
Same practice setting in 5 yrs?	0.742	0.806	0.565	0.242*	0.488	0.565	0.368	0.198*	–0.044	MM
<i>N</i>	1,412	1,033	379		945	575	370			
Reasons for leaving										
No opportunity to advance	6	6.7	4.7	2	10.1	12.2	7.4	4.8*	2.8	MM
Bored	16.9	18.7	13.7	5.0*	28.1	29.4	26.5	2.9	–2.1	MM
Other negative	29.3	29.2	29.5	–0.3	27.8	23.8	33	–9.3*	9	FF
New job	21.3	26.6	12	14.6*	19.9	24.8	13.5	11.3*	–3.3	MM
Family	8.3	2.6	18.4	–15.7*	4.7	1.3	9.1	–7.8*	–7.9	FF
Other positive	18.3	16.3	21.8	–5.5*	9.4	8.6	10.4	–1.9	–3.6	FF
<i>N</i>	652	418	234		533	303	230			
Whether mentored?										
Mentored	63.6	63.3	64.3	–1	65.6	64.2	67.5	–3.2	2.2	FF
<i>N</i>	2,132	1,443	689		1,211	716	495			
Gender of mentors										
Male	95.9	98.1	91.4	6.8*	90.5	96.7	82	14.7*	7.9	MM
Female	16.7	10.6	29.3	–18.7*	38.8	27.1	55	–27.9*	9.2	FF
<i>N</i>	1,351	911	440		791	458	333			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test

91. We added the years 1992–1995 to the analysis in this table because otherwise some of the subcategories had too few observations for analysis.

TABLE 15

Practice environment: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Practice setting in 5 yrs										
Same practice setting in 5 yrs?	1.284	1.310	1.046	0.265*	1.070	1.130	0.888	0.242*	-0.023	MM
<i>N</i>	1,558	1,405	153		970	729	241			
Reasons for leaving										
No opportunity to advance	11.8	11.2	14.9	-3.7	9.7	12.7	3	9.7*	6	FM
Bored	17.3	18.6	10.6	8.0	30	32.7	23.9	8.8	0.8	MM
Other negative	24.9	25.2	23.4	1.8	16.1	12	25.4	-13.4*	11.6	MF
New job	26	26.4	23.4	3	26.7	28	23.9	4.1	1.1	MM
Family	1.4	0.4	6.4	-6.0	5.1	2	11.9	-9.9*	3.9	FF
Other positive	18.7	18.2	21.3	-3.1	12.4	12.7	11.9	0.7	-2.4	FM
<i>N</i>	289	242	47		217	150	67			
Whether mentored?										
Mentored	56.6	56.3	58.9	-2.5	58	56.5	61.8	-5.3	2.8	FF
<i>N</i>	1,678	1,498	180		1,107	798	309			
Gender of mentors										
Male	98	98.8	91.5	7.3*	96.2	98.9	89.7	9.2*	1.9	MM
Female	8.9	6.4	28.3	-21.9*	20.3	13.8	35.9	-22.1*	0.2	FF
<i>N</i>	944	838	106		133	94	39			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE 16

Practice environment: 15-year Survey, Survey Years 1992–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Practice setting in 5 yrs						
Same practice setting in 5 yrs?	1.060 (3)*	1.160 (3)*	0.563 (1)*(2)*	0.736 (2)*	1.055 (1)*(3)*	0.847 (2)*
<i>N</i>	233	1,094	32	125	145	163
Reasons for leaving						
No opportunity to advance	12.1	10.4	0	4.8	0	4.4
Bored	25.8 (3)*	27.2 (3)*	0 (1)*(2)*	23.8	27.6	26.7
Other negative	24.2	16.3	18.2	20.8	31.3	26.9
New job	33.3	33.2	36.4	33.3	27.6	28.9
Family	0	3.5	0	4.8 (2)*	17.2 (1)*	11.1
Other positive	4.5 (3)*	9.4 (3)*	45.5 (1)*(2)*	14.3	13.8	17.8
<i>N</i>	66	202	11	42	29	45
Whether mentored?						
Mentored	49.3 (2)*(3)*	59.5 (1)*	68.4 (1)*	63.1	60.0	60.9
<i>N</i>	272	1,158	38	149	170	215
Gender of mentors						
Male	97.4	98.6 (3)*	91.7 (2)*	87.2 (2)*	96.7 (1)*	91.2
Female	15.8 (2)*	7.2 (1)*(3)*	33.3 (2)*	31.9	23.0	33.8
<i>N</i>	76	414	12	47	61	68

CC = child care.

*Difference in means significantly different from zero at the 0.1 level, two-tailed *t* test.

The Michigan Alumni Survey asks questions regarding first job in practice and current practice setting.⁹² With this information we were able to track which respondents started in private practice and then left, and which respondents started outside private practice and then entered. We were also able to track which types of jobs the respondents who started in private practice—and then left—went into. The percentages of respondents to the 15-year survey for the periods before 1992 and 1996–2000 who reported that they started in private practice (disregarding judicial clerkships) are presented in Table 17, along with the percentages of respondents in various work settings at the time of the survey. The percentage of respondents who reported that they started in jobs outside of private practice (disregarding judicial clerkships) and were working in private practice at the time of the 15-year survey are reported in the last rows of Table 17.

Although the men were more likely to start in private practice, stay in private practice, and enter private practice, the women made significant inroads into these percentages between the two examined periods. The percentage of respondents who reported starting in private practice increased between the two periods for both men and women, but the percentage for women increased faster: The difference between the two percentages dropped from 20.2% to 8.2% over the examined periods. Similarly the percentage of respondents who started in private practice and were still there at the time of the 15-year survey decreased for both men and women between the two periods, but the decrease was much more pronounced for the men: The difference between the two percentages dropped from 29.5% to 17.2%. Finally the percentage of respondents who started outside of private practice and then entered into it dropped for both the men and women between the two periods, but the percentage dropped faster for the men: The difference between the two percentages dropped from 12.1% to 8.1%. Of those who left the private practice of law, the women went into government practice, “other” practice, law teaching, and government non-practice. Also the women were much more likely to report doing parenting and being unemployed. The men were more likely to leave the practice of law for business non-practice.

In Table 18 we report similar percentages regarding the exit out of and entry into private practice for the 15-year survey for the period 1991–2000, broken down by gender and family situation. We expanded the sample to include the survey years 1991–2000 in order to have enough observation in each cell to yield meaningful results. This table evinces a

92. This data is reported in variables 444 and 445 for survey years 1985 to the present.

very similar pattern to that found in Table 13 in that men who performed child care were the least likely to start in, remain in, or enter private practice, while men who had kids but did not take time away from paid work to perform child care were the most likely to start in, remain, and enter private practice. Men without kids and the women occupy intermediate positions. Women who had kids but did not take time away from paid work to perform child care were the most likely to start in private practice, entered private practice in a percentage that rivaled that of the men (78.9% for the women and 83.4% for similarly situated men), and were most likely to remain in private practice; however, they remained in private practice at a rate much lower than that of the men (53.4% for the women and 71.0% for similarly situated men), and they entered private practice at a rate that was approximately half that of the other women. Both the men and women without kids seemed to occupy an intermediate position relative to the other members of their gender with respect to the percentages in which they started in, remained in, and entered private practice. Both the men and women who performed child care and left private practice disproportionately went into law teaching and government non-practice, and were much more likely to be found among the unemployed and parenting. Women who had kids but did not take time off for child care and who left private practice were more likely to go into business non-practice, while the women without kids who left were more likely to go into corporate counsel positions, government work, or public office. Men without kids also showed a slight propensity to leave private practice to go into public office.

Promotion to Partner: "Up or Out," or "Not Up, but Not Out"

Researchers have also examined the problem of promotion to partnership in private firms and found significant gender differences. In a study of law directory data from the years 1969–1983, Spurr found that women had a significantly lower chance of being promoted to partner after controlling for variables such as firm size, experience, law school prestige, and law school honors,⁹³ although this gender gap appeared to be declining over time.⁹⁴ In their study of Chicago lawyers, Hull and Nelson found that, after controlling for experience, law school background, initial practice setting, and other relevant variables, women in private law firms were only a third as likely to be partners as their male cohorts. However, Hull and Nelson found that women were significantly more likely to be promoted to senior-level positions in non-firm settings, although the gender effect dipped below statistical significance when the full set of control variables was included in the model.⁹⁵ In a previous study using a portion of the Michigan data set from the classes of 1972–1985, Noonan and Corcoran found that men were more likely to attain partnership, controlling for race, law school performance, family status, work experience, mentoring relationships, and satisfaction with work–family balance.⁹⁶ On an aggregate basis, in 2005, women made up nearly 30% of the members of the American legal profession but constituted only 17% of law partners nationwide.⁹⁷

93. Stephen J. Spurr, *Sex Discrimination in the Legal Profession: A Study of Promotion*, 43 *INDUS. & LAB. REL. REV.* 406 (1990).

94. Stephen J. Spurr & Glenn T. Sueyoshi, *Turnover and Promotion of Lawyers: An Inquiry into Gender Differences*, 29 *J. HUMAN RESOURCES* 813 (1994).

95. Kathleen E. Hull & Robert L. Nelson, *Assimilation, Choice or Constraint? Testing Theories of Gender Differences in the Careers of Lawyers*, 79 *SOC. FORCES* 229 (2000).

96. Mary C. Noonan & Mary E. Corcoran, *The Mommy Track and Partnership: Temporary Delay or Dead End?* 596 *ANNALS AM. ACAD. POL. & SOC. SCI.* 130 (2004).

97. National Association of Law Placement (N.A.L.P.), *Women and Attorneys of Color Continue to Make Small Gains at Large Law Firms*, www.nalp.org/press/details.php?id=57 (last visited Feb. 1, 2006).

TABLE 17
Where are the alumni who started in private practice, 15 years later? Fifteen-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
% Who start in private practice	66.3	67.3	47.1	20.2	83.7	85.7	77.5	8.2	-12.0	MM
Where are the alumni who started in private practice 15 years later?										
% Private practice	74.1	75.2	45.7	29.5*	57.3	61.9	44.7	17.2*	-12.3	MM
% Corp counsel	9.6	9.6	10.5	-0.9	12.5	13.1	11.0	2.1	1.3	FM
% Government practice	3.1	3.0	6.7	-3.7*	5.0	4.0	7.6	-3.6*	-0.1	FF
% Legal services	3.5E-02	3.6E-02	0	3.6E-02	0.5	0.3	0.8	-0.5	0.5	MF
% Other practice	0.8	0.8	1.9	-1.1	1.8	1.2	3.4	-2.1*	1.0	FF
% Judge	1.9	1.8	3.8	-2.0	0.6	0.6	0.4	0.2	-1.8	FM
% Teach law	1.1	0.8	10.5	-9.7*	2.0	1.4	3.8	-2.4*	-7.3	FF
% Public office	0.5	0.5	0	0.5	0.5	0.5	0.4	4.0E-02	-0.5	MM
% Business non-practice	2.6	2.7	1.9	0.8	7.4	9.1	3.0	6.1*	5.4	MM
% Government non-practice	3.5E-02	3.6E-02	0	3.6E-02	2.6	2.0	4.2	-2.2*	2.2	MF
% Other non-practice	5.2	5.2	7.6	-2.5	4.9	4.3	6.3	-2.0	-0.5	FF
% Parent non-practice	0.6	0.2	11.4	-11.2*	4.0	0.6	13.1	-12.5*	1.3	FF
% Unemployed	0.8	0.4	11.4	-11.0*	4.9	1.5	13.9	-12.4*	1.4	FF
% Unemployed not parent	0.2	0.2	0	0.2	1.0	0.9	1.3	-0.3	0.2	MF
<i>N</i>	2,881	2,776	105		886	649	237			
Of those who don't start in private practice (excluding clerkship), what percentage enter private practice by the 15th										
% Private	43.3	44.3	32.2	12.1*	22.0	25.0	16.9	8.1	-4.0	MM
<i>N</i>	1,466	1,348	118		173	108	65			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE 18
Exit from and entry into private practice: 15-year survey, survey years 1991–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
% Who start in private practice	74.6	83.4	59.5	68.8	78.9	68.4
Where are the alumni who started in private practice 15 years later?						
% Private practice	64.2 (2)*(3)*	71.0 (1)*(3)*	22.7 (1)*(2)*	44.5	53.4 (3)*	43.8 (2)*
% Corp counsel	11.9	12.6	18.2	17.3 (3)*	13.0	9.9 (1)*
% Government practice	3.1 (3)*	3.0 (3)*	13.6 (1)*(2)*	12.7 (2)*(3)*	5.5 (1)*	3.1 (1)*
% Legal services	0.4	0.2	0	0	0.7	1.2
% Other practice	0.9	0.6 (3)*	4.5 (2)*	4.5 (2)*	0.7 (1)*	1.9
% Judge	0.4	0.8	0	0.9	2.1	0.6
% Teach law	1.8 (3)*	1.2 (3)*	9.1 (1)*(2)*	2.7 (3)	5.5	6.2 (1)
% Public office	0.9 (2)*	0.2 (1)*	0	1.8 (3)*	0	0 (1)*
% Business non-practice	5.3	6.6	0	1.8 (2)	5.5 (1)(3)*	1.9 (2)*
% Government non-practice	1.8 (3)*	0.9 (3)*	13.6 (1)*(2)*	1.8	1.4 (3)	4.3 (2)
% Other non-practice	5.8 (2)*	2.6 (1)*(3)*	9.1 (2)*	8.2	4.8	5.6
% Parent non-practice	0 (3)*	0.4 (3)*	9.1 (1)*(2)*	0 (2)*(3)*	7.5 (1)*(3)*	21.6 (1)*(2)*
% Unemployed	3.5 (2)*	0.4 (1)*(3)*	9.1 (2)*	3.6 (3)*	7.5 (3)*	21.0 (1)*(2)*
% Unemployed not parent	3.5 (2)*	0 (1)*	0	3.6 (2)*(3)*	0 (1)*	0 (1)*
<i>N</i>	226	1064	22	110	146	162
Of those who don't start in private practice (excluding clerkship), what percentage enter private practice by the 15th year?						
% Private practice	23.4	32.5	13.3	22.0	12.8	26.4
<i>N</i>	77	212	15	50	39	75

CC = child care.

*Difference in means significantly different from zero at the 0.05 level.

These same researchers have identified a variety of reasons for the gender gap in achieving partnership. In their study of eight large New York law firms, Epstein et al. speculated about a number of disadvantages women may suffer in achieving partnership. Women may be at a disadvantage in generating business for a firm because they have fewer contacts to play the “rainmaker” role, less time to devote to client development, and less access to important informal business networks. Child care responsibilities may also limit women’s success because women may miss out on good assignments when they become pregnant or take maternity leaves, and women’s aspirations may change as a result of increased family commitments.⁹⁸ Hull and Nelson found that having children had a positive effect on partnership for lawyers, but experience of work–family constraint reduced women’s but not men’s partnership probabilities.⁹⁹ Similarly, Noonan and Corcoran found that being a parent did not significantly decrease partnership chances for either men or women, but taking time off to care for children had a significantly negative effect on partnership attainment, and the effect was larger for men than for women.¹⁰⁰ Noonan and Corcoran also found that women were more likely than men to leave law firms before the partnership decision.¹⁰¹

The Michigan Alumni Survey records position in the firm for respondents working in private practice. The recorded positions include partner, associate, employee or subcontractor, and solo practitioner. The percentage of private practice respondents who gave each response in the 15-year survey is presented in Table 19 for Period 1 (survey years before 1992) and Period 2 (survey years 1996–2000). These results confirm the findings of previous studies: The men were more likely to be partners later in practice, although their advantage in this regard dropped considerably between the two periods. In Period 1, 79.4% of the men in private practice were partners while only 64.2% of the women were partners—

98. Epstein et al., *supra* note 87.

99. *Id.*

100. Noonan & Corcoran, *supra* note 98, at 140–41.

101. *Id.*

a difference of 15.2%; in Period 2, the male percentage was 80.1% while the female percentage was 66.7%—a difference of 13.4%. The women were much more likely than the men to be retained as associates, employees, or subcontractors. This finding is consistent with the idea that men are more subject to “up or out decisions” while some women undertake nonpartnership positions with fewer hours and less pay to accommodate child care: In other words, they are “not up, but not out.”¹⁰² The percentage of respondents reporting that they were in solo practice fell precipitously for both the men and women between the two time periods.

The idea that women may be “not up, but not out” in their careers in order to accommodate child care gains some support—and at least one surprise—when the data is broken down according to gender and whether the respondent had children and performed child care. In Table 20 we see that indeed the women who took time away from paid work to perform child care were significantly less likely to be partners (54%) and more likely to be associates (13%), employees or independent contractors (15%), or solo practitioners (18%) than other women, but it was the men who did child care who were the least likely to be partners (29%) and the most likely to work in one of the other capacities (72%), although only the finding with respect to partnership was significantly different from other men.¹⁰³ This was true despite the fact that, as we have seen, the men who performed child care on average undertook much shorter periods away from paid work than did the women. Both the men and women who had kids but did not take time away from paid work to perform child care were the most likely to be partners and enjoyed almost the same percentage in this regard (84% for men and 81% for women),¹⁰⁴ although it should be remembered that the women experienced a higher attrition rate from private practice in getting to this point. Both the men and women without kids showed a slightly lower propensity to be partners and a slightly greater tendency to be solo practitioners than the men and women who had kids but did not perform child care. This is somewhat surprising, at least among the women, since the women without kids worked a significantly greater number of hours than the women with kids, and one would think such effort would be rewarded with partnership.¹⁰⁵ These partnership percentages suggest that child care is somewhat incompatible with partnership for both men and women and that lawyers who have kids but do not perform child care strive for and achieve partnership at higher rates than their childless colleagues.

TABLE 19
Position in the firm: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
% Partner	79.0	79.4	64.2	15.2*	77.2	80.1	66.7	13.4*	–1.8	MM
% Associate	3.2	3.1	8.4	–5.4	4.7	3.6	8.8	–5.2*	0.2	FF
% Employee or subcontractor	1.1	1.0	5.3	–4.2*	8.7	6.5	16.7	–10.2*	–6.0	FF
% Solo practice	16.7	16.6	22.1	–5.6	9.4	9.8	7.9	1.9	7.5	FM
<i>N</i>	3,436	3,341	95		531	417	114			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

102. This phrase is attributable to a female employee of a large firm who participated in one of our focus groups.

103. Consistent with this finding, both the men and women in our focus groups thought firms took a dimmer view of men working part time or taking leaves to perform child care than they did of women doing the same.

104. This idea that “breadwinning lawyers” who had kids but did not perform child care, whether male or female, were the most driven to enter private practice, remain in private practice, make partner, and make money rang true in our discussions with the focus groups.

105. Even when examining just partners in private firms, we find that on average the men worked about 2,570 hours a year and the women without kids worked about the same, while the women with kids who did not take time away from work to do child care worked 2,371 hours per year and the women who took time away from work to do child care worked 2,008 hours a year. See Tables A17 and A18 in the Appendix.

TABLE 20

Position in the firm—A comparison of groups of men and women by family situation: 15-year survey, survey years 1991–2000

Variable	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC(3)
% Partner	75 (2)*(3)*	84 (1)*(3)*	29 (1)*(2)*	66 (2)*	81 (1)*(3)*	54 (2)*
% Associate	6	3	29	8	4 (3)*	13 (2)*
% Employee or subcontractor	5	4	14	12	10	15
% Solo practitioner	14 (2)*	9 (1)*	29	14	5 (3)*	18 (2)*
<i>N</i>	160	810	7	59	79	87

CC = child care.

*Difference in the means significantly different from zero at the 0.1 level, two-tailed *t* test.

To separate the effect of gender on being a partner from that of other variables, we conducted a set of logistic regressions on the 15-year survey responses with a dummy variable for whether the respondent is a partner as the dependent variable. Logistic regression estimates the natural log of the odds (logit) of a binomially distributed dependent variable as a generalized linear model of the examined independent variables.¹⁰⁶ Logistic regression is superior to ordinary linear regression for binary dependent variables because it yields estimated values between 0 and 1, and it preserves the plausibility of the assumptions of homoscedasticity and ensures that the errors of the regression equation are normally distributed. Without these assumptions, the significance tests of linear regression are unreliable.

We estimated the logit of being a partner as a linear function of gender, race, ethnicity, whether the respondent did not plan on going into private practice before law school, whether the respondent never planned on going into private practice, whether the respondent's first job was in a firm or office in which he or she did a summer clerkship, whether the respondent did a judicial clerkship, whether he or she entered private practice after his or her first job, years of practice, law school GPA, whether the respondent participated in various activities in law school (journal, moot court, and other student activities), the size of city in which the respondent works, his or her region, the size of the respondent's first firm, whether the respondent was mentored, various family characteristics, and various personal characteristics. The default for the equation where all independent dummy variables are zero is a white male in a large city in the Midwest whose first firm was a supersized firm and who is not married or cohabiting. The female dummy variable is entered alternatively as just a zero-one variable for whether the respondent is female; and broken down into three dummy variables, one for women without kids, another for women who have kids but have not taken time away from paid work to perform child care, and a third for women who have kids and have taken time away from work to perform child care. We also experiment with a dummy variable for men who have kids and have taken time away from paid work to perform child care.

Even with this fairly lengthy list of independent variables, there are at least two important missing variables in this analysis. We would have liked some measure of the respondent's effort during the period in which the partnership decision was made¹⁰⁷ and some indication of whether the respondent ever wanted to become a partner, since some people take jobs in private practice with no intention of ever staying there or being a partner. Assuming that on average men put forth the same or more effort as women to become partners, and have on average at least as great of desire to become a partner, these omissions should not bias our estimates with respect to the gender coefficients against women. Also in part to limit this bias, we limited our analysis to respondents who started in a private firm or entered private practice sometime after their first job. The reasoning behind this limitation is that we assumed that the Michigan graduates were talented enough that they all could get at least some job in private practice if they wanted to, and that those who didn't were not very interested in becoming a partner. This limitation of our analysis to these people also allowed us to generate a size of first firm variable that turned out to be fairly important in the analysis. If one includes people who have never worked in a private firm in the analysis, there is no basis for generating this variable for those people. Moreover, our experimentation in estimating a logistic regression for all observations excluding the size of firm independent variables yielded very similar results with respect to gender. We estimated our logistic regression only for Period 2 (survey years 1994–2000) because this was the only period for which there was adequate data for this model.

Regressions 3 and 4 yield some very interesting results (Table 21). As a matter of general analysis, the probability of being a partner is positively and significantly related to working for your first firm as a summer clerk, entering private practice later, getting good grades, starting in a medium or small firm, being compulsive, desiring money, and being confident. The probability of being a partner is negatively and significantly related to being Black, not planning on going into private practice, working in the Northeast, and having a lot of "other" income. Based on our prior analysis, the men

106. The logistic curve relates the dependent variable (*Y*) to the independent variables (*X*) through the equation $P = e^{a+bX} / (1 + e^{a+bX})$, where *P* is the probability of a 1 (the proportion of 1s, the mean of *Y*), *e* is the base of the natural logarithm, *X* is a vector of independent variables and *a* and *b* are the parameters of the model. The equation that is estimated is $\ln(\text{Odds}) = \ln(P/(1-P)) = \text{logit}(P) = a + bX$. PETER KENNEDY, A GUIDE TO ECONOMETRICS 260–68 (5th ed. 2003).

107. We considered using the current hours of work as a proxy for this but decided that the current hours of work was too strongly endogenously related to whether the respondent was currently a partner.

disproportionately had many of the attributes that are positively related with being a partner, such as starting private practice later, starting in a medium-sized or small firm, desiring money, and being confident. Because Black men are excluded from educational opportunities in greater numbers, we also know that female lawyers include a disproportionate number of Black lawyers, who are not as likely to make partner. Our previous analysis does show that the women enjoyed a recent advantage in being compulsive about their work, which is positively associated with being a partner. Examining the coefficients for our gender dummy variables, we see that the coefficient for female in Regression 3 is negative, but not statistically significant. The exponential of a coefficient in the logistic regression gives the odds ratio for a 1 unit change in that variable, with the other independent variables being evaluated at their mean.¹⁰⁸ Accordingly for the -0.346 coefficient for female in Regression 3, this suggests that the odds ratio of being a partner for the women to the men was 0.708 , and thus the women were 29.2% less likely to be a partner than the similarly situated men. Recall that this estimate might be biased to be more negative because of the important omitted variables of effort and desire.

In Regression 4 we broke the female dummy variable down into three dummy variables according to the respondent's family situation and added a dummy variable for the men who had kids and performed child care. None of the coefficients for these variables was statistically significant, but they did suggest that the women's disadvantage in making partner was disproportionately borne by the women who performed child care. These women had a coefficient of -0.898 which means they were 59.3% less likely to be partners than the similarly situated men who did not perform child care. The women with kids who did not miss paid work to perform child care actually had an insignificantly positive coefficient, suggesting that they enjoyed insignificant advantages over the men. The men who performed child care suffered about the same disadvantage in being a partner as did the women who performed child care, having a coefficient of -0.953 ; this suggests that, at the mean, they were 61.4% less likely to be a partner than the similarly situated men who did not perform child care. Women without kids also had a negative coefficient of -0.489 , which suggests that they were 38.7% less likely to be a partner than similarly situated men.

Income

Given the gender differences in age, hours of work, child care responsibilities, type of practice, and partnership, it is not surprising that female lawyers make less money, on average, than male lawyers. This fact is well established in the empirical literature and is readily apparent in the Michigan data set. Research on gender differences in compensation within the legal profession generally seeks to determine whether the gender gap in pay is attributable to differences in male and female lawyers' saleable assets (e.g., hours of work, level of experience, and other characteristics that might reasonably be expected to influence earnings) or to differences in pay between men and women for the same assets, which is generally attributed to discrimination. To evaluate the extent to which gender differences in pay are due to differences in assets or payments for those assets, studies generally use regression analysis, or the slightly more complex decomposition technique, to separate these two effects. After examining the compensation gap between men and women that exists in the Michigan data set and how it has changed over time, we will present both regression and decomposition analyses.

108. KENNEDY, *supra* note 108, at 260–65.

TABLE 21
Logistic regression analysis of probability of being a partner

Dependent Variable	Regression 3		Regression 4		Independent Variables	Regression 3 (cont'd)		Regression 4 (cont'd)	
	Survey Years		Survey Years			Survey Years		Survey Years	
	1994–2000		1994–2000			1994–2000		1994–2000	
	15-Year Survey		15-Year Survey			15-Year Survey		15-Year Survey	
Independent Variables	Coefficient	Robust S. E.	Coefficient	Robust S. E.		Coefficient	Robust S. E.	Coefficient	Robust S. E.
Female	-0.346	0.449	—	—	Mentored	0.398	0.301	0.365	0.308
Female no kids	—	—	-0.489	0.691	Married	-0.344	0.610	-0.479	0.613
Fem kids no CC	—	—	0.159	0.548	Cohabit	-0.671	1.132	-0.772	1.122
Fem kids CC	—	—	-0.898	0.851	Number kids	-0.018	0.145	—	—
Male kids CC	—	—	-0.953	1.671	Spouse income	0.003	0.002	0.003	0.002
Black	-2.121**	0.948	-1.831*	1.007	Other income	-0.008*	0.004	-0.008*	0.005
Hispanic	1.312	1.540	1.481	1.709	Child care mos	0.011	0.017	—	—
Asian	—	—	—	—	Aggressive	0.060	0.144	0.068	0.142
Not plan PP B4 LS	0.216	0.327	0.160	0.332	Compulsive	0.280**	0.123	0.309**	0.121
Not plan PP at all	-0.987**	0.451	-1.009**	0.453	Desire money	0.329**	0.142	0.302**	0.140
Summer job same	0.681**	0.315	0.608*	0.316	Confidence	0.333**	0.148	0.327**	0.152
Judicial clerkship	0.294	0.501	0.226	0.493	Dealmaker	0.061	0.154	0.028	0.157
Enter PP later	1.727**	0.752	1.715**	0.721	Effec writer	-0.068	0.147	-0.060	0.146
Years of practice	0.168	0.114	0.156	0.111	Social impact	0.034	0.136	0.004	0.137
LS GPA	1.181**	0.518	1.195**	0.520	Honest	-0.123	0.167	-0.107	0.166
Participate journal	-0.009	0.357	0.024	0.363	Compassion	-0.043	0.137	-0.034	0.138
Participate moot court	0.346	0.428	0.384	0.427	Constant	-6.440**	2.531	-6.143**	2.460
Partic student activities	0.174	0.338	0.206	0.337					
City work med	0.134	0.344	0.124	0.341	Regression	Num of obs = 301		Num of obs = 301	
City work small	-0.584	0.499	-0.652	0.494	summary	Wald Chi-sq (38) =		Wald Chi-sq (39) =	
Region East	-0.593*	0.358	-0.583	0.360	statistics	55.35		55.89	
Region West coast	0.329	0.508	0.314	0.518		Prob > Chi-sq = 0.0342		Prob > Chi-sq = 0.0389	
Region SE	-0.324	0.587	-0.384	0.572		Pseudo R-sq = 0.2001		Pseudo R-sq = 0.2047	
Region West	-0.562	0.858	-0.396	0.934		Log pseudo likelihood =		Log pseudo likelihood =	
First firm large	0.478	0.398	0.458	0.401		-153.061		-152.197	
First firm med	1.340**	0.479	1.346**	0.477					
First firm small	1.371**	0.591	1.391**	0.588					

Note. Regressions performed on observations with annual hours worked >1,800, full-time employment. Asian had to be dropped from the model because it was a perfect predictor of success.

CC = child care; LS = law school; PP = private practice.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

The Male–Female Income Gap. All studies that have examined the question have found that, on average, female lawyers have significantly lower incomes than male lawyers. According to U.S. Census data for 1999, median earnings of female lawyers were 73% of the median earnings of male lawyers.¹⁰⁹ Typically, studies that examine average earnings find that women’s incomes in the legal profession are 60–70% that of men’s.¹¹⁰ Evidence is mixed on whether the gender gap in income has declined over time. Wood, Corcoran, and Courant found that women earned about 60% of what men earned 15 years out of law school using data from the Michigan Alumni Survey years 1987–1990.¹¹¹ In a follow-up study using data from survey years 1987–1993 and 1994–2000, Wood et al. found that the overall gender gap in pay remained nearly constant across the two cohorts, with women from the classes of 1972–1978 earning 63% of their male counterparts’ income 15 years out of law school, and women in the later cohort earning 61% of the men’s incomes.¹¹² However, in their study of Chicago lawyers Heinz et al. reported a 23% gender gap in lawyers’ pay in 1975 even after accounting for practice setting position, client type, legal education, and years of experience, but noted that in the 1995 follow-up survey this gender gap became statistically insignificant after accounting for these factors.¹¹³

The average income and wages for respondents of the Michigan Alumni Survey 5 and 15 years out of law school for the periods before 1992 and 1996–2000 are reported in Tables 22 and 23, respectively. In these tables we report averages for the respondents’ income the first year after law school, annual income the year of the survey, usual hourly fee (if they report one), and average wage (annual income divided by hours worked). All figures are in 2004 dollars. The figures suggest that the men held a modest, but significant, advantage in income right out of law school, an advantage that grew with each year of practice until it reached a considerable proportion 15 years out. For the most recent period for the 5-year survey the women’s average income right out of law school was 94.8% that of the men, and by 15 years out of law school the women’s average income was 91.0% that of the men. In these early years, much of the difference seems to be attributable to differences in hours worked, since there was no significant difference in the average hourly wage between the men and women in the 5-year survey. However, examining the real income of the respondents to the 15-year survey in the most recent period (Table 23), we see that the men’s income advantage was considerably larger and in this data the women made only 57.6% of what the men made. Again, some of this difference was clearly attributable to differences in hours worked, but in the 15-year survey the women’s average hourly wage in the second period was significantly lower and only 71.9% that of the men’s. From the averages presented in Tables 22 and 23 it is not clear whether these differences in male and female income and wages have been decreasing or growing. In the data from the 5-year survey (Table 22), we see that the wages and income of the men and women were converging over the examined periods, although there was a small divergence in first-year incomes. The difference between the men’s and women’s average income in the 5-year survey declined from \$13,014 in the first period to \$9,109 in the second period. However, in the 15-year data reported in Table 23, we see that the wages and income of the men and women diverged over the examined periods—except for, curiously, the respondent’s reported income in the first year of practice. The difference between the men’s and women’s average income in the 15-year survey increased from \$78,056 in the first period to \$97,359 in the second period.

109. Daniel H. Weinberg, Evidence from Census 2000 About Earnings by Detailed Occupation for Men and Women, U.S. Census Bureau, tbl. 5 (2004).

110. Dixon & Seron, *supra* note 58; Wynn R. Huang, *Gender Differences in the Earnings of Lawyers*, 30 COLUM. J.L. SOC. PROBS. 267 (1997); Karen Robson & Jean E. Wallace, *Gendered Inequalities in Earnings: A Study of Canadian Lawyers*, 38 CAN. REV. OF SOC. AND ANTHROPOLOGY 75 (2001).

111. Robert G. Wood, Mary E. Corcoran, & Paul N. Courant, *Pay Differences Among the Highly Paid: The Male-Female Earnings Gap in Lawyers’ Salaries*, 11 J. LAB. ECON. 417 (1993).

112. Mary C. Noonan, Mary E. Corcoran, & Paul N. Courant, *Pay Differences Among the Highly Trained: Cohort Differences in the Sex Gap in Lawyers’ Earnings*, 84 SOC. FORCES 853, tbl. 1 (2005).

113. HEINZ ET AL., *supra* note 17, at 173.

TABLE 22
Income and wages: 5-year survey

Variable	Period 1: Survey Years ≤1991 (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Income										
Avg income 1st yr after law school	64,062	65,134	61,670	3,464*	69,545	71,036	67,366	3,670*	206	MM
<i>N</i>	1,250	863	387		1,179	700	479			
Avg income principle job	90,843	94,696	81,682	13,014*	97,995	101,632	92,523	9,109*	–3,905	MM
<i>N</i>	1,709	1,203	506		1,142	686	456			
Wages										
Usual hourly fee	183.87	184.90	180.43	4.47	197.95	198.74	196.41	2.33	–2.14	MM
<i>N</i>	1,378	1,062	316		671	445	226			
Average hourly wage	36.39	36.73	35.54	1.19	39.26	39.63	38.71	0.92	–0.27	MM
<i>N</i>	1,630	1,162	468		1,098	660	438			

F = female; M = male.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE 23
Income and wages: 15-year survey

Variable	Period 1: Survey Years ≤1991 (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Income										
Avg income 1st yr after law school	59,227	59,654	56,093	3,561*	64,786	64,708	64,993	–286	–3,275	MF
<i>N</i>	1,265	1,113	152		1,049	761	288			
Avg income principle job	188,189	196,643	118,587	78,056*	203,336	229,529	132,170	97,359*	19,303	MM
<i>N</i>	1,588	1,416	172		985	720	265			
Wages										
Usual hourly fee	224.66	225.19	215.67	9.52	259.24	264.63	239.00	25.63*	16.11	MM
<i>N</i>	1,355	1,280	75		552	436	116			
Average hourly	75.75	78.03	55.55	22.48*	85.93	92.57	66.60	25.97*	3.49	MM
<i>N</i>	1,546	1,389	157		934	695	239			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

It is not necessarily inconsistent that the men's and women's average income converged over time in the 5-year survey and diverged in the 15-year survey. It may be that the men's and women's average incomes converged right out of law school as women undertook the same opportunities as men, especially in private practice, in greater proportion but diverged in the 15-year survey as more and more women who took time away from paid work to perform child care were entering the profession. We have already seen that the women on average worked fewer hours as more and more women who performed child care were entering the legal profession and as those women worked fewer hours than their predecessors. To account for this possibility we examined the incomes and hourly wages of full-time attorneys, defined as those who reported working 1,800 or more hours in the year. By examining full-time attorneys by themselves, we also eliminated the problem of mixing part-time workers and full-time workers, who enjoy a wage premium for working full time in the analysis of average incomes.¹¹⁴ It may also be that the men were disproportionately represented among the highest earners (e.g., the few respondents who earned more than two standard deviations above the mean), and that this advantage has grown or the impact of these people's income on the averages has grown as the distribution of incomes has dispersed over time. It is a common practice among economists to use median values as a measure of central tendencies with respect to income and wages in order to avoid the problem that a few very high earners can have undue influence on the analysis of means. In Table 24 we report the average and median income and hourly wage of full-time attorneys and the median income and wage of all attorneys, broken down by gender and the periods of analysis. In Table 25 we report the average and median income and hourly wages of all women and of full-time women, expressed as a percentage of the corresponding figure for the men. For example, in the first column of Table 25 we see that for all women in the first period, their average income as a percentage of the average income of the men in the first period was 60.3%, while for all women who worked full time in the first period, their average income was 66.6% of that for all men who worked full time in the first period.

In Tables 24 and 25 we see that, although for all women 15 years out of law school both their average and median income declined as a percentage of men's between the two periods, their average and median wage figures converged somewhat with those of the men, increasing 0.7 and 7.7 percentage points between the two periods, respectively. This suggests that the decline in the average number of hours worked by the women over the examined period was at least part of the explanation as to why women's and men's annual income 15 years out of law school diverged over the two periods. The fact that women did better with the median figures also suggests that part of the problem may be that the men outperformed the women among the very highest earners.¹¹⁵ Examining the respondents to the 15-year survey for the years 1996–2000, we find that the men accounted for 92% of the respondents in the top 5% of the income distribution (those making more than \$517,699 a year) while they were 70.4% of the sample as a whole.¹¹⁶ Moreover, for the full-time women 15 years out of law school, all of their income and wage figures converged with those of the men. Among the full-time women, average income increased from 66.6% of men's to 70.2% of men's between the two periods, while their median income increased from 66.7% of men's to 72.8% of men's. Examining hourly wages to control for differences in hours worked, we see that full-time women's average hourly wage increased from 72.4% of men's to 75.5% of men's over the two periods, while their median hourly wage increased from 73.6% of men's to 84.4% of men's—an increase of 10.8% and a relative improvement of 14.7% over the examined period.

114. Susan L. Averett & Julie L. Hotchkiss, *Discrimination in the Payment of Full-Time Wage Premiums*, 49 INDUS. & LAB. REL. REV. 2, Jan. 1996, at 287–301; Eric Eide, *Accounting for Race and Gender Differences in College Wage Premium Changes*, 63 S. ECON. J. 4, Apr. 1997, at 1039–1050; Myeong-Su Yun, *Full- and Part-Time Wage Differentials and Female Labor Supply: Discontinuous Budget Constraint and Endogenous Wages*, <http://ideas.repec.org/p/rut/rutres/199835.html>.

115. Not only the data, but our focus groups suggested this possibility. As discussed in our focused groups, at least some participants ventured that rainmakers were paid the most, and it takes too many hours of work and “golf” for most women to enter this competition. Participants also thought that men had an advantage with male CEOs in acquiring business, but that this was changing as more women entered corporate management and networked.

116. The 13 highest earners in this sample were men, earning an average of \$1,481,231; one individual recorded an income of \$3,401,561 in the reported year. The highest earning female in the sample made \$987,282 in the reported year.

TABLE 24
Income and wages, medians and full time: 15-year survey

Variable	Period 1: Survey Years ≤1991 (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Income										
Median inc. princ. job	154,883	166,285	101,945	64,340*	153,577	173,834	104,301	69,533*	5,193	MM
<i>N</i>	1,588	1,416	172		985	720	265			
Avg income princ. job (FT)	193,572	199,660	133,051	66,609*	222,228	236,757	166,173	70,584*	3,975	MM
Median inc. princ. job (FT)	159,679	166,285	110,955	57,888*	170,078	176,542	128,542	33,192*	–4,696	MM
<i>N</i> (FT)	1,510	1,372	138		855	679	176			
Wages										
Median hourly wage	61.70	65.23	47.19	18.04*	65.36	69.46	55.58	13.88*	–4.16	MM
<i>N</i>	1,546	1,389	157		934	695	239			
Average hourly wage (FT)	76.42	78.24	56.62	21.62*	87.43	91.93	69.38	22.55*	0.93	MM
Median hourly wage (FT)	62.99	65.56	48.23	17.33*	66.51	69.53	58.68	10.85*	–6.48	MM
<i>N</i> (FT)	1,469	1,345	124		822	658	164			

F = female; FT = average or median based on respondents who worked ≥1,800 hours in the reported year; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE 25
Female income and wages as a percentage of men's: 15-year survey

	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)	Period 2: Survey Years 1996–2000 (Classes 1981–1985)	Change From P1 to P2
Income			
Avg income principle job	60.3	57.6	–2.7
Median income principle job	61.3	60.0	–1.3
Avg inc. principle job (FT)	66.6	70.2	3.6
Median inc principle job (FT)	66.7	72.8	6.1
Wages			
Average hourly wage	71.2	71.9	0.7
Median hourly wage	72.3	80.0	7.7
Avg hourly wage (FT)	72.4	75.5	3.1
Median hourly wage (FT)	73.6	84.4	10.8

FT = average or median based on respondents who worked ≥1,800 hours in the reported year; P1 = Period 1; P2 = Period 2.

Regression Analysis. Regression analysis provides a superior means to determine what portion of the gender pay gap is attributable to differences in male and female lawyers' saleable assets such as hours of work, level of experience, and other characteristics that might reasonably be expected to influence earnings, and what portion is due to differences in pay between men and women for the same work. To date, most studies that have used regression analysis to examine the question have concluded that, although some of the gender gap in pay is due to differences in the proffered assets of men and women, significant portions of the observed differences are due to different payments for the same assets—in other words, discrimination. In their analysis of a random sample of New York City lawyers, Dixon and Seron found that male lawyers earned more than female lawyers after controlling for differences in law school background, experience, family characteristics, and occupational sector (government, corporate, or private practice).¹¹⁷ Further, the study suggested that human capital and family characteristics had different effects on earnings for men and women within occupational sectors. In private practice, men benefited from the prestige of their law school more than women did, and married men and men with children earned more, while women with children earned less. Huang's study of the classes of 1970, 1980, and 1985 at four law schools likewise found that men and women were rewarded differently for the same law school background, married men earned more, age increased men's earnings but decreased women's earnings, and women incurred a larger earnings penalty than men for part-time work.¹¹⁸ Huang also found that women received a smaller benefit from being a partner, and overall, the unexplained proportion of the gender wage gap was higher in private practice than in other legal settings and grew larger as the number of years out of law school increased.¹¹⁹ However, there have been a few studies that have found no significant difference in the incomes of male and female lawyers after accounting for differences in hours, experience, and other personal characteristics. In their examination of a 1994 survey data on lawyers in a western Canadian city, Robson and Wallace found that women earned 62% of what men earned, but that the effect of gender on pay was not significant after controlling for law school background, family characteristics, work hours, experience, mentoring relationships, and work motivation.¹²⁰ Similarly, in their comprehensive study of Chicago lawyers using 1995 survey data, Heinz et al. found that gender did not have a significant impact on income after controlling for law school background, experience, client type, hierarchical position, and practice setting.¹²¹

The Michigan data set provides a unique opportunity to test the impact on income of a variety of characteristics potentially associated with gender that have not previously been examined in the literature. Indeed, the data set presents the opportunity to conduct what is probably the most comprehensive regression analysis on attorney income done to date. As previously presented in this report, the Michigan data set contains information on a wide array of characteristics including years of practice, hours of work, law school GPA, size of city worked in, region of work, type of practice or job, whether the respondent was a partner, gender, race, ethnicity, marital status, family characteristics, previous child care, personal characteristics such as desiring money or being compassionate, area of practice specialty, and percentage of time spent doing particular types of practice activities. Although this boon of independent variables may seem unnecessary for a simple regression analysis of the determinants of the respondent's income, it will prove useful later during the decomposition analysis when we try to estimate the relative importance to the male–female earnings gap of hours worked, type of practice, family characteristics, personal characteristics, practice specialty, and activities in practice. Some of the area of specialty and practice activity variables that showed the least gender differences were excluded to avoid problems with serial correlation.¹²² For regressions on data from 15-year surveys, we include an additional dummy variable that equals 1 if the respondent is working in a private firm but not as a partner, and 0 otherwise. For regressions where we use gender dummy variables broken down by family situation, we drop the variables for number of children and months of child care to avoid problems with multicollinearity.¹²³ Following common practice in the labor supply literature, we used the natural log of real income as the dependent variable because income distributions are generally skewed, and by undertaking the monotonic transformation of taking the natural log we can examine a variable that better fits the assumptions of the linear regression model so that it produces unbiased estimates. Also, following common practice in the labor supply literature, we examine only those respondents who are working full time, which we define as working 1,800 hours or more in the reported year. Labor economists generally separate full-time and part-time workers for analysis because they are considered substantially different phenomena, and full-time workers usually receive a premium for committing to full-time work.¹²⁴ The results for the data from the 5-year surveys

117. Dixon & Seron, *supra* note 58.

118. Huang, *supra* note 112, at 267–325.

119. *Id.*

120. Karen Robson & Jean E. Wallace, *Gendered Inequalities in Earnings: A Study of Canadian Lawyers*, 38 CAN. REV. SOC. & ANTHROPOLOGY 75, 75–95 (2001).

121. HEINZ, ET AL., *supra* note 17, at tbl. 7.2.

122. These variables included spl antitrust, spl banking, spl communications, spl environmental, spl municipal, spl insurance, spl international trade, % interview clients, % appellate work, % lobbying, and % administration.

123. Dropping or adding these variables has no impact on the basic findings with respect to the gender dummy variables.

124. Averett & Hotchkiss, *supra* note 116, at 287–301; Eide, *supra* note 116, at 1039–1050; Myeong-Su Yun, Full- and Part-Time Wage Differentials and Female Labor Supply: Discontinuous Budget Constraint and Endogenous Wages, <http://ideas.repec.org/p/rut/rutres/199835.html>. Our experimentation with a separate regression for part-time workers in the 15-year survey for the years 1994–2000 yielded a coefficient (standard error) of –0.1265829 (0.8565513) for the female dummy variable, which is not significantly different from zero. However this regression had only 64 observations, so we do not rely on or report the complete results.

for the period before 1992 and the period 1994–2000 are presented in Regressions 5 and 6, respectively (Table 26). The results for the data from the 15-year surveys for the period before 1992 and the period 1994–2000 are presented in Regressions 7–10 (Tables 27 and 28).

Even without looking at the estimated coefficients for the gender dummy variables, the overall results of these regressions are interesting from the perspective of gender. The results suggest that many aspects of a person's position, family life, and personal characteristics can have a significant influence on income. The respondent's income was positively and, at least sometimes, significantly related to years of practice, hours worked, law school GPA, some regions, compulsiveness, desire for money, confidence, some specialties, conducting negotiations, and recruiting. Income was negatively and sometimes significantly related to type of practice, not being a partner, number of months doing child care, desire for social impact, honesty, compassion, some practice specialties, library work, drafting, legal education, and socializing at work. As we have seen, several of the characteristics or assets significantly associated with increasing income seemed to be associated with the male lawyers (hours worked, years of practice, law school grades, working in private practice, desiring money, confidence, specializing in patents, and negotiating) while men seemed to have avoided being significantly associated with characteristics that tend to decrease income (interestingly, only socializing at work). Several of the characteristics or assets that decrease income seemed to be significantly associated with the female lawyers (fewer hours, fewer years of practice, government practice, legal services work, "other" practice, non-practice, not being a partner, months of prior child care rather than work, being compassionate, desiring social change, honesty, specializing in domestic relations, and doing library work) while only a few that increased income were significantly associated with female lawyers (being compulsive about work and recruiting). These results are consistent with our general finding that the men, on average, expressed a greater interest in making money than the women did. Although we did observe some movement between the genders with respect to these characteristics over time, these associations still seemed true, and advances the women made in gaining income (e.g., in entering private practice) were offset by other trends (e.g., working fewer hours and doing more child care).

Examining the coefficients for the gender dummy variables, we find that although gender per se did not have a significant effect on income, child care had a significantly negative impact on income for both women and men. In Regressions 5 and 6 (see Table 26) for the respondents 5 years out of law school, we find that in neither period is the coefficient for female significantly different from zero. The coefficient for female in the first period before 1992 in Regression 5 is insignificantly negative, while the coefficient for female in the second period from 1994–2000 is insignificantly positive, perhaps indicating some marginal improvement in the job opportunities of the women right out of law school between the two periods. In the results for respondents 15 years out of law school reported in Regressions 7 and 8 (see Table 27), we see that the coefficient for female is significantly negative, at least in the second period. For the semi-log form of these equations, the exponential of the coefficient for a variable minus 1 and multiplied by 100 represents the estimated percentage change in the dependent variable for a change in the independent variable.¹²⁵ Accordingly, the coefficient of -0.097 for female in Regression 8 suggests that in the period from 1994–2000 the women's income 15 years out of law school was generally about 9.2% lower than the men's, or \$17,313 lower a year evaluated at the mean population income of \$188,189.

125. For the estimation of an equation of the form $\ln Y = a + bX$, the percentage change in Y due to a change in X is given by $(e^b - 1) * 100$. KENNEDY, *supra* note 108, at 123.

However, when we break down the female dummy variable into three dummy variables in Regressions 9 and 10 (see Table 28), we find that it is only the women with kids who took time off from work to perform child care who earned significantly less than the men. In Regression 10 for the second period 1994–2000, the coefficient for women without kids is insignificantly negative at -0.046 , suggesting that they earned 4.5% less than the men or \$8,469 less a year evaluated at the population mean, and the coefficient for women who had kids but did not perform child care is insignificantly negative at -0.053 , suggesting that they earned 5.2% less a year than the men or \$9,786 less evaluated at the population mean, but the coefficient for women who took time away from paid work to perform child care is significantly negative at -0.338 , suggesting that they earned 28.7% less than the men or \$54,010 less a year evaluated at the population mean. None of the female coefficients for Regression 9 in the first period (before 1992) are statistically significant, but they evince the same pattern suggesting that the female lawyers who performed child care suffered the greatest disadvantage in earning income. The coefficients for the dummy variable for the men who performed child care in Regressions 9 and 10 suggest that the men who performed child care also suffered a substantial disadvantage in earning income. In Regression 10, the coefficient for the men who performed child care is just shy of being significantly negative at -0.172 , suggesting that they earned 15.8% less than the other men or \$29,734 less a year evaluated at the population mean. In comparing the coefficients for the women and men who performed child care, it is relevant to recall that the women undertook more than twice as many months off for child care on average.¹²⁶ Replacing their dummy variables with interaction variables for female times the number of months of child care and male times the number of months of child care, we found that the men's disadvantage in earning income was actually greater for each month of child care, and was significantly negative.¹²⁷ The coefficients for the gender dummy variables in Regressions 9 and 10 are particularly interesting because these equations also control for hours worked and years of practice, which we have already seen are lower for lawyers who perform child care. The results suggest that either these people are different in their preferences regarding the tradeoff of work and family, or there is a cumulative effect of time off from work to perform child care that is not adequately represented in the other variables and that is not suffered by women who do not have kids or who do not take time off from work to perform child care.¹²⁸

126. See Table 11.

127. The coefficient (robust standard error) for female times the number of months of child care was -0.00406 (0.00170), significant at the 0.05 level, and the coefficient (robust standard error) for male times the number of months of child care was -0.01628 (0.00981), significant at the 0.1 level.

128. Several of the participants in our focus groups expressed the opinion that women who did substantial child care were at a disadvantage in earning income because of their divided commitment between work and family. Although these statements were made with respect to female child care providers, they might equally apply to male child care providers.

TABLE 26
Regression analysis of income (ln linear), 5-year survey

Regressions ln "Income" (in 2004 \$) as Dependent Var	Regression 5 Survey Years 1991 & Before 5-Year Survey		Regression 6 Survey Years 1994– 2000 5-Year Survey		Independent Variables	Regression 5 (cont'd) Survey Years 1991 & Before 5-Year Survey		Regression 6 (cont'd) Survey Years 1994– 2000 5-Year Survey	
	Coefficient	Robust S. E.	Coefficient	Robust S. E.		Coefficient	Robust S. E.	Coefficient	Robust S. E.
Female	-0.017	0.027	0.013	0.030	Aggressive	-0.005	0.011	-0.003	0.011
Black	0.003	0.062	0.016	0.083	Compulsive	0.016*	0.009	0.006	0.010
Hispanic	0.194**	0.091	-0.074	0.104	Desire money	0.035**	0.011	0.021*	0.013
Asian	0.127	0.108	0.080	0.070	Confidence	-0.002	0.012	0.006	0.013
Years of practice	0.058**	0.024	0.051*	0.030	Dealmaker	-0.003	0.012	0.007	0.011
Annual hrs work	9.0E-05**	4.1E-05	4.9E-05	3.1E-05	Effec writer	0.005	0.012	0.014	0.015
Law school GPA	0.101**	0.036	0.179**	0.042	Social impact	-0.012	0.010	-0.018	0.011
Partic journal	0.047*	0.027	0.027	0.028	Honest	-0.024*	0.014	-0.009	0.013
Partic moot ct	0.033	0.030	-0.034	0.036	Compassion	0.020*	0.012	-0.015	0.012
Partic stud act	0.017	0.022	-0.009	0.025	Spcl admin	-0.085	0.054	-0.034	0.062
Sumr job same	0.055**	0.022	0.063**	0.026	Spcl dbt cr	-0.009	0.043	-0.092*	0.056
Judicial clerk	-0.074*	0.038	0.010	0.035	Spcl cvl rts	0.088*	0.049	-0.071*	0.040
Mentored	0.001	0.023	-0.027	0.025	Spcl corp	-0.026	0.026	0.019	0.029
City work med	-0.104**	0.028	-0.077**	0.028	Spcl crim	-0.033	0.083	-0.015	0.071
City work small	-0.182**	0.060	-0.074	0.051	Spcl dom rel	-0.003	0.116	-0.289	0.211
Region East	0.141**	0.028	0.181**	0.030	Spcl empl bn	-0.100	0.067	-0.069	0.137
Region W Coast	0.110**	0.040	0.119**	0.036	Spcl energy	-0.158	0.104	-0.156**	0.063
Region SE	-0.027	0.034	0.043	0.060	Spcl esta tax	-0.024	0.071	-0.071	0.077
Region West	0.003	0.075	-0.096**	0.049	Spcl immigr	-0.007	0.225	-0.142	0.111
Private prac lrg	-0.144**	0.028	-0.039	0.031	Spcl inc tax	0.065	0.061	0.085	0.071
Private prac med	-0.149**	0.034	-0.153**	0.038	Spcl labor	-0.077	0.051	-0.022	0.057
Private prac small	-0.283**	0.055	-0.246**	0.057	Spcl patent	0.083	0.079	0.111**	0.054
Corp counsel	-0.112**	0.040	-0.029	0.040	Spcl real prop	0.055	0.041	-0.044	0.063
Govt practice	-0.360**	0.056	-0.284**	0.054	Spcl secur	0.158**	0.040	0.107**	0.036
Legal services	-0.749**	0.073	-0.646**	0.069	Spcl torts	-0.059	0.056	-0.092*	0.051
Other practice	-0.128	0.080	-0.090	0.094	% Library	-0.001	0.002	-0.003**	0.001
Teach law	-0.288	0.194	—	—	% Negotiat	2.0E-04	0.001	5.1E-05	0.001
Judge	—	—	—	—	% Draft	-4.2E-04	0.001	-0.001*	0.001
Public off	—	—	—	—	% Legal ed	3.7E-04	0.003	-1.3E-04	0.004
Bus non-prac	—	—	-0.300*	0.161	% Soc wrk	-0.006	0.006	-0.009**	0.004
Gov non-prac	—	—	0.092	0.141	% Recruit	0.006	0.004	0.012**	0.005
Other non-prac	-0.052	0.093	-0.131	0.178	% Other	0.001	0.001	-0.001	0.001
Married	0.023	0.033	0.016	0.044	Constant	3.833**	0.221	3.630**	0.245
Cohabit	0.002	0.051	-0.030	0.057					
Number kids	3.1E-04	0.015	-0.016	0.015					
Spouse income	0.001**	2.5E-04	0.001**	2.8E-04	Regression summary statistics	Number of obs = 514 F(65, 447) = . Prob > F = . R-squared = 0.6664 Root MSE = 0.23819		Number of obs = 606 F(67, 538) = 16.59 Prob > F = 0.0000 R-squared = 0.5721 Root MSE = 0.28157	
Other income	1.8E-04	2.7E-04	0.001	0.001					
Child care mos	-0.015**	0.005	-0.024*	0.012					

Note. Regressions performed on observations with annual hours worked $\geq 1,800$, full-time employment.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

TABLE 27
Regression analysis of income (ln linear), 15-year survey

Regressions In "Income" (in 2004 \$) as Dependent Var	Regression 7 Survey Years 1991 & Before 15-Year Survey		Regression 8 Survey Years 1994– 2000 15-Year Survey		Independent Variables	Regression 7 (cont'd) Survey Years 1991 & Before 15-Year Survey		Regression 8 (cont'd) Survey Years 1994– 2000 15-Year Survey	
	Coefficient	Robust S. E.	Coefficient	Robust S. E.		Coefficient	Robust S. E.	Coefficient	Robust S. E.
Female	-0.056	0.063	-0.097*	0.052	Aggressive	-0.002	0.020	0.008	0.017
Female no kids	—	—	—	—	Compulsive	0.025	0.018	0.041**	0.016
Fem kids no CC	—	—	—	—	Desire money	0.032*	0.019	0.056**	0.016
Fem kids CC	—	—	—	—	Confidence	0.018	0.020	0.030*	0.017
Male kids CC	—	—	—	—	Dealmaker	0.017	0.020	0.009	0.017
Black	-0.031	0.084	0.123	0.091	Effec writer	-0.009	0.024	-0.006	0.017
Hispanic	-0.084	0.133	-0.191	0.169	Social impact	-0.061**	0.017	1.4E-04	0.016
Asian	—	—	0.023	0.163	Honest	-0.009	0.023	-0.005	0.018
Years of practice	0.008	0.009	0.009	0.011	Compassion	0.014	0.021	-0.027*	0.015
Ann hrs work	2.2E-04**	6.0E-05	3.4E-05	5.6E-05	Spcl admin	0.003	0.067	0.005	0.089
Law school GPA	0.130**	0.059	0.138**	0.049	Spcl dbt cr	-0.159	0.108	-0.003	0.089
Sumr job same	0.029	0.044	0.044	0.036	Spcl cvl rts	-0.095	0.105	-0.098	0.060
Judicial clerk	-0.055	0.084	0.011	0.046	Spcl corp	0.009	0.053	-0.039	0.038
Mentored	0.043	0.046	0.061*	0.033	Spcl crim	0.067	0.085	-0.089	0.078
City work med	-0.027	0.048	-0.123**	0.037	Spcl dom rel	-0.095	0.086	-0.506**	0.169
City work small	-0.271**	0.069	-0.181**	0.053	Spcl empl bn	0.210**	0.076	-0.073	0.089
Region East	0.112**	0.051	0.091**	0.039	Spcl energy	-0.045	0.114	-0.078	0.138
Region W Coast	0.092	0.064	0.150**	0.057	Spcl esta tax	-0.083	0.109	-0.001	0.072
Region SE	0.159**	0.065	0.069	0.049	Spcl immigr	0.046	0.115	0.034	0.174
Region West	0.385*	0.200	0.047	0.077	Spcl inc tax	0.072	0.091	0.145*	0.088
Private prac lrg	-0.241**	0.079	-0.008	0.051	Spcl labor	-0.071	0.122	-0.018	0.074
Private prac med	-0.151**	0.068	-0.142**	0.057	Spcl patent	0.121	0.168	0.089	0.091
Private prac small	-0.397**	0.073	-0.301**	0.063	Spcl real prop	-0.192**	0.069	-0.079	0.076
Not partner	-0.361**	0.088	-0.265**	0.068	Spcl secur	0.184**	0.086	0.108	0.078
Corp counsel	-0.336**	0.064	-0.299**	0.056	Spcl torts	0.052	0.058	-0.016	0.083
Govt practice	-0.691**	0.073	-0.670**	0.066	% Library	-0.007**	0.003	-0.012**	0.003
Legal services	-0.982**	0.123	-0.810**	0.092	% Negotiat	0.003	0.002	0.003	0.002
Other practice	-0.542**	0.117	-0.559**	0.140	% Draft	-0.003**	0.001	-0.001	0.001
Teach law	—	—	0.051	0.212	% Legal ed	-0.011**	0.005	-0.002	0.005
Judge	—	—	—	—	% Soc wrk	0.003	0.006	-0.004	0.005
Public off	—	—	-1.002**	0.127	% Recruit	0.006	0.007	0.018**	0.007
Bus non-practice	-0.520**	0.127	-0.209	0.149	% Other	-0.003	0.003	-0.001	0.002
Gov non-practice	-0.580**	0.128	-0.694**	0.142	Constant	4.379**	0.274	4.812**	0.267
Oth non-practice	-0.855**	0.218	-0.379	0.249					
Married	-0.040	0.064	-0.053	0.055	Regression Summary Statistics	Number of obs = 423 F(60, 358) = . Prob > F = . R-squared = 0.6692 Root MSE = 0.37488		Number of obs = 695 F(66, 627) = . Prob > F = . R-squared = 0.5361 Root MSE = 0.40905	
Cohabit	0.095	0.092	-0.105	0.086					
Number kids	0.038*	0.020	0.014	0.015					
Spouse income	4.5E-04**	2.2E-04	4.3E-04**	2.0E-04					
Other income	0.002**	0.001	3.3E-05	5.7E-05					
Child care mos	-0.006	0.005	-0.003**	0.002					

Note. Regressions performed on observations with annual hours worked $\geq 1,800$, full-time employment.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

TABLE 28
Regression analysis of income (ln linear): 15-year survey

Regressions In "Income" (in 2004 \$) as Dependent Variables	Regression 9 Survey Years 1991 & Before 15-Year Survey		Regression 10 Survey Years 1994– 2000 15-Year Survey		Independent Variables	Regression 9 (cont'd) Survey Years 1991 & Before 15-Year Survey		Regression 10 (cont'd) Survey Years 1994– 2000 15-Year Survey	
	Coefficient	Robust S. E.	Coefficient	Robust S. E.		Coefficient	Robust S. E.	Coefficient	Robust S. E.
Female	—	—	—	—	Aggressive	-0.003	0.020	0.011	0.017
Female no kids	-0.094	0.077	-0.046	0.071	Compulsive	0.024	0.018	0.041**	0.016
Fem kids no CC	-0.094	0.092	-0.053	0.055	Desire money	0.031	0.019	0.057**	0.016
Fem kids CC	-0.126	0.091	-0.338**	0.094	Confidence	0.021	0.020	0.029*	0.017
Male kids CC	-0.511	0.473	-0.172	0.113	Dealmaker	0.018	0.021	0.011	0.017
Black	0.020	0.092	0.116	0.086	Effec writer	-0.012	0.024	-0.005	0.017
Hispanic	-0.066	0.129	-0.173	0.157	Social impact	-0.062**	0.016	-0.004	0.015
Asian	—	—	0.013	0.166	Honest	-0.011	0.023	-0.007	0.018
Years of practice	0.006	0.009	0.010	0.011	Compassion	0.014	0.021	-0.021	0.015
Ann hours worked	0.000**	0.000	3.3E-05	5.7E-05	Spcl admin	0.015	0.070	-0.033	0.089
Law school GPA	0.134**	0.059	0.149**	0.049	Spcl dbt cr	-0.146	0.108	0.002	0.088
Sumr job same	0.031	0.043	0.047	0.035	Spcl cvl rts	-0.082	0.108	-0.110*	0.060
Judicial clerk	-0.040	0.083	0.013	0.046	Spcl corp	0.018	0.053	-0.049	0.038
Mentored	0.042	0.046	0.063*	0.033	Spcl crim	0.059	0.087	-0.095	0.077
City work med	-0.029	0.047	-0.119**	0.037	Spcl dom rel	-0.088	0.088	-0.495**	0.159
City work small	-0.261**	0.069	-0.188**	0.053	Spcl empl bn	0.233**	0.076	-0.088	0.088
Region East	0.112**	0.052	0.093**	0.039	Spcl energy	-0.049	0.109	-0.101	0.140
Region W Coast	0.081	0.064	0.149**	0.057	Spcl esta tax	-0.085	0.112	-0.003	0.072
Region SE	0.164**	0.067	0.062	0.048	Spcl immigr	0.022	0.116	-0.002	0.179
Region West	0.397**	0.201	0.039	0.076	Spcl inc tax	0.080	0.094	0.157*	0.088
Private prac large	-0.234**	0.079	-0.005	0.052	Spcl labor	-0.084	0.119	-0.034	0.074
Private prac med	-0.162**	0.068	-0.139**	0.057	Spcl patent	0.121	0.168	0.077	0.091
Private prac small	-0.404**	0.074	-0.284**	0.062	Spcl real prop	-0.176**	0.070	-0.081	0.075
Not partner	-0.369**	0.089	-0.256**	0.069	Spcl secur	0.172**	0.085	0.104	0.078
Corp counsel	-0.344**	0.064	-0.286**	0.056	Spcl torts	0.052	0.058	-0.015	0.085
Govt practice	-0.693**	0.073	-0.650**	0.066	% Library	-0.007**	0.003	-0.012**	0.003
Legal services	-1.000**	0.126	-0.795**	0.094	% Negotiat	0.003	0.002	0.003	0.002
Other practice	-0.556**	0.123	-0.541**	0.139	% Draft	-0.003**	0.001	-0.001	0.001
Teach law	—	—	0.043	0.223	% Legal ed	-0.012**	0.005	-0.003	0.005
Judge	—	—	—	—	% Soc wrk	0.003	0.006	-0.003	0.005
Public off	—	—	-1.027**	0.123	% Recruit	0.006	0.008	0.019**	0.007
Bus non-practice	-0.442**	0.124	-0.207	0.147	% Other	-0.003	0.003	-0.001	0.002
Gov non-practice	-0.077	0.491	-0.657**	0.133	Constant	4.398**	0.282	4.765**	0.266
Oth non-practice	-0.847**	0.220	-0.349	0.262					
Married	0.010	0.063	-0.021	0.052	Regression summary statistics	Number of obs = 423 F(61, 357) = . Prob > F = . R-squared = 0.6668 Root MSE = 0.37674		Number of obs = 695 F(67, 626) = . Prob > F = . R-squared = 0.5423 Root MSE = 0.40664	
Cohabit	0.103	0.095	-0.108	0.084					
Number kids	—	—	—	—					
Spouse income	0.000	0.000	0.001**	2.1E-04					
Other income	0.002**	0.001	2.4E-05	5.5E-05					
Child care mos	—	—	—	—					

Note. Regressions performed on observations with annual hours worked $\geq 1,800$, full-time employment.

CC = child care.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

Decomposition Analysis. The best way to examine the impact of gender discrimination on income is to “decompose” the difference between male and female mean incomes into the portion that is due to men and women having different assets and characteristics, assuming they are paid at the male rate for these assets, and the portion that is due to women being paid different rates for their assets than men.¹²⁹ Such decomposition is possible because it is a property of ordinary least squares regression that the regression line passes through the mean values of the variables. If one estimates separate regression equations and means for men and women, the difference in the mean value of income between men and women can be represented as:

$$I_m - I_f = b_m X_m - b_f X_f, \quad (1)$$

where I_m is the mean male income, I_f is the mean female income, b_m is the estimated vector of coefficients for the male regression equation, X_m is the vector of mean values for the independent variables for the male equation, b_f is the estimated vector of coefficients for the female regression equation, and X_f is the vector of mean values for the independent variables for the female equation. Subtracting and adding $b_m X_f$ to the right-hand side of Equation 1 and rearranging terms, we see that the difference in the mean values of income between men and women can be represented as follows:

$$I_m - I_f = b_m(X_m - X_f) + (b_m - b_f)X_f, \quad (2)$$

where $b_m(X_m - X_f)$ is the portion of the difference in the mean values of income attributable to differences in the mean value of the independent variables between men and women, and $(b_m - b_f)X_f$ is the portion of the difference in the mean values of income attributable to differences in how men and women are compensated for their characteristics. Although the respondents may experience discrimination in attaining certain characteristics, labor economists generally interpret the second portion (i.e., that portion due to different levels of compensation for the same characteristics) as the clearest measure of discrimination.

Several prior studies have undertaken a decomposition analysis of the difference in income between male and female attorneys, a few using the Michigan data set. In one of the best early studies, Wood, Corcoran, and Courant found that for the classes of 1972–1975 15 years out of law school, the women on average earned about 60% of what men earned, and that 67.5% of this difference was attributable to differences in demographic and family characteristics, law school background, experience, hours worked, and practice setting, while 32.5% of it was unexplained.¹³⁰ Nearly half (41%) of the overall earnings gap was attributable to variables that might be considered measures of women’s greater family responsibilities, including women’s shorter work hours, and a greater number of months working part time or on leave to care for children. Dau-Schmidt and Mukhopadhyaya examined earnings data from the 5-year survey of the classes of 1987–1991 and the 15-year survey of the classes of 1977–1981 and found that gender had a significant effect on earnings in the 15-year but not the 5-year survey data after controlling for race, law school grades, experience, work effort, practice setting, and practice location (city size).¹³¹ In the 15-year sample, Dau-Schmidt and Mukhopadhyaya found that the “average” male attorney made approximately \$36,000 more than the “average” female (in 1992 dollars) and that 19% of this gender gap was due to differences in experience and work effort, 38% to differences in practice setting, 5% to differences in other variables, and 38% to unexplained factors. Sterling et al.’s preliminary analysis of data from the “After the J.D. Project,” a longitudinal study of lawyers admitted to the bar in 2000, finds a gender wage gap of over \$5,000 among these newly minted lawyers, only about 45% of which is explained by the differential endowments of male and female lawyers.¹³² The After the JD Project also found a larger unexplained variation in pay between men and women in private practice.¹³³ However, the full potential of the Michigan data set for examining this question has yet to be explored, since no study to date has used the personal characteristics, legal specialty, or activities in practice variables. The richness of the Michigan data set in terms of variables potentially relevant to the production of income provides researchers a unique opportunity to decompose the observed difference in male and female earnings into its component parts.

In our decomposition analysis, we used the same semi-log income regression equation used in our previous analysis. Using the responses from the 15-year survey for the survey years 1994–2000, we estimated this equation separately for men and women, while computing separate variable means for each of these populations. The results of these regressions and mean calculations are presented below as Regressions 11 and 12 (Table 29). We then used these estimates and means to calculate the contribution to the income gender gap due to gender differences in assets or characteristics and gender differences in payments for assets or characteristics, for each independent variable. These calculations are presented in Table A16. To ease presentation and interpretation, these contributions to the gender income gap are presented in Table 30 as percentages of the observed gender gap totaled across 11 subcategories of independent

129. Morley Gunderson, *Male-Female Wage Differentials and Policy Responses*, 27 J. ECON. LIT. 46 (1989).

130. Wood et al., *supra* note 113; *See also* Noonan et al., *supra* note 114.

131. Dau-Schmidt & Mukhopadhyaya, *supra* note 58.

132. Sterling et al., (unpublished manuscript).

133. *Id.*

variables: race and ethnicity, years and hours worked, law school variables, judicial clerkship, whether mentored, city size and region, type of practice or job, family characteristics, personal characteristics, area of practice specialty, and activities in practice. In analyzing these percentages, positive numbers represent a male advantage that increases the gender gap while negative numbers represent a female advantage that decreases the gender gap. The percentage contributions of differences in assets and payments for assets for each independent variable are presented in Figure 11.

In considering this decomposition analysis, there is one striking result and several other very interesting results. The most striking result is the tremendous tradeoff between the women's advantage in payments for additional hours and years worked with the men's advantage in the constant term on the payments side of the table. The women enjoyed an advantage in payments for additional hours and years of work that was equal to 278.0% of the observed income gap, but suffered a disadvantage in the estimated constant term for the regression equation that was equal to 345.5% of the observed gap. These differences were more than five times as large as the next biggest factor in the analysis. The men's advantage in the provision of hours and years of work (2.8% of the income gap) was limited in this analysis by the fact that we only analyzed attorneys who worked more than 1,800 hours in a year. What these numbers tell us is that, even with the limitation of our analysis to full-time attorneys, there was a greater variance in the number of hours and years worked among the women and that in estimating separate equations for the men and women the best regression equation for men had a high intercept term while the best equation for women reflected high returns for additional hours and years of work. In the competition among women for income, additional hours and years of work are very important.

The next most important features of this analysis were the women's advantages in payments for law school grades and summer clerkships and payments for the type of practice. Although the men enjoyed advantages in the attainment of these assets, and in particular in the attainment of positions in high-paying types of practice (23.2% of the income gap), the women enjoyed greater compensation for grades and summer clerkships (51.6% of the income gap) and entering certain types of practice (41.1% of the income gap). Especially for women with good grades, there are rewards to be had for clerking with a large or supersized firm and then taking a job with that firm upon graduation and sticking with that firm. However, the women seemed to derive less of an advantage from being a partner than did the men. If they earned the same premium for being a partner, their advantage in payments for types of practice would be 45.6% of the income gap. The women enjoyed some other much more modest advantages in their payments for family characteristics (11.4% of the income gap), judicial clerkships (7.3% of the income gap), city size and region (6.1% of the income gap), practice specialties (4.5% of the income gap), and personal characteristics (4.1% of the income gap), and in attaining assets such as racial and ethnic diversity (2.4% of the income gap), more clerkships (0.4% of the income gap), and more mentoring (0.4% of the income gap).

The men's advantages were much less striking, but they were pervasive enough to dominate the analysis and produce the income gap in their favor. Their biggest advantage was in acquiring family characteristics, primarily avoiding child care, that improved their earned income. This difference in assets gave the men an advantage equal to 43.9% of the observed income gap. The difference in child care itself would have amounted to an advantage equal to 54.9% of the income gap, but it was moderated slightly by male disadvantages in marriage and spousal income. The men also enjoyed substantial advantages in payment for their activities in practice (26.8% of the income gap), taking jobs in high-paying types of practice (23.2% of the income gap), having personal characteristics that earned income (19.1% of the income gap), and earning more when they were mentored (18.3% of the income gap). Their advantage in payments for activities in practice seemed to come largely from higher payments for engaging in legal education in the firm and "other" activities, two activities that women disproportionately undertook. Their advantage with respect to types of practice appeared to come largely from avoiding government work and "other" types of practice, although they enjoyed positive advantages in 8 of the 12 variables in this category, which suggests a general propensity to avoid low-paying work. Although the men enjoyed an advantage in being a partner, this advantage was relatively unimportant to the entire gender gap, at least in this full-time sample (0.4% of the income gap). Their advantage in personal characteristics came primarily from their greater desire for money, although being less compassionate and more confident also helped. By themselves, the men's desire for money, relative lack of compassion, and greater confidence provided a male advantage equal to 18.7% of the observed income gap. With respect to their advantage in mentoring, it seemed that, although the women enjoyed a slightly greater number of mentoring relationships, the men benefited from theirs more in terms of increased income. The men also enjoyed much smaller advantages in higher payments for relatively rare minority male attorneys (9.8% of the income gap), undertaking more lucrative practice specialties (6.9% of the income gap, primarily avoiding domestic relations law), getting good grades and summer clerkships with future employers (4.5% of the income gap), undertaking more lucrative activities in practice (4.5% of the income gap) and picking slightly more lucrative city sizes and regions (3.7% of the income gap).

Considering our decomposition analysis as a whole, we find that the observed male–female income gap can be explained by differences in assets or characteristics between the men and women and that some of these assets are much more important in causing the income gap than others. Male advantages of not undertaking child care, undertaking more lucrative types of practice, and having a greater desire for money loom as the most important factors in creating the male–female income gap for lawyers. Of much less importance are male advantages in area of practice specialty and activities in practice. With respect to the problem of different payments for the same assets, our analysis suggests that the men were paid more for some assets while the women were paid more for others, and that on the whole these effects

tended to cancel each other out. Another obvious consideration is the very strikingly different impact of hours and years worked on the separate regression equations for women and men. Working more hours and years is a key determinant for women in improving their incomes. Of course this finding that the male–female income gap can be explained by differences in assets should not be used to minimize the differences in income that do exist. Many of the characteristics that some women acquire that limit their income, for example undertaking child care, working fewer hours and years, not making partner, working in government, and working in domestic relations, are almost certainly acquired under a constrained choice as to how to best balance child care and work. There is very good evidence in our study that people who take time away from work to perform child care do so at a substantial cost to their future promotion and earnings potential. The impact of this reality is of course disproportionately borne by women, since so many more of them take time away from paid work to perform child care.

TABLE 29

Regression analysis of income (ln linear) and variable means, by gender: 15-year survey

Regressions In “Income” (in 2004 \$) as Dependent Variable	Regression 11 Men Survey Years 1994–2000 15-Year Survey		Regression 12 Women Survey Years 1994–2000 15-Year Survey		Independent Variables	Regression 11 (cont’d) Men Survey Years 1994–2000 15-Year Survey		Regression 12 (cont’d) Women Survey Years 1994–2000 15-Year Survey	
	Male Coefficient	Male Mean	Female Coefficient	Female Mean		Male Coefficient	Male Mean	Female Coefficient	Female Mean
Ln income	—	5.181	—	4.935	Aggressive	0.011	0.209	−0.017	0.368
Black	0.176*	0.021	0.140	0.064	Compulsive	0.029	0.339	0.065*	0.312
Hispanic	−0.091	0.018	−0.483	0.040	Desire money	0.067**	−0.293	−0.041	−0.808
Asian	−0.013	0.007	−0.738**	0.008	Confidence	0.025	0.788	0.030	0.672
Years of practice	0.014	14.647	0.033*	14.200	Dealmaker	0.007	1.191	0.024	0.920
Ann hrs work	1.0E-05	2526.3	1.7E-04	2470.9	Effec writer	−0.008	1.779	−0.076*	1.816
Law school GPA	0.120**	3.262	0.148	3.189	Social impact	−0.001	0.419	0.020	0.888
Sumr job same	0.029	0.446	0.140	0.352	Honest	0.005	1.809	0.001	1.880
Judicial clerk	0.013	0.123	0.113	0.184	Compassion	−0.029	0.961	−0.019	1.232
Mentored	0.085**	0.607	0.014	0.624	Spcl admin	0.130	0.011	−0.036	0.072
City work med	−0.124**	0.304	−0.262**	0.352	Spcl dbt cr	−0.021	0.058	0.083	0.064
City work small	−0.185**	0.121	−0.266	0.144	Spcl cvl rts	−0.103	0.058	−0.129	0.096
Region East	0.109**	0.233	0.087	0.256	Spcl corp	−0.045	0.370	−0.087	0.296
Region W coast	0.125**	0.119	0.271*	0.104	Spcl crim	−0.103	0.049	−0.057	0.072
Region SE	0.046	0.105	0.300*	0.128	Spcl dom rel	−0.499**	0.012	−0.386	0.048
Region West	−0.039	0.040	0.664*	0.048	Spcl empl bn	−0.132	0.028	−0.178	0.032
Priv prac large	−0.035	0.123	0.387*	0.112	Spcl energy	−0.106	0.007	−0.134	0.024
Priv prac med	−0.147**	0.118	−0.133	0.128	Spcl esta tax	−0.108	0.040	0.256	0.064
Priv prac small	−0.260**	0.204	−0.478**	0.136	Spcl immigr	0.141	0.004	−0.235	0.008
Not partner	−0.262**	0.107	−0.362**	0.112	Spcl inc tax	0.129	0.046	0.282	0.024
Corp counsel	−0.346**	0.179	−0.103	0.184	Spcl labor	−0.039	0.044	0.195	0.032
Govt practice	−0.711**	0.072	−0.560**	0.136	Spcl patent	0.170*	0.032	−0.158	0.032
Legal services	−0.810**	0.014	−0.928**	0.016	Spcl real prop	−0.121	0.075	0.202	0.040
Other practice	−0.699**	0.009	−0.470**	0.040	Spcl secur	0.126	0.070	0.064	0.040
Teach law	0.224	0.004	0.459	0.008	Spcl torts	−0.040	0.084	−0.186	0.048
Bus non-prac	−0.313**	0.023	0.242	0.016	% Library	−0.012**	5.642	−0.008	6.424
Gov non-prac	−0.562**	0.011	0.198	0.016	% Negotiat	0.003	10.044	0.003	9.096
Other non-prac	−0.169	0.007	−0.333	0.016	% Draft	−0.001	18.235	0.001	22.104
Married	−0.038	0.898	−0.027	0.704	% Legal ed	0.002	4.840	−0.019	4.968
Cohabit	−0.119	0.021	−0.168	0.032	% Soc wrk	−0.004	3.391	0.006	2.952
Number kids	0.031*	1.972	−0.035	1.312	% Recruit	0.017**	1.077	0.016	1.192
Spouse income	0.001	33.078	3.7E-04	98.190	% Other	4.1E-04	2.568	−0.027*	2.280
Other income	5.6E-05	29.442	2.5E-04	27.417	Constant	4.803**	—	3.957**	—
Child care mos	−0.020*	0.212	−0.001	6.880					
					Regression summary statistics	Number of obs = 570 F(65, 504) = 12.09 Prob > F = 0.0000 R-squared = 0.5118 Root MSE = 0.41194		Number of obs = 125 F(62, 59) = . Prob > F = . R-squared = 0.7975 Root MSE = 0.39191	

Note. Regressions and means performed on observations with annual hours worked $\geq 1,800$, full-time employment.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

TABLE 30

Income decomposition—Percentage impact of classes of variables on the gender income gap, 15-year survey, survey years 1994–2000

Independent Variables	Difference in Income Due to Differences in Assets [(M Mean – F Mean) × M Coeff]	Difference in Income Due to Differences in Payments [(M Coeff – F Coeff) × F Mean]	Total
Race and ethnicity	-2.4	9.8	7.4
Years and hours	2.8	-278.0	-275.2
Law school	4.5	-51.6	-47.4
Judicial clerkship	-0.4	-7.3	-7.7
Mentored	-0.4	18.3	17.9
City size and region	3.7	-6.1	-2.4
Type of practice or job	23.2	-41.1	-17.9
Family characteristics	43.9	-11.4	32.5
Personal characteristics	19.1	-4.1	15.0
Area of practice specialty	6.9	-4.5	2.4
Activities in practice	4.5	26.8	31.3
Constant	0.0	343.5	343.5
Total	105.4	-5.7	≈ 100.0

F = female; M = male.

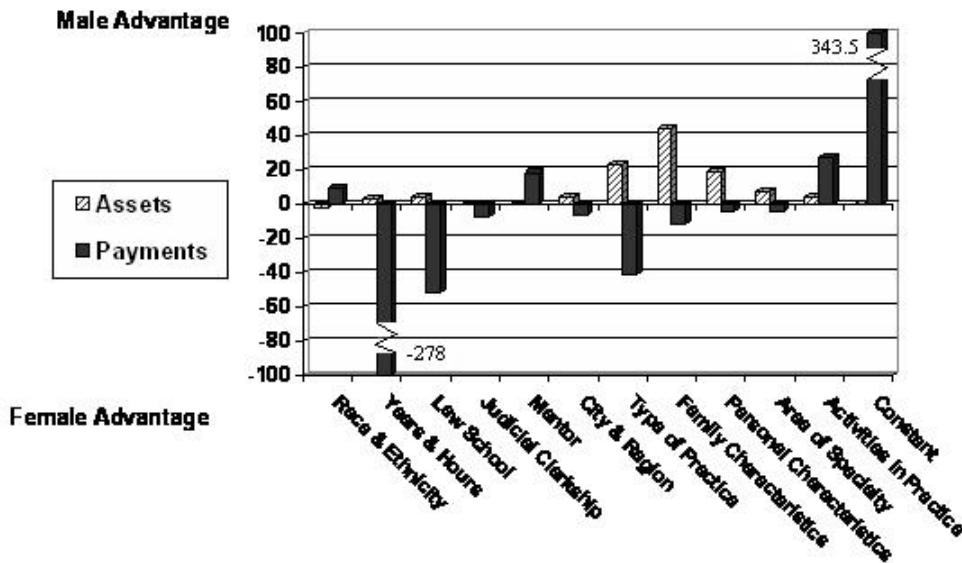


FIGURE 11. *Income decomposition—percentage impact of classes of variables on the gender income gap, 15-year survey, survey years 1994–2000*

Career Satisfaction

Especially for highly paid workers such as lawyers, satisfaction with one's work is an important career objective, and an important complement to family satisfaction and satisfaction with work–family balance in producing a successful life. The previously discussed differences between men's and women's hours of work, types of work, and chances of promotion might reasonably be expected to have an effect on their relative career satisfaction. Also, as we will see, there are significant differences in the average income earned by male and female lawyers, and this of course may have an impact on career satisfaction. The fact that women earn less income on average and are less likely to be partners in private practice might decrease their satisfaction with their careers relative to men; however, because they work fewer hours on average than the men, this may increase their career satisfaction relative to men, as well as their satisfaction with their families and their work–family balance. Even if a job is prestigious, challenging, and financially rewarding, if it requires too many hours—a common complaint in the legal profession—it can leave people burned out on their work and wishing for more time with their children.

The existing literature offers strong evidence that women enjoy at least the same levels of overall career satisfaction as men. Surveys conducted by the American Bar Association in 1984 and 1990 found that women reported lower career satisfaction, but the gender differences disappeared after controlling for various job and practice setting characteristics.¹³⁴ In their study of Stanford alumni, Taber et al. found that both male and female graduates expressed a high level of career satisfaction, with few expecting to change jobs in the near future.¹³⁵ Mattesich and Heilman found high overall satisfaction for both women and men among graduates of the University of Minnesota, although the women had lower levels of satisfaction with opportunities for advancement, opportunities to work with a mentor, and current income and the men had lower satisfaction levels with respect to their treatment by clients and the hours they worked.¹³⁶ In their study of University of New Mexico alumni, Teitelbaum, Lopez, and Jenkins also found gender parity in overall satisfaction but lower satisfaction for women with the flexibility of their work schedule and hours of work required.¹³⁷ Hull's study of Chicago lawyers also found no significant gender differences in overall career satisfaction, although once again women were less satisfied with some specific satisfaction measures such as “recognition for work” and “control over manner of work,” while men were less satisfied with other measures such as “relationships with colleagues.”¹³⁸ In a prior study of the Michigan Alumni Survey from the classes 1976–1979, Chambers found no gender differences in overall career satisfaction, but women with children were more satisfied with their jobs than childless women and men with or without children.¹³⁹ Interestingly, Chambers also found that women with children were the happiest with their work–family balance, while women in general were more satisfied than men in this regard.¹⁴⁰

The Michigan Alumni Survey asked the respondents 5 and 15 years out of law school to evaluate their level of overall career satisfaction and their satisfaction with various aspects of their work. These evaluations were done on a 7-point scale ranging from –3 for “very unsatisfied” to +3 for “very satisfied.”¹⁴¹ The survey asked about the respondents' satisfaction with their position's work–family balance, problem-solving aspects, intellectual challenge, prestige, stress, coworkers, control of the job, potential for social change, and hours of work.¹⁴² The mean values of the respondents' answers to these questions for the 5-year survey are reported in Table 31, separated by gender and time period, while the mean values for the responses to the 15-year survey are similarly reported in Table 32.

In Table 31, we see that although the men 5 years out of law school expressed significantly greater overall career satisfaction in the period before 1992, the women 5 years out held an insignificant advantage in overall career

134. American Bar Association, Young Lawyers Division (ABA Young Lawyers), *The State of the Legal Profession, 1990*. American Bar Association (1991); See also BERNARD F. LENTZ & DAVID N. LABAND, *SEX DISCRIMINATION IN THE LEGAL PROFESSION* (Quorum Books 1995).

135. Taber, et al. *supra* note 16, at 1245.

136. Mattesich & Heilman, *supra* note 65, at 95-6. Unfortunately Mattesich and Heilman performed no tests of statistical significance on their results.

137. Teitelbaum et al., *supra* note 16, at 473–4.

138. Kathleen E. Hull, *The Paradox of the Contented Female Lawyer*, 33 *LAW & SOC'Y REV.* 687, 691 (1999); see also Heinz et al., *supra* note 51. Women were less satisfied with their level of responsibility, recognition for work, chances for advancement, policies, and administration of employer, salary, control over amount of work, and control over manner of work. A multivariate analysis also revealed that the effect of gender on job context satisfaction disappears after controlling for income and practice setting, suggesting that women's lower satisfaction with job context factors is a function of their lower income and concentration in less prestigious practice settings. Hull, at 694.

139. David L. Chambers, *Accommodation and Satisfaction: Women and Men Lawyers and the Balance of Work and Family*, 14 *LAW & SOC. INQUIRY* 251, 274-6 (1989). See also Richard O. Lempert, David L. Chambers, & Terry K. Adams, *Michigan's Minority Graduates in Practice: The River Runs through Law School*, 25 *LAW & SOC. INQUIRY* 395, 486 (2000). Dau-Schmidt & Mukhopadhyaya, *supra* note 58, at 360–61.

140. Chambers, *supra* note 141. Data from the classes of 1976–1979 showed that most women believed they spent more time than their male peers on family, and women were more likely to work part time or leave law practice to accommodate family responsibilities, yet women were no less satisfied than men with the balance they had struck between work and family life. In fact, 5 years after law school graduation, 45% of women compared to 39% of men were highly satisfied with their work–family balance and 25% of men but only 18% of women were highly dissatisfied. *Id.* at 273. Moreover, women with children were more satisfied with their work–family balance than women without children and men with or without children.

141. The Michigan data set in fact records these responses on a scale from 1 to 7, but we converted this to a –3 to 3 scale to ease interpretation of the results (negative numbers reflect dissatisfaction while positive numbers reflect satisfaction).

142. This data is found in variables 680–688 for the years 1981 to present, variable 678 (work stress) for the years 1985 to present and variable 679 (satisfaction with hours) for years 1985–1986.

satisfaction in the 1996–2000 period. The women were significantly happier with their level of job stress and hours of work in the first period, and with their intellectual challenge, prestige, and social value of work in the second period. Unfortunately the Michigan Alumni Survey did not ask about satisfaction with hours of work in the years after 1986, so we do not have this crucial variable for the second period. Beyond overall satisfaction with their careers in the first period, the men did not express significantly greater satisfaction with any aspect of their work in either period.

In Table 32, we see that the women 15 years out of law school expressed greater overall career satisfaction in both time periods, but neither of these differences is statistically significant. The women 15 years out of law school were significantly happier with their level of job stress, social value of work, and impact on social change in the period before 1992, and with their work–family balance, job stress, social value of work, coworkers, and control on the job in the 1996–2000 period. Unfortunately, once again, a representation of satisfaction with the hours of work is unavailable in the second period. The men 15 years out expressed significantly greater satisfaction with their income in both periods, but did not express significantly greater satisfaction with any other aspect of their job in either period. The implicit tradeoff seems to be that the women, who on average worked fewer hours, did more child care and made less money—and achieved greater satisfaction with most aspects of their job, except money. The men who worked more hours on average and made more money took their satisfaction in that. The results of the concurrent studies of the Indiana Alumni are consistent with these findings. They suggest that the women were insignificantly less satisfied than the men with their career 5 years out of law school and insignificantly more satisfied than the men 15 years out of law school.¹⁴³ Examining the career-satisfaction data broken down by gender and whether the respondents had children and did child care, we found that those with kids seemed to enjoy their careers more. Women who had kids but did not take time away from paid work to perform child care on average enjoyed their careers most (1.66) followed closely by men who had kids but did not take time away from work to perform child care (1.55), men who performed child care (1.54), and women who performed child care (1.51). On average, the women and men who did not have kids reported enjoying their careers significantly less (1.36 and 1.30, respectively) than those who did.¹⁴⁴ Even though kids take time in lawyers' busy lives, apparently this distraction serves to give meaning to and/or respite from the demands of the career. It may also be that kids increase career satisfaction indirectly through satisfaction with the family which, as we will see in the regressions below, has a strongly positive correlation with career satisfaction.

To separate the impact of gender on career satisfaction from that of other variables in the Michigan data set, we estimated Regressions 13–18 (Tables 33–35). These regression equations estimate the respondent's overall career satisfaction as a function of gender, race, ethnicity, income, years of practice, hours of work, job stress, satisfaction with the family, satisfaction with work–family balance, city size, region, type of practice or job, whether the respondent is a partner, and whether the respondent was mentored. The default for the regression when all dummy variables equal zero is a white male in a supersized private practice in a large city in the Midwest. Regression 13 reports the results for the data from the 5-year survey in the period before 1992, while Regression 14 reports the results for the data from the 5-year survey in the 1994–2000 period.¹⁴⁵ Similarly, Regressions 15 and 17 (see Tables 34 and 35) report the results for the data from the 15-year survey in the period before 1992, and Regressions 16 and 18 (see Tables 34 and 35) report the results for the data from the 15-year survey in the 1996–2000 period. Regressions 15 and 16 include only a dummy variable for female while Regressions 17 and 18 break that dummy down into three dummy variables: one for women without kids, another for women who had kids but did not take time away from paid work to do child care, and a third for women who took time away from paid work to perform child care. Regressions 17 and 18 (see Table 35) also include a dummy variable for men who took time away from paid work to perform child care.

In general the results of these regressions make intuitive sense in that they show that career satisfaction is positively related to income, less job stress, certain types of practice, and being mentored, and negatively related to working in private practice but not as a partner. Career satisfaction shows a strongly positive relationship with satisfaction with the family and work–family balance. The undoubted endogeneity among these variables will have to be sorted out, if possible, through the use of two-stage regression and instrumental variables, which is beyond the scope of this current project. Taking these regressions as a first swipe at the problem, we see that in the first two regressions on the 5-year data the coefficient for female is essentially zero, indicating that the women were as satisfied as comparable men, but in the four regressions on the 15-year data, all of the coefficients for the female dummy variables are positive, several significantly so, indicating that the women enjoyed greater career satisfaction than the men after controlling for the examined variables. In Regressions 15 and 16 (see Table 34), the women are approximately one fifth of a point or one sixth of a standard deviation more satisfied than similarly situated men, which translates to the average woman being seven percentiles happier at the mean, assuming a standard normal distribution.¹⁴⁶ This result might be explained by the fact that the women tended to divide their time more evenly between work and home than the men did. Although they

143. Dau-Schmidt et al., *supra* note 9, at 1463, 1474; Stake et al., *supra* note 73.

144. See Table A3) in the Appendix.

145. We expanded the second period to the years 1994 and 1995 for the purposes of these regressions to achieve approximately the same number of observations for all four regressions.

146. For the 15-year survey, years 1996–2000, the means and standard deviations for overall career satisfaction are: mean 1.501425 std. dev. 1.168848 $n = 1,053$ (whole sample); mean 1.500644 std. dev. 1.155584 $n = 777$ (men); and mean 1.503623 std. dev. 1.207547 $n = 276$ (women).

paid for this division of attention in terms of advancement and income, diversifying their ambitions may have yielded greater satisfaction both with their family and on the job.¹⁴⁷ The results of Regressions 17 and 18 (see Table 35) are consistent with this hypothesis. They show that, when the female dummy variable is broken down according to family situation, only the coefficient for the dummy variable for women who performed child care is significantly positive. In Regressions 17 and 18 the women who performed child care are two fifths of a point or two sixths of a standard deviation more satisfied than the men, which translates to their being, on average, 13.5 percentile happier at the mean, assuming a standard normal distribution. Interestingly, the coefficient for the men who performed child care is significantly negative in the first period and then insignificantly positive in the second period. These results for the men who performed child care are based on only a few observations, so perhaps this change means nothing, but perhaps it reflects some accommodation to the idea that men might sacrifice their career to perform child care. The regression analysis of the Indiana data is consistent with these results in that the women proved significantly more satisfied with their careers than did the men 15 years out of law school, after controlling for income, hours, type of practice, and other variables.¹⁴⁸

TABLE 31
Career satisfaction: 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Career satisfaction overall	1.340	1.356	1.292	0.064	1.189	1.165	1.225	–0.059	–0.005	MF
<i>N</i>	3,045	2,268	777		1,174	707	467			
Work–family balance	0.565	0.561	0.576	–0.015	0.235	0.221	0.255	–0.034	0.019	FF
Income	1.304	1.304	1.305	–0.001	1.150	1.195	1.082	0.113	0.112	FM
Problem solving	1.737	1.735	1.741	–0.006	1.726	1.717	1.740	–0.023	0.017	FF
Intellectual challenge	1.469	1.452	1.517	–0.065	1.335	1.271	1.431	–0.159*	0.094	FF
Prestige	1.298	1.291	1.317	–0.027	1.206	1.117	1.338	–0.220*	0.193	FF
<i>N</i>	2,730	2,015	715		1,163	698	465			
Job stress	–1.065	–1.037	–1.134	–0.097	–0.890	–0.858	–0.938	0.079	–0.018	FM
Social value of work	0.416	0.409	0.435	–0.025	0.486	0.403	0.611	–0.209*	0.184	FF
Coworkers	1.560	1.546	1.595	–0.050	1.538	1.506	1.586	–0.080	0.03	FF
<i>N</i>	1,711	1,217	494		1,165	701	464			
Control on the job	1.017	1.028	0.992	0.036	0.942	0.938	0.947	–0.009	–0.027	MF
<i>N</i>	1,243	868	375		1,184	710	474			
Social change	–0.215	–0.217	–0.204	–0.013						F0
<i>N</i>	1,016	791	225							
Hours of work	0.440	0.327	0.779	–0.452*						F0
<i>N</i>	486	364	122							

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

147. This insight was contributed by a senior female partner in one of our focus groups who said, “The men don’t realize there’s more to life than chasing a buck.”

148. Dau-Schmidt et al., *supra* note 9, at 1474. Stake et al., *supra* note 73.

TABLE 32
Career satisfaction: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Career satisfaction	1.626	1.621	1.677	-0.055	1.501	1.501	1.504	-0.003	-0.052	FF
<i>N</i>	2,591	2,393	198		1,053	777	276			
Work–family balance	1.064	1.064	1.068	-0.004	0.719	0.668	0.849	-0.181	0.177	FF
Income	1.275	1.307	0.889	0.417*	1.298	1.356	1.133	0.224*	-0.193	MM
Problem solving	2.072	2.079	1.990	0.089	2.000	2.008	1.978	0.030	-0.059	MM
Intellectual challenge	1.706	1.707	1.697	0.010	1.641	1.651	1.615	0.035	0.025	MM
Prestige	1.505	1.499	1.582	-0.083	1.243	1.232	1.274	-0.042	-0.041	FF
<i>N</i>	2,563	2,369	194		1,033	762	271			
Job stress	-0.898	-0.932	-0.617	-0.315*	0.045	-0.070	0.349	-0.419*	0.104	FF
Social value of work	0.940	0.911	1.193	-0.282*	0.880	0.838	0.996	-0.158	-0.124	FF
Coworkers	1.653	1.656	1.625	0.031	1.606	1.571	1.707	-0.136	0.105	MF
<i>N</i>	1,629	1,461	168		1,026	760	266			
Control on the job	1.497	1.506	1.427	0.080	1.526	1.495	1.614	-0.119	0.039	MF
<i>N</i>	1,268	1,118	150		1,064	784	280			
Social change	0.241	0.227	0.720	-0.493					-0.493	F0
<i>N</i>	898	873	25							
Hours of work	0.980	0.973	1.080	-0.107					-0.107	F0
<i>N</i>	393	368	25							

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE 33
Regression analysis of overall career satisfaction: 5-year survey

Regressions With "Overall Career Satisfaction" (-3 to +3) as the Dependent Variable	Regression 13 Survey Years 1991 & Before 5-Year Survey		Regression 14 Survey Years 1994-2000 5-Year Survey	
	Coefficient	Robust Std. Error	Coefficient	Robust Std. Error
Female	0.004	0.076	0.051	0.071
Black	-0.021	0.155	-0.205	0.178
Hispanic	-0.273	0.222	0.007	0.159
Asian	-0.529	0.453	-0.003	0.173
Real income (2004 \$)	0.003**	0.001	0.003**	0.001
Years of practice	0.290	0.208	-0.203	0.167
Years of practice squared	-0.031	0.028	0.032	0.022
Annual hours of work	0.001	0.001	0.001*	0.001
Annual hours of work squared	-9.7E-08	1.2E-07	-1.8E-07	1.4E-07
Less job stress	0.025	0.031	0.067**	0.033
Satisfaction with family	0.091**	0.028	0.040	0.029
Satis work-family balance	0.268**	0.028	0.293**	0.029
Law school GPA	0.052	0.093	0.206*	0.112
City work medium (125K-500K)	0.036	0.076	0.105	0.076
City work small (<125K)	0.111	0.110	0.130	0.111
Region East	-0.109	0.085	0.006	0.087
Region West Coast	-0.097	0.097	0.109	0.100
Region Southeast	-0.080	0.094	0.525**	0.099
Region West	0.084	0.171	-0.025	0.148
Private practice large (51-150)	-0.028	0.101	0.058	0.107
Private practice medium (16-50)	-0.011	0.119	0.158	0.132
Private practice small (1-15)	0.107	0.118	0.182	0.119
Corporate counsel	-0.041	0.150	0.245**	0.120
Government practice	0.474**	0.137	0.384**	0.154
Legal services	0.893**	0.177	0.880**	0.161
Other practice	0.510	0.445	0.049	0.390
Teach law	0.836**	0.172	0.547*	0.306
Judge	—	—	0.009	0.151
Public official	1.141**	0.317	—	—
Business non-practice	0.429**	0.196	0.178	0.206
Government non-practice	0.528*	0.304	0.407**	0.198
Other non-practice	0.410*	0.228	0.572**	0.194
Mentored	0.228**	0.067	0.386**	0.074
Constant	-2.176**	1.067	-2.560**	1.127
Regression summary statistics	Number of obs = 1016 F (32, 983) = 13.68 Prob > F = 0.0000 R-squared = 0.2621 Root MSE = 0.9857		Number of obs = 1011 F (32, 978) = 21.12 Prob > F = 0.0000 R-squared = 0.2947 Root MSE = 1.0252	

Note. Regressions performed on observations with annual hours worked >1,800, full-time employment.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

TABLE 34
Regression analysis of overall career satisfaction: 15-year survey

Regressions With "Overall Career Satisfaction" (-3 to +3) as the Dependent Variable	Regression 15 Survey Years 1991 & Before 15-Year Survey		Regression 16 Survey Years 1994-2000 15-Year Survey	
	Coefficient	Robust Std. Error	Coefficient	Robust Std. Error
Female	0.170*	0.096	0.179**	0.081
Black	0.170	0.134	0.065	0.194
Hispanic	0.555	0.394	0.558**	0.212
Asian	—	—	0.470*	0.249
Real income (2004 \$)	0.002**	3.0E-04	0.002**	3.4E-04
Years of practice	0.001	0.062	-0.073	0.069
Years of practice squared	1.3E-04	0.003	0.004	0.003
Annual hours of work	0.003**	0.001	0.002**	0.001
Annual hours of work squared	-4.3E-07**	1.1E-07	-2.5E-07*	1.4E-07
Less job stress	0.087**	0.026	0.066**	0.023
Satisfaction with family	0.110**	0.027	0.138**	0.032
Satisfaction work-family balance	0.235**	0.026	0.251**	0.030
Law school GPA	0.063	0.083	0.171*	0.094
City work medium (125K-500K)	0.014	0.065	0.123*	0.072
City work small (<125K)	0.018	0.086	0.050	0.103
Region East	-0.082	0.078	0.083	0.074
Region West Coast	0.001	0.085	0.024	0.104
Region Southeast	0.004	0.098	-0.072	0.121
Region West	-0.028	0.148	0.026	0.169
Private practice large (51-150)	-0.024	0.116	-0.109	0.120
Private practice medium (16-50)	0.067	0.119	0.085	0.118
Private practice small (1-15)	0.315**	0.108	0.229**	0.116
Not a partner	-0.083	0.112	-0.335**	0.133
Corporate counsel	0.002	0.131	0.155	0.109
Government practice	0.053	0.154	0.301**	0.149
Legal services	0.564**	0.227	0.553	0.372
Other practice	0.486**	0.242	0.191	0.306
Teach law	0.699**	0.180	0.675**	0.221
Judge	0.688**	0.193	0.684**	0.235
Public official	-0.097	0.145	0.665**	0.332
Business non-practice	0.253*	0.141	0.212	0.155
Government non-practice	0.707**	0.309	0.476**	0.229
Other non-practice	0.575**	0.185	0.498**	0.219
Mentored	0.180**	0.057	0.138**	0.065
Constant	-3.757**	0.956	-2.525**	1.078
Regression summary statistics	Number of obs = 1028 F (32, 994) = . Prob > F = . R-squared = 0.2993 Root MSE = .87929		Number of obs = 1005 F (34, 970) = 11.84 Prob > F = 0.0000 R-squared = 0.2934 Root MSE = .97505	

Note. Regressions performed on observations with annual hours worked >1,800, full-time employment.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

TABLE 35
Regression analysis of overall career satisfaction: 15-year survey

Regressions With "Overall Career Satisfaction" (-3 to +3) as the Dependent Variable	Regression 17 Survey Years 1991 & Before 15-Year Survey		Regression 18 Survey Years 1994–2000 15-Year Survey	
	Coefficient	Robust Std. Error	Coefficient	Robust Std. Error
Fem no kids	0.131	0.135	0.073	0.137
Fem kids no CC	0.037	0.161	0.179	0.121
Fem kids CC	0.456**	0.192	0.384**	0.113
Male kids CC	-0.428**	0.173	0.250	0.229
Black	0.190	0.135	0.040	0.197
Hispanic	0.550	0.397	0.560**	0.215
Asian	—	—	0.347	0.241
Real income (2004 \$)	0.002**	3.0E-04	0.002**	3.4E-04
Years of practice	0.001	0.063	-0.069	0.069
Years of practice squared	8.1E-05	0.003	0.004	0.003
Annual hours of work	0.003**	0.001	0.002**	0.001
Annual hours of work squared	-4.4E-07**	1.1E-07	-2.6E-07*	1.4E-07
Less job stress	0.086**	0.026	0.066**	0.023
Satisfaction with family	0.113**	0.028	0.140**	0.033
Satisfaction work–family balance	0.234**	0.026	0.254**	0.030
Law school GPA	0.048	0.083	0.171*	0.094
City work medium (125K–500K)	0.025	0.066	0.112	0.072
City work small (<125K)	0.015	0.087	0.061	0.104
Region East	-0.078	0.079	0.063	0.075
Region West Coast	-0.002	0.086	0.012	0.103
Region Southeast	-0.008	0.099	-0.069	0.124
Region West	-0.042	0.148	0.040	0.175
Private practice large (51–150)	-0.024	0.116	-0.105	0.121
Private practice medium (16–50)	0.070	0.120	0.089	0.119
Private practice small (1–15)	0.324**	0.108	0.218*	0.117
Not a partner	-0.079	0.112	-0.341**	0.133
Corporate counsel	-0.002	0.131	0.153	0.110
Government practice	0.054	0.155	0.290*	0.149
Legal services	0.572**	0.228	0.544	0.371
Other practice	0.489**	0.246	0.333	0.310
Teach law	0.711**	0.178	0.647**	0.223
Judge	0.684**	0.193	0.635**	0.264
Public official	-0.097	0.146	0.712**	0.323
Business non-practice	0.257*	0.141	0.209	0.155
Government non-practice	0.746**	0.310	0.418*	0.240
Other non-practice	0.572**	0.184	0.495**	0.217
Mentored	0.174**	0.058	0.137**	0.065
Constant	-3.795**	0.955	-2.658**	1.089
Regression summary statistics	Number of obs = 1025 F (35, 988) = . Prob > F = . R-squared = 0.3012 Root MSE = 0.87967		Number of obs = 997 F (37, 959) = 10.86 Prob > F = 0.000 R-squared = 0.2977 Root MSE = 0.97466	

Note. Regressions performed on observations with annual hours worked >1,800, full-time employment.

*Difference in gender means significantly different from zero at the 0.1 level.

**Difference in gender means significantly different from zero at the 0.05 level.

Conclusion

The entry of women into the legal profession has forever changed both lawyers and the legal profession. Women have brought to the profession a different set of assets and problems than men. Although there is of course tremendous overlap in personal characteristics between the genders, on average the women in this study reported that they were more desirous of social change, compassionate, honest, and liberal than the men. On the other hand the men reported that they had a greater desire for money and were more confident, better dealmakers, and more aggressive than the women. Although these differences may have had an impact on their law school experience, at least at the University of Michigan that experience was satisfactory for both men and women. The men began law school with a greater interest in private practice, but by the end of law school both genders reported having a greater interest in private practice and the women largely caught up to the men. The women engaged in more law school activities and were happier with their experience socially, while the men were more satisfied with law school as career preparation, but we found no significant difference in overall satisfaction with law school between the men and women. Moreover, because of their different roles in courtship and the family, the male and female lawyers tended to have different family characteristics and tended to address the problem of accommodating work and family in different ways. The men were more likely to be married, have a spouse who focused on child care, and had more children while the women were more likely to have a spouse with a demanding job and to enjoy a much higher spousal income. In balancing productivity in the workplace and the home, the men worked 32.7% more hours outside the home than the women 15 years out of law school, while by this same time the women were more than 12 times as likely to have taken time away from paid work to perform child care. Among the 3.2% of men and 39.6% of women who either did not work or worked part time to perform child care 15 years out of law school, the average number of months they took reduced paid work to perform child care was 23 for the men and 58—or almost 5 years—for the women. Over the course of the last 30 years, it appears that the type of woman who enters the legal profession has shifted to one who is more family oriented, since the average number of children the women have has increased, as has the percentage who take time away from paid work to perform child care and the period of time they commit to child care, while the average number of hours in paid work done by female lawyers has decreased.

These differences in personal and family characteristics, particularly whether the attorney takes time away from paid work to perform child care, can have an enormous impact on a person's career. Reflecting their different levels of desire for money and social change, and their different commitments to child care, the men in this study were more likely to go into private practice and business, while the women were more likely to go into corporate counsel positions, government work, public interest work, and legal education. Despite these general trends, the women showed an equal propensity to go into practice in the largest firms, perhaps because these types of firms are viewed as more dependable in accommodating child care early in a woman's career. Within practice, the men were disproportionately drawn to specialties and activities that yielded high income while the women were drawn to specialties and activities that yielded predictable and lower hours. On average, the men who had kids but did not take time away from paid work to perform child care worked the greatest number of hours in a year (2,520) followed by men and women without kids (2,341), men who took time away from paid work to perform child care (2,092), women who had kids but did not take time away from paid work to perform child care (1,908), and women who took time away from paid work to perform child care (1,328). Even among partners in private firms, the women worked significantly fewer hours a year (2,314) than the men (2,570), with women who took time away from paid work to perform child care working the least (2,008). Men were more likely to enter and stay in private practice, and to be a partner 15 years out of law school, but taking into account family situation, we found that the men who missed paid work to perform child care were the least likely group to remain in private practice and be a partner, followed by women who missed paid work to perform child care. Interestingly, among women, women who had kids but did not miss paid work to perform child care were the most likely to enter and remain in private practice, and make partner, even though they worked significantly fewer hours than the women without kids. Our logistic regression of the probability of being a partner shows an insignificantly negative effect for being a woman, but this effect was disproportionately borne by the women who performed child care, who suffered a disadvantage similar to that of the men who performed child care.

This myriad of decisions and events over the course of their careers resulted in significant differences in income and career satisfaction between the men and women. Although they began the practice of law with only a small difference in their average income, by 15 years out of law school, women on average earned significantly less a year (\$132,170) than the men (\$229,529). However, our means and regression analysis suggest that, once again, the impact of lower income was disproportionately borne by the women who performed child care, who suffered a disadvantage similar to that of the men who performed child care. In our regression analysis, only the women who performed child care experienced a significantly negative impact on income, and that impact was similar, and perhaps even less, than the negative impact on income suffered by the men who performed child care. In our decomposition of the male–female income gap, we found that all of the observed difference in income could be explained by differences in hours and acquired assets between the men and women. Men's primary advantages in assets were working more hours, doing less child care, going into types of practice that yielded higher income, and having personal characteristics (primarily a greater desire for income) that yielded higher income. The men's advantages in payments for certain activities in practice and being mentored were

offset by the women's advantages in higher payments for hours worked, entering certain types of practice (primarily large private practices), getting good grades, and doing summer clerkships. There are significant rewards for bright women who dedicate themselves to large firm practice, forsaking child care. However, the reward for women who perform child care is that they enjoy significantly higher career satisfaction and satisfaction with their work–family balance than the men or women who have kids but do not perform child care. The impact of child care on men's career satisfaction is mixed and less clear, but they do report being significantly more satisfied with their work–family balance than the men or women who missed paid work to perform child care.

The overall picture that emerges from our analysis is represented in Figure 12. In undertaking a legal career, both men and women have to choose where to situate themselves in dedicating hours and effort to child care or their career. Our analysis reveals a wide variety of commitments to family and work among both the women and men that had profound impacts on their legal careers, income, and career satisfaction. Those who made the greatest commitments to family and child care worked significantly fewer hours in paid employment as lawyers and were much less likely to be found in the highest paid types of practices or as partners in private practice. This commitment to family had a strongly and significantly negative impact on the person's income, but a significantly positive impact on his or her satisfaction with career and work–family balance. Those who made the greatest commitments to paid work labored a significantly greater number of hours in paid employment and were much more likely to be found in the highest paid types of practices or as partners in private practice. This commitment to paid work had a strongly and significantly positive impact on the person's income, but a significantly negative impact on his or her satisfaction with career and work–family balance. Of course this "choice" was influenced and greatly constrained by personal characteristics, the expectations of mates, and social norms for behavior. As a result, although there was great individual variation, women tended to locate toward the left end of the continuum, with a greater commitment to work for the family, and men tended to locate to the right end of the continuum, with a greater commitment to paid work. Following our figures on hours worked, going from left to right, women who took time away from paid work to perform child care exhibited the greatest investment of hours in the family, followed by women who had kids but did not take time off to do child care, men who missed paid work to perform child care, men and women without kids, and finally men who had kids and did not take time away from paid work to perform child care, who occupied the far right end of the continuum. A person's location along the continuum influences a host of decisions and events during the course of his or her career that ultimately produce either greater satisfaction or greater income. Of course greater income can enhance career satisfaction, but this indirect effect seems to be dominated by the direct effects of location along the hours-worked continuum. Because more women are located along the left of this continuum and more men are located along the right, the result is that women on average enjoy greater career satisfaction and satisfaction with work–family balance while the men enjoy much greater income.

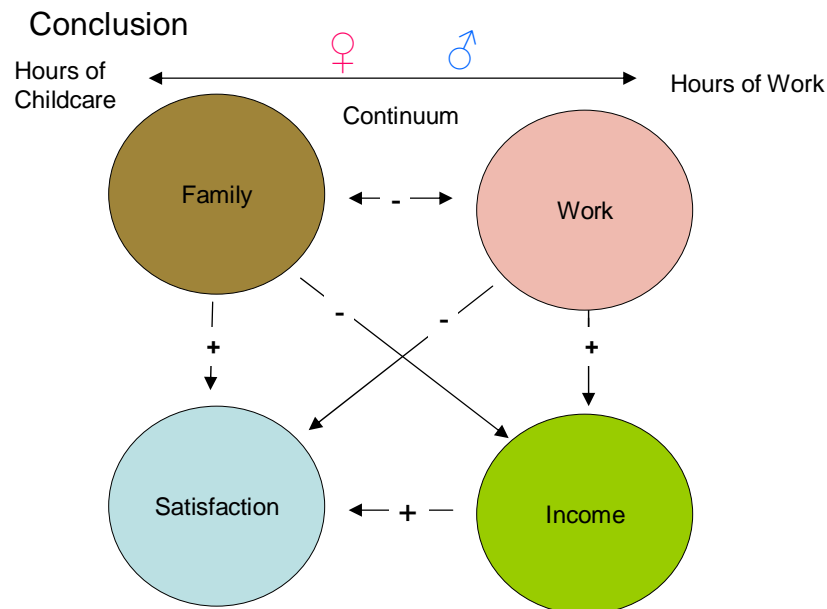


FIGURE 12: *Tradeoff between work and family, income and satisfaction*

The entry of women into the legal profession has changed not only who practices law, but the profession itself. Our

data suggests substantial accommodation of female lawyers in the profession and modest accommodation of both men and female lawyers who want to perform child care. The women in our sample were as satisfied with law school as the men were; had opportunities to take some of the best jobs in the profession, including large firm practice positions, corporate counsel positions, and academic positions; enjoyed at least as much mentoring as the men; and expressed greater satisfaction with their careers and work–family balance. On the issue of child care, our data suggest that more men and women who want to perform child care are entering the profession and that they are taking significantly longer periods away from paid work to perform child care and working fewer hours each year. Unfortunately there is still a substantial price to pay for the opportunity to perform child care for both men and women in terms of a substantially reduced probability of becoming a partner and significantly reduced income. Even on these counts, there is little reason for optimism in the convergence of male and female median wages. Perhaps one of the most profound changes that the entry of women has wrought on the legal profession is that now, among the men, a few gallant pioneers are undertaking significant amounts of child care even at the expense of their paid career. Certainly there is much more diversity in commitment to family and work in the profession now that women amount to a significant portion of the profession.

Appendix

TABLE A1
Personal characteristics: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Black	0.027	0.021	0.119	–0.098*	0.055	0.040	0.089	–0.048*	–0.05	FF
Hispanic	0.002	0.002	0.003	–3.8E-04	0.032	0.031	0.034	–0.003	0.003	FF
Asian	0.006	0.006	0.003	0.003	0.008	0.008	0.007	3.8E-04	–0.003	MM
Native American	2.7E-04	2.9E-04	0	2.9E-04	0.005	0.005	0.007	–0.003	0.002	MF
Age	41.000	40.980	41.352	–0.372*	41.717	41.434	42.386	–0.952*	0.58	FF
<i>N</i>	7,338	6,941	397		1,856	1,304	552			
Aggressive	0.379	0.388	0.318	0.070	0.203	0.222	0.152	0.070	0	MM
Compulsive	0.318	0.322	0.289	0.033	0.175	0.200	0.107	0.093	0.06	MM
Desire for	–0.377	–0.307	–0.888	0.581*	–0.527	–0.342	–1.025	0.683*	0.102	MM
Confidence	0.915	0.951	0.649	0.302*	0.795	0.859	0.623	0.235*	–0.067	MM
Dealmaker	1.080	1.123	0.760	0.363*	1.053	1.138	0.820	0.318*	–0.045	MM
Effective writer	1.671	1.661	1.742	–0.081	1.788	1.780	1.810	–0.030	–0.051	FF
Desire soc'l	0.608	0.538	1.127	–0.589*	0.590	0.486	0.872	–0.387*	–0.202	FF
Honest	1.855	1.840	1.966	–0.126	1.869	1.824	1.989	–0.165*	0.039	FF
<i>N</i>	1,250	1,101	149		1,044	762	282			
Compassionate	1.100	1.014	1.526	–0.512*	1.111	1.001	1.408	–0.407*	–0.105	FF
<i>N</i>	677	563	114		1,054	770	284			
Liberal now	0.225	0.170	0.852	–0.682*	0.410	0.263	0.788	–0.525*	–0.157	FF
Political activity	0.315	0.309	0.379	–0.070*	0.219	0.224	0.204	0.020	–0.05	FM
Religious	0.344	0.350	0.275	0.075*	0.387	0.367	0.436	–0.069*	–0.006	MF
Charitable activity	0.465	0.463	0.483	–0.020	0.450	0.441	0.471	–0.030	0.01	FF
Other activity	0.481	0.475	0.555	–0.080*	0.464	0.411	0.599	–0.188*	0.108	FF
<i>N</i>	2,604	2,395	209		1,090	784	306			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A2

Personal characteristics: 15-year survey, survey years 1996–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids(1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Aggressive	-0.022 (2)*(3)*	0.326 (1)*(3)*	-0.667 (1)*(2)*	0.024 (2)*	0.489 (1)*(3)*	-0.067 (2)*
Compulsive work	0.110	0.254 (3)*	-0.500 (2)*	0.181	0.202	-0.087
Desire for money	-0.464 (2)(3)*	-0.257 (1)	-1.440 (1)*(2)*	-1.188 (2)*	0.637 (1)*(3)*	-1.301 (2)*
Confidence	0.514 (2)*	0.959 (1)*(3)*	0.560 (2)*	0.529	0.769	0.534
Dealmaker	0.775 (2)*	1.243 (1)*(3)*	0.792 (2)*	0.838	0.744	0.854
Effective writer	1.813 (3)*	1.751 (3)*	2.120 (1)*(2)*	1.774	1.802	1.846
Desire social impact	0.630	0.422 (3)*	0.920 (2)*	0.857	0.899	0.942
Honest	1.766	1.845	1.800	1.953	1.910	2.087
Compassionate	1.051	0.978	1.000	1.141(3)*	1.378 (3)*	1.673 (2)*(1)*
<i>N</i>	136	581	24	80	89	103
LSAT	170.856	170.302(3)*	172.256(2)*	169.031	168.770	170.087
LS GPA	3.121(2)*	3.250(1)*	3.269	3.087(3)*	3.121(3)*	3.245(1)*(2)*
<i>N</i>	148	603	25	88	99	123

CC = child care; LS = law school.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A3

Family characteristics: Comparison of groups of men and women, 15-year survey, survey years 1996–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
% Married	40.71 (2)*(3)*	95.53 (1)*	88.00 (1)*	45.24 (2)*(3)*	87.76 (1)*	87.60 (1)*
Number of kids	0 (2)*(3)*	2.31 (1)*(3)*	2.00 (1)*(2)*	0 (2)*(3)*	2.06 (1)*	2.12 (1)*
Ann child care costs	0 (2)*(3)*	9,373 (1)*	9,178 (1)*	0 (2)*(3)*	15,292 (1)*(3)	12,030 (1)*(2)
Satis. family	1.42 (2)*	1.94 (1)*	1.76	1.48 (2)*(3)*	2.15 (1)*	2.12 (1)*
% Spouse at home	5.13 (2)*	36.68 (1)*(3)*	4.55 (2)*	0	4.60	1.80
% Spouse intense job	30.67 (3)*	34.97	48.00 (1)*	31.40 (2)*(3)*	55.10 (1)*(3)*	69.92 (1)*(2)*
Spouse's income ^a	47,723 (3)*	38,496 (3)*	79,686 (1)*(2)*	86,947 (2)*(3)*	154,143 (1)*	177,117 (1)*
Total household inc	268,440	308,813 (3)*	202,728 (2)*	236,746 (2)*	335,207 (1)*	275,935
% Breadwinner	76.12 (3)*	79.71 (3)*	30.43 (1)*(2)*	62.50 (2)*(3)*	37.21 (1)*(3)*	23.47 (1)*(2)*
Real income (2004 \$)	178,753 (2)*(3)*	248,877 (1)*(3)*	98,187 (1)*(2)*	152,488 (3)*	160,919 (3)*	90,966 (1)*(2)*
Career satis overall	1.296 (2)*	1.551 (1)*	1.542	1.357	1.659	1.505
<i>N</i>	127	523	22	77	78	83

CC = child care.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.^aPercentage or mean computed only for those respondents with a spouse.

TABLE A4

Hours of work, years of practice, and child care for respondents in private practice: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From Period 2: Survey Years P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Annual hours of work	2,391	2,399	2,242	157*	2,452	2,538	2,136	401*	244	MM
<i>N</i>	1,667	1,587	80		524	412	112			
% Ever PT or not wk child	3.37	0.99	33.33	–32.34*	8.84	0.94	37.93	–36.99*	4.65	FF
Mos not working, CC	1.263	0.169	15.028	–14.859*	4.775	0.218	21.552	–21.334*	6.475	FF
<i>N</i>	978	906	72		543	427	116			
Satis. work–family balance	0.948	0.947	0.964	–0.017	0.393	0.411	0.325	0.087	0.07	FM
<i>N</i>	1,697	1,614	83		540	423	117			

CC = child care; F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A5

Type of practice: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
% Private practice	64.4	65.7	38.6	27.0*	51.4	56.6	38.5	18.1*	–8.9	MM
% Private practice super (>150)	5.3	5.2	6.9	–1.7	17.7	19.9	12.3	7.5*	5.8	FM
% Private prac large (51–150)	9.8	10.0	5.2	4.8*	9.5	10.6	6.7	3.9*	–0.9	MM
% Private prac med (16–50)	10.8	11.1	5.2	5.9*	7.6	7.8	7.0	0.8	–5.1	MM
% Private prac small (1–15)	36.8	37.6	20.6	17.1*	15.9	17.6	11.7	5.9*	–11.2	MM
% Corporate counsel	10.8	10.8	10.0	0.8	12.4	12.9	11.2	1.7	0.9	MM
% Government practice	6.3	6.1	10.4	–4.3*	7.1	5.9	9.9	–3.9*	–0.4	FF
% Legal services	0.5	0.4	2.4	–2.0*	1.0	0.8	1.6	–0.9	–1.1	FF
% Other practice	1.2	1.1	3.2	–2.1*	1.7	1.2	3.0	–1.8*	–0.3	FF
% Teach law	1.1	0.8	6.8	–6.0*	2.8	2.2	4.3	–2.0*	–4.0	FF
% Judge	2.2	2.0	6.4	–4.4*	0.8	0.8	0.7	0.1	–4.3	FM
% Public official	1.0	1.0	0.8	0.2	0.5	0.5	0.3	0.2	0.0	MM
% Business non-practice	3.1	3.1	3.2	–0.1	7.1	9.0	2.3	6.7*	6.6	FM
% Government non-practice	0.4	0.4	0.8	–0.4	2.8	2.2	4.3	–1.8*	1.4	FF
% Other non-practice	8.3	8.3	8.4	–0.1	6.5	5.9	7.9	–2.0	1.9	FF
% Parent	0.7	0.3	8.8	–8.5*	4.9	0.9	14.8	–13.9*	5.4	FF
% Unemployed	0.9	0.5	9.2	–8.7*	5.8	1.8	15.8	–13.9*	5.2	FF
% Unemployed & not parenting	0.2	0.2	0.4	–0.2	1.0	0.9	1.3	–0.4	0.2	FF
<i>N</i>	5,361	5,110	251		1,062	758	304			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A6
Area of practice specialty: 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Area of specialty										
Administrative	6.9	6.9	6.6	0.3	1.4	1.1	1.9	–0.8	0.5	MF
Antitrust	4.5	4.9	2.9	2.0*	1.9	2.4	1.2	1.2	–0.8	MM
Banking	9.0	9.2	7.8	1.4	4.0	4.3	3.6	0.8	–0.6	MM
Debtor-creditor	5.2	5.2	5.1	0.1	1.8	2.3	1.2	1.1	1	MM
Civil rights	3.2	2.4	7.2	–4.8*	11.6	10.0	14.1	–4.1*	–0.7	FF
Communications	0.7	0.7	0.9	–0.3	2.2	2.6	1.7	0.9	0.6	FM
Corporate	30.9	31.5	27.7	3.8*	33.8	37.1	28.9	8.3*	4.5	MM
Criminal	7.4	7.5	6.7	0.8	8.7	8.8	8.6	0.3	–0.5	MM
Domestic relations	4.2	3.9	5.6	–1.7*	1.8	0.8	3.3	–2.5*	0.8	FF
Employee benefits	3.4	3.2	4.1	–0.8	1.6	1.3	2.1	–0.9	0.1	FF
Energy	2.6	2.7	1.9	0.8	0.3	0.2	0.5	–0.3	–0.5	MF
Environmental	2.6	2.4	3.6	–1.3*	3.0	3.1	2.9	0.2	–1.1	FM
Estate tax	8.6	9.1	6.1	3.1*	2.9	1.9	4.3	–2.4*	–0.7	MF
Municipal	3.6	3.7	3.3	0.4	1.0	1.3	0.5	0.8	0.4	MM
Immigration	0.1	0.1	0.1	1.1E-02	0.8	0.6	1.0	–0.3	0.3	MF
Income tax	1.6	1.6	1.3	0.3	2.7	2.7	2.6	0.1	–0.2	MM
Insurance	3.1	3.0	3.5	–0.5	2.4	1.8	3.3	–1.6	1.1	FF
International trade	0.2	0.2	0.4	–0.2	0.9	1.0	0.7	0.2	0	FM
Labor	6.3	6.4	6.1	0.3	3.3	2.7	4.1	–1.3	1	MF
Patent	1.8	1.9	1.0	0.9*	7.4	8.8	5.3	3.6*	2.7	MM
Real property	11.8	12.4	8.6	3.8*	3.8	3.4	4.5	–1.2	–2.6	MF
Securities	8.0	8.0	7.8	0.2	7.5	8.4	6.2	2.2	2	MM
Torts	11.5	11.8	9.6	2.2*	8.7	9.3	7.9	1.4	–0.8	MM
<i>N</i>	4,158	3,418	740		1,041	622	419			
Current comp w/LS										
Area main plan	17.8	18.7	15.5	3.2	27.0	31.1	19.8	11.3*	8.1	MM
Area one plan	39.4	41.5	34.4	7.1*	38.4	37.2	40.5	–3.3	–3.8	MF
Area not in plan	41.5	38.5	49.0	–10.5*	34.1	31.4	38.8	–7.4*	–3.1	FF
<i>N</i>	1,567	1,116	451		622	395	227			

F = female; LS = law school; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A7
Area of practice specialty: 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
Area of Specialty										
Administrative	4.4	4.3	4.9	–0.6	2.2	1.1	5.4	–4.2*	3.6	FF
Antitrust	3.7	3.7	4.3	–0.6	1.6	1.6	1.5	0.1	–0.5	FM
Banking	7.0	7.0	5.6	1.5	6.3	6.3	6.3	–0.1	–1.4	MF
Debtor-creditor	3.5	3.5	3.1	0.4	5.4	6.1	3.4	2.7*	2.3	MM
Civil rights	2.1	1.9	6.5	–4.6*	6.7	5.6	9.8	–4.1*	–0.5	FF
Communications	1.0	0.9	3.2	–2.4	1.6	1.4	2.0	–0.5	–1.9	FF
Corporate	31.4	31.9	19.1	2.7*	34.8	37.5	26.8	10.6*	–2.1	MM
Criminal	5.5	5.5	6.2	–0.7	5.7	5.3	6.8	–1.5	0.8	FF
Domestic relations	3.6	3.3	10.5	–7.2*	1.9	1.3	3.9	–2.6*	–4.6	FF
Employee benefits	5.2	5.3	3.1	2.2	2.1	1.6	3.4	–1.8	–0.4	MF
Energy	2.6	2.7	1.9	0.8	1.2	1.3	1.0	0.3	–0.5	MM
Environmental	1.5	1.4	2.6	–1.2	6.8	7.4	4.9	2.5	1.3	FM
Estate tax	14.4	14.6	9.9	4.7*	2.8	2.4	3.9	–1.5	–3.2	MF
Municipal	3.7	3.8	2.5	1.3	2.2	2.1	2.4	–0.3	–1	MF
Immigration	0.1	0.1	0.7	–0.6	0.6	0.3	1.5	–1.1	0.5	FF
Income tax	1.8	1.7	3.2	–1.5	3.9	4.7	1.5	3.2*	1.7	FM
Insurance	4.0	4.0	3.1	0.9	3.1	3.1	3.4	–0.4	–0.5	MF
International trade	0.2	0.2	0.7	–0.5	0.7	0.6	1.0	–0.3	–0.2	FF
Labor	5.5	5.4	7.4	–2.0	3.4	3.4	3.4	–3.8E-02	–2	FF
Patent	2.5	2.6	0	2.6*	3.9	3.9	3.9	–4.4E-02	–2.6	MF
Real property	13.8	13.9	12.3	1.6	7.3	7.6	6.3	1.2	–0.4	MM
Securities	5.8	5.9	4.3	1.6	5.8	6.1	4.9	1.2	–0.4	MM
Torts	15.8	16.0	12.3	3.6	9.1	10.6	4.4	6.2*	2.6	MM
<i>N</i>	3,878	3,725	153		827	622	205			
Current comp w/LS										
Area main plan	12.7	12.8	11.2	1.6	19.2	20.6	14.6	6.0	4.4	MM
Area one plan	35.4	36.1	28.0	8.1*	30.5	34.6	17.1	17.5*	9.4	MM
Area not in plan	51.1	50.3	59.2	–8.9*	49.7	44.1	68.3	–24.2*	15.3	FF
<i>N</i>	1,391	1,266	125		177	136	41			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A8

Area of practice specialty: Comparison of groups of men and women, 15-year survey, survey years 1996–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Area of specialty						
Administrative	1.9	0.6 (3)*	7.7 (2)*	10.4 (2)*	1.5 (1)*	4.4
Debtor-creditor	12.6 (2)*	4.5 (1)*	0	3.0	6.2	1.5
Civil rights	4.9	6.1	0	6.0	10.8	13.2
Corporate	33.0 (3)*	39.9 (3)*	0 (1)*(2)*	29.9	27.7	23.5
Domestic relations	2.9	1.0	0	9.0 (2)*(3)*	1.5 (1)*	1.5 (1)*
Employee benefits	1.9	1.6	0	1.5	4.6	4.4
Environmental	7.8 (3)*	6.9 (3)*	23.1 (1)*(2)*	4.5	4.6	5.9
Immigration	0	0.4	0	1.5	3.1	0
Income tax	2.9	4.9	0	1.5	1.5	1.5
Torts	8.7	11.0	15.4	4.5	7.7 (3)*	1.5 (2)*
<i>N</i>	103	491	13	67	65	68
Current compared w/LS plan						
Area main plan	16.0	21.7	33.3	10.0	15.8	18.2
Area one plan	36.0	34.9	33.3	10.0	15.8	27.3
Area not in plan	44.0	43.4	33.3	80.0	68.4	54.5
<i>N</i>	25	106	3 [†]	10	19	11

CC = child care; LS = law school.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

[†]Sample size too small for a statistical test.

TABLE A9
Activity in practice (percentage of time spent): 5-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1986 and Before)				Period 2: Survey Years 1996–2000 (Classes 1991–1995)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
% Library	10.245	10.351	9.967	0.384	10.343	9.564	11.499	-1.935*	1.551	MF
% Interview or counsel	14.969	14.713	15.637	-0.923	14.104	13.541	14.939	-1.398	0.475	FF
% Litigation	24.282	25.004	22.396	2.607*	28.870	30.759	26.066	4.693*	2.086	MM
% Negotiation	8.355	8.416	8.196	0.219	6.882	7.069	6.606	0.463	0.244	MM
% Drafting	22.062	21.298	24.059	-2.761	21.127	20.743	21.698	-0.956	-1.80	FF
% Appellate work	2.603	2.635	2.521	0.114	3.166	3.280	2.995	0.285	0.171	MM
% Lobbying	0.719	0.746	0.646	0.101	0.824	0.702	1.005	-0.303	0.202	MF
% Administration	4.291	4.346	4.145	0.201	4.575	4.698	4.392	0.307	0.106	MM
% Legal education	5.250	5.218	5.341	-0.123	3.763	3.606	3.998	-0.392*	0.269	FF
% Socializing at work	3.837	3.949	3.547	0.402*	3.691	3.885	3.404	0.481*	0.079	MM
% Recruiting	1.981	1.999	1.932	0.067	1.495	1.446	1.567	-0.121	0.054	MF
% Other	1.550	1.511	1.651	-0.141	1.164	0.708	1.839	-1.131*	0.99	FF
<i>N</i>	1,969	1,424	545		1,021	610	411			
% Working for the rich	7.048	7.991	4.705	3.286*	5.893	6.349	5.184	1.165	-2.12	MM
% Working for middle or poor	10.435	9.778	12.067	-2.289	11.714	11.531	12.000	-0.469	-1.82	FF
Annual hours pro bono	55.265	55.138	55.576	-0.438	104.570	95.258	118.284	-23.026	22.588	FF
<i>N</i>	1,519	1,080	439		983	598	385			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A10
Activity in practice (percentage of time spent): 15-year survey

Variable	Period 1: Survey Years 1991 and Before (Classes 1976 and Before)				Period 2: Survey Years 1996–2000 (Classes 1981–1985)				Change From P1 to P2	
	All Obs	M	F	M–F	All Obs	M	F	M–F	Abs Δ in M/F Diff	Δ in M/F Rel Pos
% Library	6.222	6.077	8.056	–1.979*	5.984	5.761	6.670	–0.909	–1.07	FF
% Interview or counsel clients	19.292	19.419	17.680	1.739	18.577	18.353	19.265	–0.912	–0.827	MF
% Litigation	23.866	24.034	21.744	2.290	22.860	24.267	18.535	5.732*	3.442	MM
% Negotiation	8.798	8.904	7.456	1.448*	9.827	10.112	8.950	1.162	–0.286	MM
% Drafting	18.102	17.911	20.512	–2.601	18.796	17.620	22.415	–4.795*	2.194	FF
% Appellate work	2.608	2.562	3.192	–0.630	2.604	2.520	2.860	–0.340	–0.29	FF
% Lobbying	1.034	1.062	0.680	0.382	1.299	1.452	0.830	0.622	0.24	MM
% Administration	8.042	7.957	9.112	–1.155	7.681	7.859	7.135	0.724	–0.431	FM
% Legal education	5.460	5.428	5.948	–0.520	4.845	4.794	5.000	–0.206	–0.314	FF
% Socializing at work	3.091	3.083	3.200	–0.117	3.211	3.385	2.675	0.710*	0.593	FM
% Recruiting	1.270	1.266	1.320	–0.054	1.190	1.237	1.045	0.192	0.138	FM
% Other	2.238	2.309	1.344	0.965*	3.135	2.623	4.710	–2.087*	1.122	MF
<i>N</i>	1,705	1,580	125		815	615	200			
% Working for the rich	8.647	8.738	7.678	1.060	6.927	7.390	5.463	1.927	0.867	MM
% Working for middle or poor	17.111	16.333	25.314	–8.980*	10.154	10.150	10.168	–0.018	–8.962	FF
Annual hours pro bono	62.490	62.199	65.583	–3.384	47.021	52.477	32.650	19.827*	16.443	FM
<i>N</i>	1,338	1,223	115		790	600	190			

F = female; M = male; P1 = Period 1; P2 = Period 2.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A11

Activity in practice (percentage of time spent): Comparison of groups of men and women, 15-year survey, survey years 1996–2000

Variable	Comparison of Groups of Men			Comparison of Groups of Women		
	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
% Library	6.9 (2)*	5.4 (1)*	6.6	7.4	6.6	6.0
% Interview or counsel	16.5	18.6	25.2	22.9 (2)*	17.5 (1)*	18.0
% Litigation	23.0	24.7	24.2	16.4	21.2	18.1
% Negotiation	9.6	10.4	5.8	9.0	8.9	9.0
% Drafting	19.4	17.4	12.2	20.7	20.2	25.2
% Appellate work	1.7	2.5	3.3	3.8	3.4	1.7
% Lobbying	1.9	1.2	2.8	1.2	0.5	0.8
% Administration	7.6	7.9	7.2	6.6	8.6	6.6
% Legal education	5.3	4.7	5.4	4.7	4.2 (3)*	5.4 (2)*
% Socialize at work	3.5	3.4	2.8	2.2	3.2	2.8
% Recruiting	1.3	1.3	0.8	0.9	1.6	0.9
% Other	3.5	2.4	3.8	4.2	3.9	5.5
<i>N</i>	104	484	13	65	59	71
% Work for the rich	5.2 (2)*(3)*	8.1 (1)*(3)*	0.8 (1)*(2)*	6.4	4.9	5.3
% Work for mid or poor	12.5	9.9	7.7	7.9	10.0	11.3
<i>N</i>	97	477	13	63	62	63
Ann hours pro bono	28.7 (2)*	59.4 (1)*(3)*	21.1 (2)*	33.3	45.1 (3)*	24.2 (2)*
<i>N</i>	118	516	19	79	70	100

CC = child care.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A12

Where are the alumni who started outside of private practice, 15 years later? Fifteen-year survey, survey years 1991–2000

Variable	Comparison Men & Women			Comparison of Groups of Men			Comparison of Groups of Women		
	All Obs	M	F	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
% Private practice	26.4	29.2*	21.3*	23.4	32.5	13.3	22.0	12.8	25.3
% Corp counsel	11.9	12.1	11.6	2.6 (2)*	16.0 (1)*	6.7	12.0	10.3	12.0
% Gov't practice	17.3	17.4	17.1	29.9 (2)*(3)*	13.2 (1)*	6.7 (1)*	22.0	17.9	13.3
% Legal services	6.8	6.2	7.9	9.1	4.7	13.3	4.0	10.3	9.3
% Judge	1.9	1.3	3.0	1.3	1.4	0	4.0	0	4.0
% Teach law	5.1	5.2	4.9	2.6	6.1	6.7	2.0	7.7	5.3
% Other practice	1.5	1.6	1.2	0	2.4	0	2.0	2.6	0
% Public office	0.4	0.3	0.6	1.3 (2)*	0 (1)*	0	0	2.6	0
% Bus non-practice	7.7	10.2*	3.0*	13.0	9.4	6.7	4.0	5.1	1.3
% Government non-practice	6.6	5.6	8.5	6.5	5.7	0	10.0	7.7	8.0
% Other non-practice	9.4	9.5	9.1	10.4 (3)*	7.5 (3)*	33.3 (1)*(2)*	12.0	12.8	5.3
% Parent non-practice	4.9	1.3*	11.6*	0 (3)*	0.9 (3)*	13.3 (1)*(2)*	0 (2)*(3)*	12.8 (1)*	18.7 (1)*
% Unemployed	5.5	1.6*	12.8*	1.3 (3)*	0.9 (3)*	13.3 (1)*(2)*	4.0 (3)*	12.8	18.7 (1)*
<i>N</i>	469	305	164	77	212	15	50	39	75

CC = child care; F = female; M = male.

*Difference in means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A13

Income, wages, and family situations: Comparison of groups of men and women, 15-year survey, survey years <1992

Variable	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Income						
Avg inc 1st yr aft LS	57,362 (2)*	60,390 (1)*	48,098	53,709 (2)*	60,836 (1)*	55,010
N	208	889	10	57	41	54
Avg income princ job	166,307(2)*(3)*	208,017(1)*(3)*	102,616(1)*(2)*	123,201 (3)*	147,224 (3)*	88,504 (1)*(2)*
Median inc princ job	112,733*	175,190*	78,171*	108,397*	94,821*	66,514*
N	253	850	12	63	42	53
Avg inc princ job (FT)	172,010 (2)*(3)*	210,364 (1)*(3)*	111,944 (1)*(2)*	127,692	151,392	115,496
Median inc princ job (FT)	115,624*	176,326*	81,515*	110,955	93,944	103,791
N (FT)	238	829	11	59	37	31
Wages						
Usual hourly fee	218.94 (2)*	233.49 (1)*(3)*	191.15 (2)*	212.20	234.57	212.26
N	180	604	9	26	17	24
Average hourly wage	67.75 (2)*(3)*	82.02 (1)*(3)*	39.24 (1)*(2)*	49.59	64.26	57.20
Median hourly wage	49.89*	69.55*	33.42*	43.81	46.27	50.18
N	247	833	12	62	40	43
Avg hourly wage (FT)	68.87 (2)*(3)*	81.96 (1)*(3)*	42.80 (1)*(2)*	49.60 (3)*	61.27	67.16 (1)*
Median hourly wage (FT)	50.04*	69.94*	41.17*	44.29	42.51	52.46
N (FT)	232	812	11	59	35	21

CC = child care; FT = full time; LS = law school.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A14

Income, wages, and family situations: Comparison of groups of men and women, 15-year survey, survey years 1996–2000

Variable	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC(3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Income						
Avg inc 1st yr aft LS	63,183	65,396	60,849	61,937 (2)*	69,395 (1)*(3)*	63,833 (2)*
N	142	582	25	83	91	109
Avg inc princ job	178,753(2)*(3)*	248,877(1)*(3)*	98,187 (1)*(2)*	152,488 (3)*	160,919 (3)*	90,966 (1)*(2)*
Median inc princ job	133,892*	180,593*	73,700*	108,800*	130,027*	83,331*
N	134	547	23	80	86	98
Avg inc princ job (FT)	190,324(2)*(3)*	252,089(1)*(3)*	126,545(1)*(2)*	163,959	193,218 (3)*	126,789(2)*
Median inc princ job (FT)	147,401*	182,263*	90,394*	116,518*	164,773*	120,395*
N (FT)	119	528	17	70	66	39
Wages						
Usual hourly fee	254.39	266.79	284.34	238.42	266.35 (3)*	220.78 (2)*
N	63	360	5	30	38	46
Average hourly wage	78.94 (2)*(3)*	98.79 (1)*(3)*	42.12 (1)*(2)*	63.67	73.24	63.53
Median hourly wage	55.62*	73.05*	33.02*	49.08*	66.11*	55.58*
N	127	534	23	77	78	83
Avg hourly wage (FT)	74.98 (2)*(3)*	97.84 (1)*(3)*	48.62 (1)*(2)*	66.37	75.45 (3)	65.07 (2)
Median hourly wage (FT)	54.85*	72.75*	39.21*	49.16*	66.47*	54.37*
N (FT)	115	516	17	68	63	32

CC = child care; FT = full time; LS = law school.

*Difference in gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A15

Women's income and wages as a percentage of the men's, by group: 15-year survey, survey years 1996–2000

	P1, Female No Kids (1)	P2, Female, No Kids (1)	Change, P1 to P2	P1, Female, Kids, No CC (2)	P2, Female, Kids, No CC (2)	Change, P1 to P2	P1, Female, Kids, CC (3)	P2, Female, Kids, CC (3)	Change, P1 to P2
Income									
Average income principle job	62.7	66.4	3.7	74.9	70.1	-4.8	45.0	39.6	-5.4
Median income principle job	65.2	62.6	-2.6	57.0	74.8	17.8	40.0	47.9	7.9
Average income principle job (FT)	64.0	69.3	5.3	75.8	81.6	5.8	57.8	53.6	-4.2
Median income principle job (FT)	66.7	66.0	-0.7	56.5	93.3	36.8	62.4	68.2	6.2
Wages									
Average hourly wage	63.6	68.8	5.2	82.4	79.1	-3.3	73.3	68.6	-4.7
Median hourly wage	67.2	70.7	3.5	70.9	95.2	24.3	76.9	80	3.1
Average hourly wage (FT)	63.4	72.2	8.8	78.3	82.1	3.8	85.8	70.8	-5.0
Median hourly wage (FT)	67.6	70.7	3.1	64.8	95.6	30.8	80.0	78.2	-1.8

CC = child care; FT = full time; P1 = Period 1; P2 = Period 2.

TABLE A16

*Decomposition calculations for the difference between male and female average income, 15-year survey, survey years 1994–2000
(Numbers in terms of log of 1000's of 2004 \$)*

Variables	(M Mean – F Mean) × M Coeff	Subtotal	(M Coeff – F Coeff) × F Mean	Subtotal	Variables	(M Mean – F Mean) × M Coeff	Subtotal	(M Coeff – F Coeff) × F Mean	Subtotal
Black	-0.008		0.002		Aggressive			0.010	
Hispanic	0.002		0.016		Compulsive	-0.002		-0.012	
Asian	1.3E-05	-0.006	0.006	0.024	Desire money	0.001		-0.088	
Years of practice	0.006		-0.278		Confidence	0.035		-0.003	
Ann hrs work	0.001	0.007	-0.406	-0.684	Dealmaker	0.003		-0.016	
LS GPA	0.009		-0.088		Effec writer	0.002		0.123	
Summer job same	0.003	0.011	-0.039	-0.127	Social impact	2.9E-04		-0.019	
Judicial clerk	-0.001	-0.001	-0.018	-0.018	Honest	0.001		0.007	
Mentored	-0.001	-0.001	0.045	0.045	Compassion	-3.5E-04 0.008	0.047	-0.012	-0.010
City work med	0.006		0.049		Spcl admin	-0.008		0.012	
City work small	0.004		0.012		Spcl dbt cr	1.3E-04		-0.007	
Region East	-0.002		0.006		Spcl cvl rts	0.004		0.003	
Region W Coast	0.002		-0.015		Spcl corp	-0.003		0.013	
Region SE	-0.001		-0.032		Spcl crim	0.002		-0.003	
Region West	3.0E-04	0.009	-0.034	-0.015	Spcl dom rel	0.018		-0.005	
Priv prac large	-3.8E-04		-0.047		Spcl empl bn	0.001		0.001	
Priv prac med	0.002		-0.002		Spcl energy	0.002		0.001	
Priv prac small	-0.018		0.030		Spcl esta tax	0.003		-0.023	
Not partner	0.001		0.011		Spcl immigr	-0.001		0.003	
Corp counsel	0.002		-0.045		Spcl inc tax	0.003		-0.004	
Govt practice	0.046		-0.020		Spcl labor	-4.6E-04		-0.007	
Legal services	0.002		0.002		Spcl patent	-7.2E-05		0.010	
Other practice	0.022		-0.009		Spcl real prop	-0.004		-0.013	
Teach law	-0.001		-0.002		Spcl secur	0.004		0.002	
Bus non-practice	-0.002		-0.009		Spcl torts	-0.001	0.017	0.007	-0.011
Gov non-practice	0.003		-0.012						
Oth non-practice	0.002	0.057	0.003	-0.101					
Married	-0.007		-0.008		% Library	0.010		-0.031	
Cohabit	0.001		0.002		% Negotiat	0.002		-0.001	
Number kids	0.021		0.087		% Draft	0.003		-0.042	
Spouse income	-0.042		0.027		% Legal ed	-2.6E-04		0.106	
Other income	1.1E-04		-0.005		% Soc wrk	-0.002		-0.029	
Child care mos	0.135	0.108	-0.130	-0.028	% Recruit	-0.002		0.001	
					% Other	1.2E-04	0.011	0.062	0.066
					Constant	0.000		0.845	
						0.259		-0.013	

Total (men's mean ln income – women's mean ln income) = 0.246

F = female; LS = law school; M = male.

TABLE A17
Comparison of groups of women by family situation: 15-year survey, survey years 1991–2000

Annual Hours	All Obs	Male	Female	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Position in the Firm						
Partner						
Annual hours	2,531	2,570*	2,314*	2,567 (2)*(3)*	2,371 (1)*(3)*	2,008 (1)*(2)*
Average wage	99.103	101.002*	88.802*	85.359	96.503 (3)	81.674 (2)
Career satisfaction	1.384	1.378	1.422	1.500	1.484	1.289
Associate						
Annual hours	2,264	2,361*	2,052*	2,402 (3)*	2,145	1,827 (1)*
Average wage	48.084	45.695	52.863	60.799	39.446	52.935
Career satisfaction	0.500	0.351	0.789	0.600	0.333	1.000
Employee or Subcontractor						
Annual hours	2,128	2,369*	1,767*	2,286 (3)*	1,899	1,456 (1)*
Average wage	72.572	76.716	66.272	57.568	68.193	68.586
Career satisfaction	1.071	1.048	1.107	0.714	1.250	1.231
Solo Practitioner						
Annual hours	2,136	2,267*	1,699*	1,812	1,867	1,677
Average wage	52.608	56.637*	39.396*	44.983	76.997	29.268
Career satisfaction	1.195	1.232	1.071	-0.286 (2)*(3)*	1.500 (1)*	1.500 (1)*
<i>N</i>	1,212	984	228	59	79	87

CC = child care.

*Difference in the gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A18
Comparison of groups of men by family situation: 15-year survey, survey years 1991–2000

Annual Hours	All Obs	Male	Female	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)
Position in the firm						
Partner						
Annual hours	2,531	2,570*	2,314*	2,549	2,569	Not enough
Average wage	99.103	101.002*	88.802*	94.352	102.256	observations
Career satisfaction	1.384	1.378	1.422	1.328	1.382	to make
Associate						
Annual hours	2,264	2,361*	2,052*	2,261	2,426	meaningful
Average wage	48.084	45.695	52.863	42.423	48.110	comparisons
Career satisfaction	0.500	0.351	0.789	0.889	0.154	
Employee or subcontractor						
Annual hours	2,128	2,369*	1,767*	2,345	2,387	
Average wage	72.572	76.716	66.272	55.681 (2)*	80.679 (1)*	
Career satisfaction	1.071	1.048	1.107	1.375	1.030	
Solo practitioner						
Annual hours	2,136	2,267*	1,699*	2,027 (2)*	2,396 (1)*	
Average wage	52.608	56.637*	39.396*	54.865	57.733	
Career satisfaction	1.195	1.232	1.071	1.227	1.229	
<i>N</i>	1,212	984	228	160	810	

CC = child care.

*Difference in the gender means significantly different from zero at the 0.1 level, two-tailed *t* test.

TABLE A19

Hours of work, income, career satisfaction and family situations: Comparison of groups of women, 15-year survey, survey years 1996–2000

Variable	Male, No Kids (1)	Male, Kids, No CC (2)	Male, Kids, CC (3)	Female, No Kids (1)	Female, Kids, No CC (2)	Female, Kids, CC (3)
Annual hours of work	2,328 (2)*	2,520 (1)*(3)*	2,092 (2)*	2,363 (2)*(3)*	1,908 (1)*(3)*	1,386 (1)*(2)*
Real income	178.753 (2)*(3)*	248.877 (1)*(3)*	98.187 (1)*(2)*	152.488 (3)*	160.919 (3)*	90.966 (1)*(2)*
Average hourly wage	78.94 (2)*(3)*	98.79 (1)*(3)*	42.12 (1)*(2)*	63.67	73.24	63.53
Job satisfaction overall	1.296 (2)*	1.551 (1)*	1.542	1.357	1.659	1.505
Satisfaction with family	1.42 (2)*	1.94 (1)*	1.76	1.48 (2)*(3)*	2.15 (1)*	2.12 (1)*
Satisfaction with work–family balance	0.37 (2)*(3)*	0.72 (1)*(3)*	1.36 (1)*(2)*	0.43 (3)*	0.64 (3)*	1.34 (1)*(2)*
Months not wking or wking part-time to do childcare	0 (3)*	0 (3)*	22.76 (1)*(2)*	0 (3)*	0 (3)*	57.62 (1)*(2)*
Number of kids	0 (2)*(3)*	2.31 (1)*(3)*	2.00 (1)*(2)*	0 (2)*(3)*	2.06 (1)*	2.12 (1)*
Married	40.71 (2)*(3)*	95.53 (1)*	88.00 (1)*	45.24 (2)*(3)*	87.76 (1)*	87.60 (1)*
Spouse's income	32.042 (3)*	37.613 (3)*	76.064 (1)*(2)*	60.439 (2)*(3)*	144.628 (1)*	162.805 (1)*
Breadwinner	76.12 (3)*	79.71 (3)*	30.43 (1)*(2)*	62.50 (2)*(3)*	37.21 (1)*(3)*	23.47 (1)*(2)*
<i>N</i>	127	523	22	77	78	83

CC = child care.

*Difference in the gender means significantly different from zero at the 0.1 level, two-tailed *t* test.