

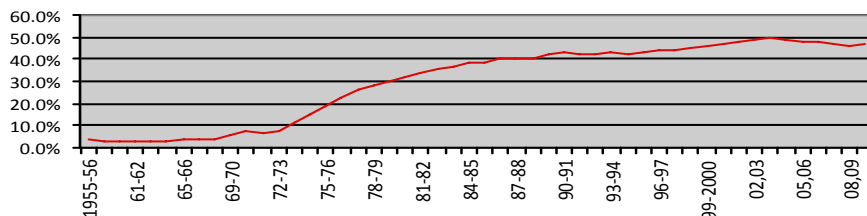
CENTER FOR RESEARCH ON GENDER IN THE PROFESSIONS

Legal Professions: The Status of Women and Men*

EDUCATION:

Women's dramatic gains in earning law degrees since the 1950s have stagnated.

Figure 1: % J.D. or LL.B. Degrees Awarded to Women: 1956-2010¹



- In 1956, women earned 3% of the total J.D. and LL.B. degrees conferred. In 2004, the proportion of women earning law degrees peaked at 49%. However, since that time, women's representation has declined and was only 47% in 2010.¹

LEGAL CAREERS:

Women have earned 40% or more of all law degrees for the past 24 years and 45% or more for the past 12 years. Despite this near parity in education, women are still sharply underrepresented in law careers beyond the entry level.

- In 1951, 3% of all lawyers in the United States were women.² By 2012, this figure had risen to 33%.^{3,4} However, among new lawyers, the proportion of women has recently stagnated.
- Women make up 45% of associates and 55% of staff attorneys in law firms.^{5,6} However, there are far fewer women in the most senior and prestigious positions, e.g. only 15% of equity partners are women.⁶
- Women are only 20% of Fortune 500 and 16% of Fortune 501-1000 general counsels.⁴
- 77% of firms have only 1 or 2 female members of their highest governing committees (which have a median number of 10 members total). 11% of firms have zero women on such committees.⁶
- Women are 30% of active District Court judges and 31% of active U.S. Courts of Appeals judges.⁷ They have 27% of federal and state judgeships.⁴
- Within law schools, women make up only 21% of Deans.⁴
- Only 6% of all lawyers work "part-time" (defined as 80% of full-time practice). Of those who work part-time, over 70% are women.⁸ Disadvantageous compensation policies, firm policies that prevent part-time partners from achieving equity status, and doubts about attorneys' commitment are potential consequences of reducing to part-time status.⁹
- Similar proportions of women and men associations—about 50%—leave their firms at some point. However, almost 1/3 of these women leave firm practice altogether at the associate stage, compared to less than 20% of the men. Of these pre-partner women who leave firm practice, over 50% shift to work as lawyers in corporate law offices or government or non-profit organizations, and 22% leave the job market altogether.¹⁰
- In Massachusetts, for example, 15% of women, compared to 1% of men, leave partnerships in law firms for reasons such as poor professional opportunities, long work hours, work load pressures, and difficulty integrating work and family life.¹⁰

GENDER PAY GAP:

- Overall, women lawyers earn 87% of the income earned by men (on average); working women in general make 81% of working men's salaries.^{11,22} An exhaustive analysis finds that, among new full-time private practice attorneys, there is a gender wage gap of 5%. Most of the gap persists, even when controlling for credentials, hours worked, legal specialty, networking, firm size and market, and family status.¹²
- Among the 200 most profitable firms, women equity partners earn 86% of their male counterparts within the same firm.⁴
- In 2010, at the entry-level, attorneys working for public interest organizations earned roughly half of those working in private practice, regardless of firm size.¹³ Women are more than twice as likely as men to work in the lower-paid public interest fields.¹⁴

DISCRIMINATION AND JOB MOBILITY:

- Close to 3/4 of women lawyers consider harassment to be an issue in their workplaces.¹⁵
- While women's and men's hiring rates for entry-level positions are approximately equal in most law firms, the

average promotion rate for women is only slightly more than half of that for men. Firms are more likely to hire women laterally as partners than they are to promote their own women associates to partnership.¹⁶ When a female hiring partner is present, an entry-level woman's odds of being hired into a firm increases by 13%. This female hiring partner effect disappears when the hire is lateral.¹²

RACIAL AND ETHNIC DIVERSITY:

- People of color made up 25% of law school students in academic year 2011-2012.¹⁷
- 48% of African American lawyers work in private law firms, compared to about 2/3 of whites. 27% of African American lawyers work in state and local government, compared to 16% of white lawyers.¹⁸
- In 2011, people of color were 20% of all associates but only 7% of all partners.¹⁹ Minority men are 9% of associates and 5% of the partners at law firms.²⁰ Minority women make up 11% of associate positions but only 2% of law firm partners.²⁰
- 44% of women of color, compared to 39% of white women, 25% of men of color, and 2% of white men, reported being denied desirable work assignments.²¹
- Among law firms employing associates, 16% have no associates who are African American, Hispanic, Native American, Asian, Native Hawaiian/Pacific Islander, or multi-racial.²¹
- African American, Hispanic, and Native American attorneys make less money than their white counterparts.²¹ Across all professional markets and job settings, African American attorneys earn 93%, Hispanics make 96%, and Native Americans earn 74% of what whites make, while Asians earn salaries that are 114% of that of whites.¹⁸

*Laura Pecenco and Mary Blair-Loy. 2013. "Legal Professions: The Status of Women and Men." Center for Research on Gender in the Professions, UC San Diego. <http://crgp.ucsd.edu>.

¹ U.S. Dept. of Ed. Institute of Education Sciences. 2011. "Number of degree-granting institutions conferring doctor's degrees in dentistry, medicine, and law, and number of such degrees conferred, by sex of student: Selected years, 1949-50 through 2009-10." *Digest of Ed. Statistics*. http://nces.ed.gov/programs/digest/d11/tables/dt11_294.asp.

² Carson, Clara N. 2004. *The Lawyer Statistical Report: The Legal Profession in 2000*. American Bar Foundation. <http://www.abanet.org/abastore/index.cfm?section=main&fm=Product.AddToCart&pid=1620045>.

³ American Bar Association (ABA) Market Research Department. 2012. *National Lawyer Population by State*. http://www.americanbar.org/content/dam/aba/migrated/marketresearch/PublicDocuments/2011_national_lawyer_by_state.authcheckdam.pdf.

⁴ Commission on Women in the Profession. 2012. *A Current Glance at Women in the Law 2012*. American Bar Association. http://www.americanbar.org/content/dam/aba/marketing/women/current_glance_statistics_2012.authcheckdam.pdf.

⁵ National Association for Law Placement (NALP). 2011. *Law Firm Diversity Wobbles: Minority Numbers Bounce Back While Women Associates Extend Two-Year Decline*. November 3. <http://www.nalp.org/uploads/PressReleases/2011WomenandMinoritiesPressRelease.pdf>.

⁶ The National Association of Women Lawyers and The NAWL Foundation. 2011. *Report of the Sixth Annual National Survey on Retention and Promotion of Women in Law Firms*. October. <http://nawl.timberlakepublishing.com/files/NAWL%202011%20Annual%20Survey%20Report%20FINAL%20Publication-ready%2011-9-11.pdf>.

⁷ National Women's Law Center. 2012. *Women in the Federal Judiciary: Still a Long Way to Go*. Sept. 17. <http://www.nwlc.org/resource/women-federal-judiciary-still-long-way-go-1>.

⁸ NALP. 2012. *Part-time Work Among Lawyers Decline for First Time in 17 Years – Most Working Part-time Continue to be Women*. Jan. 19. <http://www.nalp.org/uploads/PressReleases/2012Part-TimePressRelease.pdf>.

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¹⁰ Harrington, Mona and Helen His. 2007. *Women Lawyers and Obstacles to Leadership: A Report of MIT Workplace Center Surveys on Comparative Career Decisions and Attrition Rates of Women and Men in MA Law Firms*. http://web.mit.edu/workplacecenter/docs/law-report_4-07.pdf.

¹¹ Bureau of Labor Statistics. 2011. "Median weekly earnings of full-time wage and salary workers by detailed occupation and sex." *Household Data Annual Averages*. http://bls.gov/opub/ee/2012/cps/annavg39_2011.pdf.

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¹³ NALP. 2010. "New Findings on Salaries for Public Interest Attorneys." *NALP Bulletin*. September. <http://www.nalp.org/sept2010pubintsal>.

¹⁴ Dilks, Katie. 2010. "Why is Nobody Talking about Gender Diversity in Public Interest Law?" *NALP Bulletin* June. http://www.nalp.org/uploads/0610_Gender_Diversity_in_Public_Interest_Law.pdf.

¹⁵ ABA Commission on Women in the Profession. 2007. *Sex-Based Harassment: Workplace Policies for the Legal Profession, Second Edition*. July. <http://apps.americanbar.org/abastore/index.cfm?section=main&fm=Product.AddToCart&pid=4920039>.

¹⁶ Gorman, Elizabeth H. and Julie A. Kmec. 2009. "Hierarchical Rank and Women's Organizational Mobility: Glass Ceilings in Corporate Law Firms." *American Journal of Sociology* 114(5): 1428-74.

¹⁷ ABA. 2012. "First Year and Total J.D. Minority Enrollment for 1971-2011."

http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/statistics/jd_enrollment_1yr_total_minority.authcheckdam.pdf.

¹⁸ Wilder, Gita Z. 2008. *Race and Ethnicity in the Legal Profession: Findings from the First Wave of the After the JD Study*. The NALP Foundation. http://www.nalp.org/assets/1064_ajdraceethnicitymonograph.pdf.

¹⁹ NALP. 2012. *Women and Minorities in Law Firms - By Race and Ethnicity*. http://www.nalp.org/women_minorities_jan2012.

²⁰ NALP. 2011. *Law Firm Diversity Wobbles: Minority Numbers Bounce Back While Women Associates Extend Two-Year Decline*. Nov. 3. http://www.nalp.org/2011_law_firm_diversity.

²¹ ABA Commission on Women in the Profession. 2006. *Visible Invisibility: Women of Color in Law Firms*. American Bar Association.

²² Bureau of Labor Statistics. 2013. "Median weekly earnings of full-time wage and salary workers by selected characteristics." *Household Data Annual Averages*. <http://www.bls.gov/cps/cpsaat37.htm>.