

PRELIMINARY REPORT OF THE BOSTON BAR ASSOCIATION STUDY
OF THE
ROLE OF GENDER IN THE PRACTICE OF LAW

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This research was conducted under the auspices of the

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Summary of Major Findings

- I. Demographically women tend to be younger than men, to be single, and are more likely to have fewer or no children.
- II. Self-reported objective measures of work history and work conditions show more similarities between men and women than differences. However, men are more likely to have been lawyers longer than women, to receive greater compensation in the first 10 years of their employment, and work greater numbers of hours per year.
- III. When we examine subjective measures of job satisfaction, we find that most men and women lawyers are satisfied or very satisfied with their jobs. However, women attorneys are more likely to report being dissatisfied with their jobs. Women in the first 5 years of their current position seem particularly dissatisfied when compared to their male counterparts.
- IV. Both women and men are likely to believe that the situation of men and women is generally equivalent as far as compensation, opportunities for advancement, amount of encouragement, and participation in management are concerned. However women are more likely than men to believe it is not.

V. Overwhelming percentages of men and women believe women attorneys are discriminated against because of their sex. However, a large majority of both men and women believe the situation of women attorneys has improved over the past 5 years. Surprisingly about 1/2 of both men and women believe they personally have been victims of sexual discrimination. Yet while about 1/2 of men and women say they have witnessed acts of sexual discrimination against other women, only about 5% say they have witnessed sexual discrimination against other men. The most frequently mentioned forms of discrimination against both men and women were discrimination in treatment followed by discrimination in work assignment. Supervisors were most often mentioned by both women and men as responsible for the discrimination.

VI. Maternity leave appears to be quite common while paid child care appears to be very rare.

Objective

The objective of this study was to describe the perception of men and women lawyers in the Boston area of the effect of gender on their practice.

Methodology

A mail survey was conducted of lawyers in the Boston area. The sampling frame consisted of a list of members and non-members of the Boston Bar Association and women partners in law firms. The Boston Bar Association list included information on the sex of the respondent; and whether the respondent worked for the government; a corporation; or a small, medium, or large law firm*. A random sample was taken of male and female attorneys who worked for the government; corporations; small, medium, or large law firms. Each sample consisted of 250 for a total of 2500 respondents. In addition, all women partners were sampled**.

* A large law firm was defined as more than 60 lawyers. A medium law firm was defined as 10-60 lawyers. A small law firm was defined as 1-9 lawyers.

** The sampling populations were as follows:

	<u>Men</u>	<u>Women</u>
Government	942	544
Corporations	1319	369
Small law firms	3537	767
Medium law firms	1030	221
Large law firms	2108	709
Women partners	X	222

The survey questionnaire consisted of items asking respondents to report: 1) objective measures of the working conditions such as salary, number of hours worked, etc.; 2) objective measures of their career paths such as law school class standing, where first legal job was, etc.; 3) subjective perceptions of job satisfaction, policies regarding child care and maternity leave, and the presence of bias and discrimination; and 4) the presence and type of child care and maternity leave policies.

There was a response rate of 33.0% with no follow up. The response rate among women was 42.4% while among men it was 23.7%. The findings have been weighted where appropriate to account for the different number of attorneys in each of the subsets sampled. Differences where reported are significant at .05 or less. This means that there is a 5% chance or less that the differences reported are not actual differences but a function of the sampling procedure.

Discussion

I. Demographics

Demographically women tend to be younger (Table 1), they are more likely to be single (Table 2) and more likely to have fewer or no children (Table 3). There are no differences by race (Table 4).

Table 1

<u>Age</u>	<u>Men</u>	<u>Women</u>
20-29	12.8	22.1
30-35	25.3	35.1
36-42	34.1	29.6
43-49	6.8	8.7
50-55	7.8	1.7
56-62	6.8	1.3
63-70	3.4	0.6
70 and over	3.0	0.9

Table 2

<u>Marital Status</u>	<u>Men</u>	<u>Women</u>
Single	11.5	28.5
Married	79.7	59.3
Divorced	4.0	6.5
Separated	2.0	1.1
Widowed	1.4	0.4
Cohabiting	1.4	4.2

Table 3

<u>Children</u>	<u>Men</u>	<u>Women</u>
0	31.8	60.4
1-2	44.6	34.1
3-4	20.3	5.1
5 or more	3.3	0.4

Table 4

<u>Race</u>	<u>Men</u>	<u>Women</u>
White	98.6	95.8
Black	1.0	2.6
Hispanic	0.0	0.2
Oriental	0.4	0.6
Other Asian	0.0	0.4
Other	0.0	0.4

II. Objective Measures

Self reported objective indicators of work history and work conditions show more similarities between men and women than differences. The major differences are:

- a) Men are more likely to have been lawyers longer than women (Table 5).

Table 5

How Many Years Have You Been in Your Present Job Setting

	<u>Men</u>	<u>Women</u>
Less than 1 year	8.2	17.6
1 to 5 years	43.0	52.3
6 to 10 years	18.1	20.6
11 to 15 years	11.6	6.1
16 and above	19.1	3.4

- b) Men are more likely to hold senior positions (this is explained by the greater length of time working as a lawyer) (Table 6).

Table 6

<u>Description of Current Position</u>	Men	Women
Partner/General Counsel/ Executive position	46.8	22.4
Senior Associate/Supervisory Counsel	20.3	21.2
Junior Associate/Staff Attorney Of Counsel	22.0	44.8
	2.7	0.6
Other	8.2	11.0

- c) The compensation level for lawyers in the first 10 years is greater for men than for women (Table 7).

Table 7

Compensation

1 to 5 Years at Present Job

	Men	Women
Under \$15,000	0.8	1.5
\$16,000 - \$22,000	0.8	2.6
\$23,000 - \$29,000	4.0	8.8
\$30,000 - \$36,000	9.6	16.2
\$37,000 - \$55,000	29.6	40.1
\$56,000 - \$75,000	28.0	23.9
\$76,000 - \$100,000	11.2	3.7
\$101,000 - \$125,000	6.4	1.5
\$126,000 - \$150,000	5.6	0.7
\$151,000 - \$200,000	0.0	1.1
Over \$201,000	4.0	0.0

6 to 10 Years at Present Job

	Men	Women
Under \$15,000	1.9	0.0
\$16,000 - \$22,000	1.9	8.3
\$23,000 - \$29,000	1.9	4.6
\$30,000 - \$36,000	34.0	32.4
\$37,000 - \$55,000	18.9	19.4
\$56,000 - \$75,000	7.5	20.4
\$76,000 - \$100,000	11.3	6.5
\$101,000 - \$125,000	7.5	3.7
\$126,000 - \$150,000	7.5	4.6
\$151,000 - \$200,000	7.5	0.0
Over \$201,000	0.0	0.0

- d) Controlling for amount of time in present job setting, we find men work greater numbers of hours per year (Table 8).

Table 8

Average Number of Hours Worked Per Year

	Men	Women
1,400 or less	5.0	7.4
1,401 to 1,600	3.5	7.8
1,601 to 1,800	12.1	14.8
1,801 to 2,000	21.6	22.4
2,001 to 2,300	30.5	20.2
2,301 or more	17.0	10.1
Don't know	10.3	17.3

The major similarities are:

- a) Women and men are similarly distributed in their law school class standing (Table 9).

Table 9

<u>Class Standing in Law School:</u>	<u>Men</u>	<u>Women</u>
Top 10%	33.0	32.1
Top 25%	37.6	40.6
Top 50%	23.4	22.5
Lower 50%	6.0	4.8

- b) Women and men are equally likely to have had judicial clerkships (Table 10).

Table 10

Did You Have a Judicial Clerkship?

	Men	Women
Yes	13.3	15.0
No	86.7	85.0

- c) Women and men are equally likely to have had their first job in a legal job setting in the same sector and specialty (Table 11).

Table 11

First Legal Job Setting After Graduating
From Law School or After Judicial Clerkship

	Men	Women
Private practice	65.6	69.3
Corporate counsel	5.5	6.9
Federal government	4.8	3.4
State or local government	8.9	12.8
Military	3.1	0.0
Legal Aid/Public Interest	8.2	4.2
Professor/Teacher	0.3	0.4
Court employee	1.8	0.5
Other	1.8	2.5

- d) Women and men:
i) are equally likely to work full time (Table 12).

Table 12

Work Week:

	Men	Women
Full time	95.6	89.7
4 days/week	2.4	3.6
2 to 3 days/week	1.7	6.1
Less than 2 days/week	0.3	0.6

ii) work the same number of hours per week (Table 13).

Table 13

Average Number of Hours (Billable and Non-Billable)
Worked Per Week

	Men	Women
Less than 40	13.5	17.4
40 to 60	75.5	75.3
60 to 80	10.6	7.1
80 and above	0.4	0.2

iii) work the same number of weekends per month
(Table 14).

Table 14

Average Number of Weekends Worked Per Month

	Men	Women
0	36.7	41.2
1	39.9	38.8
2 to 3	21.7	18.4
4	1.7	1.6

iv) take the same amount of vacation time per year
(Table 15).

Table 15

Vacation Time Actually Taken Per Year

	Men	Women
None	1.4	1.2
1 week or less	4.5	4.8
2 weeks	28.0	26.3
3 to 4 weeks	57.7	62.9
5 to 6 weeks	7.7	4.4
7 or more weeks	0.7	0.4

f) Men and women spend equal amounts of time in law-related outside activities when we control for amount of time in present position (Table 19).

Table 19

Outside Activities

Pro Bono Work:

	Men	Women
0 hours	52.7	61.0
1 to 5 hours	28.3	23.8
6 to 10 hours	13.0	10.7
11 to 25 hours	3.2	3.6
26+ hours	2.8	0.9

Teaching:

	Men	Women
0 hours	78.2	85.5
1 to 5 hours	10.2	9.7
6 to 10 hours	6.7	2.3
11 to 25 hours	3.6	1.4
26+ hours	1.3	1.1

Bar activities:

	Men	Women
0 hours	63.4	57.7
1 to 5 hours	26.9	34.1
6 to 10 hours	5.3	5.6
11 to 25 hours	4.0	1.3
26+ hours	0.4	1.3

Community Activities:

	Men	Women
0 hours	40.3	51.0
1 to 5 hours	36.0	31.8
6 to 10 hours	15.4	11.4
11 to 25 hours	5.9	4.7
26+ hours	2.4	1.1

Board Membership (Profit):

	Men	Women
0 hours	88.8	98.3
1 to 5 hours	7.0	1.5
6 to 10 hours	2.8	0.2
11 to 25 hours	0.9	0.0
26+ hours	0.5	0.0

Board Membership (Not-For-Profit):

	Men	Women
0 hours	65.1	75.4
1 to 5 hours	18.7	14.7
6 to 10 hours	11.9	5.9
11 to 25 hours	3.0	3.1
26+ hours	1.3	0.9

- g) When we control for amount of time in current job setting, men and women are equally likely to have been and to be in the same specialties (Tables 20, 21).

Table 20

Primary Specialty - First Job After Law School

	Men	Women
Bankruptcy	6.1	2.8
Corporation/banking/business law	25.0	18.9
Criminal law	13.2	9.1
Family law	5.7	10.0
General civil litigation	32.8	38.1
Labor/employment	6.4	7.4
Municipal law	5.4	3.6
Natural resources	3.4	1.5
Patent/trademark/copyright	2.7	2.1
Probate and trusts	5.4	10.9
Real estate	15.9	16.2
Taxation	10.8	8.3
Torts and insurance	11.5	12.3
Other	13.5	14.7

Table 21

Specialty of Practice During Last 12 Months

	Men	Women
Bankruptcy	5.4	3.4
Corporation/banking/business law	27.4	24.5
Criminal law	12.5	8.1
Family law	5.1	11.7
General civil litigation	27.4	33.6
Labor/employment	9.4	9.6
Municipal law	7.4	4.3
Natural resources	4.7	1.7
Patent/trademark/copyright	5.1	4.0
Probate and trusts	8.4	12.8
Real estate	24.7	22.3
Taxation	10.8	8.5
Torts and insurance	15.2	13.0
Other	14.2	21.9

III. Job Satisfaction

When we examine subjective measures of job satisfaction we find that for the most part both men and women seem reasonably satisfied with their work. However, women are more likely to report being less satisfied. Women are more likely to find the number of hours worked per week to be unattractive (Table 22). The following tables show overall high levels of satisfaction. Women and men are equally satisfied concerning the financial rewards of their job, the time they spend with family, the intellectual challenge of the job, and feedback from superiors. However, on all the other measures, men are either more likely to be very satisfied or women are more likely to be dissatisfied. The biggest difference concerns the amount of input into

management decisions (Table 23). Women also report a higher level of overall dissatisfaction with their job (Table 24). Some of these differences become magnified when we examine the amount of time an attorney has been at his or her current position. Women in the 1 to 5 year category are more likely to feel that they do not have enough time for themselves (51.7% vs. 14.7% of men). Fewer women in the 1 to 5 year category feel they are respected by judges (52.3% vs. 73.0% of men). Women at both ends of the experience spectrum (1 to 5 year and 16 or more years categories) do not feel they have enough input into management decisions (1 to 5: 57.3% vs. 39.7% of men; 16 or more: 47.0% vs. 20.0% of men). Fewer women in the 6 to 10 year category consider the tension level on the job acceptable (59.8% vs. 86.6% of men). If one examines the overall satisfaction of men and women, we find, as mentioned earlier, that most are satisfied. Only in the 1 to 5 year category is the overall level of job satisfaction lower for women (64.8% of women vs. 84.8% of men say they are satisfied).

Table 22

Number of Hours Worked Per Week

	<u>Men</u>	<u>Women</u>
Attractive	34.1	38.0
Neutral	46.0	35.1
Unattractive	19.9	26.9

Table 23

Job Satisfaction

The financial rewards are great

	Men	Women
Very Descriptive	23.7	20.3
Somewhat	43.0	43.7
Not Very	21.3	22.8
Just the Opposite	11.0	12.6
N/A	1.0	0.6

I have enough time to spend with my family

	Men	Women
Very Descriptive	21.4	22.5
Somewhat	43.4	36.3
Not Very	23.7	23.1
Just the Opposite	7.8	11.9
N/A	3.7	6.2

I have enough time for myself

	Men	Women
Very Descriptive	17.9	17.6
Somewhat	39.3	31.6
Not Very	31.1	29.0
Just the Opposite	11.0	21.6
N/A	0.7	0.2

The opportunity for me to advance is very good

	Men	Women
Very Descriptive	26.2	19.0
Somewhat	32.1	43.5
Not Very	19.3	18.4
Just the Opposite	10.0	14.1
N/A	12.4	5.0

I am respected and treated as a professional
colleague by my superiors

	Men	Women
Very Descriptive	62.3	50.5
Somewhat	19.7	35.7
Not Very	3.4	6.7
Just the Opposite	1.7	2.3
N/A	12.9	4.8

I am respected and treated as a valuable
advisor by clients

	Men	Women
Very Descriptive	62.3	52.0
Somewhat	26.7	36.9
Not Very	2.1	3.5
Just the Opposite	0.3	0.2
N/A	8.6	7.4

I am respected and treated in the same way as
other lawyers by judges

	Men	Women
Very Descriptive	45.1	24.0
Somewhat	26.6	34.2
Not Very	2.7	8.3
Just the Opposite	1.0	1.4
N/A	24.6	32.1

Level of pressure/tension on the job is acceptable

	Men	Women
Very Descriptive	31.2	22.0
Somewhat	45.2	45.4
Not Very	16.1	19.9
Just the Opposite	7.2	11.7
N/A	0.3	1.0

I am satisfied with the degree of responsibility
I am given on case matters

	Men	Women
Very Descriptive	66.3	54.2
Somewhat	22.8	31.0
Not Very	5.1	8.3
Just the Opposite	1.0	3.5
N/A	4.8	3.0

I have considerable input into management decisions

	Men	Women
Very Descriptive	43.6	23.7
Somewhat	24.1	20.6
Not Very	17.7	24.1
Just the Opposite	10.2	25.0
N/A	4.4	6.6

Status/prestige with colleagues outside of my firm/job setting is high

	Men	Women
Very Descriptive	49.4	34.2
Somewhat	40.5	44.4
Not Very	7.4	15.5
Just the Opposite	0.7	4.0
N/A	2.0	1.9

The intellectual challenge of my work is great

	Men	Women
Very Descriptive	45.3	39.5
Somewhat	41.2	45.1
Not Very	10.5	11.7
Just the Opposite	2.0	2.7
N/A	1.0	1.0

As a senior lawyer I provide frequent instruction or training

	Men	Women
Very Descriptive	36.2	22.9
Somewhat	30.7	21.0
Not Very	8.9	8.2
Just the Opposite	1.7	2.0
N/A	22.5	45.9

Superiors provide frequent feedback on my work

	Men	Women
Very Descriptive	8.9	12.8
Somewhat	27.5	31.5
Not Very	24.7	28.1
Just the Opposite	9.6	14.8
N/A	29.3	12.8

Table 24

Overall Job Satisfaction

	Men	Women
Very satisfied	38.4	28.7
Somewhat satisfied	42.2	38.4
Neutral	8.5	8.0
Somewhat dissatisfied	8.2	18.3
Very dissatisfied	2.7	6.6

IV. Women are more likely to believe they are being discriminated against than men believe women are being discriminated against. However, most women believe they are treated in the same way as men. The following table (Table 25) shows that roughly 1/2 of both women and men believe men and women are treated equally. However, approximately 20% of women clearly feel they are treated less well than men. Men are not as likely to believe they are treated better than women. A substantial percentage of women report receiving less respect than their male counterparts in a number of areas. This is a particular problem with opposing attorneys, one that over 27% of men also recognize. It does not appear to be a problem with peers (Table 26).

Table 25

Comparative Treatment by Sex

Compared to similarly situated members of the opposite sex in my present job setting, my compensation is:

	Men	Women
Lower	1.8	18.2
The same	58.0	52.4
Higher	6.0	2.1
Not sure	13.8	18.8
There are no members of the opposite sex	20.4	8.5

The opportunities for advancement in my present job setting as compared to similarly situated members of the opposite sex are:

	Men	Women
Less	4.4	26.1
The same	60.5	45.8
More	8.8	1.8
Not sure	7.4	17.8
Not applicable	18.9	8.5

The amount of encouragement for performance I receive from my superiors as compared to similarly situated members of the opposite sex is:

	Men	Women
Less	4.7	18.3
The same	52.6	48.9
More	2.7	4.4
Not sure	9.8	16.5
Not applicable	30.2	11.9

The extent of participation in management decisions in my present job setting as compared to similarly situated members of the opposite sex is:

	Men	Women
Less	3.0	17.7
The same	56.1	51.8
More	10.2	4.2
Not sure	4.8	10.4
Not applicable	25.9	15.9

Table 26

Perceived Respect

How would you rate the amount of respect you receive from the following as compared to similarly situated members of the opposite sex:

Superiors

	Men	Women
Less	0.5	25.4
The same	60.0	51.4
More	9.1	5.6
Not sure	6.8	8.7
Not applicable	23.6	8.9

Clients

	Men	Women
Less	2.2	24.3
The same	37.0	49.1
More	27.9	4.0
Not sure	11.4	9.9
Not applicable	21.5	12.7

Judges/Hearing Officers

	Men	Women
Less	2.3	19.3
The same	41.7	33.5
More	11.9	0.7
Not sure	9.2	9.4
Not applicable	34.9	37.1

Peers

	Men	Women
Less	0.0	10.8
The same	73.6	75.4
More	12.3	4.0
Not sure	4.5	6.8
Not applicable	9.5	3.0

Opposing Attorneys

	Men	Women
Less	0.5	36.0
The same	44.1	37.4
More	27.7	1.6
Not sure	11.8	12.6
Not applicable	15.9	12.4

In general, men and women tend to believe female lawyers perform as equally well as male lawyers. Men are very unwilling to admit women may perform better than men. The two areas in which a substantial percentage of both men and women agree men do better than women is in making contacts with potential clients and in attracting clients. More women than men believe men do better in their contacts with and exposure to lawyers outside the firm (Table 27).

Table 27

Performance of Female Lawyers

Professional Commitment

	Men	Women
Better than male lawyers	4.3	19.0
As well as male lawyers	74.0	66.6
Not so well as male lawyers	14.1	10.1
Not applicable	7.6	4.3

Number of Hours Worked

	Men	Women
Better than male lawyers	9.0	18.9
As well as male lawyers	62.0	63.1
Not so well as male lawyers	21.0	13.3
Not applicable	8.0	4.7

Working Relationships with Existing Clients

	Men	Women
Better than male lawyers	2.5	10.5
As well as male lawyers	71.3	66.5
Not so well as male lawyers	9.8	11.3
Not applicable	16.4	11.7

Contacts with Potential Clients

	Men	Women
Better than male lawyers	1.1	2.1
As well as male lawyers	42.6	34.8
Not so well as male lawyers	24.8	34.4
Not applicable	31.5	28.7

Success At Attracting Clients

	Men	Women
Better than male lawyers	0.0	1.7
As well as male lawyers	29.5	24.6
Not so well as male lawyers	35.8	39.6
Not applicable	34.7	34.1

Working Relationships Throughout the Firm

	Men	Women
Better than male lawyers	4.8	18.6
As well as male lawyers	73.5	56.8
Not so well as male lawyers	12.5	19.0
Not applicable	9.2	5.6

Contacts/Exposure to Lawyers Outside the Firm

	Men	Women
Better than male lawyers	1.5	7.4
As well as male lawyers	74.5	64.5
Not so well as male lawyers	10.5	18.5
Not applicable	13.5	9.6

Professional Not-For-Profit Activities

	Men	Women
Better than male lawyers	10.3	18.7
As well as male lawyers	51.9	45.4
Not so well as male lawyers	8.4	11.3
Not applicable	29.4	24.6

V. Discrimination

Equal percentages of men and women (53.8% of men and 52.5% of women) believe they personally have been discriminated against because of their sex. Approximately equal percentages of men and women (46% of men and 52.3% of women) believe they have witnessed acts of sexual discrimination against female attorneys (not including incidents where the respondent was a victim). In addition, approximately equal percentages of men and women believe they have witnessed acts of sexual discrimination against men (where the

respondent is not a victim). However, only 4.6% of men and 5.2% of women have witnessed such acts. The most frequently reported acts of sexual discrimination reported were discrimination in work assignment and discrimination in treatment (Table 28). The most frequently mentioned parties responsible for sexual discrimination were supervisors and other/opposing attorneys (Table 29).

Table 28

If You Believe You Have Been Discriminated Against While
An Attorney Because of Your Sex, What Form Did
The Discrimination Take?

	Men	Women
Sexual harassment	15.5	13.6
Discrimination in hiring	12.2	11.7
Discrimination in promotion	12.5	14.7
Discrimination in work assignment	24.7	28.7
Discrimination in treatment	33.4	33.4
Verbal abuse	20.3	18.3
Discrimination in pay	17.9	19.2
Adverse rulings	6.8	6.4
Other	4.7	4.9

Table 29

Who Was Responsible For the Act(s) of Discrimination?

	Men	Women
Co-worker	11.1	10.9
Supervisor	37.5	34.2
Judge/Hearing Officer	15.9	17.0
Client	17.6	19.2
Other/Opposing Attorney	26.4	26.6
Other court personnel	7.4	8.5
Nonlegal employee of law firm/organization	9.5	10.2
Other	4.7	4.2

As the following table shows, both men and women overwhelmingly believe women attorneys encounter sex discrimination. Yet many women and men believe the position of women attorneys has improved over the last five years. In the following tables, we see that for the most part men and women share the same views about the position of women attorneys. Less significantly, because expected, men are more likely to be skeptical about women attorneys and women attorneys are more likely to be enthusiastic about the capabilities of women attorneys. Consistent with the other overall levels of satisfaction, we find that very few men or women attorneys would not choose to become attorneys again (Table 30).

Table 30

Attitudes Toward Discrimination

Women Attorneys Encounter Discrimination
Because of Their Sex

	Men	Women
Disagree Strongly	7.3	1.3
Disagree	20.2	8.8
Neither Agree nor Disagree	12.9	7.4
Agree	48.8	58.5
Agree Strongly	10.8	24.0

Women Attorneys Receive Favorable Treatment
Because of Their Sex

	Men	Women
Disagree Strongly	12.8	27.7
Disagree	46.6	51.0
Neither Agree nor Disagree	19.8	10.9
Agree	20.8	9.4
Agree Strongly	0.0	1.0

The Situation for Women Attorneys Has Improved
Over the Past Five Years

	Men	Women
Disagree Strongly	0.0	1.1
Disagree	1.0	8.0
Neither Agree nor Disagree	9.0	16.3
Agree	66.3	62.9
Agree Strongly	23.7	11.7

If I Had the Opportunity to Choose Again,
I Would Still Choose to Become an Attorney

	Men	Women
Disagree Strongly	3.8	5.2
Disagree	5.2	13.7
Neither Agree nor Disagree	13.2	11.8
Agree	45.4	37.5
Agree Strongly	32.4	31.8

Women Attorneys Should Receive Special
Treatment Because They Have Special Needs

	Men	Women
Disagree Strongly	23.4	23.8
Disagree	41.3	36.0
Neither Agree nor Disagree	16.1	18.6
Agree	17.8	18.8
Agree Strongly	1.4	2.8

Women Attorneys Make Too Much of an Issue
Of Sex Discrimination Against Them

	Men	Women
Disagree Strongly	9.5	34.4
Disagree	36.2	39.2
Neither Agree nor Disagree	33.3	17.8
Agree	17.5	6.1
Agree Strongly	3.5	2.5

Women Attorneys Are as Capable as Men Attorneys

	Men	Women
Disagree Strongly	0.3	0.6
Disagree	1.7	0.3
Neither Agree nor Disagree	4.9	0.6
Agree	40.3	15.7
Agree Strongly	52.8	82.8

Women Attorneys Will Never Achieve Equal
Status with Men Attorneys

	Men	Women
Disagree Strongly	26.9	14.3
Disagree	42.3	35.6
Neither Agree nor Disagree	16.4	19.1
Agree	11.5	26.4
Agree Strongly	2.9	4.6

I Prefer to Work with Other Attorneys
Of the Same Sex

	Men	Women
Disagree Strongly	19.6	6.7
Disagree	41.0	28.4
Neither Agree nor Disagree	33.2	54.2
Agree	5.2	9.0
Agree Strongly	1.0	1.7

I Prefer to Work with Clients of the Same Sex

	Men	Women
Disagree Strongly	21.7	7.2
Disagree	40.2	28.5
Neither Agree nor Disagree	35.0	55.6
Agree	2.8	7.4
Agree Strongly	0.3	1.3

I Prefer to Work with Judges of the Same Sex

	Men	Women
Disagree Strongly	21.3	5.9
Disagree	34.4	24.4
Neither Agree nor Disagree	40.1	58.7
Agree	3.2	8.6
Agree Strongly	1.0	2.4

Men Attorneys are Often Discriminated Against
When Their Supervisors are Women

	Men	Women
Disagree Strongly	13.9	35.6
Disagree	38.8	41.5
Neither Agree nor Disagree	42.0	20.6
Agree	4.6	1.9
Agree Strongly	0.7	0.4

VI. Maternity Leave/Child Care

High percentages of lawyers reported that women lawyers in their firm have left for maternity/child care leave and returned to the firm. 69.3% of lawyers report there is paid maternity leave at their firm or organization for women lawyers. Only 4.7% of respondents reported there was paid child care for women lawyers and 3.2% reported there was paid child care for men lawyers (Table 31).

Table 31

Does Your Firm/Organization Have the Following Policies:

	<u>Yes</u>	<u>No</u>
Paid maternity leave for women lawyers	69.3	30.7
Paid paternity leave for men lawyers	17.5	82.5
Paid child care for women lawyers	4.7	95.3
Paid child care for men lawyers	3.2	96.8

VII. Differences by Number of Years at Current Position

As we indicated, women tend to have spent fewer years at their current position than men. The following discussion examines the effects of this on the previous findings.

In other words, we want to compare female attorneys who have been in their present job setting less than one year with male attorneys who have been in their present job setting less than one year. Similarly, we compare women and men who have been in their present job settings between one and five

years, and so on. The categories used for "Time in Present Job Setting" are:

Less than 1 year
1 to 5 years
6 to 10 years
11 to 15 years
16 and more years

At none of the above levels of duration was there a significant age difference between men and women. However, women in the 1 to 5 year category are less likely to be married than their male counterparts (58.5% vs. 77.0%). This is also the case for the most senior attorneys (38.9% of women vs. 80.4% of men). Related to this, women in general are less likely to have children than male peers.

Percentage with 0 Children

Time in Present Setting	Men	Women
Less than 1 year	58.3	80.4
1 to 5 years	44.4	63.2
6 to 10 years	30.2	47.2
11 to 15 years	11.8	29.0
16 and more years	5.4	55.6

As with their first job, women in the 1 to 5 year category are still less likely to work 2,000 or more hours per year than their male peers (32.0% of women vs. 52.9% of men work 2,000+ hours) and report that they are more satisfied with their hours (40.0% vs. 28.0% of men). Women in this category are also more likely to work part-time than men (11.3% vs. 2.4%). Interestingly, women in the 11 to 15 year category report stronger feelings about their level of

satisfaction with their hours than male peers. They tend to either find the hours worked more attractive (45.2% vs. 32.4%) or less attractive (38.7% vs. 17.6%) than men.

On a related issue, women do in fact earn less than their male peers for a substantial portion of their careers. Salary differences exist in the 1 to 5 year and 6 to 10 year categories.

Example

<u>Salary</u>	<u>Time in Present Job Setting</u>			
	<u>1 to 5 Years</u>		<u>6 to 10 Years</u>	
	<u>Men</u>	<u>Women</u>	<u>Men</u>	<u>Women</u>
\$100,000 or more	16.0	3.3	33.8	14.8
\$36,000 or less	15.2	29.1	5.7	12.9

One can also examine the involvement of attorneys in activities outside the job for gender differences. What we find is that there are no differences between men and women in terms of the amount of pro bono work they do, their involvement in community activities, the amount of teaching done, or in board membership on not-for-profit organizations. Women in the more senior category (16 years or more) are more active in bar activities than their male peers (83.3% of women vs. 45.5% of men devote some time per month).

The perception of the attitudes and assumptions respondents believe to be common among partners, supervisors, and

executives was examined and several differences were found. Women in the 1 to 5 and 6 to 10 year categories are more likely to feel that their superiors would disagree with the statement that maternity leave is an asset in recruiting and retaining legal talent (1-5: 33.4% vs. 14.1% of men; 6-10: 35.0% vs. 16.0% of men). Women who have been in their present job setting 6 or more years are more likely than their male peers to feel that their superiors think maternity leave affects a woman's performance.

Partners/supervisors/Executive believe

Percentage Who Think Maternity Leave or Being a Working Mother Does Affect Performance

<u>Time in Present Job Setting</u>	<u>Men</u>	<u>Women</u>
6 to 10 years	26.5	51.0
11 to 15 years	37.9	55.2
16 or more years	21.3	31.3

Women in the 1 to 5 and 6 to 10 year categories feel that their superiors do not think that working mothers are among their best lawyers.

Percentage Who Think Working Mothers Not Among Best Lawyers

<u>Time in Present Job Setting</u>	<u>Men</u>	<u>Women</u>
1 to 5 years	21.6	33.6
6 to 10 years	12.3	29.3

Younger women attorneys (those in the 1 to 5 year category) also believe that their supervisors think that a woman should return from maternity leave as soon as possible if she is serious about her career (72.2% vs. 57.6% of men).

The respondents were asked a series of questions about their beliefs on sex discrimination, working relationships, and ability of women. Women were more willing to say that women attorneys do encounter sex discrimination.

Percentage Who Agree Women Attorneys Do
Encounter Sex Discrimination

<u>Time in Present Job Setting</u>	<u>Men</u>	<u>Women</u>
1 to 5 years	66.9	85.3
6 to 10 years	52.9	78.7
11 to 15 years	60.6	80.7

Women who have been in their present job 5 years or less were less willing to agree with the statement that women get special treatment.

Percentage Who Agree That Women Get Special Treatment

<u>Time in Present Job Setting</u>	<u>Men</u>	<u>Women</u>
Less than 1 year	21.7	7.9
1 to 5 years	21.5	9.6

To sum up this section on attitudes, we find that women in the 1 to 5 and 6 to 10 year categories do not feel as strongly as their male peers that the situation for women attorneys has improved over the past 5 years.

Percentage Who Agree That the Situation
Has Improved for Women

<u>Time in Present Job Setting</u>	<u>Men</u>	<u>Women</u>
1 to 5 years	92.6	70.5
6 to 10 years	86.8	81.3

