

**Equality at the Starting Line? Gender- and Race-Based Differences at the Transition from  
Law School to the Legal Profession**

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## **Abstract**

Data from a longitudinal national survey, *After the JD (AJD) Study*, are used to investigate how the numbers of job offers law school graduates received from private and public employers are influenced by individuals' social, cultural, human and economic capitals, and how job offers as an outcome of law education influence their income after controlling for other-income generating factors. The results indicated that women and minorities received significantly lower numbers of job offers than their counterparts from private employers after controlling for factors such as law school ranking, foreign-born parent(s), and personal finance of law education. In addition, the number of job offers from private employers had a positive impact on the annual income two years after graduation for both male and female lawyers that was even stronger than the ranking of law school attended. The significant differences between genders and among individuals of different racial backgrounds are a clear indication of inequality and against the commitment to diversity in the legal system.

## **Equality at the Starting Line? Gender- and Race-Based Differences at the Transition from Law School to Legal Profession**

The primary interest of this study is to understand diversity issues in the legal profession by examining gender and racial differences at the transition from law school to the labor market. According to the American Bar Association (ABA), diversity is one of the prominent values that law schools and profession embrace today (Lempert et al., 2000; Reynoso & Amron, 2002). Law schools have used a variety of strategies to recruit women and underrepresented minorities (URM), and the efforts have resulted in observable gains in the number of women (47.8% vs. male 52.2%) and minorities (28.5% vs. White 71.5%) entering legal education. However, diversity cannot be accomplished solely by changing law-school admissions practices. Women and minorities have substantially higher rates of leaving the law profession at all levels of the pipeline (Sterling & Reichman, 2013). Neither group has successfully achieved a sufficient presence in the legal profession. Women and URM account for roughly 35% and 9%, respectively, of over 1,300,000 licensed lawyers nationally (ABA, 2015), which is a strong contrast to their presence of 50% and 32% in the U.S. population (U.S. Census Bureau, 2014).

Up to date, the number of empirical research is very limited that documented the professional experience of women and minorities in law schools and the legal profession. A majority of the studies about gender inequity have focused on satisfaction and earning gaps in the law profession, whereas the concern about racial diversity has remained mostly anecdotal. Within this context, this study presents a theoretically grounded investigation that examines how cultural, social, and economic differences contribute to the outcomes of legal education,

quantified by job offers and income at the entry to labor market, for law students of different gender and racial backgrounds.

## **Review of Literature**

### *Job Offers and Equal Opportunities*

In the legal profession, jobs can be divided into the two general categories: private practice in a for-profit category and government and other public-interest in the not-for-profit category (Kornhauser & Revesz, 2000). Within the for-profit category, a division exists between large law firms that serve corporations and “small” firms that serve personal clients.

Segmentation of lawyers into separate professional categories begins early in their careers, and law school graduates, with different cultural, social, and educational backgrounds, anticipate and accept different types of legal jobs (Dinovizer & Garth, 2007; Kornhauser & Revesz, 2000).

Empirical evidence supports that the initial job a graduate obtains has career-determining consequences. Individuals who obtain corporate positions tend to remain on the higher earning track that services corporate clients, while those who were initially employed in small private practices or in not-for-profit positions tend to have lower earnings, serve individual clients and occupy lower paid government positions (Tamanaha, 2013; see also Dinovizer & Garth, 2007).

National statistics show that large corporate law firms are still “White male institutions,” whereas women and minorities are overrepresented in not-for-profit public interest positions (Dinovizer & Garth, 2007). While law firms seem to be under growing pressure to hire and retain more women and minorities (e.g., Wilkins 2004; McDonough 2005), the question that remains unanswered is how initial job offers received by law graduates differ by gender and race and what are the prolonged impacts of the initial employment offers have on the individuals and employers. It has been found that a variety of factors may influence the dynamics of the gaining

employment opportunities for law school graduates. For instance, graduates from elite law schools receive comparatively more offers, although women and minorities still face their “fair” share of obstacles; also, socioeconomic status may play a role given that the overwhelming majority of elite law school graduates come from very affluent family backgrounds that provide advantageous social access (Dinovizer & Garth, 2007). In comparison, those from low-ranking law schools are more likely to be from modest family backgrounds; upon graduation they receive comparatively fewer offers, have a lower likelihood of working in the largest law firms, and earn lower salaries. The available evidence, though limited, suggests that social, economic, academic, and structural factors all come into play in the process of individuals obtaining jobs at entering the legal profession, but no systematic investigation of this matter has been found in the literature.

There are notions that minorities and women choose to opt out of employment opportunities in large law firms for reasons such as different preferences in lifestyle (Dinovizer & Garth, 2007; Kornhauser & Revesz, 2000); nonetheless, concerns about personal preference is one step too far from the current scope of equal opportunity studies. The lack of understanding about the mechanism leading to individuals obtaining job offers is deeply troubling because there is an essential difference in whether opportunities are available versus whether opportunities are taken. In other words, it is important to investigate whether individuals of comparative quality and trainings have equal access to the same employment opportunities before any discussion of their responses to such opportunities becomes necessary. Given the segmented job markets in legal field, securing an employment with professional potentials is a critical step from law school to a legal path and has a long-term impact on one’s career trajectory. Diversity in the legal profession will not be possible unless individuals of diverse background have equal employment opportunities regardless of differences in gender, race, and other background characteristics.

## *Gender and Racial Disparities*

Concerns about equal opportunity in obtaining job offers can be validated by strong evidence that women and minorities in the legal profession have to confront major challenges associated with biases, traditional stereotypes, isolation and marginalization in the profession (Nance & Madsen, 2014). From the perspective of gender equality, the trend is positive that the number of women increases steadily within the law schools and legal profession; however, the near convergence between the presence of women in the legal pipeline and their presence in the general population does not necessarily translate into gender equality (Kornhauser & Revesz, 2000). On the contrary, findings in the literature consistently suggest that 1) women are far more likely than men to be unemployed or to work part-time after earning a law degree (Tamanaha, 2013); 2) for those having full-time positions in law firms, women lawyers do not achieve the success accorded to their male colleagues, even when they have comparable human capital investment in their careers to the same extent as men (Hagan & Kay, Mossman, 2005). 3) Women are more likely to be in positions of lower earning and less opportunities for promotion; as a matter of fact, projected earnings for women in the legal profession are 25% lower than men because of pay differentials and other career factors, and 4) women at large firms were significantly less likely to be promoted to partner and they leave their jobs at a higher rate than men (Dinovizer & Garth, 2007; Kornhauser & Revesz, 2000; Patterson & Maven, 2009;).

In comparison, status of racial minorities in the legal profession appears even bleaker. Numerically, not much progress has been witnessed for racial minorities (Payne-Pikus, Hagan, & Nelson, 2010). Recent statistics have shown that racial and ethnic groups are vastly underrepresented in law schools and the legal profession in America (CAIS Scorecard, 2012; see also Reynoso & Amron, 2002). Despite efforts to diversify the profession, racial and ethnic

minorities represent less than 15% of all lawyers. As a matter of fact, the legal profession is less racially diverse than any other American profession. As Reynoso and Amron (2002) argued, “the paucity of Latinos and African-Americans in the legal profession ...is a severe disservice to the administration of justice.”

Decades of data indicate that racial minority lawyers, similar to women, are overrepresented in positions of lower earning and limited opportunities for promotion (Kornhauser & Revesz, 2000). Despite the severe inequality, studies about racial diversity have remained scarce and anecdotal, and even the very limited number of empirical research has focused mainly on race-conscious affirmative action in law school admission (e.g., Lempert et al., 2000). The lack of research on minority lawyers is disturbing because diversity cannot be simply be interpreted as “equal representation” that various racial groups should be represented in the legal profession in proportion to their presence in the general population. Rather, it implies “equal, meaningful participation” in all segments of the legal profession, including equal opportunities for employment and advancement, equal compensation rates, and an equal contribution to discussions and decision-making (Nance & Madsen, 2014).

Within this context, this study is designed to examine the number of job offers obtained by law graduates based on data collected from a nationally representative sample. Further, gender- and race-based differences in private versus public job offers are examined from a theoretical perspective that highlights individual differences in cultural, social, economic, and human capital. In addition, the continuing effect of job offers on individuals’ annual income was analyzed, controlling for other income-generating factors. Systematic understanding of the process leading to job offers and its potential impacts in law professions will provide better

understanding about gender and racial equality and add another layer of knowledge about the supply and demand in the legal labor force.

### *Theoretical Framework*

*Human capital theory (HCT)* is the dominant framework in inequality studies of the legal profession (e.g., Kay & Hagan, 2008; Payne-Pikus et al., 2010). HCT is a neoclassical economic theory that views individuals as rational actors who make educational and occupational decisions based upon a calculation of associated monetary costs and benefits (Melguizo, 2011; Xu, 2015). This theoretical perspective regards education choices (e.g., types of law school) and work experience (e.g., type of employer, full-time/part-time status) as investments, and explains differences in professional outcomes, such as job offers, earnings, and status attainment as gains from past investment (Becker, 1964; Kay & Hagan, 2008).

Although education and skill investments are useful for predicting earning and professional status, HCT falls short in explaining inequity (Kay & Hagan, 1998). For instance, empirical research has repeatedly showed that women obtain lower returns for the same investments in human capital than do men (Dinovizer et al., 2009; Xu, 2015). Moreover, HCT fails to take into consideration that individuals' decision making goes beyond the econometric formulation of material self-interest; rather, social, cultural, and structural norms also affect one's choices by providing incentives that can change their values and expectations (Huber, 1997). In fact, evidence is ample that gender and racial inequalities result from a combination of individual, structural, and organizational attributes (Kay & Hagan, 1998; Xu, 2015). Therefore, along with HCT, this study also takes advantage of Bourdieu's theorization of cultural, social, and economic capitals to guide the examination of how measures of individual capital interact

with the structural norms in legal profession to impact educational and professional outcomes of law students.

*Cultural capital* can be interpreted as an individual's cultural background and parent-related factors that define one's class status (Xu, 2013). It refers to the heritage, knowledge, and traits an individual possesses in order to compete in a social structure dominated by the values of the majority (Bourdieu & Passeron, 1977). According to Bourdieu (1986), individuals' cultural capital is converted into educational credentials, and ultimately occupational success. Empirical studies have found that cultural capital contributes to college students' academic mastery (Goyette & Mullen, 2006), accumulation of social capital (Bourdieu & Passeron, 1977), and career attainment (Stoecker & Pascarella, 1991).

The role of cultural capital in legal education has remained implicit but assertive. For instance, law schools place a high reliance on LSAT scores, turning down a disproportionately large percentage of URM applicants, even though studies have found that LSAT scores have little predictive power of later success in legal profession (Olivas, 2005; Reynoso & Amron, 2002). Nonetheless, due to limited attention, it is unclear what influences other cultural factors, such as parents' education and immigration background, have on individuals' persistence and success in legal profession.

*Social capital* is "the aggregate of the actual or potential resources which are linked to possession of a durable network" (Bourdieu, 1986). Social capital is essential to legal professionals because the practice of law is organized around networks (Patton, 2005). For law school students, social capital consists of the ability to draw on relationship networks for establishing or expanding support and increasing professional opportunities in the future. Studies have found that students' institutional experiences and connections contribute to personal gains,

persistence in academic programs, and career attainment (Griffith, 2010; Pascarella & Terenzini, 2005). However, women and minority continue to experience a hostile social environment and difficulties integrating socially (Reynoso & Amron, 2002).

*Economic capital* refers to the financial resources and physical materials that can be directly convertible into money. Given the drastic rise in law school tuition and the resultant student debts, it is critical to understand the role of economic capital in students' persistence and the valuation of a legal education. During the period of 1990-2009, on average private law school tuition rose by 5-9% a year (Ehrenburg, 2013). About 90% of law students borrow to finance their education, which led to average debts rising from \$70,147 in 2001 to \$124,950 in 2011 for private law school graduates, and from \$46,499 to \$75,728 for those in public law schools over the same period (Tamanaha, 2013).

High tuition and the resulting debt in legal education have increased economic pressure and lowered opportunities for students from low-SES backgrounds, the vast majority being racial minority students (Morrissey, 2006). In addition, high debts may have negatively impacted women and minorities' progress in law education and the legal profession to a much greater degree given that they are distributed disproportionately in less prestigious positions and have lower earnings than their White male counterparts (Reynoso & Amron, 2002).

*Cultural, social, and economic capitals* are interconnected and their functions in individuals' educational and professional developments are conditioned by the residing structural environment and dominant organizational norms. Even though in Bourdieu's conception there are important connections between social structures and different forms of personal capital, little attention has been given to how different factors function together to influence the professional progress of law students. To fill the gap, the study is designed to answer two research questions:

- 1) How is the number of job offers students received from private and public employers at graduation from law school influenced by individuals' social, cultural, economic, and human capitals? Job offers are separated by private sector and public interest because evidence is strong that there is a tremendous earning gap between lawyer salaries in the two types of employers in the legal systems (NALP, 2014).
- 2) How do job offers as an outcome of law education influence individuals' income after controlling for individual differences in cultural, social, economic, and human capital?

### **Methods**

Data from a longitudinal national survey, *After the JD (AJD) Study*, are used to investigate the experiences of students of different cultural, social, and economic backgrounds during the transition from law school to the legal profession. AJD is the first national survey of law graduates in the U.S. The initial sample was representative of the national population of lawyers who were admitted to the bar in 2000 and graduated from law school during the time period from June 1998 to July 2000. The first wave (AJD1) of data was collected in May 2002 and completed with a response rate of 71% and a total of 4,538 valid responses. The data collection “provided a snapshot of the personal lives and careers of this cohort about three years after they began practicing law” (ICPSR, 2014); the survey collected information about respondents' demographic characteristics, financing of legal education, law school and the transition to practice, practice settings, income, and satisfactions with different job dimensions.

A second wave (AJD2) was designed to follow up after approximately seven years in practice, and the third and last wave of data collection (AJD3) took place in 2012 from individuals who had previously responded to either AJD1 or AJD2 (ICPSR, 2014). For the purpose of this study, only data from AJD1 are analyzed. After data preparation and removal of

cases missing critical information (e.g., income, gender, and race), this study has a weighted sample size of 4,537, of which 44% were female and 17% were racial minorities. In all three waves, the sampling design used a two-stage process. The first stage was to divide the nation into eighteen strata by region and size of the new lawyer population, from each of which one primary sampling unit (PSU) was chosen. During the second stage, individual lawyers were sampled from the PSUs based on a design that would lead to a weighted sample representative of the national population. As such, the sample includes new lawyers from 18 legal markets -- ranging from the 4 largest markets (New York City, District of Columbia, Chicago, and Los Angeles) to 14 other areas consisting of small metropolitan areas to entire states. As such, data used in this study were weighted in the descriptive and inferential statistical analyses.

### *Variables*

In order to answer the two research questions about job offers within the aforementioned theoretical framework, variables from the AJD data were employed in the following manner:

- 1) Cultural capital is measured by race/ethnicity, parents born in the U.S., and highest educational attainment of parents. Due to the extremely low number of participants from certain racial groups, *race* was dichotomously coded into White vs. minorities.
- 2) Due to the lack of direct measures, social capital is quantified with two proxies, including whether a respondent actively participated in organizational activities in law school, and whether family members, friends, and/or alumni helped the individual find a job. In particular, social participations in law school were captured by the total scores of self-reported participations in organizations such as school government, political advocacy group, gender-based organization, and college alumni/ae association, etc.

- 3) Economic capital is quantified by total law school education loan amount, and the percentage of funding from personal resources.
- 4) Since all respondents have a law school degree, their differences in human capital investment are measured by the ranking of the law school attended, participation in legal-related activities and organizations in law school (e.g., American Bar Association - Student Division, and public interest law group), and personal evaluation about the importance of past experiences in legal services toward obtaining the first employment.
- 5) Demographic information includes gender, age, marital status, and number of children.
- 6) Structural experience is captured by the type of position (part-time/full-time, practicing lawyer) held by an individual and whether s/he experienced discrimination at work. These two variables are used in the analysis of annual salary only.
- 7) Career outcome at the entry level served as the dependent variables, which were captured using the number of job offers received from public and private sectors by a respondent, and annual income (total salary/bonus) at the job held two years after graduation.

### *Analytical Procedures*

Comparisons across groups were first completed with descriptive statistics to offer an overview of gender and racial differences in the major measures used in the study. To answer the first research question, two multiple regression models of identical structure were constructed, one using the number of job offers from private employers as the dependent variable, the other using the number of job offers from public sectors as the dependent variable. Findings of the two models would shed light on the different factors contributing to the job offers received by individuals. To answer the second research question, another two regression models, one for males and the other for females, were constructed to understand how job offers impact incomes

of male and female legal professionals differently after controlling for other variance-contributing factors.

## Results

Descriptive information of the major variables is presented in Table 1 to show the differences across the four groups defined by gender and minority status. This nationally representative sample of entry-level legal professionals consisted of 53.4% males and 46.6% females. Among them, about 16.6% of males and 20.4% of females were racial/ethnic minorities. Given the large sample size, a conservative  $\alpha = .005$  level of significance was used for the following tests. First, there was no statistical difference between genders with regard to the average rankings of the law school they attended; the average ranking of law schools attended by minority students appeared to be better than that of White students, but the difference was statistically nonsignificant ( $p > .05$ ). Second, minorities, in particular minority women, had significantly higher amounts of educational loans after completing law school ( $p < .001$ ). Third, women had a significantly lower likelihood to be employed fulltime; for those who were employed fulltime, women had significantly lower average incomes ( $p < .001$ ) in comparison to their male counterparts. Finally, male law school graduates received significantly higher numbers of job offers than their female counterparts ( $p < .005$ ), whereas individuals of racial/ethnic minority backgrounds had a significantly ( $p = .004$ ) higher number of public offers (0.71) than their White counterparts (.60).

With the observed differences in job offers and other factors, further findings from two regression models are presented in Table 2 that highlighted which cultural, social, human, and economic capitals contributed significantly to the number of job offers received by law graduates. According to the model, factors that contributed positively to number of job offers received from

private employers included being a male ( $p < .001$ ), being a Caucasian ( $p < .001$ ), having graduated from law schools of higher ranks ( $p < .001$ ), having had more active participation in legal-related activities in law school ( $p = .004$ ), and having graduated with a higher education debt ( $p < .001$ ). In comparison, factors that contributed negatively to the number of private job offers included that both parents were US-born ( $p < .001$ ), and having had a higher percentage of law education costs financed through student loans ( $p < .001$ ). In comparison, the number of job offers from public employers was significantly higher for individuals who are racial minorities ( $p < .001$ ), with both US born parents ( $p < .001$ ), were more active in participating in both social ( $p < .001$ ) and legal ( $p < .001$ ) activities/organizations in law school, obtained law degree from less prestigious schools ( $p < .001$ ), and had a stronger personal belief that past legal experience was important in obtaining first job after graduation ( $p < .001$ ).

Finally, two more regression models, one for male and the other female, were constructed to examine the continuing effect of job offers on individuals' annual income two years after graduation. The annual income was transformed with a logarithms function in order to improve its linear relationships with the independent variables. Regardless of gender, the number of job offers from private employers had the strongest positive impact on individuals' annual income ( $p < .001$ ;  $\beta = 0.298$  for males, and  $\beta = 0.315$  for females), whereas the relationship was negative between the number of job offers from public employers and annual income ( $p < .001$ ), net of the influences from individual differences in cultural, social, economic, and human capitals and organizational experience. Other gender-consistent patterns include the positive impact on individuals' annual income from having graduated from law schools of higher rankings, having foreign born parent(s), lack of participation in social organizations in law school, having had lower reliance on student loans for financing law education, and being employed fulltime.

However, there are several differences between genders. Being a practicing lawyer significantly improved women's income ( $p < .001$ ), but not so for men ( $p = .39$ ). However, the annual income tended to be higher for men who had fewer personal resources for financing law education ( $p < .001$ ) and accumulated more debts at the time of graduation ( $p < .001$ ). Although the two models in Table 2 only explained less than 10% of the variance in number of job offers, the regression models in Table 3 explained roughly 30% of the variance in annual income, which is at a level comparable to other studies of salary and gender equity.

### Discussion

In the legal profession, the common notion appears to be that the kind of job offers received by law graduates has career-determining consequences, but empirical investigation of job offers and their long-term impact are extremely rare in the literature. Inspired by a study of lawyers in Chicago, in which researchers found individuals who started with positions in large law firms tend to remain on the higher earning track, while those who served individual clients and public interests tended to have lower earnings (Tamanaha, 2013), this study separated job offers into private and public categories, and investigated gender- and race-related differences in job offers from a theoretical perspective supported by Bourdieu's framework of cultural, social, and economic capitals.

#### *Factors contributing to job offers*

The results suggest that the number of job offers received by law school graduates is a function of many different factors. First, the regression models support the findings of other studies that graduates of elite law schools received more job offers, and were more likely to be employed by private law firms (Dinovizer & Garth, 2007; Kornhauser & Revesz, 2000). This pattern may be interpreted as a support to the HCT because individuals who made greater

investment by going to higher ranking law schools are rewarded with employment opportunities that offer better economic returns, while those whose law degrees were from less prestigious schools were more likely to receive lower returns from government positions that serve public interests. Second, active participation in legal practice/activities in law school, if treated as personal investment in profession-related experiences, also contributed to significantly increasing the numbers of job offers received from both private and public employers. Arguably, individuals may also grow their professional networks and increase social capital through active participation in legal practice/activities in law school, which indirectly improve their chances of obtaining job offers. Nonetheless, active participation in social organizations in law school was only related to a greater number of job offers from public sectors. The speculation is that students only had limited time for participating in legal practice and/or social organizations in law school. Those who were more concerned with social justice and public interests may have chosen to spend more time participating in social organizations, which improved their readiness for bidding for employment from public employers, but not from private law firms.

Third, economic capital appears to have a relationship with the number of job offers received as well, but the relationship is not easy to decipher. On the one hand, individuals with higher educational debt after degree completion seemed to have more offers from private law firms, possibly with their effort to compete for positions with higher earnings in private firms that would make it easier to pay off the debts. On the other hand, individuals whose debt was more in the form of student loans received significantly fewer job offers from private employers. This difference may be related to socioeconomic status because stronger reliance on student loans is an indicator of insufficient economic backup from family and other personal resources,

but such speculations need to be verified with additional evidence that is not available in the current study.

Fourth, cultural background of the family, quantified by racial background and whether parent(s) were foreign-born, impacted the number of job offers net of other factors that have already been discussed. Having foreign-born parent(s) was related to more job offers from private employers but fewer job offers from public employers. Without evidence to support causation, it is possible that individuals with a foreign background are more likely to perceive employment opportunities in corporate law firms as a path to upward mobility and confirmation of establishment in socioeconomic status. That is, the reward goes beyond economic benefits for people with an immigrant background. However, what would be a plausible explanation for the significantly lower number of job offers from private law firms but significantly more job offers from public offices for racial minority graduates? Kornhauser and Revesz (2000) found that, controlling for other relevant factors, African American and Latino students were more likely to be in not-for-profit positions than their White counterparts. However, no particular reasons have been offered for this difference. As shown in the descriptive analysis, minorities graduated from law schools of comparable, if not higher, ranks, and they had accumulated higher loans waiting to be paid off. The findings may simply imply that minority law students were not offered the same opportunities by private law firms.

Last but definitely not least, controlling for differences in cultural, social, economic, and human capitals, women had received significantly lower numbers of job offers than men from private employers, although gender did not make a difference in the job offers from public employers. Using longitudinal data, Kornhauser & Revesz (2000) observed about two decades ago that “there is an increasing convergence in the initial job choices and career paths of men

and women” (p. 859) in the general legal profession, and gender differences in the choice of employment types seem to be a phenomenon of the past. Still, the national data collected in by the AJD suggested a significant gender inequality in the employment opportunities offered by private law firms, which as shown next, has prolonged impacts on individuals’ legal careers.

### *The Long-Term Impacts of Job Offers Received*

Concerns about the inequality in employment opportunities from private employers, as materialized by the number of job offers, are legitimate because there is a substantial earning gap between lawyer salaries in the private and public employers in the legal systems (NALP, 2014). As found in other studies, wage differences between the sectors of the profession have a larger effect on job choice than debt, and have multidimensional impacts on individuals’ career choice, especially for those who graduated from less elite law schools (Dinovizer & Garth, 2007; Kornhauser & Revesz, 2000). In this study, it is clear that there is a significant earning gap between male and female lawyers right after their career entry. Results of the regression models, controlling for law school ranking and other salary-related factors, indicated that the number of job offers from private employers had an impact on the annual income two years after graduation that was even stronger than the ranking of law school attended for new lawyers, regardless of gender. In contrast, the number of offers from public employers had a negative relationship with annual income, meaning that more public job offers led to a lower income two years into the legal profession.

This finding is deeply troubling when taking into consideration that 1) women and minorities received a significantly lower number of job offers from private employers than their White male counterparts, as previously discussed; and 2) a public interest lawyer with a modest salary expectation generally borrows the same amount to finance their law education (Matasar,

2010). The debt service on their loans would be markedly high in relation to their salaries. Taken together, the findings suggest that women and minority lawyers would experience greater difficulty in paying back their loans and managing other living expenses.

The transition from law school to the legal profession is critical for the career developments of young lawyers. The numbers of job offers they receive, as shown in this study, is not only a function of academic training and preparation, but also associated with other differences in social, cultural, and economic background. The significant gender- and race-related differences are a clear indication of inequality and against the commitment to diversity in the legal system. This study, as one of the first to systematically examine job offers and their prolonged impacts, serves as a reminder of a reality check along every level of the legal pipeline. Evidence is ample that there are structural barriers and a marginalizing work culture in the traditional legal culture of private firms that favor the “old White boys’ club.” More needs to be done in the future to understand the decision-making of private employers during the job-offering process, and to identify and correct potential factors that lead to unequal treatments of applicants who are female and/or racial minorities.

### *Limitations*

First, the data used in this study was collected in 2002 and the experiences of women and minority lawyers may have changed in the past fifteen years. However, the AJD is the first national survey of law graduates in the U.S. that offered comprehensive information and made this study possible. Replication of this study with more recent data, when available, is desirable in order to benchmark progress of diversity in the legal profession. Second, within the private employer category, differences exist between large law firms that serve corporations and “small” firms that serve personal clients. Unfortunately, data on job offers in the AJD did not allow

further differentiation beyond the private and public categories. Third, in some places, proxy measures of social, cultural, economic, and human capital had to be used due to limited information in the AJD data set. For instance, a direct measure of parent/family income was lacking, and had to be replaced by percentage of funding for law education from personal resources. The use of proxies may underestimate the impact of certain variables, but it was inevitable given the guiding theoretical framework. Finally, the regression models of job offers explained less than 10% of the variances in the number of job offers, which suggest that there were other factors related to job offers unaccounted for in the models. Future studies of job offers may add depth to our understanding of obtaining job offers by using different and more complete data sources.

### **Conclusions**

It is important that the legal profession sufficiently represents all groups of American society because diversity is needed to sustain a judicial system that ensures democracy and equal rights of all citizens (Robbins & Matthews, 2014). Diversity in the legal profession is also important because it is needed to overcome inequalities, cultural biases, and discrimination, which are the core values of the legal profession and the rule of law (Wald, 2011). However, the lack of research on diversity in legal education and profession has remained a troubling reality. By investigating the differences in job offers and their impact on the income of law graduates, this study identified gender- and race-based disparities that need to be addressed in order to improve diversity in the legal profession. The goal of this study, along with many others on diversity, is to ensure that more opportunities for socioeconomic mobility and leadership are provided to minorities and women, which is advantageous to our greater society (Nance &, 2014). The effort to increase diversity in the legal profession will help to “elevate historically

underserved communities and thereby contribute to the strength of the nation's economic and social life" (Reynoso & Amron, 2002).

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Table 1.

*Descriptive information by gender and racial background.*

	Male		Female	
	White	Minorities	White	Minorities
<b>Weighted sample size</b>	<b>1,905</b>	<b>379</b>	<b>1,589</b>	<b>408</b>
Law school ranking	4.69	4.79	4.70	4.87
Law school loan	\$58,248	\$59,242	\$59,792	\$63,085
Had lawyer relatives	98%	97%	97%	99%
Total job offers (No. of private offers)	2.82 (1.92)	2.70 (1.73)	2.46 (1.66)	2.66 (1.69)
% Part-time employment (% unemployed)	1.2 (1.9)	1.4 (2.7)	4.4 (6.5)	2.4 (5.1)
Annual income mean (median)	\$85,735 (\$74,000)	\$89,670 (\$75,000)	\$75,359 (\$60,000)	\$80,136 (\$65,000)
Job satisfaction	4.98	4.90	4.88	4.78
Practicing lawyer	89%	89%	84%	86%

*Notes.*

1. All statistics are based on weighted samples.
2. Individuals who reported an annual income lower than \$5,000 are excluded from the income calculation.

Table 2.

*Regression models of job offers received from private and public employers*

	Private offers (Model $R^2 = 0.08$ )			Public offers (Model $R^2 = 0.06$ )		
	<i>b</i>	$\beta$	<i>p</i>	<i>b</i>	$\beta$	<i>p</i>
(Constant)	0.366		0.0327	0.112		0.3178
Sex	<b>0.191</b>	<b>0.072</b>	<b>0.0000</b>	-0.025	-0.014	0.3434
Marital status	0.071	0.027	0.0937	-0.033	-0.019	0.2318
Number of minor dependents	-0.060	-0.038	0.0181	-0.035	-0.034	0.0372
Race	<b>0.191</b>	<b>0.066</b>	<b>0.0000</b>	<b>-0.166</b>	<b>-0.089</b>	<b>0.0000</b>
Parents' education	0.008	0.013	0.4035	-0.004	-0.009	0.5593
Parents US born	<b>-0.145</b>	<b>-0.106</b>	<b>0.0000</b>	<b>0.112</b>	<b>0.126</b>	<b>0.0000</b>
Importance of family/friends' help in obtaining 1 <sup>st</sup> job	-0.029	-0.025	0.0904	0.024	0.032	0.0333
Importance of past legal experience in obtaining 1 <sup>st</sup> job	0.056	0.041	0.0063	<b>0.052</b>	<b>0.058</b>	<b>0.0001</b>
Participation in social organizations in law school	-0.020	-0.028	0.0856	<b>0.052</b>	<b>0.116</b>	<b>0.0000</b>
Participation in legal practice/activities in law school	<b>0.070</b>	<b>0.047</b>	<b>0.0042</b>	<b>0.065</b>	<b>0.067</b>	<b>0.0000</b>
Law education financed by loans (%)	<b>-0.003</b>	<b>-0.082</b>	<b>0.0009</b>	0.000	-0.003	0.8979
Law education financed by personal resources (%)	-0.001	-0.028	0.1265	0.000	-0.008	0.6702
Total law education debt	<b>0.000</b>	<b>0.081</b>	<b>0.0003</b>	0.000	0.004	0.8725
Law school ranking	<b>0.224</b>	<b>0.210</b>	<b>0.0000</b>	<b>-0.054</b>	<b>-0.078</b>	<b>0.0000</b>

Notes. 1. Variable coding. Sex: F = 1, M = 2; Marital status: Married/partnered = 1, single = 0; Race: White = 1, minority = 0; Parents US born: both yes = 2, one yes = 1, both no = 0.

2. Given the very large sample size, a conservative  $\alpha = .005$  is used for level of significance.

Table 3.

*Regression models of annual income (log-transformed) by gender*

	Male (Model $R^2 = 0.29$ )			Female (Model $R^2 = 0.32$ )		
	<i>b</i>	$\beta$	<i>p</i>	<i>b</i>	$\beta$	<i>p</i>
(Constant)	11.704		0.0000	11.406		0.0000
Marital status	-0.004	-0.004	0.8368	-0.003	-0.003	0.9026
Number of minor dependents	0.025	0.046	0.0298	-0.012	-0.016	0.4421
Race	-0.040	-0.035	0.0799	-0.003	-0.002	0.9113
Parents' education	-0.002	-0.010	0.5909	0.011	0.047	0.0225
Parents US born	<b>-0.051</b>	<b>-0.098</b>	<b>0.0000</b>	<b>-0.054</b>	<b>-0.102</b>	<b>0.0000</b>
Importance of family/friends' help in obtaining 1 <sup>st</sup> job	-0.006	-0.013	0.4944	-0.011	-0.026	0.1941
Importance of past legal experience in obtaining 1 <sup>st</sup> job	0.022	0.043	0.0282	0.021	0.040	0.0496
Participation in social organizations in law school	<b>-0.018</b>	<b>-0.064</b>	<b>0.0026</b>	<b>-0.026</b>	<b>-0.104</b>	<b>0.0000</b>
Participation in legal practice/activities in law school	0.017	0.029	0.1726	0.009	0.017	0.4408
Law education financed by loans (%)	<b>-0.003</b>	<b>-0.190</b>	<b>0.0000</b>	<b>-0.002</b>	<b>-0.109</b>	<b>0.0010</b>
Law education financed by personal resources (%)	<b>-0.002</b>	<b>-0.088</b>	<b>0.0002</b>	-0.001	-0.054	0.0411
Total law education debt	<b>0.000</b>	<b>0.110</b>	<b>0.0001</b>	0.000	0.040	0.1717
Law school ranking	<b>0.100</b>	<b>0.253</b>	<b>0.0000</b>	<b>0.104</b>	<b>0.243</b>	<b>0.0000</b>
Job offers from public employers	<b>-0.084</b>	<b>-0.142</b>	<b>0.0000</b>	<b>-0.068</b>	<b>-0.118</b>	<b>0.0000</b>
Job offers from private employers	<b>0.112</b>	<b>0.298</b>	<b>0.0000</b>	<b>0.122</b>	<b>0.315</b>	<b>0.0000</b>
Experienced discrimination at work	-0.031	-0.010	0.6066	0.016	0.008	0.7055
Employment status	<b>-0.685</b>	<b>-0.146</b>	<b>0.0000</b>	<b>-0.458</b>	<b>-0.172</b>	<b>0.0000</b>
Practicing lawyer	-0.030	-0.016	0.3896	<b>-0.156</b>	<b>-0.092</b>	<b>0.0000</b>

Notes. 1. Given the large sample size,  $\alpha = .005$  is used for level of significance. Variable coding. Marital status: Married/partnered = 1, single = 0; Race: White = 1, minority = 0; Parents US born: both yes = 2, one yes = 1, both no = 0. Employment status: Full-time = 1, part-time = 2; Practicing lawyer: yes = 1, no = 2.