LASALLE STREET AND MAIN STREET: THE ROLE OF CONTEXT IN STRUCTURING LAW PRACTICE

DONALD D. LANDON

Others have identified client differences as the primary structuring factor in the legal profession. Because of highly differentiated client groups, it is argued, the bar has become fragmented into a multiplicity of professions. Such a conclusion is based on research limited to metropolitan settings. Data from practitioners in rural Missouri and in a middle-sized Missouri city show that community context has a prior structuring influence. Community context appears to affect the probability of entrepreneurial practice, the variations in meaning associated with such practice, client mix and subsequent lawyer self-understanding, work characteristics, and extent of involvement in civic affairs. Further evidence suggests that the legal profession is indeed an "overdetermined social system" with roots that are set deeply in the primary economic and social structures of the setting in which it practices. The bar mirrors in its practice the issues typical of that setting and reflects in its social structure the degree of complexity found in the community. Community context appears therefore to be an additional force fragmenting the legal profession.

I. INTRODUCTION

Recent studies of the legal profession have further undermined the once dominant functionalist view (Goode, 1957) of professions as homogeneous subcultures with strong internal solidarity, consensus, and shared interests (Bucher and Strauss, 1961; Carlin, 1962, 1966; Heinz and Laumann, 1982). The Chicago bar as portrayed by Heinz and Laumann (1982: chap. 10), for example, exhibits significant diversity in background, values, practice patterns, clients, professional status, and autonomy. The extent of the diversity in effect suggests multiple professions of law rather than a single cohesive professional community.

The study of professions is increasingly focusing on the sources of this diversity (Larson, 1977; Bucher and Strauss, 1961).

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Heinz and Laumann (1982) identify clients as the primary source of the differentiation of the legal profession in Chicago. So strong is this client-driven fragmentation that the authors use a metaphor from geography to describe the phenomenon: On one side there is a "corporate practice hemisphere" where the clients are primarily entities, not persons. On the other side is the hemisphere characterized by clients who are people and small businesses. Heinz and Laumann (ibid., p. 319) argue that "most lawyers reside exclusively in one hemisphere or the other and seldom, if ever, cross the equator."

This paper probes the process of professional differentiation by moving beyond the study of client differences to examine contextual differences. It suggests that there may be an ecology of law practice that underlies and to some extent qualifies the discoveries of Heinz and Laumann. In settings where legal entities such as the corporation predominate, law practice will take its essential shape from corporate issues. In settings where individuals are the primary legal actors, law practice will take its shape from their typical problems. Client differences are thus viewed as a function of ecological context.

II. LAW PRACTICE AND LOCAL INSTITUTIONS

The legal profession is deeply rooted in the economic, social, and political institutions of the community in which it is set (Wells, 1964). Because it is intimately connected to societal arrangements, as these vary, the shape of the profession will also vary. Auerbach (1976: 21), for example, describes the influence of the corporation on the form of law practice at the beginning of the twentieth century by observing how the corporate law firm revolutionized the profession:

> Its [the firm's] priorities—more precisely, the priorities of its clientele—shaped professional education, career patterns, ethics, mobility and the availability and distribution of legal services—indeed the very meaning of law and justice. It functioned as a prism, refracting social change upon the professional culture and back again to the larger society.

In contrast to the medical profession, which is grounded in a relatively fixed variety of human diseases and maladies that tend not to vary immensely from setting to setting, the legal profession is highly sensitive to its environment. For example, the legal issues confronted in a community that is heavily dominated by powerful corporate actors contrast significantly with those faced in an environment where personal businesses, divorce, personal injury, and crime are paramount. In those settings where both sets of issues exist, their intrinsic differences structure two virtually independent legal professions, as Heinz and Laumann have observed. But theirs is an extremely qualified independence, for

they act in reference to each other as together they create a system of stratification that bestows unique meaning on each hemisphere.

Also in contrast to the medical profession, the specific competence of the legal profession is less clearly defined (Rueschmeyer, 1969). The physician possesses a relatively specific technical competence defined as scientific medical knowledge. Thus the set of problems the doctor addresses is finite and circumscribed. Lawyers, on the other hand, do not possess scientific knowledge that addresses a single category of problems. In fact, their functional competence is often only peripherally connected with legal knowledge. This gives them considerable adaptability, as their duties can include providing clients with legal or economic advice, organizational "know-how," moral advice and personal support in addition to drafting wills, trusts, contracts, and briefs. Lawyers' competence at times lies in *whom* they know. Because their functions are more general, lawyers have a greater freedom to adapt to their environment.

In sum, because the problems confronted by lawyers are a function of the changing social, political, and economic structure of their community rather than a relatively stable set of problems, such as those attaching to health, lawyering will probably vary more from setting to setting than the practice of medicine is likely to do.

III. ECONOMIC SCALE AND PRACTICE VARIATION

The most significant contextual variable shaping the work of the legal profession is the economy—its scale and its actors. Mills (1951: 122) reflects on the impact on law practice of a large-scale economic environment in which the primary players are corporations:

> In fulfilling his function the successful lawyer has created his office in the image of the corporations he has come to serve and defend. Because of the increased load of the law business and the concentration of successful practice, the law office has grown in size beyond anything dreamed of by the 19th century solicitor. Such centralization of legal talent, in order that it may bear more closely upon the central functions of the law, means that many individual practitioners are kept on the fringes, while others become the salaried agents of those who are at the top. As the new business system becomes specialized, with distinct sections and particular legal problems of its own, so do lawyers become experts in distinct sections and particular problems, pushing the interests of those sections rather than standing outside the business system and serving a law which coordinates the parts of society.

Large-scale corporations are primarily urban enterprises. While much has been made of the "massification" of American so-

ciety that has allegedly erased urban-rural distinctions (Vidich and Bensman, 1968), many significant differences remain (Ford, 1978), with economic scale ranking among the most obvious variations. The dominant actors in any setting tend to structure the contours of the legal profession. For example, in Chicago corporate law practice dominates. It shapes the distribution of wealth, influence, and status throughout the profession in that city. Business and commerce also exist in smaller communities but on a much reduced scale. Their problems are more likely to involve commercial contracts, real property transactions, tax issues, and collections, not corporate mergers, stock offerings, and antitrust suits. Such enterprises are more likely to be personal businesses, close or family-held corporations, or partnerships (Handler, 1967). More importantly the "entity-individual" ratio is probably the reverse of that found in large urban settings. In smaller settings individual clients are the greatest consumers of legal services; their interests, needs, and problems organize the work of the profession and define the allocation of status.

In addition to the greater role of entities as clients in larger settings, the persons in such settings also tend to be different. There is a higher proportion of managers, administrators, technicians, and professionals whose personal legal problems differ considerably from the problems brought to attorneys by blue-collar workers. For example, in the 1980 federal census 32 percent of the workers in urban St. Louis County, Missouri, were classified as professional and managerial, while only 11 percent in Douglas County in rural southwest Missouri were in that category. Median incomes of the two counties contrasted similarly ($25,265 and $10,975, respectively).

Variations in economic scale also confront practitioners with distinctly different practice opportunities. Blaine (1976) provides data intended to help lawyers wanting to locate in California. The contrasts between urban Los Angeles County and rural Mono County are striking. Taxable retail sales are 1,000 times greater in Los Angeles. Total annual court filings number over 2 million in Los Angeles and do not reach 500 in Mono County. Over 14,000 articles of incorporation are filed each year in Los Angeles, while only 6 are filed in the smaller setting. Tort filings produce a ratio of 31,000 to 69.

Thus as the economic structure varies and with it the socioeconomic status of residents, we would expect to see a structuring effect upon what lawyers do, their perceived need for technical expertise, the manner in which they organize their practice, the feasibility of specializing, and even the manner in which they relate to colleagues.

IV. POPULATION DENSITY AND LAW PRACTICE

Community size or population density may also have a structuring influence on law practice. In large population centers, where normative dissension is associated with greater diversity among groups and interests, the probability of conflict tends to increase. Such conflict may produce, for example, specialties in labor law that are rarely seen in smaller settings, where management-labor relations are not typically formalized in collective bargaining arrangements. To use another illustration, data suggest that the so-called litigation explosion has occurred more often in heterogeneous settings (Lieberman, 1981), where human relationships tend to be more impersonal and the law is more readily employed as a tool of social control. There is some evidence that in smaller settings, where the quality of interaction is more personal (*gemeinschaft*), the adversarial dimension of legal work is restrained (Landon, 1985).

Other evidence indicates that definitions of justice vary by context. Engel (1984) discovered that rural citizens had a different view about the justice of litigating personal injury claims than most urban residents. This pluralism is of course tied to the local normative system, and lawyers both work within such a system and are guided by its rules (Wells, 1970).

The above examples simply illustrate the possible role of context in structuring legal practice. This contextual argument assumes that the legal profession is an "overdetermined social system" (Heinz and Laumann, 1982) and that social, political, and economic institutions shape both the structure and the work of the legal profession. As these elements of the external environment vary, the structure of law practice may also.

V. ENTREPRENEURIAL CAREERS IN A COMMUNITY CONTEXT

Lortie (1960) has suggested that law careers can generally be described as either "institutional" or "entrepreneurial." The institutional career is typically developed within a large firm where lawyers start as employee-apprentices. They have no clients of their own, work under the direction of more senior members of the firm and serve their clients, and practice in a relatively specialized area developing a rather focused expertise. Their early years constitute a probationary period under the scrutiny of more senior colleagues who are assessing their fitness for becoming partners in the firm. Thus the crucial relationships in the institutional career are with these senior colleagues, who have supplied the clients, delegated the work, and controlled the rewards of status, income, and ultimately partnership. As institutional practitioners, attorneys sacrifice autonomy for security. Their careers are propelled by sponsorship more than enterprise. Symbols of success tend to

be technical and hierarchical. In many respects the institutional career stands at the center of the ecological network of the profession and is increasingly the norm in large settings. It is a career with impressive cases and prestigious, powerful, and wealthy clients and colleagues.

The entrepreneurial career, on the other hand, is an exercise in enterprise, not apprenticeship or probation. This path is usually a solo practice or a loose affiliation of a few practitioners. At one time it was the modal career within the legal profession. Over time, however, solo practice has moved toward the periphery, especially in large urban contexts (Heinz and Laumann, 1982: 16). Its clients are primarily small businesses and individuals of modest means. The latter are often "one-shot" clients who come for a divorce, a will, or a real estate transaction and have no further legal business.

The entrepreneurial career is vulnerable because of its double imperative—the need to earn a living while trying to build a practice. Survival is predicated on ingenuity and enterprise—making a niche for oneself in what appears to be an already overcrowded market. The vital relationships are with people who can send clients your direction (Carlin, 1962).

Success for the entrepreneurial practitioner has little to do with professional hierarchy. Success here is making money. Consequently, career advancement is as much a product of entrepreneurial skill as of legal expertise. While cases, clients, and professional colleagues rarely possess the power and prestige of those in institutional careers, entrepreneurs do claim a valuable distinction: their autonomy. Their clients, time, and decisions are theirs. Whatever the economic precariousness of the entrepreneurial career, it has a certain independence, which is perceived by the entrepreneurial practitioner as central to professional integrity.

Institutional law practice is essentially a product of urbanization and its associated corporate development. As community size increases, so does the complexity of client needs, which in turn stimulates the process of specialization within the profession. Thus we would expect that because clients are more homogeneous and the opportunities for specialization are more restricted in smaller settings, law practice would retain its earlier, more traditional form—the entrepreneurial career.

VI. THE RESEARCH DESIGN

To provide at least a preliminary test of several of these propositions about impact of context upon the conduct of a legal career, we first examined the data gathered by Heinz and Laumann (1982) in their Chicago bar study. Their primary objective was to assess the social structure of the metropolitan bar and to identify

Table 1. Respondents to the Rural Bar Survey

Community Size	Total Number of Lawyers	Original Sample	Number Declining Participation	Completed Interviews	% of Population
Under 2,500	297	77	15	62	20.9
2,500 to 4,999	204	52	2	50	24.5
5,000 to 9,999	272	68	17	51	18.8
10,000 to 20,000	261	65	27	38	14.6
Total	1,034	262	61	201	

the sources of professional differentiation, which were found to be external to the bar, namely client groups. It appeared that many of the questions Heinz and Laumann addressed to the urban bar could also be addressed to the bar in smaller settings, thus allowing for a relatively strict test of comparability.

To facilitate this comparative study we selected two samples of lawyers from the Missouri bar.[1] For a general sense of how the size of the context affects the development of professional practice, we selected a sample of 201 attorneys practicing in communities of 20,000 or less. Thus the small town sample represents the *smallest* settings in which law is currently practiced. Table 1 describes the sample and final respondents. The sample was drawn from a compilation produced by the *Martindale-Hubbell Directory* (1980) and the *Missouri Legal Directory* (1981).

To have an intermediate case somewhere between the "country lawyer" setting and the Chicago metropolitan setting, we selected Springfield, Missouri, an independent city with a population of 155,000 and 250,000 residents in its metropolitan area. We interviewed seventy-seven lawyers randomly chosen from the Greene County (Springfield) bar with the same instrument used with the small town attorneys.

We will often be able to display data from all three settings to analyze how careers vary by size of community. At times we have data from only the rural and Springfield lawyers since certain

[1] The data for this study come from in-depth interviews with 201 lawyers practicing in 94 counties and 116 communities in rural Missouri from July 1982 through March 1983. We conducted an additional 77 interviews with attorneys practicing in a middle-sized Missouri city, Springfield (155,000) during the same period. This additional data base measures intermediate variations in practice patterns between the smallest communities (under 20,000) and the metropolitan areas previously studied by others, such as New York, Chicago, and Detroit. All of the communities in the rural sample were independent towns outside metropolitan centers and not included in Standard Metropolitan Statistical Areas. We drew a stratified random sample of private practice attorneys from each community size category. We personally conducted the interviews, which ranged from one and one-half to three hours, in the attorneys' local offices.

Table 2. Distribution of Lawyers among Types of Practice Settings (in percent)

Practice Settings	Solo Practice	Firms with 2–3 lawyers	Firms with under 10 lawyers	Firms with over 10 lawyers
Rural sample[a]	43	45	56	2
Springfield sample[b]	34	13	39	27
Total Chicago sample[c]	21	—	26	27
"Personal business" sector[d]	34	—	38	20
"Personal plight" sector[e]	42	—	36	6

[a] $n = 201$.
[b] $n = 77$.
[c] $n = 699$. (See Heinz and Laumann, 1982: 443.)
[d] $n = 165$.
[e] $n = 138$.

questions were asked of them that were not included in the earlier Chicago study.

The data in Table 2 indicate a virtual monotonic relationship between community size and the probability of entrepreneurial practice. There is twice the likelihood of solo practice in the smallest settings as in Chicago. Because many of the "small firms" in rural areas are essentially office-sharing arrangements and not actually "firms" in the strict organizational sense, it is likely that well over 85 percent of the small town lawyers see themselves as entrepreneurial practitioners. While the lack of sufficiently discriminating data prohibit exact comparisons, it does appear that Chicago practitioners who deal with what Heinz and Laumann (1982: 72) call "personal plight" matters (for example, civil rights, criminal defense, divorce, general family practice, and personal injury for the plaintiff) have about the same rate of solo practice as rural lawyers whose practices are roughly similar in content. The Springfield sample stands midway between the two extreme settings, as one would anticipate.

VII. ENTREPRENEURIAL PRACTICE AND PROFESSIONAL STATUS

While the data show country lawyers to be professionals left nearly exclusively to the devices of enterprise, a distinction must be made between the rural and metropolitan entrepreneurial careers. Legal entrepreneurs in the city occupy a peripheral position in the local professional ecology (Carlin, 1962), handling residual matters not attractive to the mainstream of the metropolitan bar. They rank at the bottom of the professional hierarchy, occupying a less reputable position in what turns out to be a virtual "moral di-

vision of labor" (Hughes, 1958: 71). By contrast, in rural settings, the entrepreneurial career is virtually the *only* career. It is rarely tarnished by invidious comparison with more reputable local "institutional" careers, for the latter simply do not exist. Enterprise is the norm in the small setting. Rarely does any single attorney or firm exercise a monopoly on prestigious clients (as subsequent data will show). The social hierarchy in small towns is relatively modest to begin with, and it generally distributes itself evenly over the local bar. In this sense, an entrepreneurial career in the country is qualitatively different from its metropolitan counterpart: It is neither discrediting nor differentiating; it is simply the norm.

There is a second difference as well. Entrepreneurial careers in metropolitan settings exist because of the dynamics of the market for professional services (Lortie, 1959).[2] Our interview data suggest that the entrepreneurial career in the country is instead *deliberately chosen* rather than *adaptively accommodated.* While the big city market's limited ability to create institutional careers drives many into the world of enterprise, in rural settings the attractions of home, friends, and familiar surroundings as well as highly prized independence appear to lure locally produced lawyers into entrepreneurial careers. Thus what is seen as a push in the metropolitan setting appears to be a pull in the rural setting. In contrast to the solo city lawyers, who yearned to escape "neighborhood practice" (Carlin, 1962), 87 percent of the rural sample indicated they were practicing precisely where they preferred to be. In only 3 of the 201 interviews was there a suggestion that a small town entrepreneurial career was a compromise of the lawyer's professional aspirations. One of those three attorneys said, "Well, I really didn't look for a job in a city firm. My law school grades weren't the best and my chances of getting a firm position probably weren't too good. So I looked around and decided to come here." The vast majority of the respondents, however, were represented by another attorney, who said, "From the time I entered law school I planned to come back here to set up practice. . . . There's nothing in the city I want that I can't get by just making a visit there. Here I'm my own man. Nobody's telling me what to do." The interviews did not reveal any "subtle alchemy" transforming the rural practitioners' values to correspond with their fate. They appeared to have entrepreneurial careers by design, not by default. But the important difference was, of course, that they

[2] Lortie's study of institutional and entrepreneurial practitioners in Chicago suggests that the professional market selects some for "core" positions (institutional, large-firm practice) and leaves the residue to the devices of enterprise. Those who do not obtain large firm positions form career expectations consistent with their more immediate prospects—the need to earn a living in a highly competitive business system. They thus become entrepreneurial practitioners less by design than by necessity.

were choosing entrepreneurial careers where such were the *norm*, not the exception, as was true of the metropolitan entrepreneur.

VIII. LAWYERS AS ENTREPRENEURS

Consistent with their entrepreneurial orientation, the rural attorneys were more likely to equate financial success with professional success than were attorneys from the more urban Springfield bar, where firm practice more nearly approximates the norm. Forty-five percent of the rural bar agreed with the statement, "In the final analysis, one's income is a pretty reliable measure of one's success as an attorney in this community." Thirty-four percent of the Springfield bar agreed. While the difference in attitude is in the expected direction, it does not achieve statistical significance. We have no data from the Chicago bar on this question.

There is some evidence to suggest that entrepreneurial practitioners in the country carry a strong enterprising orientation in addition to their professional orientation. Fully one-half of them were operating other businesses in addition to their law practices. Twenty-five percent ran more than one additional business, which included construction companies, radio stations, newspapers, gift shops, drug stores, and traveling carnivals. The Springfield sample showed significantly less entrepreneurial activity, with only 24 percent operating other business enterprises and only 8 percent being involved in more than one extraprofessional enterprise. We know of no data on other entrepreneurial activities by solo practitioners in metropolitan settings.

These data are open to a variety of interpretations. Certainly the American entrepreneurial ideal is associated with traditional rural culture, and inasmuch as the vast majority of rural practitioners originate in the very settings in which they practice, it is not surprising that this spirit is found among them. But it may also be true that the necessities of context further stimulate the entrepreneurial orientation so that mastering the double imperative of making a living while building a practice creates an urge to duplicate the success in arenas other than law.

IX. THE IMPACT OF INDIVIDUAL CLIENTS ON THE STRUCTURE OF LAW PRACTICE

We hypothesized that the smaller the setting, the greater the likelihood that individual clients would be the primary focus of the lawyer's work. Such clients have been shown to significantly structure the attorney's style of practice in metropolitan settings (Carlin, 1962; Lortie, 1959). The highly stratified character of the metropolitan setting relegates such individual practitioners to a denigrated status that is described as demoralizing and deprofessionalizing (Carlin, 1962). In smaller settings, however, such practitioners are the norm, and while their practice may be similar to

solo lawyers in big cities, the meaning of the practice in the country is significantly altered by its normative character.

Table 3 summarizes the clientele differences over the three contrasting settings. The data clearly indicate that as community size increases, the volume of clients decreases. The median number of clients per year in the rural setting is ten times the median number in the total Chicago sample. A more crucial comparison is found in the "personal plight" sector of the Chicago bar, which might be thought to be roughly equivalent to the rural bar in practice type. Even here the ratio is 350 to 100, thus indicating that even with similar kinds of practice the rural practitioner has a much higher volume of small matters. A similar contrast is seen in the mean proportion of law practice income coming from individual clients. The total Chicago sample shows the mean proportion to be only 7 percent, whereas the "personal plight" sector of the bar reaches 67 percent, which is nearly identical with the rural sample. However, since the rural bar is not exclusively "personal plight" practice but rather a combination of "personal plight" and "personal business," a better statistic for comparative purposes would be to combine these two sectors in the Chicago sample. When that is done, the mean percent of income from individual clients in a roughly equivalent Chicago practice drops to 52 percent.

The evidence also suggests urban lawyers with practices roughly similar to those in rural settings have significantly fewer clients and a significantly smaller proportion of their income comes from individual clients. This indicates that city practitioners who were thought to approximate their country cousins are less similar than was presumed. The rural bar is extremely "personal client intensive"; a full 25 percent receive 80 percent or more of their income from individual clients, and almost three-fourths draw 80 percent of their clients from the personal sector. The metropolitan setting simply does not approximate those numbers.

We had also hypothesized that there would be a significant difference in individual clientele between the two settings, since the socioeconomic circumstances of urban life tend to generate larger proportions of professional and middle class people, whereas rural settings have larger proportions of blue-collar families. The data in Table 3 show that the rural bar is more than three times as likely to have blue-collar clients as the overall Chicago bar (45 percent versus 13 percent, respectively). Even among Chicago "personal plight" practitioners, the average proportion only reaches 34 percent. The data also indicate that in moving from the rural to the intermediate setting (Springfield), the probability of drawing clients from the professional-managerial class doubles.

While we have no data from the Chicago study, the rural and Springfield data suggest that the probability of serving elderly clients is also greater in the country. Rural lawyers on the average

Table 3. Differences in Client Characteristics by Practice Settings

Practice Settings	Number of Practitioner Respondents	Median Number of Clients Per Year[a]	Mean % of Blue-Collar Clients	Mean % of Professional-Managerial Clients[a]	Mean % Income from Individual Clients[a]	Mean % of Income from Business Clients[a]	Mean % of Income from Major Corporate Clients[a]	Mean % of Income from Small Businesses[a]	% Estimate of Total Legal Effort in "Personal Plight"[a]
Rural sample	201	350	45	16	66	44	8	44	36
Springfield sample	77	150	39	36	47	53	24	38	25
Total Chicago sample	699	35	13	—	7	58	35	—	22
"Personal business" sector	165	75	18	—	36	46	18	—	—
"Personal plight" sector	171	100	34	—	67	23	10	—	—
Generalists	86	50	15	—	0	61	41	—	—

[a] Difference between Rural & Springfield sample. Significant at the .01 level.

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reported 20 percent of their clients to be retired persons, while the Springfield sample showed a mean average of less than 10 percent. Demographic data show rural populations to be typically older than urban populations, so this finding is not remarkable, but it again illustrates how context may structure law practice by altering the client mix.

The picture that emerges from these data is that client variations tend to be monotonic with community size. The smaller the community, the larger the number of clients per lawyer and the more likely that the client mix is tilted toward individuals, who in turn tend to be blue collar and often older. This suggests that the rural context tends to produce a "people-centered" practice with a high volume of small matters. In fact, the data in Table 3 suggest that on the average rural lawyers spend over one-third of their time on such "personal plight" matters. Such a practice in the metropolitan setting is professionally discrediting because of the availability of more prestigious and remunerative corporate work. In the country, however, it is not degrading, because it is the norm and is defined as "true lawyering"—helping people. Thus context may not only structure the clientele who seek legal services but also define the meaning of such clientele.

X. THE IMPACT OF INDIVIDUAL CLIENTS ON THE PROFESSIONAL TASKS OF LAWYERS

Another way of assessing the impact of context upon professional practice is to compare the practice characterizations by lawyers in our three different settings. Using a technique employed originally in the Chicago study, we asked lawyers to characterize their practices along seven dimensions.[3]

The data in Table 4 indicate striking contrasts between the

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[3] From Heinz and Laumann (1982: 441). Columns 2 through 8 in Table 4 refer to questions asked the Chicago bar and subsequently the rural and Springfield bars in Missouri. We told respondents first, "Different kinds of law require different kinds of professional activities." We then handed them a card listing seven pairs of statements describing different characterizations of law practice, each pair representing polar opposites, and said, "If the situation in your practice is midway between poles, circle code 3. If your situation is at one or other of the extremes circle 1 or 5. If your position leans somewhat to either pole, circle 2 or 4." The proportions given in the columns are based on the two values closest to the specified extreme (i.e., either values 1 and 2 or values 4 and 5).

The dimensions are as follows:

Column 2: Percentage rating negotiation and advising as important. This is the percentage of respondents who characterized their work in the following way: "My specialty and type of practice requires skills in negotiation and advising clients, rather than detailed concern with technical rules." This contrasted with: "My area demands skills in handling highly technical procedures rather than skills in negotiating and advising clients."

Column 3: Percentage rating technical expertise as important. This is the percentage of respondents who characterized their work in the following way: "The type and content of my practice is such that even an educated layman couldn't really understand or prepare the documents." This contrasted with:

typical practitioner perspectives in Chicago and rural Missouri. Not surprisingly, the rural lawyers were much more inclined to see their work involving negotiation and advising clients than the Chicago attorneys, who were much more of the opinion that technical expertise was necessary in law work. The Chicago sample also tended to see specialization as a virtual necessity, while the rural sample did not. Both samples agreed that changes in the law in their areas of practice forced them to read a lot to keep up. More of the Chicago bar felt they had rather wide latitude in selecting their clients than did the rural bar, although the rural bar had a strikingly stronger sense of autonomy in their work.

Along six of the seven dimensions measured, the middle-sized city sample (Springfield) fell in between the rural bar and the Chicago bar samples. If our general hypothesis that ecological factors affect the structure and character of law practice is correct, this finding would be expected. The only exception is the client choice dimension. The Springfield sample stands at the extreme, with only 18 percent reporting that they had "rather wide latitude in selecting which clients" they represented. Thirty-nine percent of the rural bar and a majority (55 percent) of the Chicago bar reported themselves as having such wide latitude.

None of these contrasts is particularly surprising when the metropolitan bar as a *whole* is compared with the rural bar. But

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"A para-professional could be trained to handle many of the procedures and documents in my area of the law."

Column 4: Percentage rating their work as specialized. This is the percentage of respondents who characterized their work in the following way: "The area of law in which I work is so highly specialized that it demands I concentrate in just this one area." This was opposed to: "The nature of my legal practice is such that I can handle a range of problems covering quite a number of different areas of legal practice."

Column 5: Percentage rating changes in the law as characterizing their practice. This is the percentage of respondents who characterized their work in the following way: "My area requires a great deal of reading legal material in order to keep abreast of new developments." This was opposed to: "Things don't change too rapidly in my area of the law, so there is little need for constant revision of my knowledge and activities."

Column 6: Percentage indicating latitude in selecting clients. This is the percentage of respondents who characterized their work in the following way: "In the course of my practice I have rather wide latitude in selecting which clients I represent." This contrasted with: "The nature of my practice is such that it is often necessary to accept clients whom I would prefer not to have."

Column 7: Percentage indicating autonomy in their work. This is the percentage of respondents who characterized their work in the following way: "One of the things I like best about my area of practice is that I can do largely whatever I like without having someone looking over my shoulder and directing my work." This contrasted with: "In my practice of the law I work closely with more senior lawyers who provide relatively close guidance in the nature of my work."

Column 8: Percentage dealing with encroachment on practice. This is the percentage of respondents who characterized their work in the following way: "There are aspects of my professional work which are being encroached upon by other occupations." This contrasted with: "No other occupation is engaging in the kinds of legal matters with which I am primarily concerned.

Table 4. Differences in Practice Characterizations by Practice Settings

Practice Settings	Number of Practitioner Respondents (1)	% Rating Negotiating and Advising as Important[a] (2)	% Rating Technical Expertise as Important[a] (3)	% Rating Their Work as Specialized[a] (4)	% Rating Changes in the Law as Characterizing Their Practice (5)	% Indicating Latitude in Selecting Clients[a] (6)	% Indicating Autonomy in Their Work (7)	% Dealing With Encroachment on Practice (8)
Rural sample	201	58	19	8	53	39	92	33
Springfield sample	77	35	40	34	57	18	84	35
Total Chicago sample	699	40	52	45	50	55	54	30
Large corporate sector	151	33	62	53	60	56	44	30
General corporate sector	226	35	57	35	50	60	50	31
"Personal business" sector	165	42	43	30	43	62	56	38
"Personal plight" sector	171	52	42	36	45	45	65	34

[a] Difference between Springfield and rural sample. Significant at the .01 level.

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when we study Chicago lawyers whose practices are roughly similar to the rural practitioners, some important evidence emerges. If we can assume that the "personal plight" sector of Chicago practitioners is the closest urban approximation of rural practice, Table 4 reveals four similarities and four significant differences between the two groups. A majority of both samples felt their type of practice required "skills in negotiation and advising clients, rather than detailed concern with technical rules." A high proportion of both Chicago and rural practitioners also agreed that their area of practice required a great deal of reading to keep abreast of new developments. Less than half of the lawyers in both samples reported "wide latitude in selecting which clients I represent," and only about one-third in each saw encroachment by other occupations as a problem.

In contrast, however, less than 20 percent of the rural practitioners felt that the level of technical expertise required in their practice precluded trained laymen handling some procedures and documents in their offices, whereas over 40 percent of the "personal plight" practitioners in Chicago saw their practices in that way. In corroboration of this pattern, only 8 percent of the rural practitioners responded that their area of law "is so highly specialized that it demands I concentrate in just this one area," while over one-third (36 percent) of the Chicago "personal plight" practitioners felt they needed to specialize. Rural lawyers were also much more inclined to see themselves as autonomous and able to do whatever they like without having someone look over their shoulder and direct their work.

To summarize, the results tend to show a monotonic relationship to the size of setting. The smaller the setting, the more likely are practitioners to see their work as more involved with interpersonal skills than technical legal skills. The lawyer in smaller settings, while recognizing the need to keep up with changes, is far less likely to consider specialization imperative. And, understandably, the Chicago bar reports a much lower sense of autonomy than the heavily entrepreneurial rural bar.

Still, the nagging question remains: Do lawyers doing similar work in dissimilar settings experience their practices differently? The evidence suggests they do. The Chicago bar sets a higher value on technical expertise and feels a greater need to specialize than their country peers. They also feel decidedly less autonomous. In addition to such differences between the two settings generally, the data indicate that practitioners with similar practices have significantly different perceptions of those practices, by virtue of the settings in which they occur.

The work of rural lawyers appears uniquely structured by the rural context, in which individual clients rather than business clients are the norm. Their problems are not residual categories of legal effort to be absorbed by those who cannot compete success-

fully for the more lucrative corporate business but the staple of virtually all practitioners in smaller settings. The work is characteristically high volume. Because large numbers of smaller matters preoccupy the country practitioner and because rural individual clients are more likely to be blue collar and older, their problems tend to focus in the "personal plight" category. Thus the lawyer as "helper" is typical of the rural setting, and since there is little alternative to this type of practice, it is neither discrediting nor deprofessionalizing. In fact, the rural lawyers report their highest levels of professional satisfaction lie in "helping people." The texture of their daily work routine appears to be more "person intensive" rather than driven by a demand for technical expertise. While they are aware of the forces pushing the profession toward greater specialization, they are not in a position to have to follow that trend. In fact, if specialization carried with it the loss of autonomy, as it most likely does, the rural lawyer is likely to resist it for a long time, even if rural specialization were feasible.

XI. THE PLACE OF EXTRAPROFESSIONAL ROLES IN RURAL LAW PRACTICE

A lawyer in a small town in Missouri, when asked to identify the community leaders there, replied, "In this town the high school coach, the banker and the three lawyers are the leaders. Their opinions count for a lot." In his study of the role of the bar in Elmira, New York, Matthews (1952) found that the community expected lawyers to assume local leadership. The bar held similar expectations for themselves. Wardwell and Wood (1956) found that attorneys in smaller settings were more likely to be active in community political affairs.

During their interviews, the lawyers in rural Missouri frequently suggested that attorneys were seen by local residents as having broad competence and a good grasp of virtually all matters. This image stands in contrast to what Carr-Sanders (1955: 286) proposed about the demise of the professions in metropolitan settings:

> Under the impact of metropolitan conditions, the concept of profession has become transformed. No one speaks any more of the learned professions. Professional men were formerly regarded as possessing a broad culture, a wide special competence, and a general understanding of affairs. Consequently they were influential members of society. A measure of leadership fell into their hands, and much that we value in our society was evolved under the influence of the older professions. Today, professional men are regarded by the public as experts—persons with high competence in a restricted sphere. Great deference is paid to them while they act within their particular range. Otherwise, they have little prestige. Outside their role, they are

thought to have no more claim to be heard than the man on the street.

These observations again raise the question of the impact of context on professional role (Hourani, 1969; Podmore, 1980: 65). Is the more urban setting less likely to escort lawyers into extraprofessional community roles? Is it more likely that rural lawyers will see community leadership as an important component of professional success? On the basis of our limited data, the answer to both questions seems to be "yes." The data in Table 5 show that rural lawyers are nearly four times as likely to have run for political office, nearly seven times as likely to have been elected to public office, and significantly more likely to belong to a political party than lawyers in the more urban setting. If political activity is construed as community leadership, the rural bar is relatively heavily involved in such roles. Unfortunately, we have no equivalent data from the Chicago bar.

The leadership role for the country lawyer appears to be broader than just political office. As the data indicate, rural attorneys are nearly twice as likely to belong to local business organizations such as the Chamber of Commerce as their more urban colleagues. They are twice as likely to belong to civic and public service organizations. On the average they belong to seven local organizations, while their urban colleagues belong to five. Most significantly, country lawyers are much more likely to view leadership in local institutions as a significant professional achievement.

The deep involvement in the local community provides rural lawyers with the status rewards that their Chicago counterparts very likely get from the Chicago Bar Association. The professional organizations in rural areas have neither the size nor power to gratify the need for professional prominence. But within the local community lawyers rise quickly to prominence simply on the grounds of educational achievement and ability to "get things done." Using the words of Carr-Sanders (1955: 286), the rural lawyer is still perceived by the community as "possessing a broad culture, a wide special competence, and a general understanding of affairs"—the precise formula for achieving local status. This absorption of civic and community roles into professional practice appears to be a consequence of the unique setting in which rural law practice is cast.

XII. LOCAL ORIENTATIONS AND LAW PRACTICE

Not only are rural lawyers more likely to be involved in community organizations and to carry as part of their professional role the responsibility of community leadership, but they also tend to reflect local orientations in how they work (Wells, 1970). This is particularly apparent in the degree to which the adversarial ideal of justice is implemented in local rural settings. As an earlier pa-

Table 5. Differences in Extra Professional Roles by Practice Settings

Practice Settings	Number of Practitioner Respondents	% That Have Run for Political Office	% That Have Been Elected to Political Office	% That Belong to Business Organizations	% That Belong to Civic/Public Service Organizations	% That Belong to a Political Party Organization	Mean Number of Organizational Memberships	% Viewing Local Leadership as a Very Important Professional Goal
Rural sample	201	65	57	65	63	67	7	44
Springfield sample	77	18	9	36	32	51	5	27
Total Chicago sample	699	—	—	—	—	—	—	—

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Table 6. Differences in Value Orientations by Practice Settings (mean score)

Practice Setting	Economic Liberalism Scale[a]	Civil Libertarian Scale[b]	Religiosity Scale[c]
Rural sample	2.78[d]	2.72	3.14[d]
Springfield sample	2.93	2.76	2.98
Total Chicago sample	3.23	3.28	2.82
"Personal plight" sector	3.35[d]	3.28	2.66

[a] The average score of respondents on a set of questions intended to measure attitudes on economic issues. Higher scores indicate greater disposition toward government regulation of the economy and redistribution of wealth (see Heinz and Laumann, 1982, chap. 5).

[b] The average score of respondents on a set of questions intended to measure attitudes on civil liberties issues. Higher scores indicate greater support for civil libertarian values, e.g., freedom of speech, press, etc.

[c] The average score of respondents on a set of questions intended to assess religious values. Higher scores indicate greater support of organized religion.

[d] Differences between the rural and Springfield samples on both the economic liberalism and the religiosity scales achieved statistical significance at .05 or better as did the differences between the total Chicago sample and the "personal plight" sector sample on the economic liberalism scale. The differences between the rural sample and the Chicago sample (both total and "personal plight") also achieved statistical significance.

per documents, the small town environment tends to mute the extremes to which adversarial principles are implemented in more urban settings (Landon, 1985).

In Table 6 we have data that suggest that the value orientations of rural lawyers tend to follow the contours of the rural context. Heinz and Laumann (1982: 137) discovered patterned value differentiation within the Chicago bar reflecting the heterogeneous character of urban populations. Using the same scale, we found rural lawyers' economic values to be significantly more conservative than those of the Chicago bar. The mean score of Chicago attorneys on the economic liberalism scale was 3.23. The mean score of the rural bar was 2.78, while the Springfield bar lay between the two extremes at 2.93. Similarly, the Chicago bar scored higher on the civil libertarianism scale (3.28) than did either the rural (2.72) or the Springfield (2.76) bars. Not surprisingly, on the religious values scale, the rural bar scored much higher (3.14) than the Chicago bar (2.82). These differences tend to be magnified when the rural bar is compared with the "personal plight" sector of the Chicago bar.

Table 7. Proportion of Lawyers with Law Income of $40,000 or More (1975 dollars)

	% of Lawyers
Rural sample[a]	30
Springfield sample[b]	26
Chicago sample[c]	37
"Personal plight" sector	32
Civil rights	29
Criminal defense	33
Divorce	33
Family	38
Personal injury (plaintiff)	34
"Personal business" sector	33

[a] $n = 201$.
[b] $n = 77$.
[c] $n = 699$.

Again the evidence suggests the impact of context on the framework of legal practice. In this instance it is the value framework. The relative homogeneity and conservatism of the rural bar on these dimensions stands in marked contrast to the more liberal and differentiated value structure of the metropolitan setting.

XIII. PRACTICE INCOME AND PROFESSIONAL SATISFACTION

The unhappiness of entrepreneurial practitioners in metropolitan settings is well documented (Carlin, 1962; 1966). Their economic marginality, discredited status in a highly stratified bar, and unprestigious clientele combined with the need to use deprofessionalizing procedures to obtain clients make their lot less than completely satisfying. To escape from neighborhood practice is the desire of many with that type of practice in large cities.

Quite in contrast are the rural entrepreneurial practitioners, who have similar clients and handle similar cases. When asked where they would prefer to practice law if they were free to go anywhere they wished, 87 percent replied that they would prefer to stay where they were. The Springfield sample was somewhat less satisfied with their current setting, for only 52 percent indicated they would prefer to stay in that city.

Obviously, many factors affect professional satisfaction. But rural practitioners do seem to be extremely well satisfied in their professional work. The data suggest that their average income is equivalent to but not significantly better than the incomes of practitioners in larger settings (Table 7). Their general comments indicate they prize their autonomy, their prestige in their smaller com-

munities, the challenge of their general practice work, and their relationships with their peers. Such evidence emphasizes that the meaning of entrepreneurial practice is not intrinsic to it but instead is bestowed by the context. The rural entrepreneur experiences little of the degradation felt by solo urban lawyers. The country lawyers' practice is the norm for their community, and they regard it as satisfying.

XIV. SUMMARY AND CONCLUSION

This paper represents a beginning and tentative examination of the thesis that there is an ecology of law practice. The substantial insight that law practice is an "overdetermined social system" structured primarily by differing client interests is a conclusion essentially drawn from a single (metropolitan) setting. This insight is obviously going to have limited explanatory value where there is a relatively small degree of client differentiation. Therefore, to develop a more comprehensive theory to account for the variations in law practice and the structure of the bar across all settings, we have suggested an ecological approach, which continues to view the legal profession as an "overdetermined social system" but locates the sources of structuring in the primary social and economic institutions of the local community in which the bar exists. As these institutions vary in scale, character, and composition, the legal profession will reflect such differences because the practitioner's roots are thrust deeply into the local institutional environment. Just as the complex economic structure of a metropolitan setting generates corporate law practice, an internally stratified bar, a demoralized entrepreneurial bar, and a unique kind of probate practice, so the more modest demographic and economic structure of the small town generates "personal plight" practice as normative, community civic involvement as a component of professional responsibility, and a homogeneous professional community.

We have not addressed all the questions raised by this approach, and those that we have examined are tentative and suggestive. It is unclear, for example, whether lawyers who elect to practice in the country are different from those who decide to practice in cities and therefore impose their idiosyncratic differences on the shape of the rural profession, or whether the rural setting tends to impose a structure on practice regardless of the characteristics of the practitioners. However, the data, while inconclusive, suggest the latter.

The problem of accounting for the multiplicity of professions within the organized bar continues to challenge social scientists. The argument that client differentiation is the primary environmental factor shaping the structure of both legal practice and the profession seems both true and limited. We suggest that there is a prior and more basic source of the structuring—the community

context in which practice occurs. Such a proposition needs more careful consideration.

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