

Law Student Idealism and Job Choice: Some New Data on an Old Question

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Numerous commentaries and empirical studies have suggested that while a substantial proportion of incoming law students are interested in careers in “public interest law,” by the time they graduate only a small minority take jobs in that sector. However, none of these studies have been based on a panel study having data on both job preference *before students began their studies* and information about *the actual first job taken*. This Research Note fills that gap by updating an earlier study of the University of Wisconsin Law School class of 1976. We find that while over half the respondents expressed some interest in public interest law before beginning law study, only 13% actually took a job in legal aid, as a public defender, or in a nonprofit organization. Analysis of respondents who initially expressed an interest in nontraditional jobs shows that political orientation and participation in a social action law program during law school are the strongest predictors of who in fact took a nontraditional job.

Commentaries and empirical studies over the past several decades have consistently suggested that while a substantial proportion of incoming law students are interested in careers in “public interest law,” that interest wanes significantly during law school (Barry & Connelly 1978; Bok 1983; Erlanger & Klegon 1978; Foster 1981, 1985; Granfield 1992; Griswold 1968; Kahlenberg 1992; Kennedy 1970, 1982; Kubey 1976; Linowitz 1994; Shaffer & Redmount 1977; Stover 1989). In the most recent systematic study of this issue, Granfield (1992) found that while as many as 70% of first-year students at Harvard Law School in 1986 expressed a desire to practice public interest law, “few third-year students perceived their initial position as being in settings other than a large private law firm” and of those students

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expressing such an interest, only 2% indicated a preference for legal aid jobs (p. 48). Granfield illustrates the change he observed by describing an interaction with a student who early in her law school career had been critical of corporate practice and had expressed a very strong interest in working on elder health care issues. Yet when he spoke to her late in her third year, "She told me she was 'going to Wall Street to do commercial transactions and there is nothing better I would like to do.' I was stunned! The ideological distance between this student's ideals and her career decision seemed tremendous" (p. 3). Other relatively recent estimates and vignettes are not as dramatic but are similar in result. For example, Stover's (1989) study of the University of Denver in the late 1970s found that the number of students who hoped to work in public interest law declined by half—from one-third to one-sixth—during their law school careers (p. 13).

Granfield's and Stover's books each provide a rich analysis of the forces—mostly, but not exclusively, from within the law school—that seem to propel this change, focusing particularly on changes in students' values and self-concepts, and related changes in expectations about the extent to which corporate or public interest jobs can fulfill their career goals.¹

This Research Note seeks to add to the explanations of Granfield and Stover by presenting data on the careers of students in the University of Wisconsin Law School class of 1976. Data from the first two panels of this study, based on questionnaires completed before the students began their studies (in summer 1973) and toward the end of their second year of law school (in spring 1975), have been reported previously (Erlanger & Klegon 1978).² This note reports on data from a third panel, based on questionnaires completed in 1985.³ We believe the data are

¹ For an excellent summary and critique of Stover's book, see Raack 1991; on Granfield's book, see Cohen 1994. Note that not all studies have found that students' core orientations change during law school (Hedegard 1979; Willging & Dunn 1981) and not all commentators emphasize the socialization process during law school as the key source of the changes that do occur (Erlanger & Klegon 1978; Erlanger 1978a; Schwartz 1985).

² All students accepted into the class of 1976 who had not previously attended a law school were mailed a questionnaire in the summer of 1973, before they had had any formal instruction at the Law School. Of the approximately 290 students who eventually enrolled in the fall, 204 completed questionnaires. In March 1975, all students in the class were mailed a new questionnaire. Of the approximately 260 students still enrolled, 205 responded to the second questionnaire. Although about 10% of the class was nonwhite, the response rate for nonwhites was very low for both panels. In addition, students who had not been continuously enrolled in the Law School were dropped from the analysis. As a consequence, the original report was confined to whites who had attended no other law school and who were continuously enrolled from the fall (or in some cases the summer) of 1973 through the spring of 1975 (see Erlanger & Klegon 1978). The omission of nonwhites is especially unfortunate because they appear to be more oriented toward public interest careers than are white students (see Erlanger 1978b; Quinn 1981).

³ In spring 1985 questionnaires were mailed to the 253 students of the class of 1976 who had graduated. The response rate for this group was 86%. A total of 153 students responded to both the 1973 and 1986 panels, which are the subject of this note (see

unique in that they provide a measure of job preference *before the students began their studies* and information about the *actual first job taken*, not a job preference expressed during the second or third year.

“Public interest law” is susceptible to a variety of definitions. In general, it refers to efforts to broaden the representation of groups and individuals who have been historically underrepresented in the legal system. But even that conception is controversial, since one can argue that law is a “public profession” and any lawyer who conscientiously represents the interests of his or her client is working in the public interest (Auerbach 1970). Moreover, while the term was originally used to connote left-oriented reform activities (Marks et al. 1972; Weisbrod, Handler, & Komesar 1978), today there is a significant amount of politically conservative activity undertaken under the rubric (see, e.g., Mountain States Legal Foundation 1995; for earlier reports, see Houck 1984; Blodgett 1984). For purposes of this note, we are limited by the original data set, which operationalized public interest law as left-oriented (Erlanger & Klegon 1978:12), and the follow-up questionnaire, which primarily only allows identification of three job types—work in legal aid, as a public defender, or in a nonprofit organization—as arguably consistent with that conception. Hence, the focus of our inquiry is on the relationship between pre-law school interest in working with underrepresented groups as seen by the left, and post-law school jobs working in one of these three positions. In the discussion that follows, we will refer to these positions as “nontraditional” jobs.⁴

“Public Interest Drift”

In the original questionnaire administered before the U.W. class of 1976 began their studies, students were asked several open-ended questions about “the job you would like to have five years after graduating from law school.” At that time about half mentioned a job or field with an explicit social reform component, such as poverty law, consumer or environmental protection, or affirmative action. But these jobs were most often mentioned along with other, more traditional possibilities.⁵ Responses were coded on a four-category scale: 0, no mention of

Beisel 1987:34). The number of usable cases was reduced by missing data and by omission of nonwhites from the analysis.

⁴ See Table 1. Readers may wonder whether some of the jobs coded as “government” in Table 1 may involve work for underrepresented groups or interests. However, almost all of these jobs were positions such as city attorney, justice of the peace, hearing examiner, attorney with the NLRB, IRS, etc. Only one response was vague enough to leave open the possibility that the position should be recoded as nontraditional.

⁵ For content of the items and a description of the coding, see Erlanger & Klegon 1978:28 n.14. The coding was done by a protocol that underestimated interest in reform-oriented jobs. For example, criminal law, which some writers see as reform oriented, was coded “traditional” unless the student also mentioned a reform or activist component,

reform or activist work (47% of respondents); 1, some mention of reform or activist work, but primary focus on traditional work (10%); 2, primary focus on reform or activist work (19%); and 3, virtually no mention of traditional work (24%).⁶ Table 1 shows that students who mentioned reform or activist work were more likely than those who mentioned only traditional work to actually begin their careers in nontraditional jobs.⁷ Overall, 13% of the students for whom we have first job information took nontraditional jobs, ranging from 5% of those scoring 0 on the scale, to 26% of those scoring 3. Looked at another way, 14 (82%) of the 17 students taking nontraditional jobs scored above 0 on the scale. However, the scale is generally not a strong predictor for other types of jobs, except that students who made virtually no mention of traditional work were less likely than other students to join firms with 10 or more attorneys.

Table 1. Pre-Law School Job Preference and First Job after Law School

	Pre-Law School Reform/Activist Job Preference ^a (%)				
	0	1	2	3	Total
First Job					
Nontraditional	5	15	17	26	13
Government, educational	23	23	21	19	22
Other salaried position	5	8	0	3	4
Solo practice	13	15	4	13	12
Firm with ≤ 9 lawyers	25	23	33	29	27
Firm with ≥ 10 lawyers	28	15	25	10	22
Total	100	99	100	100	100
(N)	(60)	(13)	(24)	(31)	(128)

NOTE: Totals may not add to 100 due to rounding.

^a 0 = no mention of reform or activist work; 1 = some mention of reform or activist work but primary focus on traditional work; 2 = primary focus on reform or activist work; 3 = virtually no mention of traditional work.

Table 2 shows that by 1985, nine years after graduation for most of the sample, just over half (70 of the 134 respondents for whom we have information) had switched job categories. The diagonal on that table, printed in bold type, shows that the likelihood of a shift in job type varies significantly by type of first job. Of respondents who began in a firm with 10 or more attorneys, 74% were in that job type nine years later, while 82% of those who started in nontraditional jobs were *not* in the same type of job. Fourteen of the original 17 respondents who began in nontraditional jobs switched categories, spreading out over the other

such as "working to help indigent people get adequate representation." Similarly, a general reference to government service was coded as traditional.

⁶ These percentages are for respondents included in Table 1. They are not identical to those in the original report (Erlanger & Klegon 1978:Table 6) because the original report excluded students who had not been continuously enrolled, and the current report excludes respondents for whom there are no data on first job.

⁷ First job refers to first job after any judicial clerkships.

Table 2. First Job after Graduation (ca. 1976) and Job in 1985

	First Job (%)						Total
	Nontrad.	Gov't, Educ.	Other Salaried	Solo Practice	Firm ≤ 9 Attys	Firm ≥ 10 Attys	
Job 9 Years Later							
Nontraditional	18	0	17	6	0	0	4
Government, educational	23	52	33	38	20	7	28
Other salaried position	0	3	50	0	9	7	7
Solo practice	18	12	0	25	9	0	10
Firm with ≤ 9 lawyers	29	30	0	25	49	11	29
Firm with ≥ 10 lawyers	12	3	0	6	14	74	22
Total	100	100	100	100	101	99	100
(N)	(17)	(33)	(6)	(16)	(35)	(27)	(134)

NOTE: Totals may not add to 100 due to rounding.

job types, including two people who joined firms with 10 or more members. Only 2 people switched from a traditional to a non-traditional job.⁸

Bulwarks against Drift

The remainder of this note will explore the characteristics of the 68 students in our sample who, coming to the University of Wisconsin Law School with an interest in public interest work in 1973,⁹ “survived” to take a nontraditional job after graduation.¹⁰ We concentrate our inquiry on this group because, as Table 1 indicates, almost everyone who took a nontraditional job came from the group, and also because it is the focus of much theoretical and practical concern. While it would be at least as interesting to look at who *stays* in nontraditional careers, the *N* in our sample is obviously much too small to examine that issue.

Bivariate data on “who survives” to take a nontraditional first job are presented in Table 3, which includes a nonparametric measure of association (gamma), the value of the *T*-statistic, and the level of statistical significance.

Gender

In his analysis of students at Harvard, Granfield (1992) found that women were more likely than men to perceive themselves as becoming more radical, more concerned about social change,

⁸ The three respondents who remained in nontraditional jobs had scores of 0, 1, and 3 on the pre-law school job preference scale; the 2 people who switched into non-traditional jobs both had scores of 3 on the measure.

⁹ Defined as a score of 1–3 on the job preference item reported in Table 1.

¹⁰ One argument in the original study was that influences of the job market may be more important than influences in legal education in influencing the *number* of students who went into public interest law. This Research Note addresses a different question: Given that there were only a limited number of public interest jobs available, what factors distinguished those who obtained those jobs as opposed to those who did not.

Table 3. Bulwarks against Drift

Table Includes Those Respondents Expressing at Least Some Interest in Nontraditional Job before Entering Law School

	(N)	% in Nontraditional First Job	gamma	T	Significance
Gender			.35	1.21	.23
Female	(29)	28			
Male	(39)	15			
No. of times on Dean's List (max. = 4)			-.38	-1.55	.12
None	(35)	26			
1-2	(25)	20			
3-4	(8)	0			
Expected amount of debt at graduation			-.01	-.07	.94
\$0	(14)	21			
\$1-\$1,660	(11)	18			
\$1,670-\$4,700	(14)	21			
\$4,800-\$6,600	(11)	36			
\$6,700+	(10)	10			
Family income during high school (late 1960s)			.28	1.04	.30
Less than \$8,500	(7)	29			
\$8,600-\$15,000	(32)	13			
\$15,000+	(25)	32			
Mother's political orientation			.51	2.32	.02
Conservative	(14)	0			
Middle of road	(28)	25			
Liberal	(23)	30			
Respondent's political orientation			.50	1.81	.07
Conservative/moderate	(5)	0			
Liberal	(18)	17			
Left liberal/radical	(34)	29			
Political activity during college			1.00	4.41	<.001
None	(15)	0			
Traditional	(8)	0			
Demonstrations	(40)	35			
Social action law programs during law school			.54	1.50	.13
None	(44)	16			
One or more	(13)	39			

and more empathetic during law school (pp. 96-98; see also Granfield 1994).¹¹ He also found that about three-fourths of the women who entered law school with a "social justice" motivation evaluated poverty law as likely to be a fulfilling career, as opposed to about half of all other students, including males with a "social justice" orientation. Stover's findings at Denver were similar: when queried during their third year, 28% of women, compared with 9% of men, named a public interest job in response to an open-ended question about their preferred initial full-time job (Stover 1989:xxii).¹² Women also scored much higher than men

¹¹ An underlying question is whether this type of difference is inherent in women or is socially conditioned. Useful reviews of this question are contained in Menkel-Meadow 1989; Taber et al. 1988; and Hagan & Kay 1995.

¹² The findings of Mattessich & Heilman (1990) and Teitelbaum et al. (1991) are also consistent, although as Teitelbaum et al. (p. 456) note: "There are similarities between our male and female respondents that may be far more important than their differing levels of emphasis."

on a scale measuring the importance of “opportunities for professional altruism” in their first job (*ibid.*). Others have argued, however, that the socialization process may break down many of the differences in orientations that men and women bring to law school (Janoff 1991; Taber et al. 1988).

Our data indicate a moderate relationship; 28% of the women, versus 15% of the men, who expressed an interest in nontraditional practice before beginning their studies went on to take their first job in a nontraditional area. Although not statistically significant, the magnitude of this difference is consistent with those of several studies of the distribution of men and women across different types of law jobs (see, e.g., Hull & Nelson 1996; Hagan & Kay 1995 regarding the legal profession in Toronto; Teitelbaum, Sedillo Lopez, & Jenkins 1991; Erlanger 1978b; and the references cited by Menkel-Meadow 1989).¹³

Academic Performance

The relationship between academic performance and some types of jobs is generally considered a given (see, e.g., Abel 1989:218–19),¹⁴ especially for students from non-elite schools. Students with high grades are likely to be actively recruited by major firms, while those with lower grades may not even be able to secure an interview with those firms. Nontraditional employers, by contrast, are much less likely to emphasize grades as an employment criterion, partly because students oriented toward nontraditional jobs are more likely to reject the competitiveness that underlies the grading process. Thus both “push” and “pull” factors could make it more likely that students with lower grades will take nontraditional jobs.

In our sample, we use the number of times the student made Dean’s List as a measure of class standing. One advantage of this indicator is that it could be determined from publicly available lists; thus we did not have to rely on self-reports, which are notorious for their exaggeration in this regard. Our data suggest a strong relationship for highly successful students, although this inference is limited by low *N* and is not statistically significant. Of the 68 respondents who indicated an interest in nontraditional careers, eight made the Dean’s List three or four times;¹⁵ none of these eight students took a nontraditional job. Twenty-six percent of students who did not make the Dean’s List and 20% of those who made it once or twice took nontraditional jobs.

¹³ In addition, note that for the sample as a whole, gender is a statistically significant predictor of taking a nontraditional first job. See discussion in note 19.

¹⁴ Contrast Weisbrod (1983), who found that lawyers in public interest law firms were more likely than those in private law firms to report that they had been on law review or graduated in the highest quartile of their law school class.

¹⁵ This information was collected after the second year, so the maximum number of times that student could make Dean’s List was four.

Financial Considerations

Given the great disparity in salary between public interest work and many (although certainly not all) traditional law jobs, student debt may be a significant factor in choice of job. Analyses by Chambers (1990, 1992) Kornhauser and Revesz (1995), and White (1990) have focused on the financial difficulties of law students, and 58% of the Harvard students interviewed by Granfield (1992) mentioned the importance of loans in their decisionmaking about jobs (p. 151).¹⁶ While the students in our study were paying tuition at pre-1980s rates, the ratio of debt to salary at that time was arguably not that different from what it is now. About three-quarters of the students indicating a pre-law school interest in nontraditional careers reported having some debt, with 17% reporting debt of \$6,700 or more. But there is not a clear relationship between the amount of debt and the decision to take a nontraditional job. The 10 students with the highest expected debt (\$6,700 or more) were least likely to take a nontraditional job, but the 11 students with expected debt of \$4,800–\$6,600 were the most likely to do so.

A generally less satisfactory measure of financial wherewithal that is sometimes used in this type of analysis is parents' income. But this variable may be useful to explore, nonetheless, as a proxy for parents' social class, which Granfield found to be an important predictor of interest in using the law for social change. For example, 31% of working-class students, compared with 15% of middle- or upper-class students cited altruistic motivations as their primary reason for attending Harvard (p. 112). For our data on the Wisconsin class of 1976, a small *N* for students from low-income families means that conclusions must be especially tentative. That said, what emerges is a curvilinear pattern consistent with both Granfield's findings and the hypothesis that only students from more comfortable social backgrounds can afford to take a nontraditional job. Of the seven students from families with incomes of less than \$8,500, two took nontraditional jobs, as did eight of the 25 students from families with income over \$15,000.¹⁷ These rates are more than twice the rate for students from families with incomes between those amounts. The relationship is much stronger than that for expected debt at graduation, but it is not statistically significant.

¹⁶ Recently there have been efforts to alleviate this problem through "loan forgiveness" programs. See National Association for Public Interest Law 1994.

¹⁷ Family income is the respondent's estimate for the period the respondent was in high school.

Politics

Given the political dimension of our measure of interest in nontraditional work, one would expect the measure to be associated with a left-reform political orientation. In our data, political orientation and especially prior political activism are by far the strongest predictors of which students will actually begin their careers in nontraditional jobs.

The effect of political orientation begins with respondents' families. None of the respondents who expressed an interest in a nontraditional career and grew up in a family where the respondent thought his or her mother's political orientation was "conservative" actually went on to take a nontraditional first job, compared with 30% of respondents whose mother's politics were categorized as "liberal," a relationship that is statistically significant at the .02 level.¹⁸ With regard to the respondent's own political orientation (measured before the start of law school), none of the students who self-identified as "moderate conservative" or "middle of the road" took a nontraditional job, compared with 29% of those who self-identified as "left-liberal" or "radical" ($p < .07$).

Carrying this analysis one step further, a striking finding emerges: 35% of the respondents who had participated in a student demonstration, as compared with none of the students who engaged in "no" or "traditional" political activity, took nontraditional jobs. Stated another way, *all* "survivors" who provided information about their political activity during college reported that they had participated in at least one student demonstration. Thus, this variable emerges as more important than the degree of interest expressed in a nontraditional career before beginning law school and as the best single predictor of whether a student in the University of Wisconsin class of 1976 will take a nontraditional job.¹⁹

¹⁸ The pattern for father's politics was similar but not as strong.

¹⁹ Collapsing Table 1, we find that 5% of those expressing no interest in a nontraditional career, compared with 21% of those who expressed at least some interest, took a nontraditional job. Looking at political activity in the sample as a whole (not shown in the table), we find that only 1 of 64 people (2%) who engaged in no, or only traditional, political activity during college took a nontraditional job, compared with 16 of 59 respondents (27%) who had participated in a student demonstration.

These findings suggest the value of assessing the relative importance and cumulative impact of the variables in Table 3. We attempted this analysis using multivariate logistic regression, the technique of choice when the dependent variable is dichotomous (Menard 1995). With this technique, the effect of an independent variable may be assessed by examining the change in the "odds" of choosing a nontraditional job which results from a one-unit change in the independent variable. Unfortunately, the small size of the "survivor" subsample in Table 3 makes multivariate analysis nearly impossible for that group. When all variables are included in the equation, none are statistically significant. Even if we include only those variables that are significant below the .15 level in bivariate analysis, none approach statistical significance in a multivariate equation.

We also conducted logistic regression analysis on the entire sample, not just the "survivor" subsample in Table 3. In *bivariate* analysis, using first job as the dependent variable,

Curiously, these findings about the importance of political commitments are inconsistent with those of a large sample study of the Legal Services Program sponsored by the federal Office of Economic Opportunity (OEO) in the 1960s. OEO Legal Services rejected the prior Legal Aid approach to representation of the poor, which was said to be moralistic and passive, in favor of a proactive, aggressive approach to client claims that included a significant amount of law reform litigation (Erlanger 1977, 1978b). Lawyers in the program were believed to be “new professionals” dedicated to a new approach in lawyer-client relationships and to social activism (Gross & Osterman 1972a; Moonan & Goldstein 1972), and one personal characteristic of these lawyers was said to be their left-oriented political commitment. The OEO Legal Services study compared 285 lawyers who were working in OEO Legal Services in 1967 with over 1,000 lawyers in other forms of practice (Erlanger 1978b). Differences in parents’ politics and in respondents’ political activity were much smaller than those reported in Table 3,²⁰ even though participation in OEO Legal Services seems to have been a much more radical departure from what was then considered to be appropriate legal work.

Subcultural Support

The high level of stress and anxiety expressed by law students is well known (see, e.g., Benjamin et al. 1986); one may infer that these pressures would be even more significant for law students considering “bucking the trend” and taking a nontraditional job. Both Stover and Granfield have noted the importance of subcultural support in helping those students maintain their commitment. Stover (1989:105) found that while many students at Denver had considered public interest work:

the measures of pre-law school job preference and of political orientation and activity are strong and statistically significant, while the measures of economic means and academic performance are not. (For job preference, logistic regression coefficient $B = .59$, odds = 1.8, $p < .01$; for mother’s political orientation, $B = 1.00$, odds = 2.7, $p < .05$; for political activity during college, $B = 1.74$, odds = 5.7, $p < .01$.) In contrast with the findings for the “survivor” subsample in Table 3, in the bivariate analysis for the sample as a whole the coefficient for gender ($B = 1.30$, odds = 3.7, $p < .05$) and respondent’s political orientation ($B = 1.57$, odds = 4.8, $p < .01$) are statistically significant.

Multivariate analysis of the sample as a whole is hampered by missing data, especially on the respondent’s political orientation. However, in all of the models we estimated, job preference, political variables—especially type of political activity in college—and gender have the strongest relationship to first job, while economic and academic performance variables are never statistically significant. When the political variables and the job preference variables are included in the same model, the political variables have the stronger effect, to the point where in some models job preference before entering law school is not statistically significant.

²⁰ For example, only 14% of Legal Services lawyers had engaged in reform-oriented political activity while in college or law school, and 73% reported having engaged in *no* political activity at all, not even such traditional activities as distribution of campaign literature. However, the study did find that lawyers in the more activist offices were more likely to have come from activist backgrounds.

[t]he dominant professional culture—as manifest in both the law school and the broader legal community—did not communicate a sense of meaningful commitment to the norm of professional altruism. While the norm was not openly disparaged, direct expressions of support for the professional obligation to serve the disadvantaged were, with few exceptions, limited to ritualistic invocations at ceremonial occasions.

The source of support for public interest students at Denver, Stover argued, was in three institutional settings: the school's legal clinic, the school's chapter of the National Lawyers Guild, and law-related work with a public interest organization. Stover's fieldwork, combined with limited data from his panel study, led him to conclude that "contact with these public interest subcultures provided students with valuable role models and with a sense of membership in a broader public interest community" (p. 106). Granfield's (1992:70–71) conclusion is similar:

Those few students who chose legal jobs working for the poor, the working class, or other social causes [were those who] remained committed to their beliefs. . . . Associating with other students who possessed these ideals was perhaps the most useful strategy for these students. Without a community of opposition, cooptation becomes increasingly more probable.²¹

Of course, this is not to say that involvement in a subculture supportive of left-oriented public interest work necessarily leads to a commitment to it. Granfield reports the example of a student who participated in a clinical legal services workshop working with indigent clients. This student found the experience "particularly rewarding" and radicalizing, but nonetheless chose to work with a large firm. Granfield concludes that the student's "experiences in law school confirmed to her that she was properly concerned about these issues but need not put that into practice when she graduated" (p. 45)

The Wisconsin data, while based on a small *N*, are consistent with the argument that subcultural support is important to the maintenance of a commitment to nontraditional employment. Our questionnaire asked about participation in several different law school programs with a social action component, including the Center for Public Representation, the Community Law Office, and the Legal Assistance to Inmates Program. Close to a quarter of the respondents who expressed interest in a nontraditional career before starting law school participated in at least one of these activities during the first two years of law school. Of those who did, 39% took their first job in a nontraditional area, compared with 16% of those who did not participate in any of these activities. This difference does not, however, reach statistical significance in our sample.

²¹ See also Chaifetz 1993; Scheingold (forthcoming).

Conclusion

In part, this Research Note confirms what has been widely believed: Many more law students talk about taking a nontraditional “public interest” type job than actually do so. Nonetheless, we are able to establish this fact more firmly than have prior studies, because we have information on respondents’ preferences before they began their legal studies. More importantly, the unique character of the data allows us to begin to explore the factors that are associated with this attrition.²² While based on a relatively small sample size and limited to one place and time, the data suggest that political commitments, combined with involvement in a supportive subculture during law school, are very important determinants of the “staying power” of a pre-law school interest in a nontraditional career. Of course, this staying power only lasted through the first job; nine years later only a very small proportion of the sample was employed in legal aid, as a public defender, or by a nonprofit organization. However, this does not necessarily mean that those lawyers had abandoned service to underrepresented groups.²³

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²² The data are unique in another sense, in that the students grew up during the height of the civil rights movement and were part of what was probably one of the most idealistic and politically active cohorts in the history of legal education. The fact that so few of these students appear to have embarked on or remained in a career in public interest law suggests that maintenance of such a career is quite difficult. Scheingold (forthcoming) reaches somewhat similar conclusions in his analysis of generations of radical lawyers in Seattle. However, there does remain a strong interest in left-oriented public interest law in many law schools (see, e.g., Erlanger & Lessard 1993; Trubek 1994) and also a resurgence of interest in the development of public interest law within the context of private practice (e.g., Kilwein forthcoming; Trubek & Kransberger forthcoming).

²³ For example, Erlanger (1977) found that lawyers who had worked in the OEO Legal Services Program were more likely than other lawyers to have minority clients and to engage in social reform work.

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