SOCIALIZATION EFFECTS OF PROFESSIONAL SCHOOL
The Law School Experience and Student Orientations to Public Interest Concerns

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While undergoing training in professional school, students are assumed to experience attitude change, internalizing the norms of their future profession. In law school this change is thought to be particularly conservative, reflecting a business orientation and a minimal concern with *pro bono* and social reform work. This paper examines these assumptions by presenting data from a panel study of students at the University of Wisconsin-Madison Law School. Although some changes in attitudes are found, they are much smaller than suggested by recent critical literature on legal education. These findings lead to the proposal of a research agenda that stresses the contribution of the job market as well as that of education in fostering a traditional orientation toward the role of lawyers and the law.

I. THE PROFESSIONAL SCHOOL AND ADULT SOCIALIZATION

Throughout their life cycles individuals are confronted with situations in which they must assume new statuses and learn new roles (Brim, 1968). The entry into an occupation is a major shift of this type. Although occupations differ in the methods they customarily use for the socialization of novices (Becker, 1970), the professions generally require an extended period of formal training in order to teach techniques and transmit appropriate values. Value transmission is especially important for the professions, since part of the justification for their special prerogatives is a presumed commitment to "higher ideals," such as public service (see, e.g., Klegon, 1975). Socialization to professional attitudes is therefore thought to have an important influence on subsequent careers of practitioners.

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Although most of the major sociological statements on the socialization process in professional school pertain to medical rather than legal education, the inquiry here speaks to the central issue in that literature, which is attitude change during professional school. Our study departs from prior sociological work, however, in studying a different set of attitudes. This shift results as much from the passage of time as from differences between the professions.

The major research on medical education was conducted in the late 1950s, at a time when it was assumed that change in student orientations would indicate the adoption of an appropriate "professional" stance (see Merton, *et al.*, 1957). The concern of that period was with the development of individual doctor-patient relationships (Bloom, 1965; Funkenstein, 1971); consequently, important features of medical education were overlooked. As Fox argued, "economic and political dimensions [of medical education] and their potential impact on the educational and socialization process were hardly considered" (1974:209).[1] Today, however, both law and medicine are in what might be called the "community era" (Funkenstein, 1971), which emphasizes social responsibility and the delivery of services to those previously underserved (Borosage, *et al.*, 1970; Moonan and Goldstein, 1972; Marks, 1972; Handler, *et al.*, 1978; Geiger, 1972). Concomitantly, there has been an increase in both professional and sociological interest in the role of professional education in furthering the public interest.

This paper seeks to determine the effect, if any, of the law school experience on student orientations to what have come to be termed public interest concerns—namely, broadening the representation of groups and individuals that have been historically underrepresented in the legal system.[2] We include under

[1] Although there is a substantial literature on legal education (besides materials already cited, see the citations in Boyer and Cramton, 1974; Stevens, 1973; and Lasswell and McDougal, 1943), little of it is empirical, and almost all empirical studies are based on small samples. Except for the work of Stevens (1973) and Little (1968), the empirical studies have generally ignored the political dimensions of the law school experience. Instead, they have focused on such matters as factors affecting success among first-year students (see, e.g., Loftman, 1975; Lunneborg and Lunneborg, 1966; Miller, 1967; Patton, 1969; Silver, 1968) and the negative personality consequences of the stress assumed to be inherent in legal education (see the citations in Taylor, 1975). The only panel study reported in the literature is the work of Thielens (1969), which deals with socialization to ethical standards.

[2] Use of the term "public interest law" to describe this work is controversial, because of the other meanings implied. As many writers have noted, it is incorrect to assume that all those presently underrepresented have the same interest, or that their interest is identical with that of the broader public (see, e.g., Mayhew, 1975). Many lawyers also object to the use of the concepts "public interest law" or "work in the public interest," because they believe that any lawyer who conscientiously represents the interests of his or her client is

the public interest rubric both case-by-case litigation and work directed towards social and legal change that would affect underrepresented interests more broadly. We pose two general issues: is there a strong socialization effect, and what is the direction of any effect on student orientations to public interest concerns? Before presenting the methods and results of our inquiry, we discuss these two issues.

II. IS THERE A STRONG SOCIALIZATION EFFECT OF LEGAL EDUCATION?

Although many writers, generally following the tradition of Merton, have assumed that professional school is a significant source of socialization to professional values, there has also been an undercurrent in the literature suggesting that professional school (and perhaps schooling in general) has little effect (cf. Durkheim, 1951:372). For example, one might expect smaller changes in attitudes during professional school when the orientations of students and faculty agree substantially than when they do not (see, e.g., Funkenstein, 1971). More significantly, Becker and his colleagues (1961) see the professional school as an environment isolated from future practice. They argue that the future medical practitioner must first learn to be a student; learning to be a professional follows graduation. Students may see themselves as qualitatively different from practitioners, since even at advanced stages of training they still must adopt strategies appropriate for getting through school, or for justifying participation in what may be an unattractive phase of becoming a "professional" practitioner.

The distinction between the student culture and professional practice may be even greater in law school than in medical school. Except for the few students who become law teachers or clerk for judges, law professors are less apt than medical professors to offer appropriate role models (Riesman, 1962). Therefore, law students have fewer opportunities for observing and internalizing models of future work activities (Bucher, *et al.*, 1969), and the cues they receive may be inconsistent with what they know about practice. Lortie's study (1959), which found that law graduates were quite unprepared for practice and underwent "reality shock" after graduation, is consistent with this conclusion.

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operating in the public interest. (For an example of this more traditional view, see Auerbach, 1970; for examples of the reformist view, see Marks, 1972.) For a detailed discussion of the variety of meanings attached to the term "public interest" and an attempt to generate an economic definition consonant with the usage here, see Weisbrod, *et al.* (1978).

Of course, even if these conclusions were entirely correct, they would not necessarily deny any socialization effects of law school, but only suggest that they are likely to be rather limited in both scope and degree. This literature does remind us, however, that socialization effects cannot be taken for granted.

III. HOW MIGHT ORIENTATIONS TOWARD WORK IN THE PUBLIC INTEREST BE AFFECTED?

Various critics have argued that both the substance and the form of legal education may undermine the public interest orientation of many entering students and encourage or reinforce a detached, and perhaps cynical, business orientation instead (see Scheingold, 1974: Ch. 10). At least until recently, and perhaps even now, most law school courses have had a business orientation, and most of the required courses have pertained to business matters or have been taught from a business point of view (Griswold, 1968; Van Loon, 1970; Nader, 1970; Rockwell, 1971).

Public interest concerns, it has been argued, are also subverted by the case method of study and the Socratic approach taken by most law teachers, especially in first-year courses. Its opponents have asserted that this method exalts analysis over synthesis, criticism over imagination; that it avoids questioning underlying values and thus, by omission, supports the dominant interests in society; that it defines its subject matter very narrowly; and that it emphasizes the interests of the individual client rather than those of the broader society (see, e.g., Griswold, 1968; Kennedy, 1970; Nader, 1970; Savoy, 1970; Stone, 1971; Watson, 1965; Rockwell, 1971).[3]

These criticisms of legal education share two core assumptions: that law schools emphasize the perspective of business and the interests of the specific client over those of the broader public; and that during the course of their education, law students tend to relinquish more public-oriented views in favor of those endorsed by the law school.

However, neither of these assumptions can be accepted without question. Largely in response to protest by law school students and pressure from younger faculty in the late 1960s, the curricula at many law schools have broadened considerably (see, e.g., Michelman, 1968; Nader, 1970; Van Loon, 1970;

[3] The Socratic approach has also been bitterly attacked for its effect on personal interaction (see, e.g., Kennedy, 1970; Savoy, 1970) and for the stress and anxiety it may generate (see, e.g., Silver, 1968; Taylor, 1975). For a sophisticated response by a psychiatrist, see Stone (1971).

Auerbach, 1970). Many schools offer a variety of courses and seminars on discrimination against minorities and women, environmental protection, poverty law, welfare administration, and the like;[4] and traditional courses, such as taxation and property, are increasingly taught with nontraditional materials. In addition, many schools have greatly reduced the number of required courses, so that often the student has a good deal of flexibility in planning a program of study. Overall, it could be argued that law school faculties today are no less oriented to public interest concerns than are students.[5]

Finally, it should be noted that law students acquire their images of the profession from sources other than the law school. Both before and during school, they have contacts with a range of potential agents of socialization: television portrayals, books, friends, relatives, and practicing attorneys. Even the content of the bar examination can provide an image of what a lawyer is.[6] Thus, if law students are re-oriented away from the public interest and toward business interests, this may be due, at least in part, to influences external to law school.

Summary

Although most recent writing on the public interest aspects of legal education is critical and assumes substantial socialization effects, these effects have not been empirically demonstrated. The rather extensive commentary is based either on impressionistic evidence or on cross-sectional data (see, especially, the comprehensive study of Stevens, 1973); and, to our knowledge, no panel study on this issue has been previously reported. Moreover, while many of the critical arguments have obvious merit, a competing body of information and a competing sociological perspective suggest that legal education would not have a strong effect on the public interest orientations of students. Hence, both the extent and content of attitudinal change during legal education must be seen as open questions.

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[4] However, these changes are seen by some as basically "window dressing"; despite the range of courses available, traditional courses may still be regarded as the most important (see, e.g., Rockwell, 1971; Van Loon, 1970).

[5] Law schools now experience little, if any, of the protest that was relatively frequent in the late 1960s. Law students also seem to be much more oriented to bread-and-butter (although not necessarily business) courses than to public interest or interdisciplinary courses. For example, students at the University of Wisconsin Law School seem generally unsympathetic to the hiring of more faculty with a social science orientation and instead favor faculty with extensive practical experience.

[6] The effect of the bar examination would not be very important at the school under study, since Wisconsin is one of five states with the diploma privilege.

IV. RESEARCH DESIGN

This paper reports a panel study of the Class of 1976 at the Law School of the University of Wisconsin-Madison, which has a substantial regional and national reputation. The study is exploratory, since this law school cannot be considered representative, and since there is no control group of nonlaw students or of law students in other classes. It examines only a relatively small number of quantified indicators of stability and change, and does not attempt to depict the subtle process of the development of professional identity—a process which can significantly influence the young lawyer's approach to clients and cases.[7] However, two other studies, conducted at about the same time at law schools quite different from this one, yield findings remarkably similar to those reported here (Hedegard, forthcoming; Levine, forthcoming).

Method

All students accepted into the Class of 1976 who had not previously attended a law school were mailed a ten-page questionnaire in the early part of the summer of 1973, before they had had any formal instruction at the Law School. Nonrespondents were contacted by telephone or sent an additional letter. Of the approximately 290 students who eventually enrolled in the fall, 204 (about 70 percent) completed questionnaires. During the spring semester of the second year of study (March, 1975), all students still enrolled were mailed a new questionnaire, regardless of whether they had previously participated. The questionnaire was substantially the same, but also asked about activities during the intervening two years, financing of schooling, and job market expectations.

Of the approximately 260 students still enrolled, 205 responded to the second questionnaire after a series of follow-up procedures. Although about 10 percent of the class was nonwhite, the response rate for nonwhites was very low both times, so the analysis here is restricted to whites. In addition, students who had not been continuously enrolled in the Law School were dropped from the analysis. The study is thus 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. Complete records exist for 136, or about 63 percent of this group, which we

[7] Katz (1976) shows how lawyers who occupy similar positions may view themselves and deal with their clients and cases in very different ways (see also Casper, 1972).

believe to be a favorable response rate for a panel study. Only respondents with complete records are included in the analysis here; however, further analysis shows that this does not bias the findings.

In addition to the quantitative materials, 15 students were individually interviewed in February, 1976, during what was for most their final semester of law school. These informal interviews were used both to gain an impressionistic estimate of any effects since the T_2 questionnaire and to check the validity of the statistical results. To insure confidentiality, material from these interviews was not paired with the earlier questionnaires, but each student was asked to indicate the general nature of his or her previous response.

Characteristics of Respondents

The Law School is attended primarily by students who plan to practice in the state. Admission is highly competitive: of the students in the study, 86 percent reported an undergraduate grade point average of 3.0 or better, and 51 percent reported 3.5 or better; 18 percent reported an LSAT score over 700, 37 percent between 651 and 700, 29 percent between 601 and 650, and 16 percent 600 or less.

Law students at most accredited law schools are disproportionately drawn from families of high socioeconomic status, and the students in this study are no exception. One hundred and thirty students reported their fathers' occupation at the time they were in high school; 9 percent were in professions (mostly lawyers), another 62 percent were in white-collar jobs, 9 percent were farmers, and only 20 percent were in blue-collar jobs. Similarly, 56 percent of 119 students estimated their family income in the mid-1960s as $15,000 or more, equivalent to well over $20,000 today.

Twenty-seven percent of the respondents were women (a slight over-representation compared to enrollment). Just over half the students had interrupted their education since high school, but nonetheless three-fourths were under 25 when they entered, and almost all were under 28. About a third of the students were married when they entered law school; an additional 6 percent married after filling out the first questionnaire, and 2 percent were divorced. Reflecting the character of Wisconsin, 41 percent of the students grew up in towns with a population of 35,000 or less, and an additional 13 percent grew up in cities of 150,000 or less. The rest were from cities larger than 150,000 and suburbs of such cities, but only a few students

were from major urban areas outside the state. A rather large percentage of students (38 percent) had no religious preference, while 29 percent were Protestant, 18 percent Catholic, 8 percent Jewish, and 6 percent other.

A Note on the Use of Tests of Significance

For a variety of reasons, the authors have misgivings about the use of tests of statistical significance in the present analysis. The law school was not picked at random, and within the law school the population of a nonrandomly selected class was studied, not a sample. Most other assumptions of significance tests are also violated.

Nonetheless, some readers may argue that there is a sample in some sense. For example, even if an individual's "true" attitudes do not change, self-reports of these attitudes will vary with fluctuations in mood; the T_1 and T_2 responses can then each be seen as samples of these responses, and the significance test would test the null hypothesis that observed differences resulted from these random fluctuations. Other readers, who have come to rely on significance level as a rough measure of whether differences are substantively meaningful, would be uncomfortable if they were omitted. Significance levels are therefore included for reference by interested readers. Since most of the differences to be discussed are expressed in means, student's † test on difference of means (Blalock, 1972) is used. We caution, however, that with a sample the size of ours, rather small substantive differences can be statistically significant, and hence reliance on statistical significance will lead to an exaggerated view of the amount of change from T_1 to T_2. In sum, then, we see statistical significance as a *lenient* standard of substantively important change.

V. THE ATTITUDES OF LAW STUDENTS OVER TIME

Politics and Concern with the Public Interest

Entering law students in the Class of 1976 were decidedly left of center politically. Of the 122 students reporting a political orientation, 80 percent identified themselves as "liberals," "left liberals," or "radicals" (see Table 1). This liberal orientation was also reflected in the reasons students gave for attending law school: half stated some social service or social reform motivation. But we also found, as did Stevens (1973), that these activist motivations were generally mixed with other more traditional reasons, such as versatility ("I didn't know

what I wanted to do; law would leave me a lot of options"), financial security, prestige, comparison with the alternatives ("I didn't see much future in being a high school teacher"), or the subtle influence of background ("I just always thought I'd be a lawyer"). Overall, 50 percent gave only traditional reasons, 28 percent gave both types, 21 percent gave only activist reasons, and 1 percent did not answer.

Table 1. General Political Orientation of Students

		Time 2								
		(1) Con serv	(2) Mod Cons	(3) Mid	(4) Lib	(5) Left Lib	(6) Rad	Oth/ NR	Total N	%
	Time 1									
(1)	Conservative	1	0	0	0	0	0	0	1	1%
(2)	Moderate conservative	0	7	1	1	0	0	1	10	7%
(3)	Middle of road	0	3	5	3	0	0	0	11	8%
(4)	Liberal	0	2	14	31	3	0	6	56	41%
(5)	Left-liberal	0	0	0	10	20	1	2	33	25%
(6)	Radical	0	0	0	1	4	5	1	11	8%
	Other/No response	1	0	2	3	2	1	5	14	10%
	Total N	2	12	22	49	29	7	15	136	
	%	1%	9%	16%	37%	21%	5%	11%		100%

Note. $\bar{X}_{T1} = 4.17$; $\bar{X}_{T2} = 3.93$; difference in means = .24, (significant at .05 level).

The students' liberal orientation is also seen in their evaluation of the importance of work for social reform, social service, and business interests. The students were asked to rate three items dealing with social service and social reform work on a scale ranging from strong agreement (coded as 5) through strong disagreement (coded as 1): "Lawyers should be trend setters in working toward social change"; "In non-criminal cases lawyers have wrongly neglected to make law more readily available as an instrument of justice to common people"; and "Giving free or reduced-cost legal work to persons or groups that cannot afford to pay the regular fee is part of a lawyer's professional obligation." The mean score on each of these items was between 3.8 and 4.1, indicating "agreement" with the items. There was wide variation in responses, and political orientation explained a significant amount of the variance in an index combining the three items.[8]

[8] We also collected data on twenty other background variables but, despite extensive exploratory analysis, found very few substantively or statistically significant relationships. Less than 5 percent of over 800 correlations between background variables and the various T_1 attitudes reported in this and the next section were significant at the .05 level. In most of these significant correlations, being female, having a father who was politically liberal, or being left-oriented oneself were associated with commitment to social service and social reform work. Respondent's political orientation was the most strongly correlated, explaining 16 percent of the variance in the index reported in the text,

Given the content of the items, and especially the importance of *pro bono* work to the ideology of professionalism, these observed scores may not seem very high; nonetheless, they contrast markedly with the evaluation of two items regarding the importance of corporate work. Using the same scale, the students were asked to rate two statements: "It is the complexities of the corporate structure that create the most important work for the lawyer"; and "One of the most important functions a lawyer can have is to contribute to the development and refinement of the techniques of business organization and commerical enterprise." Again there was wide variation in response, but the mean scores fell between 2.1 and 2.4, indicating "disagreement." In sum, the entering class seems to have been politically liberal, moderately oriented toward reform and *pro bono* work, and moderately disinclined to practice corporate law.

What was the fate of these orientations during the first two years of school? Table 1 is a turnover table, showing political orientation at T_1 and T_2. One striking finding is that although almost half the students changed their self-designation, most of the changes were slight.[9] This is characteristic of turnover tables for all T_2-T_1 comparisons discussed in this paper; sometimes as many as 70 percent of the students gave different answers at the two times.[10] However, since examination of the

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13 percent of the variance in an index made up of the business items discussed in the next paragraph, 15 percent in the "importance of *pro bono* opportunities in job choice," and 20 percent in "interest in a social reform type job."

[9] Some readers may be concerned about the T_2 scores of the respondents who were in the middle categories of this or other T_1 variables analyzed. These respondents, it can be argued, are less subject to "floor" or "ceiling" effects (extreme opinions that may be more subject to change) and will show less regression toward the mean. On most items, the net change for respondents in the middle categories at T_1 was greater than that for all respondents together, sometimes markedly so. However, separate analysis of these respondents does not change the thrust of the findings presented in the text. In addition, if the law school were giving consistent cues, then the variance for the entire group on a given item would be lower at T_2 than at T_1; in fact, the variances at the two points are similar.

[10] An exploratory analysis was undertaken to determine sources of the differences between T_2 and T_1 scores for this attitude as well as others. The $T_2 - T_1$ difference was the dependent variable in a regression equation, and the T_1 score was forced first in a stepwise regression. Then each background variable was considered, one at a time, and the increment to R^2 was examined. In addition to background variables, we also analyzed the effect of law school experience (clerking for a firm, working with one of the public interest organizations associated with the law school, etc.) and perceptions about the job market. However, this extensive exploration indicated that there were only a few dependent variables for which a substantial amount of change between T_1 and T_2 score could be explained by any of the independent variables analyzed, or any group of them. The small size of the increments in R^2, even where there was a statistically significant relationship, perhaps reflects the fact that often there was little change, and therefore little variance to be explained. The situation is similar to that which frustrated our attempt to explain the sources of T_1

tables reveals no patterns that would significantly alter the conclusions drawn from the analysis of gross changes, and since the small amount of change may be accounted for by random error, only one other turnover table will be presented.

Almost all the change in political orientation (Table 1) was in a conservative direction, but overall the students remained decidedly left of center: three-quarters characterized themselves as liberals or radicals at T_1, and nearly two-thirds at T_2. Similarly, Table 2 shows remarkably little change in attitudes toward social reform, social service, and business interests. Although the mean score on each of the items was the same or lower at T_2, only one change is statistically significant, that concerning the importance of *pro bono* work, and substantively it was not large. Thus, although Tables 1 and 2 do suggest some change over time, the extent of that change appears to be substantially less than many critics have anticipated.

Table 2. Public Interest Orientation and Business Orientation of Law Students

	Mean Score (Range 1-5)			Standard Deviation	
	T_1	T_2	T_1-T_2	T_1	T_2
Lawyers should be trend setters in working toward social change.	4.22	4.11	−.11	.95	.89
In noncriminal cases lawyers have wrongly neglected to make law more readily available as an instrument of justice to common people	3.84	3.84	.00	1.08	1.22
Giving free or reduced cost legal work to persons or groups that cannot afford to pay the regular fee (i.e., *pro bono* work is part of a lawyer's professional obligation.	4.18	3.95	−.23*	.93	1.17
It is the complexities of the corporate structure that create the most important work for the lawyer.	2.13	2.04	−.09	1.05	1.03
One of the most important functions a lawyer can have is to contribute to the development and refinement of the techniques of business organization and commercial enterprise.	2.38	2.33	−.05	1.20	1.09

Notes. Nonresponse negligible.
* Indicates significant at .05 level.

attitudes. The lack of systematic findings from the exploratory analysis has led us to forego a discussion of influences on change.

The Expertise of Various Law Jobs

A more subtle way in which law school might serve as a conservative influence on students is by defining the kinds of tasks that engage the special skills of lawyers. An important part of the socialization of novices into any occupation is the transmission of cues about the types of work that are central to the occupation and the types that are peripheral. This is especially true for professional occupations, which claim to possess skills not accessible to the lay person. We thus expected to find that during law school the students would come to develop more narrow and clear definitions of those tasks which involve the particular expertise of lawyers.

Entering students may be expected to identify legal work as primarily that of the publicly visible lawyer, and thus to place a particularly high value on litigation. As Riesman has noted:

> [M]ost lawyers today recognize that their most important work is done in the office, not in the courtroom; the elaborate masked ritual of the courtroom holds attraction only for the neophyte and the layman. (1951:122)

Alternatively, entering students may see legal work as "anything a lawyer does," whether it receives public attention or not. However, as the student proceeds through law school, he or she learns that law roles vary greatly and that some are generally understood to require more expertise than others.

In the present inquiry we were especially concerned with the extent to which perceptions of the degree of lawyerly expertise involved in a task would vary, not just with the particular skill utilized (e.g., litigation, drafting of documents), but also with the type of client or interest served. For example, we were interested in ascertaining whether complex litigation for prestigious traditional clients would be considered to require more expertise than complex litigation for less prestigious clients or for social reform interests. If this were the case, then the law students would, in effect, have been socialized to define social reform as a less appropriate activity for lawyers.

Students in the study were asked to rate twenty-four law jobs on a nine-point scale measuring the extent to which they thought the job utilized "the special skills of a lawyer." The results are presented in Table 3, which shows for each job the mean score at T_1, the change in mean score, the rank of the mean score, and the standard deviation of the mean at T_1 and T_2.

Table 3. Ratings of Jobs on the Extent to Which They Utilize "The Special Skills of a Lawyer" (N=136)

Item (Range 1-9)	Rank T_1	Rank T_2	Mean T_1	Change T_2-T_1	Standard Deviation T_1	Standard Deviation T_2
Criminal defense in big cases, such as done by Edward Bennett Williams.	1	6	7.89	−.46*	1.17	1.47
Handling major civil liberties suits for the ACLU.	2	3	7.81	−.17	1.15	1.24
Chief litigating lawyer in a very large firm.	3	1	7.63	+.27*	1.21	1.21
Handling major environmental impact suits for the plaintiff.	4	2	7.61	+.06	1.15	1.23
Handling major desegregation suits for the NAACP.	5	5	7.51	+.05	1.26	1.08
Handling major class actions seeking benefits for the poor.	6	4	7.45	+.16	1.24	1.07
Solo practitioner in general practice, primarily dealing with poor clients.	7	12	7.24	−.39*	1.49	1.65
Negotiating complicated business deals for very large corporations.	8	12	7.13	−.28*	1.75	1.61
Solo practitioner, handling mostly criminal defense and personal injury suits.	9	9	7.09	+.01	1.31	1.41
Attorney on the staff of the District Attorney's Office.	10	16	7.07	−.44*	1.25	1.50
Attorney on the staff of the Public Defender's Office.	11	14	7.02	−.23*	1.38	1.50
Representing professionals, such as doctors, in criminal negligence cases.	12	10	6.98	+.05	1.37	1.40
Solo practitioner in general practice, usually dealing with the affairs of middle income clients.	13	11	6.96	−.03	1.33	1.55
Doing Ralph Nader-type investigations of government agencies to determine their fulfillment of legal obligations.	14	20	6.87	−.67*	2.00	1.75

Handling popularized political cases, such as W. Kunstler.	15	21	6.86	−.82*	1.71	2.21
Specializing in tax matters in a very large firm.	16	7	6.72	+.63*	1.81	1.54
Member of the legal staff of a federal government regulatory agency.	17	19	6.68	−.34*	1.53	1.43
Handling litigation and drafting contracts for a large labor union.	18	15	6.64	+.04	1.46	1.58
Self-employed lawyer specializing in the affairs of small independent businesses.	19	17	6.50	+.07	1.43	1.25
Estate planning for very large estates.	20	8	6.38	+.77*	1.59	1.44
Member of a firm that handles primarily the affairs of small corporations and partnerships.	21	17	6.22	+.34*	1.51	1.18
Member of the legal staff for a medium sized local or regional company.	22	21	6.13	−.10	1.52	1.38
Working on the legal staff of a charitable foundation.	23	21	5.92	−.13	1.54	1.38
Negotiating leases for major office buildings in downtown area of major city.	24	24	4.90	+.44*	1.97	1.82

Notes. On each item, missing data are omitted.
* Indicates significant at .05 level.

A list such as this is very difficult to analyze. Factor analysis is technically not appropriate,[11] and, at any rate, exploratory work using both orthogonal and oblique techniques (Rummel, 1970) did not yield a set of substantively meaningful factors. Despite these difficulties, some inferences can be made from a visual inspection of the table. First, there is no evidence that judgments about the degree of expertise involved in various

[11] Technically, factor analysis is a technique for grouping "objects" across "raters." In the analysis here, we are concerned with the relationship between "objects" and certain *a priori* "variables" such as public vs. private practice, criminal vs. corporate law, etc. (On the relationship between raters, objects, and variables, see Cattell, 1966.) In addition, factor analysis is a technique for situations in which people systematically differ in their ratings of different objects. In the empirical situation here, there is substantial agreement on lawyerly expertise, and all items load relatively high on the first factor.

law jobs coalesce during the first two years of law school. The mean percentage of nonresponses drops only slightly, from between 8 and 9 percent to just over 7 percent, an inconsequential difference. More important for the tasks as a group, the mean of the 24 standard deviations fails to show the marked reduction that we had anticipated (1.46 at T_1 versus 1.45 at T_2).

Turning to analysis of the ratings of the individual jobs, the clearest finding is that these students entered law school with the idea that jobs involving litigation make the most use of a lawyer's expertise. Of the 12 jobs that rank highest at T_1, only two do *not* mention litigation (negotiating complicated business deals, and solo practitioner with poor clients); while of the second 12, only two do mention or imply litigation (handling popularized political cases and working for a large labor union). At T_2 litigation jobs are not quite as dominant, but the general pattern remains. The very highest ratings still go to jobs involving trial work, as do eight of the top ten ranks. In addition, this high regard for litigation is independent of client served. Although there is some upgrading of the "chief litigating lawyer in a very large firm," who would be handling primarily corporate matters, and some downgrading of the elite practice of criminal law, both elite criminal practice and complex litigation for liberal social reform maintain high ratings.

We must be cautious in analyzing jobs showing sharp increases or decreases in ratings: large changes at the extremes of the distribution could be artifacts of regression toward the mean; and since jobs that show large changes generally include more than one dimension (e.g., type of client, type of work setting, type of substantive law), we must be attentive to other jobs whose ratings did not change, although they also possess some of these characteristics. Nonetheless, if we keep these caveats in mind, there are some tendencies worthy of note. Most striking is that jobs showing the largest increases in ratings are oriented to business and wealthy individuals.[12] This may be the result of the emphasis on these matters in the law school curriculum. The two jobs whose ratings increased the most involve complicated tax matters and complicated estate planning, a variation of tax work. Although students generally enter law school with the belief that tax law is dry and unexciting, our informal interviews indicate that they leave with the view that it is dry, boring, and critically important. They see tax questions as basic to all civil transactions, and tax as one of the few

[12] See note 10.

specialties complex enough to require training beyond the J.D. Although the tax course is not required, the cues are so strong that students feel it would be a mistake to leave law school without taking it.

The two jobs with the largest drop in mean evaluation of expertise relate to the use of law to challenge existing institutional arrangements by going outside the bounds of traditional litigation. The largest decrease comes in the evaluation of work by lawyers like William Kunstler, who attempt to use criminal litigation for political ends. The other major decline was in "doing Nader-type investigations of government agencies to determine their fulfillment of legal obligations." There seems to be agreement among the law students interviewed that most of the Law School faculty, although somewhat sympathetic to the causes represented by Kunstler and quite sympathetic to the issues raised by Nader, do not see either as engaged in careful legal analysis. In the informal interviews students also reported that Nader failed to fit the image of a lawyer advanced by the law school or depicted in their clinical experiences. He "doesn't have a client" and symbolically violates the profession's canons of ethics because he seeks out problems instead of waiting for aggrieved parties to come to him (see Tapp and Levine, 1974; Casper, 1972). In addition, Nader generally does not use the courts, but tries to influence legislation and to educate the public. As several students put it, although Nader himself may believe that he is fulfilling a lawyerly role, "he doesn't need a law degree to do what he's doing," or "he got a law degree but decided not to practice." Thus for Nader, and probably for Kunstler too, the decrease in the ratings of the lawyerly expertise involved in their work seems to be more a judgment of the type, amount, or quality of legal skills they use, than of the political interests they represent. The dominant image that students hold seems to be that lawyers are knowledgeable about complex areas of law and frequently engage in litigation. But although there was some evidence that students conceived of legal forums in traditional terms, their conception of the tasks that use the skills of a lawyer tended to remain variable and rather broad. Contrary to our expectations, roles involving less prestigious clients and social reform interests were not systematically downgraded.

Career Expectations

In an earlier section we examined changes in the students' attitudes during the first two years of law school toward the

importance of public interest work. In this section we shift focus to examine the students' expectations of actually doing such work. We first consider two items dealing with *pro bono* work; we then look at the types of jobs the students expect to hold.

Students were asked what percentage of their working time they personally wanted to spend doing *pro bono* work and how important the opportunity to do such work would be in their job choices. The latter question was of special interest because of the widespread belief that students in the late 1960s and early 1970s were demanding *pro bono* opportunities as a condition of employment.[13] For example, in Marks' study of public interest activity by major firms, "most respondents cited the students as the single or final factor which led their firms to formally address the problem of public interest response" (1972:204-05).

Entering students in the Class of 1976 seemed to have a relatively strong commitment to actually doing *pro bono* work. At T_1, only 28 percent of the students said that opportunity to do such work would definitely not be an important consideration in their choice of job (see Table 4). True, only 26 percent thought it would definitely be very important; but this figure is not as telling, because traditionally the opportunity to do *pro bono* work has not been a factor in the job decision at all. The entering students also intended to devote a fairly large fraction of their time to *pro bono* work. Given that the average for lawyers in private practice is about 6 percent (Handler, *et al.*, 1975), the figures for T_1 in Table 5 are striking. Over 50 percent of the students (and over 85 percent of those stating a specific percentage) planned to spend at least 10 percent of their time on *pro bono* work.

Table 4. How Important Will the Opportunity to Do *Pro Bono* Work Be in Your Job Choices?

	T_1	T_2
(1) Definitely not important	28	56
(2) Neither (1) nor (3)	46	28
(3) Definitely very important	26	16
	100%	100%
(N)	(131)	(132)

Notes: $\bar{X}_{T1} = .98$, $\bar{X}_{T2} = .60$; difference in means = .37 (significant at .05 level).
Nonrespondents omitted from table.

[13] Some might question whether this is a good indicator of commitment to public interest work, since historically lawyers have done *pro bono* work on their own time (see, e.g., Auerbach, 1970). The student response would probably be that the critical issue is that of having sufficient time available to do *pro bono* work, rather than that of who pays for it. Unfortunately, the questionnaire items do not make this distinction.

Table 5. What Percentage of Your Working Time Do You Personally Want to Spend Doing "*Pro Bono*" Legal Work?

	T_1	T_2
(1) None	1	5
(2) 1-9%	7	12
(3) 10-19%	18	30
(4) 20-29%	21	15
(5) 30-39%	5	3
(6) 40% or more	10	4
Don't know or uncertain	17	10
Other answer (non-percentage)	20	21
	99%	100%
(N)	(130)	(134)

Notes: For respondents stating a percent (rows 1-6), $\bar{X}_{T1} = 3.81$, $\bar{X}_{T2} = 3.15$; difference in means = .66 (significant at .05 level).
Nonrespondents omitted from table.

As the students ended their second year of study, their expectations were rather different. At T_2, over half reported that the opportunity to do *pro bono* work would be irrelevant to their choice (Table 4). The percentage of time they expected to devote also decreased (Table 5), but it was still substantially higher than the actual *pro bono* time of the practicing bar. It is quite possible, of course, that these expectations will not be fulfilled once they go into practice.

What types of jobs do the students expect to have? Table 6 summarizes their open-ended responses at T_1 and T_2 to several questions dealing with "the job you would like to have five years after graduating from law school."[14] At T_1, about half the students (49 percent) mentioned a job or field of law with an explicit social reform content, such as poverty law, consumer protection, environmental protection, or affirmative action. But, as shown in the table, such jobs were most often mentioned along with other, more traditional possibilities. Between T_1 and T_2, 43 percent of the students changed their plans sufficiently to be coded in a different category, the large majority shifting away from social reform or activist jobs. Nonetheless, more

[14] The items included: What are the most important things to you about the job you would like to have five years from now? What types of law would you like to be practicing? What type would you *not* like to be practicing? How important would type of clients be, and what types would you like (not) to have? What do you expect your income to be in this job?

The coding was done conservatively, so as to understate the number of 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, such as "working to help indigent people get adequate representation in criminal matters." Similarly, a general reference to government service was considered traditional. Because of the ambiguities involved in coding these open-ended responses, primary emphasis was placed on reliability; extensive cross checks were made to insure that similar responses were coded alike.

than a third (36 percent) maintained some interest in reform-type jobs.

Table 6. Type of Job Desired Five Years After Graduation

	Time 2					
	(0) Trad	(1) Trad/Ref	(2) Ref/Trad	(3) Reform	Total N	%
Time 1						
(0) Traditional	55	5	5	4	69	51%
(1) Traditional, maybe social reform	10	4	1	0	15	11%
(2) Social reform, maybe traditional	17	3	4	2	26	19%
(3) Social reform	6	0	6	14	26	19%
Total N	88	12	16	20	136	
%	64%	9%	12%	15%		100%

Notes: $\bar{X}_{T1}$= 1.07, $\bar{X}_{T2}$= 0.75; difference in means = 0.31 (significant at .05 level).
Nonresponse negligible.

In addition to the open-ended questions, students were asked whether each of a variety of work settings would be desirable, acceptable, or unacceptable to them five years after graduating (see Table 7). These data indicate that the students entered law school with relatively modest ambitions. They looked forward to practice in a fairly intimate setting—a realistic expectation, since most planned to remain in the state, which has few large firms. By the end of their second year these tendencies were even more pronounced. Employment in a very large firm, which would generally entail a substantial involvement with the legal affairs of major business enterprises, was the least acceptable work setting at T_1, and its mean score is even lower at T_2. The dominant preferences at T_1 and T_2 were the small firm or partnership. Thus there is no evidence that law school encourages an orientation towards complex corporate law. However, these data must be interpreted with caution, since there is no evidence that law school discourages entry into corporate practice either. The decrease in interest in major firms may simply reflect academic performance and job market expectations.[15]

[15] In fact, one of the few significant findings to emerge from our analysis of T_2-T_1 scores was the relationship between job preferences and making the Dean's list. Students who frequently made the Dean's list became less interested in solo practice, a small partnership, or a small firm (R^2 = .04, .03, .03 respectively), and much more interested than others in their class in a job with a large firm (R^2 = .08). Controlling for T_1 preference, the mean score on interest in a job with a large firm dropped .24 for students who did not make the Dean's list during the first two years at the law school, but increased .34 for students who made the list three or four times. These are substantial changes from the T_1 mean of .65.

Table 7. Acceptability of Various Job Settings

	Rank T_1	Mean T_1	Change $T_2 - T_1$
Solo practice	8	1.12	−.09
Small partnership	2	1.53	+.06
Small firm	1	1.55	+.05
Medium firm (10-40 members)	6	1.14	−.08
Large firm (over 40 members)	13	0.65	−.20*
Staff of public defender's office	3	1.25	−.32*
Staff of district attorney's office	9	1.03	−.19*
Direct employee of business firm	12	0.71	−.14
Lawyer for municipal agency	10	1.02	−.15
Lawyer for state agency	6	1.14	−.07
Lawyer for federal agency	5	1.18	.00
Teaching	4	1.20	−.40*
Job in which you do not primarily practice law	11	0.77	+.11

Notes: Desirable = 2, Acceptable = 1, Unacceptable = 0.
* Indicates significant at .05 level.

The other statistically significant changes are also decreases: interest in a job with a public defender, a district attorney, or in teaching, all declined. Taken together, these shifts do not lead to an obvious conclusion about changes in public interest orientation.

VI. CONCLUSION

Comparison of the attitudes held in 1973 and 1975 by students in the University of Wisconsin Law School Class of 1976 shows a number of changes; by and large, they are in the direction of a more conventional, though not necessarily more business-oriented, perspective. Law School appears to reinforce predispositions toward seeing litigation as requiring the highest legal skills and toward emphasizing traditional legal forums, both at the expense of other, less traditional modes of practice. There is an increase in interest in small firms, where the bulk of everyday legal work is done, and a decline in interest in *pro bono* or social reform work. Perhaps the most fundamental change affects modes of thinking. All of the students interviewed felt that the biggest change they had undergone was in learning to "think like a lawyer," i.e., to distinguish a legal from a nonlegal issue, to see the various sides of a problem, to reason formally and logically, and to express themselves clearly, concisely, and unemotionally. When measured quantitatively, these changes are statistically significant; although (as we have noted) fewer seem substantively significant, and the changes are smaller than recent critical literature on legal education would lead one to expect. Moreover, in several areas of our inquiry we found contrary evidence. Substantive change in political attitudes is slight, there is no evidence that

attitudes coalesce, and representation of less prestigious clients or social reform interests is not systematically downgraded.

In the absence of decisive patterns, these data permit a variety of interpretations, and readers may reach conclusions different from ours. In assessing the findings it is well to keep in mind those characteristics of our study that may accentuate or attenuate the observed changes and their apparent relationship to the process of professional socialization. Observed changes may be attenuated because we distributed the second questionnaire in the second year, rather than in the third, or because the student body in this law school contains a sizable subgroup with a steadfast commitment to public interest concerns. But it is generally agreed that the socialization experience is most intense in the first year; and, as noted earlier, similar exploratory studies at other law schools whose student bodies are more conservative have yielded much the same results as those reported here.

We think it more likely that the present analysis may *exaggerate* the true influence of legal education on orientation to public interest concerns. Since the study lacks a control group, we cannot determine the extent to which the apparently conservative influence of legal education is actually the product of a changed political climate, of a tendency of people to become less radical as they assume more responsibility, or of a tendency for people with deep-seated public interest commitments to avoid law school.[16] And most important, we cannot directly determine the extent to which information about the job market, rather than cues from the educational process, acts to shape student orientations.

Because this is an exploratory study, we raise as many questions as we answer. It seems to us that two of these are particularly important. The first relates to the precise nature of whatever changes occur during law school. Given the absence of dramatic rites of passage, and the diffuse nature of the law school experience, any attitude change is apt to occur gradually. If the changes we document represent the upper boundary of those that take place, then our study appears to support the view of Becker, *et al.* (1961) that students are insulated from the socialization process in professional education. But to the extent that we have underestimated actual change, then our

[16] Even if legal education has no socialization effects, the nature of the law school program could be critical in determining which undergraduates apply for admission, and thus could profoundly, if indirectly, influence the public interest orientations of practicing lawyers.

findings may be the imperfectly measured evidence of more basic change. Thus the research question centers on whether students are undergoing superficial changes in orientation or whether more profound changes of ideology and values are taking place, but have escaped measurement.

The second critical issue for future research concerns the relative importance of the job market and legal education in explaining the changes that do occur. It is not until students enter the job market that they need to adjust to the realities of legal practice.[17] Although our study does not follow the respondents beyond graduation, it is reasonable to conclude that the largest change such a follow-up would detect would be from job expectations in 1975 to job actually held a few years after graduation. Whether or not legal education by itself produces a traditional orientation toward the law, such an orientation may make sense to the students in light of the jobs and clients available in the market for legal services. Students increasingly seem to sense this, both as they get closer to graduation and as the market tightens. The predominant concern of all students interviewed, even those with outstanding records, was getting a job. One student, who was academically strong and professed a social reform orientation, put it this way: "I've told you what I'd *like* to do; the fact is, I'll take whatever job I can get!" The interviews also suggest that the change in the amount of time students plan to spend doing *pro bono* work results, to a great extent, from the stories of recent graduates about long working hours, and the feeling that *pro bono* work will require too much additional time. More generally, the largest quantitative changes in our study concern expectations of job behavior as a lawyer, the area of inquiry most subject to job market influences.

All in all, contrary to the stated interests of students, it is extremely unlikely that more than between 5 and 15 percent of the class will be in public interest jobs five years after graduation. In other words, the attitudes with which students leave law school are not apt to be good predictors of their subsequent behavior, especially when compared to the structure of the work situation. Assuming this is correct, the research question posed is to what extent the inconsistency between student attitudes and subsequent behavior is a function of the availability of public interest jobs (Erlanger, 1978). A detailed study that

[17] For a similar argument concerning the ethical values and behavior of lawyers, see Carlin (1966).

devotes equal attention to events outside and inside the law school is necessary to answer this question.

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