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# When a law degree is not enough: the necessity of a second professional degree for lawyers

Rebecca LeAnne Bowman  
*University of Iowa*

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WHEN A LAW DEGREE IS NOT ENOUGH:  
THE NECESSITY OF A SECOND PROFESSIONAL DEGREE FOR LAWYERS

by

Rebecca LeAnne Bowman

An Abstract

Of a thesis submitted in partial fulfillment of the requirements for the Doctor of  
Philosophy degree in Educational Policy and Leadership Studies (Higher Education)  
in the Graduate College of  
The University of Iowa

July 2010

Thesis Supervisors: Visiting Assistant Professor Noga O'Connor  
Professor Christopher Morpew

## ABSTRACT

This research attempts to answer the question of why some attorneys obtain a second advanced degree after their law degree. That is, if a law degree is all that is needed to practice law, then why do some attorneys continue with their studies, especially since they lack an economic incentive to do so?

The research includes a literature review with background information on credentialism and human capital theory, on lawyers and law school, dissatisfaction, income and debt, alternatives to law, joint graduate degree programs, and gender. SPSS modeling is utilized to arrive at the conclusion that human capital theory and satisfaction account for lawyers' attainment of additional degrees.

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Graduate College  
The University of Iowa  
Iowa City, Iowa

CERTIFICATE OF APPROVAL

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PH.D. THESIS

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This is to certify that the Ph. D. thesis of

Rebecca LeAnne Bowman

has been approved by the Examining Committee for the thesis requirement for the Doctor of Philosophy degree in Educational Policy and Leadership Studies (Higher Education) at the July 2010 graduation.

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John Reitz

To Mom

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## CHAPTER I

### INTRODUCTION

#### Statement of the Issue

Per capita, the United States has the largest number of attorneys in the world<sup>1</sup> (Sullivan, 2007, p. 1). While student enrollment in law schools continues to escalate, (Legal Education Statistics, n.d.), there is also a notable move out of the legal profession. In 2008, the National Association of Legal Professionals (NALP) found that 1 in 4 associates walk away from their positions within two years of starting (NALP: Update, 2009, pp. 4, 14).

As law schools have noticed this trend, there has arisen an increased focus on additional training. Law schools offer these additional training programs both to assist students in gaining specialized knowledge, and to give attorneys greater opportunities both within and outside traditional legal roles (Neil, 2006, p. 54; Arterian, 2007, p. 503). Businesses support this by seeking employees with additional training outside law (Telegraph, 2007).

The issue here concerns those attorneys who return to school after completing the JD. For example, more firms are encouraging and even paying for attorneys to return to school (Weiss, 2009). At the same time, attorneys are returning for education in additional coursework, specifically in business programs (Wilder, Oct. 28, 2009) or to obtain specialized credentials (*see* Neil, 2006, p. 54; Arterian, 2007, p. 503). As the law degree is an extremely expensive and difficult educational pursuit, answering the

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<sup>1</sup> The number of attorneys within a given country varies considerably based on the definition of, or the requirements to become, an attorney. Therefore, Japan or Russia may have higher numbers than the US (*see* Reitz, 1997).

question of why there is a trend towards additional education after the law degree will be the focus of this research.

### Research Focus

People pursue higher education for a variety of reasons. Often, their pursuit may be tied to the societal advancement credentials bring. Their desire may also be linked to the need for additional skills or capital in an increasingly sophisticated workplace. The difference between the seeking of education for societal advancement versus skill need can be analyzed through careers such as law.

This research will attempt to answer the question of why some attorneys obtain a second advanced degree after their law degree. That is, if a law degree is all that is needed to practice law, then why do some attorneys continue with their studies?

A literature review will include background information on credentialism and human capital theory, on lawyers and law school, dissatisfaction, income and debt, alternatives to law, joint graduate degree programs, and gender. Credentialism, human capital theory, and satisfaction will be the focus of my three hypotheses.

The methodology section will consist of an explanation of the After the JD (AJD) study and of the current research design. The AJD study is a longitudinal survey of over 4,500 attorneys. It tracks attorneys' attainment of additional degrees. The methodology will explain how SPSS analysis of this data supports or rejects each of the study's hypotheses. Following the methodology, I will offer my findings on credentialism, human capital theory, and satisfaction through summary statistics and models of the variables corresponding to each hypothesis.

The final chapter will apply these findings to my hypotheses and offer conclusions. Specifically, I will use the variables of educational debt, salary, and law-school ranking for my hypothesis on credentialism; human capital theory will be analyzed through practice area, non-practicing status, and consideration of other careers; and satisfaction variables will include non-practicing status, and satisfaction.

### Research Question

- Why do lawyers seek additional training/credentials beyond the JD, the minimal requirement to practice law in the US?
  - Secondary Question - Is there a difference in how many female versus male attorneys are pursuing an additional degree?

### Hypotheses

As indicated in the AJD study, lawyers' pursuit of dual degrees may be related to credentialism, human capital theory, or the satisfaction lawyers feel in their positions.

This paper will look at the following hypotheses:

- H1: Credentialism theory holds that employees attain additional degrees in order to remain competitive in an overly saturated labor market and in order to obtain social standing for competitive positions rather than for skill attainment. Therefore, lawyers with greater debt, lower salaries and degrees from lower-ranked law schools will be more likely than other lawyers to obtain credentials beyond the J.D. To analyze this hypothesis, I will look at educational debt, salary, and law-school ranking as indicators in the AJD study, explained below.
- H2: Human capital theory indicates that as individuals invest in further education, the individual acquires additional skills that the labor market



necessitates. Therefore, attorneys in specific areas of practice where additional training beyond the JD is valued will be more likely than other attorneys to pursue a credential beyond the J.D. This will be examined through the variables of practice area, non-practicing status, and consideration of other careers in the AJD study.

- H3: Lawyers may show dissatisfaction with their career choice. Those who are relatively dissatisfied with their professional experience are significantly more likely than lawyers satisfied with their professional experiences to seek additional credentials. Non-practicing status and satisfaction will be the AJD variables used to analyze this hypothesis.

These hypotheses and their corresponding variables will be addressed in greater depth throughout the paper.

## CHAPTER II

### LITERATURE REVIEW

This literature review will first look at the current trends in legal education and employment. It will offer an explanation of credentialism and human capital theory. It will explore the topics of income and debt and attorney dissatisfaction. Next, it will look at the trend of attorneys who are attaining multiple professional degrees. It will also include information on gender within the legal profession.

#### Lawyers and Law Schools

##### Why Focus on Lawyers<sup>2</sup>

There is a widespread public belief in the U.S. that there are too many lawyers (Galen, 1989). If the public perception is correct, perhaps law schools are graduating too many attorneys. Perhaps the over-production of law students is creating a flooded pool of employees.

The public's perception of the over-abundance of attorneys stands in stark contrast with the perceived lack of other highly-educated individuals, such as medical professionals. Whereas people in both professions are criticized for charging too much, there is a seeming dearth of qualified medical professionals in the current market.

One might then logically wonder whether there are too many attorneys in the market. Are attorneys happy in their profession, or are they looking for other opportunities? Are attorneys looking to receive secondary degrees in order to enhance

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<sup>2</sup> The term "lawyer" will be used interchangeably without distinction from the term "attorney" in this paper.

their employability? This dissertation will investigate those questions and look at law, specifically as a potentially over-abundant section of the US labor market.

### Law Schools

American legal education has significantly changed in the past few centuries. The earliest study of American law in the eighteenth century used an apprenticeship system focused on examining English law. In 1775, Judge Tapping Reeve created America's first school of law. His school lasted until the early 1820s, at that time competing with law programs at institutions such as Harvard, Columbia, and Yale (Sheppard, 2007, pp. 9, 13).

The institutionalized American legal system under the American Bar Association (ABA) began the process towards standardization in the late nineteenth and early twentieth century. By 1881, the ABA House of Delegates had created and recommended the same three-year structure of legal education that is used today. Along with this codification came the emergence of state bar exams throughout the late nineteenth century (Stevens, 1983, pp. 92-94). The state bars signified the movement towards an increasingly credentialized legal society. Instead of the more distant qualification methods to become an attorney, such as learning through apprenticeship or taking oral exams, today's American lawyers must receive extensive education in order to become attorneys (Collins, 1979, pp. 147-159).

### The Number of Lawyers in the US

From as far back as Alexis de Tocqueville's observations, American society has generally viewed lawyers as people who hold a position of prominence within the community. This respect for attorneys has been followed with high wages and increased

enrollment in law schools. Today, the US has the most lawyers per capita of any country in the world (Sullivan, 2007, p. 1). In July of 2008, the US had a total population of approximately 303,000,000 with approximately 1,180,386 licensed attorneys (Lawyer Demographics) - 1 in every 257 persons was an attorney.

Generally, the number of law schools, the number of applicants, and the number of enrolled students in law schools increase annually. In the 2008-09 academic year, there were 200 law schools in the United States. Of 83,371 total applicants, 49,414 first-year students enrolled. That same year, 43,588 JD or LLM degrees were awarded. Ten years earlier, in the 1998-99 school year, there were only 181 schools with 71,726 applicants and 42,804 first-year enrollments. Though the numbers may fluctuate, the trend is for an increase in the number of law schools, law applicants, and number of admitted first-year students (Legal Education Statistics, n.d.). In June of 2009, 32,595 people took the LSAT exam, a marked increase of 13% from June 2008. In addition, the American Bar Association noted that law school applications rose by 4.3 percent for the 2008-2009 school year (Swanekamp, 2009). This is in contrast with many other programs, as will be noted in the next section.

#### Increase of Graduating JDs Compared to Other Professional Degrees

The number of graduating lawyers is increasing at a rate much greater than most other professional degrees. For example, in 1985-86, 5,046 total dentists graduated with degrees in DDS or DMD. For the next twenty years, the number of graduating dentists hovered around 4,000-4,500. In 2005-06, 4,389 graduated, slightly lower than the total in 1985-86. MDs (doctors) and DVMs (veterinarians) experienced similar trends. On the opposite side of the spectrum, the number of graduates in upper-level theology and

chiropractic study<sup>3</sup> had decreased. In comparison, the number of law school graduates has skyrocketed. In 1985-86, 35,844 lawyers graduated with LLB or JDs. The numbers soon shot over 40,000, and by 2005-06, 43,440 lawyers graduated with LLB or JDs (National Center for Education Statistics, First-professional degrees conferred, Table 263, 2006). It should be noted that terminal degrees in pharmacy have grown significantly as well. Except for this, other professional degrees have remained fairly constant, the number of graduating lawyers has substantially increased by 21% from 1985-86 to 2005-06.

Table 1. Number of Professional Graduates

Graduate Degree	Number Graduating	Number Graduating
	1985-86	2005-06
DDS/DMD (Dentists)	5,046	4,389
MDs (Doctors)	15,938	15,455
DVMs (Veterinarians)	2,270	2,370
MDiv, etc. (Theology)	7,283	5,666
DC (Chiropractic)	3,395	2,564
PharmD (Pharmacy)	903	9,292
JDs or LLB (Lawyers)	35,844	43,440

(National Center for Education Statistics, First-professional degrees conferred, Tables 263, 280.)

### Employment

Young law school graduates have often found employment quickly after graduation. For example, 91.9% of 2007 law school graduates<sup>4</sup> were employed by

<sup>3</sup> Theology and chiropractic study offer comparisons to the study of law as they are both terminal, professional, upper-level graduate programs.

<sup>4</sup> Getting through law school in and of itself is not an easy task. However, the average law school graduate faces a number of exceedingly high burdens. First, 29% of law school graduates never pass the law bar

February 15, 2008<sup>5</sup>. Interestingly, approximately 14% of them were looking for another job (Market for New Law Graduates, 2008). The attorneys who did find employment made relatively high earnings. The Class of 2007 achieved a median salary of \$65,750 for those employed full-time (NALP: Class of 2007, 2008, p. 9).<sup>6</sup> However, 38% of those employed 2007 law graduates earned \$55,000 or less (Market for New Law Graduates, 2008). There is a large discrepancy between high and low earners for lawyers, which makes a very interesting earnings curve with an unusual dip in the middle.<sup>7</sup>

A high-water mark was reached in 2007 as almost 92% of law school graduates found employment in law or other fields. A snapshot of the 2007 law school graduating class before the 2008/2009 economic crisis is indicative of many students' experience. In the law school class of 2007, 43,518 students graduated, and 40,416 graduates reported on their status. 931 of those were enrolled in a full-time advanced degree program, and 2,362 were not working, meaning, approximately 5% were not working, and 2% were pursuing another advanced degree. The survey also indicated that 6.4% of all 2007 law

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exam. That is, they cannot practice law because they have not received authorization by their chosen state. In 2009, the states with the lowest bar passage rates were Wyoming with 62% and California with 65% of applicants passing. (Note that a bar exam applicant does not have to have a law degree in California to take the exam.) In the middle range of passage, 74% of Virginia students passed the exam, 76% in Colorado, and 77% in New York. Towards the higher end of passage, 87% of Iowa applicants and 91% of Minnesota applicants passed the bar, as did 92% of applicants from Montana and Oklahoma  
<http://www.ilrg.com/rankings/law/index.php/4/asc/StateOverall>

<sup>5</sup> This employment rate does not mean that all of the law school graduates were employed as lawyers. This only indicates that the law graduates from the summer of 2007 had some type of employment by February 2008. This includes people working in non-legal positions.

<sup>6</sup> These salary statistics do not factor in those who are unemployed.

<sup>7</sup> For more information on the bell-shaped earning curve of lawyers, see NALP: Another Picture Worth 1,000 Words (July 2008). In *Jobs & JDs, Class of 2007*. Retrieved from: <http://www.nalp.org/anotherpicture>

school graduates were employed in non-legal work (NALP: Class of 2007, 2008, pp. 1, 8).

### Why The Push for Attorneys

Students continue to flock to law schools. In an attempt to explain why so many people are going to law school, Schneider and Belsky (2005) posited that people are swept up by a ‘herd mentality’: Students see their friends preparing for law school, and they find it to be a logical choice as well. In addition, students are influenced by an ‘information cascade’: For instance, in the recent poor economic market of 2008-2009, students might have believed that the way to avoid a bad job market was to go to law school, as law school pushed back the time when a student needed to obtain employment. Lastly, young people are faced with an ever-expanding number of options for their careers; with so many options, students feel that they are stuck in a ‘decision paralysis,’ so they escape the quandary by attending law school and avoiding unemployment (pp.172-173).

Schneider and Belsky (2005) also contend that the increasing number of students attending law school is due to a set of student misperceptions. Students believe that once they go to law school, they have to finish, as a result of several practices: First, ‘anchoring’ is the tendency to associate oneself with something that cannot be cast aside, such as a degree program. Second, the ‘sunk cost fallacy’ pushes students, even though they might be unhappy in law school, to stick it out rather than walk away from the money and energy they have already spent. Third, in ‘regret aversion,’ students continue studying law to avoid the potential future feeling that they made a mistake. Lastly, ‘status quo bias’ maintains that students feel more comfortable sticking with what is making

them unhappy rather than risking something unfamiliar (pp. 173-174). In other words, students attend law school, even though they may be unhappy, because they perceive departure as a much worse outcome.

### Possible Explanations

The previous section has highlighted lawyers in America and their training. The focus of this research is on why lawyers attain additional training after the JD. The following section will look at three possible explanations for the attainment of additional degrees by attorneys. These include credentialism, human capital theory, and dissatisfaction.

#### Credentialism

In America, a credential, or certificate from an educational institution, provides a means of valuing one's worth in the employment market. Students have faith that the credentials they obtain will be rewarded later on (Bills, 2004, p. 203). Therefore, students want more degrees or credentials to remain competitive in the market.

There are two ways to look at the growth of an increasingly-credentialized society. In the meritocratic model, the demand for increased schooling developed rationally based on the changing needs of employment. As knowledge-based jobs increased, so did the educational requirements associated with them. In the credentialism model, those who could pay for more education obtained credentials. These high-income people used the credential as a mark of social status. In the same way, employers looked for employees who had the credential and therefore the mark of social status, cultural values, and accepted behaviors (Bills, 2004, p. 38). An alternative way to think of this is that attorneys will obtain more competitive positions if they attended a highly-ranked law



school such as Yale or Harvard than if they attended an unranked law school. In the same way, a person with a MA has a better opportunity for a position than a BA candidate, not because of the training she has received, but because of the initials or institutional affiliation she has earned. This alternative model sees the rise in credentials as a phenomenon independent of any supposed complexity of the modern workplace.

While the credential can serve as a standard by which to judge an applicant's ability to perform specialized work, an overabundance of credentials can also lead to a flooded system. That is, when too many people achieve a credential or degree, there might not be enough employment to fulfill those trained individuals. This problem of credentialing too many people may be identified as credential inflation. Credential inflation occurs when the education employers seek in their new employees is higher than the actual skill level needed to perform the job satisfactorily (Bills, 1988b; Bills, 2004, p. 35).

Considering the JD's terminal status, obtaining any other degree or skill would not seem to serve the lawyer as the JD is all that is required to work as an attorney. However, credentialism might provide a key to understanding why lawyers obtain additional degrees.

### Human Capital Theory

According to human capital theory originally envisioned in 1960 by Theodore Schultz (Schultz, 1960; Blaug, 1976, p. 827), as people's education increases, society's economic and social development also increase. That is, society benefits from education because with increased knowledge and skill comes an increase in productive capacity and

technological progress. Therefore, society should invest in education to gain the maximum developmental benefit (Olaniyan & Okemakinde, 2008, pp.157-158).

Under human capital theory, income differentials are caused by the varying returns to the varying levels of educational investment (Olaniyan & Okemakinde, 2008, p. 161). Supply and demand for jobs interact to create a market wherein people are paid certain wages. This is carried out in the marketplace through 'signaling', where workers invest in education, and employers make hiring decisions using educational attainment as a signal of the person's potential productivity (Berg, 1981, p. 24).

Many have recognized the limits of human capital theory. Blaug (1976) contended that applied to education, human capital theory can only go so far: human capital development shows a decreasing amount of societal benefit as the investment in education surpasses a certain mark.

Human capital theory demands that higher education be responsive to both the cost of schooling and the earning potential associated with increased education (Blaug, 1976, p. 829). When the cost of schooling becomes too great and the benefit too small, investment in education must be curbed. In addition to this larger societal view, each individual must also make a cost-and-benefit analysis as to whether acquiring a skill or degree is valued. Therefore, human capital theory must advance a society's development while at the same time putting limits on how much investment is required for maximum output.

Following human capital theory, as the JD is the highest degree an attorney needs to practice law, it would seem that students interested in law would plateau once they attained the JD. A student with a JD would have reached the highest level of specific

skill attainment in his field. However, this is not necessarily the case; as we shall see, JD degree recipients are continuing their education towards degrees such as LL.Ms, MBA, MAs, and PhDs. The goal of this paper is to explain this phenomenon, and human capital theory provides one lens for this analysis.

### Dissatisfaction

Lawyers are largely discontent and dissatisfied with their profession (*see* Bennett, 2002, and Kronman, 1993). One American Bar Association survey found that the rate of dissatisfied lawyers stood at 25 percent, while only 1/3 of the attorneys were very satisfied with their current positions. Arron (2004) reported that in a survey of 1,000 Maryland lawyers, a third doubted that they would continue practicing law (p. 19). Among in-house corporate counsel, dissatisfaction stood at a high of 77% (Arron, 2004, pp. 13-14).

Noticing the dissatisfaction problem, a number of self-help books designed specifically for lawyers have been published over the past few years. Each details the unhappiness and lack of fulfillment lawyers feel and potential ways to get out of the profession (*see* Arron, 2004; Greenberg, 1998; Munneke, Henslee and Wayne, 2006; Schneider and Belsky, 2005; Staudenmaier, 1999.)

Lawyers are some of the most depressed people in the United States. They have comparatively high rates of alcoholism, divorce, suicide, and poor physical health compared to the general population (Schiltz, 1999, pp. 874-77). Factors that lawyers cite as contributing to their dissatisfaction with work include long billable hours, repetitious and impersonal tasks, lack of stimulating work, and poor collegial relations (Stefancic and Delgado, 2005, pp. 53-57). Lawyers feel that their lives, leisure pursuits, and family,

are all suffering from lack of adequate time. They are constantly feeling burned out, as they are kept in a state of stress, are overworked and are facing physical and mental exhaustion (Stefancic and Delgado, 2005, pp. 64, 69-70).

Women lawyers especially tend to feel the burden. Female attorneys are prone to higher rates of divorce, much more than female doctors (Schiltz, 1999, p. 879). Women and minority lawyers also have the highest comparative levels of job dissatisfaction (Harrington, 1995). This sets women apart from men in an analysis of satisfaction.

Among Americans in general, a variety of surveys found different rates of satisfaction. In 2007, the General Social Survey found that 86% of Americans reported being content with their jobs, and 76% reported satisfaction with their family income. Pew researchers found that 65% of Americans were satisfied with their lives (Brooks, Oct. 30, 2007). Though they differ greatly in their estimates of the level of satisfaction among Americans, they both estimate that level to be higher than even the most liberal estimates of lawyer satisfaction.

In a 2007 survey of 800 attorneys conducted by the ABA, only 55% said that they were satisfied in their choice of a legal career. Of the lawyers who had six to nine years of work experience, only 4 out of 10 said that they were satisfied with their careers. Of all the lawyers surveyed, only 4 out of 10 would recommend pursuing a legal career to others (Ward, Oct. 2007). As a comparison to other professional degree holders, in a study of primary care physicians and specialists over 4 years from 1997-2001, an average of only 18% were dissatisfied with their work (Landon, Reschovsky and Blumenthal, 2003). In addition, a 2007 study found that 87% of clergy, 78% of physical therapists, and over 60% of teachers and engineers reported being satisfied with their careers.

(University of Chicago News Office, 2007). Overall, attorneys are less happy than most sectors of the workforce.

### Lawyers Leaving

Associate attrition is prevalent in law firms: in 2008, the average associate attrition rate stood at 16%, down from 18% in 2007. This rate remained high even during a year of extreme economic challenge, as firms with 500 or more attorneys maintained a range of 11-22% attrition, and firms of 251-500 attorneys exhibited a range between 9-29%. Of those entry-level associates who were hired in 2007 to start working in 2008, 14% left within the first few months. Altogether, 1 in 4 associates leave their positions in less than two years (NALP: Update, 2009, pp. 4, 14).

NALP (Update: 2009) conducted a survey of 111 law firms concerned with associate departures. 40% of associate departures in the first wave of the NALP study were not wanted by the firms, or at least the firms wanted the associates to stay longer. On the other end of the spectrum, 31% were wanted departures – the firm wanted the associate to leave. Entry-level associates were asked to leave their positions most often because the company's work quality standards were not met. As a side-note, as might be expected due to the economic problems of 2008-2009, firm downsizing did increase in 2008, causing 4% of entry-level and lateral associates<sup>8</sup> to depart in 2008 compared to 1% in 2007 (NALP: Update, 2009, pp. 4, 24, 30-36).

### Causes of Dissatisfaction

Scholars have offered a number of theories to explain lawyers' job dissatisfaction. First, Daicoff's study (2008) looked at the emotional experiences of attorney's exhibiting

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<sup>8</sup> Lateral associates are those who move between firms in the same position. They could be in their position for many years compared to entry-level associates.

distress and work dissatisfaction. Daicoff postulated that traits found within the attorney population, such as self-esteem and humanistic decision-making styles, may predispose attorneys to unhappiness, especially in legal employment. The study also found that attorneys link their employment and career satisfaction to their well-being and mental health. In essence, lawyers may have an unhealthy balance of excessively focusing on work at the expense of health and satisfaction. In addition, the study postulated that work stress may lead to work dissatisfaction (pp. 119-132).

Studies of lawyers' dissatisfaction have found that no specific factors, such as age, gender, years in practice, area of specialty, income level, practice setting, size of firm, attitudes, or personality, can fully explain why lawyers feel dissatisfied. These attorneys may feel distressed due to stress, dissatisfaction with their work, or problems with personal lives (Daicoff, 2008, pp. 104-110).

Munneke (2006) attributed the flight from law due to lawyers not experiencing the career they had envisioned, or realizing that they made a mistake in career choice (pp. 4-5). The problem Munneke failed to determine is whether the dissatisfaction comes from the legal work of an attorney or from other variables such as the attorney's predisposition to depression or dissatisfaction.

As far back as 1993, Anthony T. Kronman, a professor at Yale Law School, saw an increasing crisis within the legal community. He believed that lawyers were no longer able to lead a fulfilling life (Kronman, 1993). Lawyers' traditional position as statesmen was being replaced within a new social order. The increased requirements of non-legal knowledge eroded the traditional lawyer-statesmen role, and left him empty. Kronman posited that as today's lawyers must become knowledgeable in fields such as economics,

statistics, political science and philosophy, they lose touch with their traditional roles (pp. 2, 354-356).

Kronman argued that this movement towards multidisciplinary is not necessary to create good lawyers, especially the idealized lawyer-statesman, since lawyers at the highest levels of practice do not need multidisciplinary knowledge. In addition, requiring the lawyer to have varied educational backgrounds lessens the strength of his actual knowledge. Finally, the character that the lawyer would ideally possess is lost in the movement towards adding more and more knowledge (p. 356).

Another approach (Stefancic & Delgado, 2005) suggests that the discontentment of lawyers may be tied to formalism (p. 34). Formalism, or the habits of mind and social organizations that legal training subscribes to, narrows a person's focus or regiment a person's thought and reasoning too far. The teaching of legal formalism in the class transfers to actual legal practice and constricts lawyers in the workplace. Lawyers become entrenched in specialized research and writing based on reaching billable hours (pp. xi, 48-49).

### Depression

Depression in the legal field is widespread. From July 1, 2008 to June 30, 2009, the Lawyers' Assistance Program served 296 cases of lawyers in emotional need, 9.2% more than the previous year. Given the economic climate of 2009, this jump might not seem unusual. However, that year also noted an increase of 363% since 2001-2002. The greatest proportion of these involved cases of psychological depression (Hansen, 2009, p.35).

Daicoff (2008) noted that attorneys are twice as likely as the normal population to

suffer from depression and alcoholism (p. 87). Another 1990 study by John Hopkins University determined that lawyers are four times more likely to suffer from depression compared to the average person (Eaton, Mandel and Garrison, 1990). In other studies, lawyers showed an increased risk of two to six times the normal averages of clinical depression (Hansen, 2009, p. 35). These tendencies towards depression may provide a clue for why attorneys pursue additional degrees as they look for more-fulfilling careers.

### Income and Debt

Law school students are often eager for, or at least cognizant of, the potential high earnings their degree can bring them, and debt levels vary. The 2002 National Association of Legal Professionals (NALP) survey of approximately 4,500 attorneys, found that about 16% of law graduates in 2000 graduated without debt, being roughly equally split between the sexes. The remaining students graduated with an average debt of \$70,000. About half of this debt came from federally funded loans. By 2009, 29% of law students graduated with over \$120,000 in debt (Law School Survey of Student Engagement, 2009).

Both high- and low- income attorneys had significant debt loads. The survey reported that lawyers in non-profit, public government, and public interest work, had approximately the same amount of debt as attorneys in large private firms. This means that those groups of attorneys working for lower salaries faced a less favorable earnings-to-debt burden. In addition, it meant that high debt did not necessarily deter new lawyers from service work. Black and Hispanic lawyers, lawyers in poor-paying positions, and those graduates from public or lower-ranked institutions, were most inclined to go into service work with this debt burden. Also, despite scholarships, blacks and Hispanics



ended their legal education with more of a debt burden than whites and Asians (Wilder, 2007, pp. 3, 7-8, 11).

In a 2006 article from the *National Law Journal Online*, Leah Jones reported that the cost of law school was increasing at a rate 4½ times higher than the salary of a private sector attorney. The cost of a law degree rose by 267% from 1990 to 2006. In the same time, the pay for a beginning attorney in the private sector increased by only 60%. Jones also reported that this corresponded to a decrease in the number of attorneys joining public interest legal work.

With all this debt, one would wonder why the number of applicants for law school continues to increase. Hasn't the market become too saturated? It seems that applicants are still willing to take the expense of attending law school despite the burden of their future debt.

Faced with this debt load, newly graduating attorneys have good earning potential. Of 2007 graduates, 75% earned a median salary of \$108,500 in private practice, though the median of all graduates was \$68,500 (see Table 2).

Table 2. Median Salaries of Lawyers 9 Months After Graduation in 2007

Field	Salary	% Working in Each Field
All Graduates	\$68,500	
Private Practice	\$108,500	75%
Business	\$69,100	8%
Government	\$50,000	8%
Academic/Judicial Clerkships	\$48,000	4%

\*Lawyers, Occupational Outlook Handbook, 2010-11 Edition, (2010).

Lawyers' earnings go up with time. In May 2008, the median yearly earnings of all lawyers were \$110,590, the middle half ranging from \$74,980 to \$163,320 (Lawyers, Occupational Outlook Handbook, 2010-11 Edition, 2010). The following chart from the Occupational Employment Survey program of the Bureau of Labor Statistics shows the median earnings in the industries with the largest number of lawyers.

Table 3. Median Earnings of Lawyers, 2008

Management of Companies and Enterprises	\$145,770
Federal Government	\$126,080
Legal Services	\$116,550
Local Government	\$82,590
State Government	\$78,540

\*Lawyers, Occupational Outlook Handbook, 2010-11 Edition, 2010.

While lawyers can earn high incomes, they have a significantly larger proportionate debt to pay compared with other high-earning professions. It is helpful to first look at other graduate degree earnings in comparison to lawyers and then look at their comparative debt load. The average salary for a starting assistant professor across disciplines in 2008-2009 was \$63,827 (Bureau of Labor Statistics, 2010-11). The previous table indicated that the median salary of starting lawyers was \$68,500 in 2008; this would seem to indicate that lawyers, who graduate with a higher debt, have lower initial earnings than new professors.

In addition to starting salaries, comparing overall median salaries allows for additional insight. In 2008, dentists made a median salary of \$142,870, and chiropractors made a median salary of \$65,220. The overall median of attorney earnings in 2008 was

\$110,590 (Bureau of Labor Statistics, 2010-11). In other words, attorneys earn substantially less than dentists but substantially more than chiropractors. While earnings might vary, the debt load of each of these professions must also be incorporated into the analysis.

The following chart shows that graduating attorneys face one of the highest debt loads of any profession. JDs and LLBs graduate with over twice the debt of PhD, EdDs or MBAs. The only profession that surpasses graduating attorneys in debt is MDs or DOs; however, a lower percentage of graduating doctors carry debts compared to attorneys.

Table 4. Trends in Student-Loan Debt for Graduate and Professional Students

Type of Degree	Average Cumulative Debt 2007-8	Average Cumulative Debt 2003-4	% of Graduating Students with Debt 2007-8	% of Graduating Students with Debt 2003-4
MBA	\$41,676	\$39,270	69%	62%
MSW (Social Work)	\$49,017	\$37,181	78%	81%
Master of Science	\$40,362	\$31,965	64%	59%
Master of Arts	\$40,500	\$34,107	74%	70%
Ph.D.	\$45,455	\$41,655	48%	47%
Ed.D.	\$44,880	\$47,246	73%	65%
Law (LL.B. or J.D.)	\$92,937	\$80,627	89%	88%
Medicine (M.D. or D.O.)	\$127,272	\$117,520	83%	94%

\*Chronicle of Higher Education: Trends in student-loan debt for graduate and professional students. August 24, 2009.

Medical doctors might also provide a comparison. While MDs graduate with only slightly higher debt loads, they make substantially more money than lawyers once established in their careers.

Table 5. Median Compensation for Physicians, 2008

Anesthesiology	\$321,686*
Surgery: General	\$282,504*
Obstetrics/Gynecology: General	\$247,348*
Psychiatry: General	\$154,200
Internal Medicine: General	\$166,420*
Pediatrics: General	\$146,040
Family and General Practitioners	\$157,250

Physicians and Surgeons. Occupational Outlook Handbook, 2010-11 Edition, 2010.

\*Indicates medians in 2005 as the Bureau of Labor Statistics does not offer 2008 median figures for these occupations.

In effect, the professional degrees with the two highest average debt loads make significantly different wages. Medical doctors can expect to surpass the earnings of lawyers substantially.

#### Alternatives to Law

Lawyers take on a significant amount of debt to finance their education; they also have the possibility of making large amounts of money. Therefore, a lawyer who leaves school with significant debt would likely work in legal jobs that offer high amounts of pay. However, as noted earlier, some attorneys are dissatisfied with the legal profession. Some look for other options.

#### Economic Incentive to Return to School

Some argue that lawyers should return for an advanced degree if they are at a career roadblock, the argument being that schooling will help them advance (Neil, 2006, p. 54). The one caveat is that lawyers who return to school for advanced degrees are not likely to earn larger incomes afterwards. The only exception to the potential for

increased pay is for a JD who returns for a Master's in tax, which law partnerships and accounting firms highly value (Neil, 2006, p. 54). The question remains then as to why a JD graduate would return for more education if there is little to no economic incentive to do so.

A number of benefits can accrue from returning to law school for a Master's of law LL.M. degree, an advanced degree typically earned after the JD that often serves international students. LL.M. students have control over their course of study, attain advanced expertise in that area, and gain an expanded professional network (Darke, 2008, p. 2). Neil (2006) mentions one Chicago litigation firm employer notes how an advanced degree in certain fields may help JDs achieve an edge in getting hired or advancing. However, there is a danger that one can become too specialized, limiting his employment chances, and consequentially eliminating the impetus to receive additional education.

#### Difficult to Leave

Some believe that the ability of lawyers to move to non-law positions is becoming much more fluid, just as it is within many modern careers. Lawyers are not bound to life-long positions, but are increasingly aware of their ability to move as free agents (Tulgan, 1999, p. 6).

However, not every attorney can find non-legal work easily. One problem that people leaving law face is that new employers view them as inappropriately educated for the new position. In one survey of Minnesota law graduates who went to nontraditional employment, almost half of the respondents said that employers resisted their applications due to a lack of understanding of the former lawyer's applicable skills and background (Staudenmeier, 1999, p. 304). This is common as attorneys who choose to

leave the profession often face skepticism by non-legal employers, who believe that legal training offers no benefits outside of law (Greenberg, 1998, p. 211). Non-legal employers tend to question lawyers' abilities in a new field, asking: "Why would a person invest in three or four years of law school to do something she could do without obtaining a legal education?" (Munneke, 2006, p.3).

### Non-Legal Positions Lawyers are Going to

When lawyers move out of the legal profession, they pursue a variety of second careers. There has been a growth of lawyers in administrative positions – specifically at law schools. One informal survey found that approximately 80 percent of senior non-teaching law school administrators are lawyers. Attorneys are also taking positions as high-ranking administrators or presidents of universities (Munneke, 2006, pp. 134-137). Despite this anecdotal evidence, there is little information as to where lawyers are actually going and how many attorneys are taking or pursuing non-legal positions. There is also little evidence as to what additional education is needed to support non-legal work for attorneys, or support movement within the legal field. This research aims to better understand this phenomenon by reviewing the second wave of the NALP data from 2007 regarding second-degree programs and the consideration of careers outside the legal profession.

### Joint Graduate Degree Programs

#### Enrollment in Joint Graduate Degree Programs

In 2002-2003, the National Center for Education Statistics (NCES) took a sample of 11,000 1992-93 bachelor's degree recipients. The survey found that by 2003, 40 percent had pursued a graduate degree (Nevill, 2007, p. 7). With 40% of BA recipients

pursuing at least an MA degree, the survey indicated a focus by recent graduates on further education. 1 in 10 of the BA recipients enrolled in joint graduate degree programs: 5% enrolled in multiple Master's degrees, 2% in a Master's and Doctoral program, and 3% in a first-professional and a different graduate degree program (Nevill, 2007, p. 11). This movement towards multiple graduate degrees is particularly important in the context of law schools.

#### Joint Degree Programs and Extra Credentials Within and Beyond Law School

JD students may enroll in many joint degree programs, as there is a plethora of joint degree programs available to them. Law schools offer joint degree programs<sup>9</sup> in a host of liberal arts and social science programs as far reaching as public health or agricultural economics (The Graduate Group, 2000).

Law schools are also helping to fuel this focus on increased schooling. Many law schools offer advanced Master's of law (LL.M.), a degree following the JD, in such specialties as intellectual property (IP), trial advocacy, and international law. This has expanded from the early 1990s when LL.M.s were given for only tax practitioners (Neil, 2006, p. 54). Law schools are also adding specialty and certificate programs. Uncommon thirty years ago, these certificate and specialty programs are burgeoning throughout law schools (Arterian, 2007, p. 503).

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<sup>9</sup> The J.D. is supposed to be the highest-ranking degree a person who practices law may obtain. The Council of the Section of Legal Education and Admissions to the Bar stands by the position that no post-J.D. or other graduate program should be considered as an equivalent or substituted for the J.D. Law schools must obtain the American Bar Association (ABA) Council's acquiescence to begin a joint degree program even though the ABA does not formally approve the secondary degree. This means that law schools can only be licensed as J.D. programs unless they receive approval to offer joint degrees through the ABA. Under Standard 308 of the American Bar Association's Standards for Approval of Law Schools, a law school may not create a joint degree program associated with the J.D. unless the school is fully approved, and the additional program does not detract from the soundness of the J.D. program. (Overview of post J.D. programs).

Within the general JD programming, law schools are adding more cross-disciplinary courses in contract negotiation, drafting, and business, in order to attract and serve students. These cross-disciplinary courses are designed to help law students form connections and relationships while opening students' legal education to more practical skills (Freeman, 2008, pp. 98, 101.) These joint courses are also attractive to law students. By offering joint courses, students see that universities are broadening their scope and looking for more innovative educational opportunities (Freeman, 2008, pp. 109-10). Overall, interdisciplinary legal education is becoming more popular for academics and professionals, as some researchers (*see* Freeman, 2008) suggest that interdisciplinary education provides a better preparation, as well as an interdisciplinary collaboration for graduates (Tokarz, 2004, p. 1).

#### Move to Business

In the working world, there has been a move by lawyers out of the legal field into business - specifically business. This move is especially prominent among former women attorneys (Wilder, Oct. 28, 2009). As Gita Wilder, the Senior Social Researcher at NALP with the AJD study, noted (Oct. 28, 2009), the tremendous debt load of lawyers does not typically allow them to go back for more schooling. However, transferring to business does not necessarily require more schooling and seems to be a logical step for those moving out of law.

At the same time, it is interesting to note that law firms are increasingly choosing to send their attorneys to courses in business school, and universities are taking on this new opportunity. For example, Boston University School of Management is now offering a mini-MBA program targeting lawyers, George Washington University is



offering a degree program in law firm management, and Georgetown University is offering a 'custom-tailored course' to a yet-unidentified firm (Weiss, 2009). Business schools and law firms are beginning to work together to offer attorneys increased education in the business sector.

In early 2007, the international law firm of Lovells joined with Cass Business School to create the first MBA program for attorneys. Lovells offered 60 young corporate attorneys the possibility of spending a night every month studying for their MBA, and each class counted towards a fully transferable MBA in the case of a need for future employment (Telegraph, 2007). It seems that law firms are realizing that they need attorneys who can work in the increasingly complicated business world, and at the same time firms are actively competing to retain high-qualified attorneys.

#### Growth of MBA Dual Degrees in Law and Other Fields

MBA, like JD programs, are experiencing rapid growth in student enrollments, as the number of students graduating with MBA degrees is increasing. In 1980, graduates received 55,008 MBA degrees. By 2006, that number had reached 146,406 (US National Center for Education, (n.d.), Table 292).

While the number of MBA graduates has increased, so too have joint degree programs involving MBAs. MBA programs are increasingly collaborating with medical and law schools for interdisciplinary work (Fairbank, 2005, p. 49). In addition, lawyers and others pursue MBAs because they are often part-time programs. For example, in the 2004-2005 school year, 63.7% of MBA enrollments were part-time (Bisoux, 2006, p. 22).

Doctors too pursue MBAs, often because of the need for physicians with management education. From 1993 to 2001, the number of MD/MBA programs increased from six to 33 (Larson, Chandler, and Porman, 2003, p. 335).

MD programs are using business training as a way to train doctors who will wield influence, or physician executives who can work as liaisons in the administrative and clinical realms (Sherrill, 2000, p. 37). MD students sign up for these joint programs because of the increased earning potential they offer. In a study of dual-degree MD-MBA students and MD students, both groups were asked what they expected to earn five and ten years after finishing their residencies. MD-MBA students expected to earn \$167,986, whereas MD students expected to earn \$132,208 after 5 years (Sherrill, 2000, p. 38).

Nurses are also moving into MBA programs as the number of MSN/MBA joint programs is increasing. A survey conducted in 1998 of deans of MSN programs found that the institutional support for this joint degree increase is due to publicity/marketing needs of MSN programs and institutions' financial aid issues (Minnick, 1998). Institutions also noted that students are attracted to joint MSN/MBA programs for the significant advantage they will have over other MSN nursing administration graduates (Minnick, p. 61).

### Gender

In addition to various professions pursuing multiple graduate degrees, the phenomenon also has an interesting trajectory when comparing males and females across professions. The next section will focus on women's inequality, specifically in the legal field.

## Gender Inequality

The Gender Parity Index (GPI) measures educational access of men and women based on socioeconomic status, or the comparative standing of an individual based on income and education (Jacobs, 2001, p. 540). At the turn of the millennium, GPI measurements indicated that women and men are not compensated equally in the United States. Across the board, men earn more than women, even among those in the same occupations with the same training (Jacobs, 2001, p. 541).

Faced with an unequal earning potential, one aspect of understanding the movement of attorneys to multiple degrees may be traced to gender. This section will serve as a general introduction to gender inequality in the context of this study.

Men and women graduate with roughly equal amounts of law school debt. In the first wave of the NALP survey in 2002, the mean average debt was only slightly higher for women, at \$71,933 for women and \$69,375 for men (Wilder, 2007, pp. 3, 7-8, 11). Though female lawyers may have the same level of education and debt as men, this does not necessarily translate to earnings parity. For example, pay disparities between the sexes in the first wave of the AJD survey sample were apparent. Women earned significantly less, the median salary being \$66,000, compared to \$80,000 for men (Dinovitzer, 2004, p. 58).

In addition to women earning less in 2002, they often left law firms earlier and at a slightly higher rate than men. A 2001 NALP study found that approximately 11% of women left their law firms by the end of the first year, and 45.2% percent left by the end of the third year (men left at 8% and 41.5% percent, respectively); NALP: A Career in the Law, 2001, p. 3).

One of the reasons women left law firms was their perception of a lack of advancement opportunities compared to men. The top five barriers to advancement in law firms, noted by women in the survey, were: commitment to family and personal responsibilities, lack of client development/general management experience, lack of mentoring opportunities, exclusion from informal internal networks, and lack of role models (NALP: A Career in the Law, 2001, p. 6).

Partnership status, the highest level of law firm advancement, indicates that women attain a partnership status at a lower rate than men do. NALP gathered demographic information in 2008-2009 from approximately 138,000 partners, associates and lawyers in over 1,500 offices. While almost half of new hires were female, in 2008 women were only 18.74% of partners in the nation's major firms. This was a marginal change from 1993, when women were 12.27% of partners (Law Firm Diversity, 2008). From the 1980s, the percentage of female law school graduates had gone from 40% to approximately half of all graduates. While the number of female graduates has increased, there has not been a corresponding increase in partnership representation (Law Firm Diversity, 2008.)

Authors such as Rikle (2006) have suggested that women still feel inhibited or pushed away from law firm work. In order to lessen this, Rikle suggested that law firms work on mentoring programs or other ways to encourage women in the practice. Special attention should be paid to the requests for part-time employment as it is an issue that is played out in gender labor choices involving women and their families. Some law firms do allow for part-time employment, specifically for their more-experienced lawyers; still, only 5.6% of law firm attorneys take advantage of this option, and 74% of

those are women. In total, 12.0% of all female attorneys work part time, compared to 2% of male attorneys (NALP (n.d.) *Parttime Lawyers*).

### Summary of Literature Review

The goal of this study is to understand the pursuit of additional education by attorneys. To answer this question, this literature review first looked at lawyers, their education, and their place in the market. Then it offered theories to understand the phenomenon. First, credentialism theory posits that individuals pursue education not to improve their skills, but rather to make themselves more competitive. Credentials serve as societal markings that improve employment possibilities (Bills, 2004).

Opposing this view is human capital theory. Human capital theory notes society's need for educated, well-trained individuals. Therefore, an individual's attainment of an additional degree serves to improve society and allow it to progress. Those individuals who fill the market's demand for well-trained workers are correspondingly rewarded with increased pay (Schultz, 1960; Berg, 1981). In this case, lawyers would attain additional degrees in order to improve their technical knowledge and better serve society. In return, they would have economic reward.

However, credentialism and human capital theory might not be the sole explanation for lawyers' pursuit of additional education. Dissatisfaction may be a factor. As lawyers tend to be dissatisfied individuals, it would follow that they may seek additional training when they are dissatisfied with their current position and want a new career (Munneke, 2006). Increased education allows for the possibility to pursue a different interest.

Finally, gender may be involved. Differences in pay and upward mobility continue to plague women in the workforce; therefore, women and men may need or desire positions that require varied amounts of educational training beyond the JD.

In light of this theoretical background, the next chapter will look at the methodology that will be used to analyze the question as to why attorneys pursue additional education.

## CHAPTER III

### METHODOLOGY

#### Quantitative Research

Quantitative research involves the empirical use of statistics and models to substantiate hypotheses or conclusions about a given respondent population. I chose to use quantitative research as I had access to data from a longitudinal study. The AJD study provided an excellent sample from which to answer my question on the additional attainment of degrees by lawyers. The responses from the AJD study came in SPSS format, allowing for a methodology that employed the use of statistics and modeling.

#### AJD

In 2002, the National Association for Law Professionals (NALP) initiated a longitudinal study named “After the JD” (AJD). The project examined a number of topics, including demographics, financing of legal education, law school and the transition to practice, practice setting, and distribution of income. The project sampled approximately 10% of all new lawyers from 2000, or 4,538 JD recipients, in an ongoing 10-year longitudinal study. The first wave began in May 2002. The sample population of the AJD study included attorneys who passed a state bar in 2000 and graduated from law school between July 1, 1998 and June 30, 2000. It did not include graduates who did not pass the bar. The first wave for the class of 2000 began with a mail survey. The study followed a stratified sampling process, including an oversample<sup>10</sup> of 1,465 minority lawyers (Black, Hispanic, and Asian Americans).

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<sup>10</sup> An oversample is the deliberate selection of additional persons in a particular or rare group, in order to create a larger sample size from which to draw conclusions.

The second wave surveyed first wave respondents and nonrespondents (those who had received the first survey in 2002 but did not respond) in March 2007. The third wave was sent in spring 2010. This data is still being collected and is not included here. The survey was sponsored by a variety of sources including the NALP foundation, the American Bar Foundation, the Law School Admission Council, the National Science Foundation, the Access Group, the Open Society Institute, and the National Conference of Bar Examiners.

I specifically focused on question 62 of wave 2, asking respondents what additional degrees they had attained since the JD. This excluded additional graduate degrees obtained before the JD or those respondents were currently in the process of pursuing.

#### AJD Second-Wave

The second wave, or the 2007 AJD study, included both respondents from the first wave of the study and additional respondents who did not participate in the first wave. This research involves only those who participated in both the first and second wave, represented as the ‘merged’ data, in order to have a consistent pool.

I chose to use the merged data because there were certain variables that were available in only wave 1. Specifically, the second wave data did not include educational debt, salary, or law school ranking information. Therefore, it was necessary to merge wave one data into wave two and reduce the sample size.

#### Research Design

#### Application for Approval

Since I completed secondary-analysis of open-source data from NALP, I applied



for exempt status from the IRB. I received the exempt status but then discovered that some of my data was private, and needed IRB approval. I re-applied to IRB and received the appropriate approval. In addition, I worked with the University of Iowa's Statistical Research Center and local statisticians to conduct advanced analysis of the current data.

#### General Demographic Variables Used for Analysis: Gender, Race, Marital Status, and Children

To provide a basic ground for the regressions and analysis, I focused on four demographic factors that did not have a direct relation to any of our three hypotheses. I did this in order to highlight those demographic variables that were outside the three hypotheses or to exclude them from the possible explanations for lawyers' attainment of additional degrees.

The demographic variables included question 76 regarding gender, question 77 on race, question 86 on marital status, and question 90 regarding minors residing at home. These demographic variables are often used for analysis of models in quantitative research (*see* Hostetler, A.J., Sweet, S., & Moen, P. (2007, January); Duane, M., Dovey, S.M., Klein, L.S., & Green, L.A. (2004)).

As a general demographic category, gender may be related to credentialism as a potential factor for determining if women or men find a greater need to have additional degrees to remain competitive in a saturated market (Fischer, 1996). However, I set it apart as a demographic variable in this study.

Race is a commonly used demographic factor analyzed in models using quantitative data (*see* Wallace, 2003; Esbjorn, 2008). In answering question 77 regarding race, respondents could choose from a variety of choices. However, respondents also had

to choose what races they were not. For example, the data indicated that a person self-identified as either white or not white. This was the same for each race- black or not black; Hispanic or not Hispanic, etc. Therefore, when conducting the analysis of race, I used white or non-white as the response variables. This was especially helpful as the number of minorities achieving additional degrees was not high enough individually for a reliable analysis.

Question 86 offered 7 choices for the marital status of respondents. In order to have larger sample sizes, these were recoded into married (first time), single (never married or never in a domestic partnership), and other (including remarried after divorce, annulment, or being widowed, domestic partnership, divorced or separated, widowed, or other.)

Table 6: Recode of Marital Status

<b>Original AJD Coding</b>	<b>My Recode</b>
Married, 1 <sup>st</sup> Time	Married, 1 <sup>st</sup> Time
Single, Never Married	Single, Never Married
Remarried after divorce, annulment, or being widowed; Domestic partnership; Divorced or separated; Widowed; or Other	Other Marital Status

### Practicing Attorney

Question 5 asked respondents whether they were practicing attorneys. I used this data for the purpose of my hypothesis on satisfaction. For analysis of this response, it is assumed that when students first begin the study of law, they give up potential income, pay thousands of dollars, and face a demanding education, only if they have the specific goal of being an attorney. Therefore, those who moved away from law after this sacrifice

are likely dissatisfied with the legal profession. It is possible that those who are non-practicing attorneys never planned to pursue a career in law when they achieved their degree. In this instance, satisfaction would not be a relevant assumption in relation to respondents' choice to attain an additional degree since law school. However, for the purposes of this research, it is assumed that most people who pursue a legal education begin with the goal of becoming an attorney and would leave only if dissatisfied.

### Practice Area

Question 4 asked respondents about their practice area. This factor was used for human capital theory to understand if specific careers needed additional training. In order to analyze practice area, I combined the 14 choices into 4 groups: private practice, solo practice, state and local government (including judiciary) and other. Those in private law firm practice represented 45% of attorneys. Solo practice (those not in large, private law firms), and state and local government (including judiciary) were the second and third-largest represented groups. Other practice areas included federal government, legal services or public defender, public interest organization, other non-profit organization, educational institution, professional service firm, other fortune 1000 industry/service, other business/industry, or a labor union.

Table 7: Recode of Practice Area

<b>Original AJD Coding</b>	<b>My Recode</b>
Private Law Firm	Private Law Firm
Solo Practice	Solo Practice
State & Local Gvt (inc. Judiciary)	State & Local Gvt (inc. Judiciary)
Federal government; Legal services or public defender; Public interest organization; Other non-profit organization; Educational institution; Professional service firm; Other fortune 1000 industry/service; Other business/industry; or a Labor union	Other Position

### Satisfaction

Question 46 asked respondents how satisfied they were with their decision to become a lawyer. The respondents originally had five choices: extremely satisfied, moderately satisfied, neither satisfied nor dissatisfied, moderately dissatisfied, or extremely dissatisfied. Because only 79 total respondents were extremely dissatisfied, the five choices were combined into three larger groups: satisfied, neither satisfied nor dissatisfied, and dissatisfied to provide more reliable figures.

### Considered Outside Careers

Wave 1 and Wave 2 asked respondents what other careers they considered in addition to or instead of the law. Consideration of other careers was a human capital theory variable as it indicated that additional training was needed to move to jobs such as consulting or investment banking. In wave 2, question 61 specifically asked what other careers respondents had considered since being admitted to the bar (underline mine) whereas wave 1's question 64 asked if respondents had considered any of the listed careers in addition to or instead of law. Response choices included business/management, community organizing, consulting, investment banking, journalism/writing, politics, public policy/public administration, public/social service, starting your own business, and teaching/academia.<sup>11</sup>

I originally conducted general analyses of all the different career choices. However, in my specific analyses and final models, I looked at solely those that offered relatively large number of respondents. This included variables regarding those who

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<sup>11</sup> Consideration of other careers served as human capital theory variables. However, it could also be argued that specific careers require additional credentials as legitimating tools, indicating credentialism.

considered consulting (bq61c), investment banking (bq61d), journalism/writing (bq61e), public affairs/policy (bq61g) and/or teaching/academia (bq61j).

Next, I decided to reduce the number of considerations in order to maintain a relatively high sample size and to focus on those variables that had the highest levels of statistical significance. I used only consulting (bq61c) and investment banking (bq61d) in my merged, final data analysis. Consulting (with 458 responses) had a significance of .000, and investment banking (with 148 responses) had a high significance of .001 when individually run against q62. Therefore, consulting and investment banking were utilized as the variables for considering other careers in my final model.

#### Educational Debt and Salary

As indicated earlier, wave 1 data was used for educational debt and salary responses. These variables were utilized in my credentialism analysis as indicators of whether monetary issues influenced the attainment of additional degrees. In other words, was the status of an additional degree important despite debt or salary.

Responses for educational debt were broken into four quartiles for ease of analysis: 1<sup>st</sup> quartile= \$0-\$35,000; 2<sup>nd</sup> quartile = \$35,001-\$65,000; 3<sup>rd</sup> quartile= \$65,001-\$90,000; 4<sup>th</sup> quartile = \$90,001-\$200,000. The quartiles each represented approximately 25% of the respondents.

Responses for salary were broken into four quartiles: 1<sup>st</sup> quartile= \$10,001-\$50,000; 2<sup>nd</sup> quartile=\$50,001-\$71,000; 3<sup>rd</sup> quartile= \$71,001-\$110,000; and 4<sup>th</sup> quartile= \$110,001-\$700,000. The AJD survey data indicated that those reporting a salary of less than \$10,000 were set to missing.

### US News 2003 Law School Ranking

As previously noted, wave 1 data was used for US News 2003 law school ranking in relation to credentialism. Highly-ranked schools would indicate a higher credential and thus, less need for an additional degree. More than 200 law schools were included in the law school ranking. The original coding by AJD gave the following break-down: 1= Top 10 schools; 2= Top 11-20 schools; 3= Top 21-100 schools; 4= Tier 3 schools; 5= Tier 4 schools; 6= Degree from schools outside the US; 7= Unaccredited schools. I re-coded numbers 1 and 2 as Group 1 (law schools 1-20), 3 as Group 2 (schools 21-100), and 4-7 as Group 3 (all other schools) to have larger sample sizes.

This coding is problematic in that the original data entry must have assumed that schools ranked 21-100 had a similar student body, or a comparatively different student body from those schools ranked 1-10 or 11-20. That is, the data differentiates between schools such as 1-10 (merely ten schools) and 21-100 (80 schools). Since this data was not re-coded, I have used this structure despite the obvious problems with inferring that school 21 is more similar to school 100 than it is to schools 10 or 20.

### Measurement

#### Logistic Regression

I used logistic regression to measure the categorical variables of gender, race, marital status, children, practicing or nonpracticing attorney, practice area, satisfaction, educational debt, salary, and ranking of law school against attaining an additional degree, which is the dependent variable. Logistic regression is a statistical method that predicts the probability of an occurrence within a population. Logistic regression was used

because it allows for one binary variable (additional degree/no additional degree) to find the power of the different explanatory values given above.

This was measured by the following formula:

$Z = b_0 + b_1 * x_1 + b_2 * x_2 + b_3 * x_3 + b_4 * x_4 \dots$  where  $x_1$  is gender,  $x_2$  is race, etc. (Terms are further defined below).

The response variable  $y$  was set up as a binary variable, where  $y = 1$  when the person gets a second degree and  $y = 0$  otherwise.  $P$  was the probability that  $y = 1$  (where the person gets a second degree). I gradually added variables to the model and compared the different models as I proceeded. For example, I could add interaction terms through the following formula:  $z = b_0 + b_1 * x_1 + b_2 * x_2 + b_3 * x_3 + b_4 * x_4 + b_5 * x_5$ .

#### Definition of Terms

- $Y$  = Probability that a JD recipient would receive another degree
- $X_1$  = Gender ( $X_1 = 1$  if male;  $X_1 = 0$  if female-reference group);
- $X_2$  = Race ( $X_2 = 1$  if white;  $X_2 = 0$  if non-white – reference group);
- $X_3$  = Marital Status ( $X_3 = 1$  if married;  $X_3 = 1$  if single, never married;  $X_3 = 0$  if other marital status- reference group);
- $X_4$  = Children ( $X_4 = 1$  if children;  $X_4 = 0$  if no children – reference group);
- $X_5$  = Non-Practicing Attorney ( $X_5 = 1$  if non-practicing attorney;  $X_5 = 0$  if practicing attorney – reference group);
- $X_6$  = Practice Area ( $X_6 = 1$  if private firm;  $X_6 = 2$  if solo practice;  $X_6 = 3$  if state & local government;  $X_6 = 0$  if other practice area – reference group);
- $X_7$  = Satisfaction ( $X_7 = 1$  if satisfied;  $X_7 = 2$  if neither satisfied nor dissatisfied;  $X_7 = 0$  if dissatisfied - reference group);

- $X_8$  = Consideration of Consulting Career ( $X_8 = 1$  if considered;  $X_8 = 0$  if did not consider - reference group);
- $X_9$  = Consideration of Investment Banking ( $X_9 = 1$  if considered;  $X_9 = 0$  if did not consider - reference group);
- $X_{10}$  = Educational Debt ( $X_{10} = 1$  if first quartile;  $X_{10} = 2$  if second quartile;  $X_{10} = 3$  if third quartile;  $X_{10} = 0$  if fourth quartile - reference group);
- $X_{11}$  = Salary ( $X_{11} = 1$  if first quartile;  $X_{11} = 2$  if second quartile;  $X_{11} = 3$  if third quartile;  $X_{11} = 0$  if fourth quartile - reference group);
- $X_{12}$  = US News 2003 Law School Ranking ( $X_{12} = 1$  if schools ranked 1-20;  $X_{12} = 2$  if schools ranked 21-100;  $X_{12} = 0$  if all other schools - reference group);

### Interaction Terms

I tested the interaction of different variables. Here are a few examples of the different interaction terms I looked at.

- $X_1X_2$  = The value when the subject is both male and white.
- $X_2X_3$  = The value when the subject is both white and married.
- $X_2X_4$  = The value when the subject is both white and has children.

Interactions can prove especially helpful in terms of combining variables connected to certain hypotheses. In effect, their combination further proves the hypothesis. For example, if two human capital variables like non-practicing attorney and consideration of another career created an even stronger effect, one would hypothesize that human capital theory provided the best explanation for the attainment of additional degrees.



At the same time, I was interested to see if demographic factors might have a stronger correlation once tied to those variables directly connected to my hypotheses. For example, perhaps men would attain a statistically significant value once non-practicing attorney status was factored in. However, this did not prove to be case. Overall, interaction terms provided little information to support my hypotheses.

### High Correlation

I measured the correlation between the independent variables in order to decide if any variables needed to be removed from the model due to multicollinearity.

Multicollinearity is the combining of individual predictor variables in a multiple regression so that their individual impacts cannot be understood. In other words, it is the use of variables with the same effect, such that the effect of one cannot be differentiated from the effect of the other. Multicollinearity does not impact the overall model; instead, it lessens the interpretive possibilities related to individual variables. Multicollinearity should be avoided as it can cause problems as it can weaken the statistical significance of an independent variable.

### Weights

Both wave 1 and wave 2 of the AJD project used limited weights. I utilized the minority selection adjusted for non-response, basically an increased sample size of minority applicants for my research, as provided in the AJD study.

### Development of Models

I used nine models for my analysis. I did this primarily because SPSS, the statistics program I utilized, offers a total of nine models. This means that if a researcher

wishes to use more than nine variables, some variables will need to be integrated into the same model.

However, I also used nine models as they corresponded to my conceptual goals. Conceptually, I wanted to highlight the variables connected to credentialism, human capital theory, and satisfaction. To do this, I first separated out common variables which are used in statistical analysis. For example, I began with demographic variables such as gender (model 1), race (model 2), marital status (model 3), and children (model 4). I wanted to exclude demographics as the primary force in my analysis. By first looking at these models, I determined that demographics did not have a significant impact in the attainment of additional degrees.

Models 4-9 used variables that tied specifically to my hypotheses. By separating each, I could detect the effect of each variable and note its correlation to the hypotheses. First, I integrated the variables for human capital theory. Practice area (model 4), non-practicing status (model 5), and consideration of other careers (model 8) all highlighted human capital theory. Satisfaction (model 7)<sup>12</sup> and non-practicing status (model 5) both included evidence for my satisfaction hypotheses. Educational debt, salary, and law-school ranking (model 9) all involved credentialism. I placed these last three inputs in model nine because they all came from wave 1 data. Since this data is less recent, I chose to integrate it in my final model.

### Limitations

SPSS analysis of this dataset does have a number of limitations. One weakness of the merger of wave 1 and 2 data is that the number of respondents who answered both

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<sup>12</sup> Only questions 46 and 5 dealt with satisfaction in the AJD survey. Therefore, I had limited material from which to gain conclusions. This is another limitation of the study.

waves 1 and 2 decreased. To balance this weakness, separate summary statistics and analyses for wave 2, with a larger number of respondents, are found in the appendices.<sup>13</sup> However, within chapter 4 and 5, the data and models reflect the merger of waves 1 and 2.

Another selection effect is that I had to assume that people who are no longer attorneys would fill out a survey for attorneys. In effect, there may be a selection effect biased towards currently practicing attorneys as those who no longer practice may be less inclined to fill out the survey.

It is also important to note that those non-practicing attorneys who did obtain additional degrees do not note when they did so. That is, the timing of the non-law career cannot be compared with the timing of the additional degree.

The original coding of the AJD data is also problematic. For example, the coding conducted by AJD isolated certain school rankings such as 1-10 and compared them with schools 21-100. This would indicate that school 21 is more similar to school 100 than it is to school 10. (Please see the section entitled “US News 2003 Law School Ranking” for further explanation.)

### Type of Degree

In both waves 1 and 2, respondents were asked what type of additional degree they received. In wave 1, respondents had the choice of Master of Arts or Science (MA or MS), Masters of Law (LL.M), Masters of Business Administration (MBA), Doctorate, or Other.

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<sup>13</sup> Wave 1 summary statistics and separate analyses are available with the author.

In wave 2, respondents had the choice of Master of Arts or Science (MA or MS), Masters of Law (LL.M), Certification as a specialist in a field of law, Masters of Business Administration (MBA), Medical Doctorate (MD), Doctorate, or Other. In addition, the “other” category, including almost 150 responses, was re-coded. Some of those re-codes fell into the aforementioned categories, and an additional category, representing those who attained an additional degree in insurance, patent, finance, or real estate-related program which included 49 respondents, was created. This still left approximately 52 “other” degrees.

The type of degree was not used in my final analysis. This is because the number of responses to each degree choice, after taking into account the exclusions for models, was extremely low. For example, almost all of the choices had less than 25 yes respondents, going so low as having 0 MD yes responses, in the final model. Therefore, I decided not to analyze what influence the type of degree might have as the analysis would be purely hypothetical.

### Summary

This research will answer the question of why attorneys are seeking additional degrees after the JD.

To do this analysis, I will start by using the demographic variables of gender, race, marital status, and children in my model. This will allow me to either exclude or note the effect of demographics in this study.

Second, I will select specific variables that can prove or disprove each of my hypotheses. It may be that to obtain or continue employment, attorneys need additional

degrees to remain competitive. If so, credentialism is at work. The variables of educational debt, salary, and law-school ranking will help me to do this analysis.

It may also be that lawyers need increased skills in order to perform their jobs effectively. In this case, human capital theory would explain the move towards dual degrees. Practice area, non-practicing status, and consideration of other careers will be the variables used for human capital theory.

Finally, attorneys may be unhappy in their employment. This dissatisfaction could be a third potential cause for attaining additional degrees. Non-practicing status and satisfaction will be the two variables analyzed in this context. These will be further explained in the next chapter.

Attorneys are increasingly pursuing degrees beyond the JD. By looking at factors such as demographics, income and debt, and alternative career choices, this research aims to answer the question of why attorneys are following this path.

## CHAPTER IV

### FINDINGS

This section will begin by explaining the variables that were used in relation to applicable theories. Second, it will offer preliminary analysis of the findings from both wave 1 and 2. It will then offer descriptive data including summary statistics and corresponding graphs of the merged data. Finally, it will provide regression models and analysis.

#### Variables as They Correspond to the Hypotheses

##### Credentialism Variables

Credentialism indicates that additional degree attainment is spurred by the need to remain competitive in a saturated market. A number of responses were analyzed in order to substantiate this theory.

First, credentialism theory may be linked to educational debt and salary. When a respondent is willing to take on additional debt to attain a degree, there may be social pressures at work. In other words, a respondent may believe that she needs an additional degree to stand out from those with similar skills, thus necessitating an additional degree despite the additional debt.

In relation to salary, credentialism theory may apply because those with low salaries may need to attain an additional degree to remain competitive in a flooded market. This does not mean that additional skills are necessary for the higher paying job. It indicates that only the status of an additional degree and its corresponding pay hike may be linked to additional degree attainment.

I also looked at law school ranking identified as question USNews2003 from wave 1 in order to substantiate credentialism. The ranking of a respondent's law school may indicate how competitive her degree is and thus whether additional degrees are necessary or not in order to obtain the top positions.

#### Human Capital Theory Variables

Human capital theory contends that the employment market is increasingly specialized and therefore needs people with additional skills. Further education will make employees more marketable, thus inducing a push for additional education. In order to understand whether the need for additional skills necessitates more degrees for lawyers, I first looked at question 4- practice area.

In order to analyze practice area, I combined the 14 choices into 4 groups, using private law firm practice, solo practice, state and local government (including judiciary), and others. Practice area served as a human capital theory variable because certain legal careers may necessitate additional education; for example, a corporate attorney in a large firm may need specialized education in business.

In addition, I investigated a separate question on the consideration of other careers. The consideration of other careers such as consulting, investment banking, public policy/public administration, and teaching/academia may be an indicator of respondents' interest in additional skills that are needed in order to move from one legal career to another. In this sense, the skills of a JD do not translate to other careers, and additional training is necessary for respondents to perform in new positions.

Finally, human capital theory can be linked to whether a licensed attorney is practicing law or not, question 5. That is, attorneys who choose not to pursue law or

move out of law may be likely to pursue additional degrees to improve their skill sets and knowledge.

### Satisfaction Variables

In addition to credentialism and human capital theory, this research also posited that dissatisfaction may be related to attorneys' pursuit of additional degrees. To analyze this, I looked at wave 2's question 46 on satisfaction and question 5 on practicing attorney status, the assumption being that those who are not practicing attorneys are dissatisfied with the legal profession.

### Satisfaction and Mobility

Most (75.4%) new attorneys were satisfied with their employment as a lawyer within the first two years after law school. However, respondents commonly moved positions. Even though they had barely been out of law school between two and four years, over 1/3 had switched jobs at least once, and 18% had changed jobs twice or more, not including those who obtained clerkships, 1-2 year research positions with judges. In addition, 44% reported plans to move from their current position within two years, and 8.5% of respondents held a second job in addition to their primary position (Dinovitzer, 2004, p. 53).

### Dissatisfaction with Employment

As illustrated in the table below, the 17.2% of attorneys (780 individuals) who noted being dissatisfied in the first wave of the AJD study, cited a number of reasons for their employment dissatisfaction.



Table 8. Causes of Dissatisfaction in First-Wave of AJD Study

Wanted Less Pressure to Bill	23.80%
Wanted to Work Fewer Hours	23.60%
Wanted a Greater Opportunity to Shape Decisions	20.30%
Wanted More Flexibility for Personal Life	18.30%
Wanted Formal Leave Policies	9.80%
Wanted Greater Encouragement by Employer to Use Formal Leave Policy	8.20%

American Bar Association [ABA], 2006.

This indicates that attorneys were dissatisfied with the pressure to bill and work long hours while they also felt disenchanting with their ability to influence decisions or take time for a personal life.

#### Goals and Aspirations

When asked as to why they chose to attend law school in the first place, the first wave of respondents again gave a variety of answers.

Table 9. Why Students Chose Law School

Developing a Satisfying Career	51%
Financial Security	43%
Intellectual Challenge	40%
Gaining Transferable Skills	31%
Desire to Help People	30%
Changing or Improving Society	23%
Deferring Entry Into the Job Market	6%

ABA, 2006.

From this, 31.3% of respondents ranked gaining transferable skills as a very important reason for why they chose law school. This might indicate that JD students did not necessarily plan to practice law after graduation. When the respondents entered law

school, 5.5% did not intend to practice law, and 11.3% were not sure. These 11.3% viewed becoming an attorney as only one option proceeding from their legal education.

#### AJD Second-Wave Data

The second wave survey of AJD respondents, does offer some interesting preliminary information. First, approximately 15% of the 4,538 JD recipient respondents were not practicing law in their primary jobs (Park, Preliminary Information, (n.d.)). Given the cost of the JD, it is noteworthy that there are JD recipients who are not practicing law.

Over 50%, or 2,580 of the 4,538 respondents had left at least their first job since graduating from law school (Park, Preliminary Information, (n.d.)). Respondents gave varied reasons for their departure. The AJD survey instrument offered 24 options, and the respondents indicated that dissatisfaction with the job and better opportunities elsewhere were the primary reasons for leaving a company. This would indicate lawyers have common reasons for leaving employment compared with the general workforce.

Judith Collins, the research director of the National Association of Legal Professionals (NALP), noted that about 2% of all graduating JDs go on immediately for another degree, though NALP does not keep records of what those degrees are. Collins' perception of 2% may be lower than reality. 5% of attorneys in the second wave of the AJD study, or 229 individuals of 4,538, obtained at least one other graduate degree in addition to the JD. Of those 229 individuals, 237 additional degrees were earned.

Table 10. Additional Degrees from Wave 2 Data

Program	# of degrees
MA	32
LLM	64
MD	1
PhD	7
Specialist Certificate in Law	18
MBA	17
Other Degree	98
Total	237 <sup>14</sup>

(Park, Preliminary Information, n.d.).

Economic incentives would seem to be the logical reason for a JD recipient to return for more schooling. However, not all the earners of additional degrees had an economic incentive to do so. For example, 32 respondents indicated that they had obtained an MA. Interestingly, most of these were earned after the JD, despite an apparent lack of economic incentive when comparing the earning potential of the JD and the cost of receiving this additional MA. It is possible that certain MAs, such as public health, would increase the earning potential of attorneys; however, many others, such as a MA in area studies, would most likely not.

#### Descriptive Information

This section includes summary statistics of the merged data. It is purely for descriptive purposes.

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<sup>14</sup> \*Thirty-six of these additional degrees were earned in 2000 or earlier. The respondents' JDs were earned in 2000, so 193 of the additional degrees were earned after the JD. The term "Other Degree" was not defined in the survey. However, it was re-coded for purposes of this research.

Table 11. Summary Statistics

Variable	Category	Variable Respondents	Category Respondents	% of Variable	# of Category Respondents Attaining Add'l Degree	% of Category Respondents Attaining Add'l Degree
Gender	Female	2860	1413	49.40%	110	7.80%
	Male	2860	1447	50.60%	149	10.30%
Race	White	2582	2120	82.10%	189	8.90%
	Non-White	2582	462	17.90%	49	10.60%
Marital Status	Married, 1 <sup>st</sup> Time	2840	1840	64.80%	159	8.60%
	Single, Never Married	2840	543	19.10%	62	11.40%
	Other Marital Status	2840	457	16.10%	37	8.10%
Children	Children*	2821	1511	53.60%	128	8.50%
	No Children	2821	1310	46.40%	128	9.80%
Practicing Attorney	Practicing Attorney	2745	2317	84.40%	160	6.90%
	Non-practicing Attorney	2745	428	15.60%	93	21.20%
Practice Area	Private Law Firm	2741	1258	45.90%	78	6.20%
	Solo Practice	2741	234	8.50%	21	9.00%
	State & Local Gvt (inc. Judiciary)	2741	314	11.50%	23	7.30%
	Other Position	2741	935	34.10%	131	14.00%
Satisfaction	Extremely/Moderately Satisfied	2735	2090	76.40%	179	8.60%
	Neither Satisfied nor Dissatisfied	2735	264	9.70%	37	14.00%
	Extremely/Moderately Dissatisfied	2735	381	13.90%	37	9.70%
Considered Careers	Considered Consulting	2632	836	31.80%	112	13.40%
	Did Not Consider Consulting	2632	1796	68.20%	124	6.90%
	Considered Investment Banking	2571	241	9.40%	39	16.20%
	Did Not Consider Invest. Banking	2571	2330	90.60%	194	8.30%
<b>WAVE 1 MERGED Data***</b>						
Educational Debt	\$0-\$30,000	2065	545	26.40%	52	9.50%
	\$30,001-\$61,000	2065	489	23.70%	45	9.20%
	\$61,001-\$90,000	2065	537	26.00%	55	10.20%
	\$90,000-\$213,000	2065	494	23.90%	40	8.10%
Salary	\$10,001-\$50,000****	1949	525	26.90%	45	8.60%
	\$50,001-\$71,000	1949	450	23.10%	49	10.90%
	\$71,001-110,000	1949	512	26.30%	38	7.40%
	\$110,001-\$700,000	1949	462	23.70%	49	10.60%
US News 2003 Ranking	Schools 1-20	2135	482	22.60%	40	8.30%
	Schools 21-100	2135	1010	47.30%	105	10.40%
	All Others	2135	643	30.10%	55	8.60%

Table 11. Summary Statistics Continued

Variable	Category	# Respondents in Merged 1410 Sample	# in Merged Sample with Addt'l Degree	% of Merged Sample with Addt'l Degree
Gender	Female	664	58	8.70%
	Male	746	75	10.00%
Race	White	1159	105	9.10%
	Non-White	251	28	11.20%
Marital Status	Married, 1 <sup>st</sup> Time	912	81	8.90%
	Single, Never Married	267	31	11.60%
	Other Marital Status	231	21	9.10%
Children	Children*	785	66	8.40%
	No Children	625	67	10.70%
Practicing Attorney	Practicing Attorney	1191	84	7.10%
	Non-practicing Atty	219	49	22.40%
Practice Area	Private Law Firm	640	44	6.90%
	Solo Practice	117	10	8.50%
	State & Local Gvt (inc. Judiciary)	85	6	7.10%
	Other Position	568	73	12.90%
Satisfaction	Extremely/Moderately Satisfied	1087	92	8.50%
	Neither Satisfied nor Dissatisfied	140	25	17.90%
	Extremely/Moderately Dissatisfied	183	16	8.70%
Considered Careers	Considered Consulting	405	63	15.60%
	Did Not Consider Cons.	1005	70	7.00%
	Considered Investment Banking	123	21	17.10%
	Did Not Consider IB	1287	112	8.70%
<b>WAVE 1 MERGED Data***</b>				
Educational Debt	\$0-\$30,000	338	34	10.10%
	\$30,001-\$61,000	344	33	9.60%
	\$61,001-\$90,000	393	40	10.20%
	\$90,000-\$213,000	335	26	7.80%
	\$10,001-\$50,000****	371	31	8.40%
Salary	\$50,001-\$71,000	336	39	11.60%
	\$71,001-110,000	359	30	8.40%
	\$110,001-\$700,000	344	33	9.60%
US News 2003 Ranking	Schools 1-20	332	30	9.00%
	Schools 21-100	668	67	10.00%
	All Others	410	36	8.80%

\*Children: Wave 1 respondents were asked if they had children. Wave 2 respondents were asked if they had 'minors' living at home. For ease of analysis, they are listed as children here.

\*\*First, question 61 listed many options of additional career choices attorneys had considered since passing the bar. While all of these were analyzed, only the responses to question 61(c) Consulting and question 61(d) Investment Banking showed the strongest level of statistical significance in the final model, and are thus, included here.

\*\*\*This wave 1 data includes figures that were not available in wave 2, but were included to offer additional analysis. Their analysis corresponds to Wave2, question b62a.

\*\*\*\* The AJD survey listed any salaries under or including \$10,000 as missing. Therefore, the first salary quartile starts at \$10,001.

### Analysis of Summary Statistics

The summary statistics indicated that non-practicing attorneys are more likely to pursue additional degrees; those who are neither satisfied nor dissatisfied are more likely than satisfied or dissatisfied respondents to achieve an additional degree; and those who considered careers in consulting or investment banking are more likely to pursue an additional degree than those who did not.

### Models

#### Explanation of Logistic Models

This section will analyze the data in relation to the three hypotheses offered earlier. As mentioned earlier, wave 2 did not include all of the factors that I wanted to analyze in relation to a respondent's choice in attaining an additional degree. Only wave 1 data included respondents' educational debt, salary, and US News 2003 law school rankings. Therefore, this data was merged into wave two. However, this created a complication as many responses were missing from both waves. Therefore, only 1,410 respondents answered all of the questions for my merged model. Because of this lowered response rate, I have included a separate model for waves 2 in the appendices which includes a larger numbers of responses.

Table 12. Logistic Regression Models

N=1410	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8	Model 9
Constant	-2.502***	-2.324***	-2.412***	-2.327***	-2.645***	-2.567***	-2.67***	-2.927***	-3.191***
Male	0.155	0.169	0.193	0.201	0.270	0.260	0.279	0.146	0.151
White		-0.247	-0.211	-0.204	-0.267	-0.264	-0.258	-0.197	-0.216
Married			-0.047	-0.004	-0.062	-0.047	-0.113	-0.083	-0.075
Never Married			0.252	0.153	0.041	0.051	0.038	0.009	0.043
Children				-0.207	-0.208	-0.214	-0.185	-0.166	-0.139
Non-Practicing Attorney					1.355***	1.316***	1.278***	1.164***	1.180***
Private Firm						-0.100	-0.129	-0.051	-0.033
Solo Practice						0.032	0.024	0.134	0.142
State & Local Gvt						-0.476	-0.483	-0.463	-0.448
Satisfied							0.015	0.152	0.157
Neither Satisfied nor Dissatisfied							0.802*	0.878*	0.894*
Consulting								0.561**	0.554**
Investment Banking								0.531	0.496
Educ. Debt \$0-\$30,000									0.254
\$30,001-\$61,000									0.279
\$61,001-\$90,000									0.304
Salary \$10,001-\$50,000									-0.139
\$50,001-\$71,000									0.161
\$71,001-\$110,000									-0.235
1-20 Schools									0.054
21-100 Schools									0.102
Nagelkerke R Square	0.001	0.003	0.005	0.007	0.069	0.071	0.084	0.102	0.108

\*Same chart with SE values is included in the appendix.

### Nagelkerke R-Square Values

Nagelkerke R-square values measure strength of association, measured in a range from 0 to 1. It is the most often reported of the R-squared estimates. A low R-square value indicates a low strength of association. Here, there are low values through the first

four models, indicating little association between these demographic variables and attainment of additional degrees.

However, the Nagelkerke R-squared value increases with model 5, indicating that status as a non-practicing attorney raises the strength of association. The values increase from there on, indicating an increasingly strong association.

#### Models 1-4: Gender, Race, Marital Status, and Children

None of the demographic variables used in my models had a statistically significant explanatory power over the dependent variable. In relation to gender, this may connect to the fact that women and men have increasingly equal access to graduate study (Reay, David, & Ball, 2005). This trend in gender may also tie to marital status and having children as women and men have more balanced opportunities in and outside the home (Bolzendahl & Myers, 2004). The racial discrepancy could be due to the differences between the non-whites. That is, non-whites in my model included Asians, Hispanics, blacks, and Native Americans. Asians are more likely to pursue additional education whereas blacks are less (Xie & Goyette, 2003; Davis, Azjen, Saunders, & Williams, 2002). In this instance, the individual minority races might be effectively canceling each other out.

#### Model 5: Practicing Attorney

One of the three variables showing a significant relationship with the likelihood of a respondent to pursue an additional degree, was whether that person was a practicing attorney or not. Converted into  $\text{Exp}(B)$  values, non-practicing attorneys stood at 3.876, meaning that their likelihood of attaining an additional degree was almost four times that



of practicing attorneys. This had a statistical significance of .001 and the highest Exp(B) value found in this research.

#### Model 6: Practice Area

Type of practice was not significant in relation to additional degree attainment after accounting for demographic and practicing attorney controls.

#### Model 7: Satisfaction

Satisfaction also proved to be significant in relation to respondents' achievement of an additional degree. The analysis indicated that those who were neither satisfied nor dissatisfied were more likely to pursue an additional degree than those who were satisfied or those who were dissatisfied. Those who were neither satisfied nor dissatisfied had an Exp(B) value of 2.231 in relation to those who were dissatisfied. This indicates that this middle category was more than twice as likely to attain an additional degree as their dissatisfied counterparts.

#### Model 8: Consideration of Other Career

Respondents were asked to answer whether they had considered other career choices. Of the responses, consideration of consulting had the highest level of statistical significance, followed by investment banking. Those who had considered consulting were significantly more likely to attain an additional degree at an Exp(B) value of 1.753, or almost twice as likely as those who did not consider consulting.

#### Model 9: Educational Debt, Salary, and US News 2003 Law School Ranking (Wave 1)

I found no statistical significance attached to debt, which is surprising, as one would surmise that those with the most debt would be least likely to pursue additional

costly education. I also found no statistical significance attached to salary or school ranking.

#### Independent Variables that were not Used

In my initial plan, I had projected using variables such as unemployment, full versus part-time work, hours of work, and work location. However, these variables were not included in my final model. First, some of this data was not available; for example, even though I requested the data on work location, the AJD survey would not release it. Second, some of these factors had few responses or lacked statistical significance to justify their inclusion.

I also used variables that I had not originally considered. For example, I used the US News 2003 ranking of law schools in order to see how the ranking of schools impacts the necessity of an additional degree.

#### Overall Analysis of Models for Merged Data

The models indicate that non-practicing attorneys have the strongest relationship to the predication of attainment of an additional degree. Also, those who are neither satisfied nor dissatisfied with their work and those who considered consulting as an alternative career have a statistically significant relationship to the pursuit of an additional degree after law school.

#### Regression Graphs

Using Model 9, I created a series of regression graphs. Below is a sample chart and a few sample graphs based on those regressions, specifically focusing on the factors of practicing attorney, satisfaction, considered consulting, and general demographic categories. (Full graphs are available with the author). I chose the first three variables as

they all had statistically significant information. I also included a few demographic variables for general comparison. My exponentiation formula is  $=\text{EXP}(\alpha)/(1+\text{EXP}(\alpha))$ .

Table 13. Sample Chart of Regression Table

	Satisfied	Neither	Dissatisfied
Male	-0.574	0.163	-0.731
Female	-0.725	0.012	-0.882
Exp(B)	Satisfied	Neither	Dissatisfied
Male	0.360	0.541	0.325
Female	0.326	0.503	0.293

Figure 1. Satisfaction and Gender

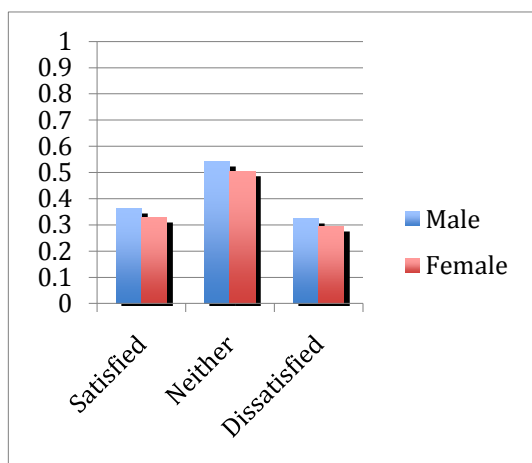
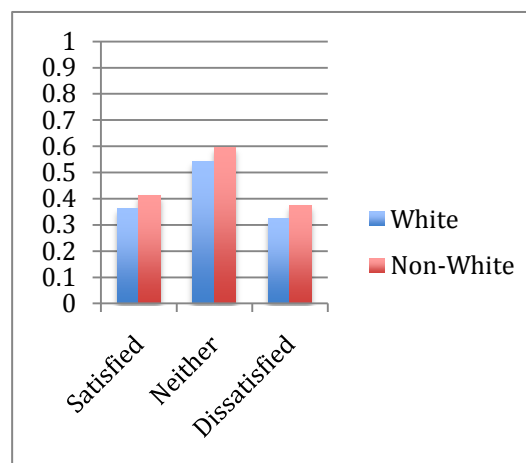


Figure 2. Satisfaction and Race



Respondents who were neither satisfied nor dissatisfied were more likely to attain an additional degree than those who were satisfied or dissatisfied. Males and non-whites were slightly more likely to attain an additional degree than their counterparts in relation to satisfaction levels. Both of these graphs showed attainment of additional degree of over 50% for the neither satisfied nor dissatisfied variable. This indicates that over half of respondents in this category would pursue the additional degree.

Figure 3. Satisfaction and Marital Status

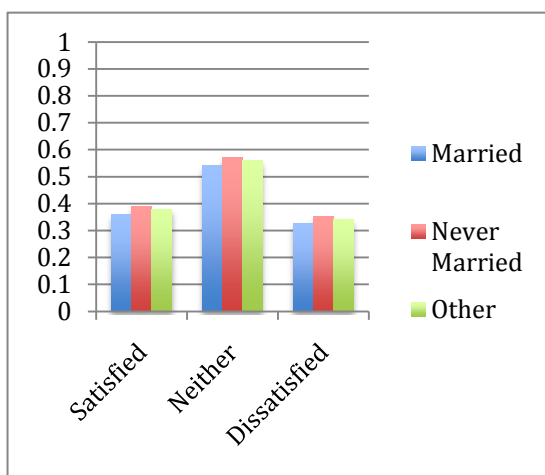
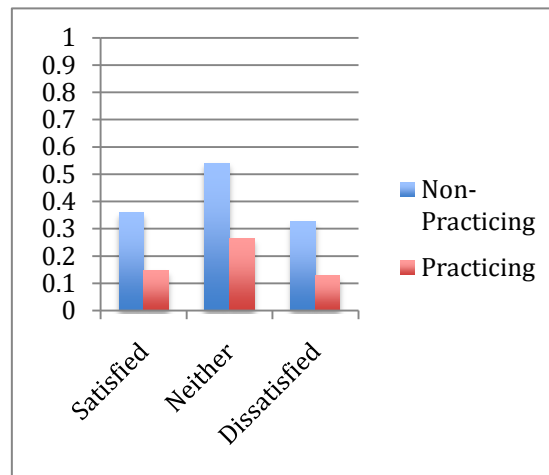


Figure 4. Satisfaction and Practicing



Marital status had little influence on the attainment of additional degrees when combined with the satisfaction variable. However, again satisfaction played an important role as over 50% of respondents who were neither satisfied nor dissatisfied achieved the additional credential, regardless of marital status.

Non-practicing attorneys were most likely to attain an additional degree, regardless of satisfaction. Those respondents who were neither satisfied nor dissatisfied were more likely to attain an additional degree for both non-practicing and practicing attorneys. When combined as an interaction, these two variables indicated that upwards of 50% of respondents attain the additional degree.

Figure 5. Satisfaction and Consulting

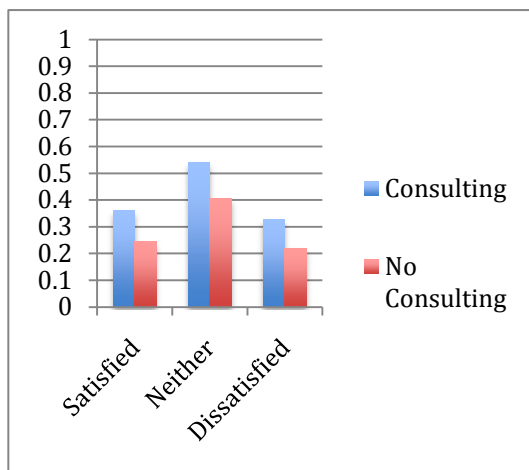
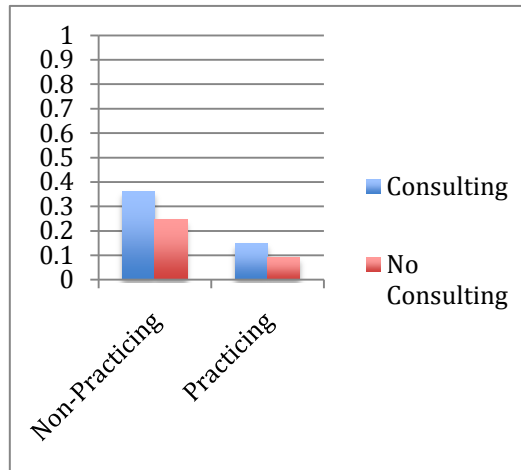


Figure 6. Practicing and Consulting



Those respondents who were neither satisfied nor dissatisfied were most likely to attain an additional degree. However, those who considered consulting also had a stronger tendency to attain additional degrees than their counterparts, especially when taking satisfaction levels into account, standing for over 50% of respondents.

Non-practicing attorneys who considered consulting had a greater likelihood than those who did not of attaining additional degrees.

### Gender

In addition to my main research question, I also wanted to complete a secondary investigation of the relationship of gender to attainment of additional degrees. As indicated in my charts and graphs above, I found that women and men did not have significant differences in their attainment. While the summary statistics indicate that women seek additional degrees at a slightly lower percentage, neither gender indicated statistically significant data. This means that gender does not play an important role in explaining the attainment of additional degrees after the JD.

### Conclusion

Status as a non-practicing attorney was the most significant variable when it came to predicting likelihood of attaining an additional degree. My models also suggested that attorneys who were neither satisfied nor dissatisfied, and attorneys who considered consulting had a significantly higher likelihood of attaining an additional degree. When combined into interactions, these same variables continued to indicate a statistically strong likelihood of attaining an additional degree.

Perhaps more telling is the amount of independent variables that lacked a significant connection to my dependent variable. Demographic factors such as gender, race, marital status, and children displayed no statistical significance in relation to the likelihood of attaining an additional degree. The secondary question in my research had investigated whether there was a link between gender and attainment of additional degree. This data indicates that no statistically significant link can be found.

Many other variables also lacked significance. For example, the type of legal work did not impact the attainment of degree nor did the ranking of one's law school. Financial influences such as educational debt and salary all lacked statistical significance. Therefore, the only variables that answered the research question involved status as a non-practicing attorney, consideration of other degrees, and satisfaction.

The next chapter will attempt to explain my findings in terms of the hypotheses offered earlier on credentialism, human capital theory, and satisfaction.

## CHAPTER V

### APPLICATION TO HYPOTHESES

#### Summary

This study aimed to answer the question as to why attorneys returned for additional graduate education after their law degree. I began this study by gaining access to the American Bar Association's After the JD (AJD) study. This information contained two waves of a three wave survey, the first wave given in 2000-2001, the second in roughly 2007 and the third, currently being developed. The main focus of my research focused on question 62(a) in wave 2 concerning additional degree attainment since the JD.

In order to answer my research question, I began with background research into lawyers and law schools in the United States. Armed with this knowledge, I moved on to look at credentialism and human capital theory, two of the hypotheses most utilized for explaining the growth of advanced degree attainment in the United States. In addition, noting the tendency of lawyers to be dissatisfied in their careers, I integrated research into dissatisfaction into my literature review. I also investigated lawyers' income and debt and their alternative career paths.

I found it helpful to understand the growth of joint graduate degree programs for lawyers and to see how the legal education market is modifying as attorneys demand more education outside the law. Finally, I investigated gender as a secondary question within my research on the attainment of additional degrees by lawyers.

In my methodology, I explained how I would analyze the AJD data taking into account my hypotheses and the applicable questions for each hypothesis. Finally, I

analyzed the data, created descriptive statistics, and made models that parsed out the various pieces of my findings. The following chapter will apply my findings to my original hypotheses.

### Analysis of Hypotheses

In conducting this research, three hypotheses were offered to explain the phenomenon of lawyers attaining additional graduate degrees after the law degree. These three hypotheses will be analyzed in light of the data mentioned above.

#### Hypothesis I

My first hypothesis held that there are too many attorneys in the market, so employment-seekers need to find ways to stand out. Credentialism theory would indicate degree attainment as being independent of skills the market needs (Bills, 2004); instead, attorneys attain additional degrees to remain competitive in an overly saturated labor market.

In a credentialized system, high-income earners embark on additional degrees as a way to gain social status which employers are eager to latch on to. Students attain credentials in the hope that they will later receive financial reward (Bills, 2004, pp. 38, 203). That is, degrees are not necessarily important for giving employees specific skills for advanced positions, but rather serve as markers of advanced status that helps them compete in an overabundant labor market.

In my models, none of the variables indicated that credentialism played a role in the attainment of additional degrees after law school. As mentioned earlier, credentialism indicates that a person's willingness to take on additional educational debt or to forego a salary for more education may be influenced by social pressures; That is, competition for



high-paying jobs may necessitate the attainment of additional degrees- not for educational re-tooling, but rather to gain societal rank. As educational debt and salary are not statistically significant in my model, this indicates that competition, at least in terms of money, is not playing a part in attorneys' attainment of additional degrees.

Attending a highly-ranked or lower-ranked law school also had no influence on the probability of attaining an additional degree. If a person comes from a low-ranked law school, credentialism theory would suggest that an additional degree may be necessary to gain the social capital to remain competitive in a saturated market. However, as the ranking of law school had no statistical significance in my model, this would lead to the conclusion that credentialism was not a key influence in respondents' attainment of additional degrees.

There may be a few explanations for these results. First, the variables I used for evaluating credentialism theory were from only wave 1, and were thus dated. As wave 2 data did not include educational debt, salary, or US News 2003 Ranking, I had to merge my two data sets, and use some dated material. This could be especially important in terms of salary, as salaries for an attorney right out of law school versus 5-6 years out of law school may be quite different. Thus, if wave 2 data had included these factors, they might have had more statistical significance.

Second, credentialism might not be influential here because perhaps we have a more meritocratic society than previously believed. In the alternative, perhaps a meritocratic system is more applicable to recipients of the JD than to recipients of other degrees. As mentioned earlier, a 'meritocracy' is a system that is led by the smartest and most talented people. It is a system where rewards and opportunities link directly with

capability and achievement (*see* Young, 1958; Tannock, 2008). In this case, it may be that credentialism is not nearly as influential as some theorists might propound. Instead, this data could indicate that we live in a system based on rewarding those who do well rather than those who have the right degree.

Alternatively, it may be that attorneys fall into a special meritocratic system which is outside the typical credentialized world. Possibly, attorneys might have reached a relatively high level of social standing, or one of the highest levels in terms of credentials, and are thus judged on more meritocratic measures than the general populace. Therefore, credentialism may be taken over by a meritocratic system after attainment of the JD, or other degrees with high skill levels.

### Hypothesis II

Human capital theory indicates that as individuals invest in further education, the individual acquires additional skills that the labor market necessitates. Therefore, whenever labor market conditions require more educated individuals, it will be economically wise to invest in further education (Olaniyan & Okemakinde, 2008).

As mentioned in chapter 2, human capital theory posits that the more education society has, the more developed the society becomes (Schultz, 1960; Blaug, 1976, p. 827). As people attain more advanced degrees which society needs to develop, those people are rewarded with higher incomes (Berg, 1981, p. 24). The problem with human capital theory is that there is a limit to the benefit society receives from advanced degrees, and a corresponding lack of payment for those who flood the market with said degrees (Blaug, 1976). In addition, human capital theory necessarily has a cap on educational attainment. That is, once a person reaches the highest degree in her field, a

JD in law for example, the return to increased investment in education decreases.

Therefore, there is a limit as to how far human capital theory extends.

The career choice which had the strongest statistical significance and greatest Exp(B) value was consulting. Professional consultants often need to have an advanced graduate degree in business or economics, specific work experience, or a certificate in real estate, CPA, or another specified program (Fusscas, Fall/Winter 2000, Bureau of Labor Statistics, 2010-2011, Career guide to industries, 2010-11 edition). This may indicate that consultants need additional training which legal training does not provide.

It is interesting to note that consulting as a career path is increasingly demanding additional education. For instance, more educational institutions are attempting to start masters consulting programs, specifically with the intent of enabling individuals in the business realm. The University of San Diego recently partnered with the Ken Blanchard Companies to start a program that gives students hands-on skills as consultants (Whitney & Dalton, 2008). This type of training indicates that consultants need practical skills that they do not obtain through a legal education. Therefore, attaining an additional credential after the law degree would seem to be a logical step into a consulting career.

In addition, whether an attorney is practicing law or not may prove to be a substantive factor in relation to human capital theory. Non-practicing attorneys provided the strongest indicator of a person's likelihood of pursuing an additional degree. This means that people who move out of law need further education or skills in order to find employment. Therefore, human capital theory, or the attainment of an additional degree, serves to re-tool one's knowledge when moving out of the legal profession.

When one leaves the legal field, it is evident that additional training is necessary- the law degree is not enough. Therefore, human capital theory is strengthened by the evidence of career pursuits such as consulting and by the movement of lawyers out of the legal profession. Human capital theory posits that increased knowledge and skills help to advance society through development. In the case of careers after legal education, the theory is well-founded.

Together, the variables of non-practicing lawyers and the consideration of careers such as consulting indicate that human capital theory explains the attainment of additional degrees after law school. This means that attorneys are not necessarily moved by the need for more social capital as credentialism theory would posit. Instead, transitioning attorneys genuinely need additional training in order to re-tool as they move past their legal careers.

### Hypothesis III

My third hypothesis was that attorneys are unhappy in their profession due to the job or the lawyers' own personalities, which is causing them to look for other opportunities. This would indicate that dissatisfied lawyers attain additional degrees to pursue an occupational transition.

Lawyers have a tendency to be a dissatisfied bunch (*see* Bennett, 2002, and Kronman, 1993). This dissatisfaction might come from personality traits of those who are attracted to the profession, unbalanced work lives, and poor senses of well-being and mental issues (Daicoff, 2008). Because of their dissatisfaction, many lawyers leave the field to find other career pursuits (Munneke, 2006).

One might suspect that those respondents who identify themselves as dissatisfied would be the most likely to attain an additional degree as a means of moving out of the legal profession. However, my models indicated that only those respondents who were neither satisfied nor dissatisfied had a statistically significant relationship to attainment of additional degrees. This may indicate that attorneys who feel somewhat blasé concerning their positions are most likely to be looking for something else and are most likely to put the effort into another degree.

One of the most puzzling questions is why dissatisfied attorneys are not returning to school at a comparably high rate. My models controlled for a host of variables, and still dissatisfied attorneys were less likely and lacked statistical significance in their attainment of additional degrees following law school. I will hypothesize a few reasons for this.

First, I may lack enough respondents. Even though I combined the original 5 satisfaction categories into 3 groups to obtain larger sample sizes, merely 186 of the 1410 respondents answering the question regarding satisfaction noted that they were dissatisfied. Perhaps with a larger sample size, the results might be different. Second, dissatisfied attorneys may have personality traits that make them less likely to pursue another degree. That is, they may be generally unhappy people who do not see a benefit to putting more effort into education or the pursuit of another career. They might be dissatisfied in any career and thus are unlikely to attain another degree (Schiltz, 1999).

Third, this data may indicate problems with the Likert scale in terms of end-aversion bias. A Likert scale can use an odd number of response choices such as 3, 5 or 7. This may include a middle, non-committal response such as “sometimes,” “unsure,”

or “indifferent.” With end-aversion bias, respondents tend to choose a middle score, such as “neither satisfied nor dissatisfied” as in this case, rather than taking a more positive or negative stance (van Laerhoven, van der Zaag-Loonen, & Derkx (2004), Berk, Naumann, & Appling, (2004)). Because people take this middle road, they do not give researchers an accurate understanding. Their aversion to choosing a side dissipates the value of the findings. This may be the case in this instance.

Finally, this may be an unexpected, random finding. That is, as the neither satisfied nor dissatisfied respondents had statistical significance but those who were satisfied or who were dissatisfied did not, I may have an anomalous result that would need further investigation, perhaps through another study.

### Gender

The secondary question in my research investigated how many female versus male attorneys pursued an additional graduate degree. My research found that descriptively, men attained additional degrees after the JD at a higher rate than women: 149 out of 1447 or 10.3% for men, and 110 out of 1413 or 7.8% for women. However, this data was not statistically significant. The models did not indicate any large differences between the genders in terms of additional degrees or the type of degree. Therefore, it appears that men and women attain additional degrees at roughly the same rates.

As evidenced in the literature review, women continue to earn less than men, despite equal training (Jacobs, 2001, p. 541) and equal debt loads (Wilder, 2007, pp. 3, 7-8, 11). Therefore, one would surmise that women might need to attain additional degrees to have the same earning potential as men.

Also, women tend to leave the legal profession for reasons such as commitment to family and personal responsibilities (NALP: A Career in the Law, 2001, p. 6). This would lead to the view that women would be more likely to be non-practicing attorneys and thus more likely to have additional degrees.

However, as the models indicate, gender has no statistically significant relationship to attainment of additional degrees, even when figuring in demographics such as marital status and children or status as a non-practicing attorney.

This may indicate that women are becoming increasingly equalized with men in the legal profession. It is true that women are gaining a greater percentage of higher positions in legal firms, and almost half of all law graduates are now women (Law Firm Diversity, 2008). It is also true that women and men have increasingly shared understandings of their balanced roles in the home and society (Bolzendahl & Myers, 2004). The models here show that women have greater equality when it comes to legal careers. Thus, they have a fairly similar probability of attaining additional degrees when compared with men.

### Conclusion

This study aimed to answer the question: why do attorneys pursue additional degrees after law school? Three hypotheses were offered to answer this question: credentialism, human capital, and satisfaction. I conclude that credentialism does not account for the attainment of additional degrees after law school. Credentialism theory is not applicable since there is no statistically significant data to indicate a connection. Instead, human capital theory has a stronger link for explaining the attainment of additional degrees. Satisfaction may also play a role.

After reviewing the models, I found that the most significant factor in additional degree attainment was whether respondents were practicing attorneys or not. Non-practicing attorneys achieved more additional degrees at a statistically significant level throughout my models. This would indicate that human capital theory is at play. Essentially, attorneys who move out of law cannot find positions with their law degrees. Additional education is necessary to gain skills and preparation for a new career. Therefore, human capital would seem to be the most appropriate theory for explaining the additional degree phenomenon.

The connection between human capital theory and practice area is not significant as the types of practice a lawyer pursues does not have a strong relationship to the attainment of additional degrees. However, human capital theory is an applicable theory for explaining the number of attorneys who attain additional degrees. It has the most predictive capacity when analyzing the types of additional careers respondents considered. Those who considered consulting were significantly more likely to attain an additional degree, perhaps due to the necessity of increased knowledge or specialty in the consulting field.

In addition to non-practicing status and consideration of other careers, satisfaction itself is a formative issue. The data indicated that attorneys who were neither satisfied nor dissatisfied were more likely to attain additional degrees. The key is that those who are blasé in regards to their legal careers have a statistically significant likelihood of pursuing an additional degree. However, as there was no statistical significance found for respondents in the satisfied or in the dissatisfied category, further investigation is needed to explain this occurrence.



In conclusion, human capital theory offers the best explanation of the link between non-practicing attorneys and additional degrees. Human capital theory also offers a connection between the consideration of different careers, and satisfaction may also be at play. However, further research is needed to substantiate the satisfaction theory. Therefore, human capital theory and further study of satisfaction form the basis of the answer to my question on why attorneys pursue additional degrees after law school.

### Implications

Human capital theory is the key to understanding why attorneys return to school for additional graduate degrees. This has a variety of implications. First, it may be that law students need to re-think their chosen course of study. That is, if law students anticipate moving out of the legal profession, it might be more financially wise to pursue a degree in a different field as the law degree will not cover their training needs.

Second, this may indicate that law schools need to re-consider the credentials they offer their students. It may be that law schools should offer more joint degree programs if they wish to properly equip their students both in and outside of the legal profession. If many students move out of law and lack training, then their legal education is not serving them.

This is especially important when it comes to considerations of other careers. If students are interested in fields such as consulting or investment banking, it would be helpful for those students to pursue a joint degree during their law school education or to consider pursuing a different educational program besides the JD, such as the MBA.

Another implication might revolve around satisfaction. As noted above, the only statistically significant information in this finding concerned attorneys who were neither satisfied nor dissatisfied. Without a clearer understanding of those attorneys who are satisfied or dissatisfied, it is hard to make conclusions. Nonetheless, attorneys who feel indifferent towards their careers might be warned that education outside the law might better prepare them for a successful career life.

These findings also offer implications in regards to the theories currently used to explain degree attainment in the US. This study indicates that credentialism is not an important influence in lawyers' choice to pursue further education. Rather, we seem to have a more meritocratic system. Human capital theory, or the need for trained men and women, is at the crux of attorneys' attainment of additional degrees. Therefore, future researchers should devote more attention to human capital theory, especially in relation to the field of law.

## APPENDIX A

### WAVE 2 RESULTS

This appendix is broken down into multiple sections. The first section deals with wave 2's unmerged data. When I began this research, I analyzed both wave 1 and wave 2 separately. The wave 1 survey was completed at approximately the same time as the respondents' bar passage. The wave 2 survey was completed 6-7 years after bar passage. The focus of this research was on wave 2 data, those who attained a degree after the JD. Since wave 1 data is not the focus of this research, it is not included here for comparison.

Question 62a in wave 2 asks: "Since being admitted to the bar, have you obtained any other degrees or certifications?" In wave 2, of 2,876 respondents to questions 62a, 262, or approximately 9.1% received an additional degree after the JD. It is included for general reference here.

#### Descriptive Information

The following table provides summary statistics from wave 2.

Table A1. Wave 2 Summary Statistics

Variable	Observations	#	% of Observ.	# Addt'l Degree	% Addt'l Degree
Male	2860	1447	50.60%	149	10.30%
Female	2860	1413	49.40%	110	7.80%
White	2582	2120	82.10%	189	8.90%
Non-White	2582	462	17.90%	49	10.60%
Married, 1 <sup>st</sup> Time	2840	1840	64.8%	159	8.6%
Single, Never Married	2840	543	19.1%	62	11.4%
Other Marital Status	2840	457	16.1%	37	8.1%
Children	2821	1511	53.6%	128	8.5%
No Children	2821	1310	46.4%	128	9.8%
Solo Practice	2741	234	8.50%	21	9.00%
Private Law Firm	2741	1258	45.90%	78	6.20%
State & Local Gvt (inc. Judiciary)	2741	314	11.50%	23	7.30%
Other Position	2741	935	34.10%	131	14.00%
Practicing Attorney	2745	2317	84.40%	160	6.90%
Non-practicing Attorney	2745	428	15.60%	93	21.20%
Extremely/Moderately Satisfied	2735	2090	76.40%	179	8.60%
Neither Satisfied nor Dissatisfied	2735	264	9.70%	37	14.00%
Extremely/Moderately Dissatisfied	2735	381	13.90%	37	9.70%
Considered Consulting	2632	836	31.8%	112	13.4%
Did Not Consider Consulting	2632	1796	68.2%	124	6.9%
Considered Investment Banking	2571	241	9.40%	39	16.20%
Did Not Consider Invest. Banking	2571	2330	90.60%	194	8.30%
Other degree, MA	2876	178	6.20%	44	24.70%
Other degree, LLM	2876	186	6.50%	70	37.60%
Other degree, Specialist Cert.	2876	165	5.70%	24	14.50%
Other degree, MBA	2876	164	5.70%	23	14.00%
Other degree, MD	2876	155	5.40%	1	0.60%
Other degree, PHD	2876	158	5.50%	6	3.80%
Other degree, Re-code, Insurance, Patent, Finance, or Real-Estate Related Degree*	2876	193	6.70%	49	25.40%
Other Degree, Other	2876	193	6.70%	52	26.90%

\*As there were many respondents who fell into the “other degree, other” category, this data was re-coded and included the creation of this new category including insurance, patent, finance, or real-estate related degree.

### Analysis of Wave 2 Summary Statistics

Wave 2 data allowed for analysis of those respondents who attained an additional degree after the JD. Here, males were more likely than females to have an additional degree, non-whites than whites, other marital status than married or single, non-practicing than practicing, and neither satisfied nor dissatisfied than satisfied or dissatisfied. Those

who did not have children, had positions outside the three main professions, and who considered consulting or investment banking were also more likely to have an additional degree.

### Wave 2 Probabilities

These probability charts are helpful only as descriptive data. They analyze each pair of variables separately and do not take into account the models for wave 2 below. These do not include all of the variables included in the sample, but rather serve as representative information.

Table A2. Wave 2 Probabilities Chart

		Gender		Race		Consid.Invest.Banking	
		Male	Female	White	Non-whites	Yes	No
<b>Satisfaction</b>	<b>Yes</b>	0.070	0.056	0.077	0.097	0.143	0.132
	<b>No</b>	0.061	0.049	0.068	0.086	0.078	0.072
<b>Practicing</b>	<b>Yes</b>	0.058	0.044	0.066	0.084	0.113	0.064
	<b>No</b>	0.194	0.151	0.213	0.259	0.327	0.207
<b>Considered IB</b>	<b>Yes</b>	0.132	0.104	0.148	0.173		
	<b>No</b>	0.073	0.057	0.083	0.098		
<b>Race</b>	<b>White</b>	0.074	0.053				
	<b>Non-white</b>	0.090	0.065				

\*In this analysis of wave 2, I used only two levels of satisfaction and removed the neither satisfied nor dissatisfied category in order to make a more simplistic comparison.

### Analysis of Wave 2 Probabilities Chart

For comparison with the merged data, I chose a few categories for logistic regression analysis with wave 2 data. As highlighted above, the largest impact is evident in the category of practicing attorney. Those who are not practicing law have the highest likelihood of attaining an additional degree. Also, it is interesting to note that those who considered investment banking as a career are more likely to attain an additional degree than those who did not.

Wave 2 Odds for Minority Attainment of Additional Degrees

Minorities are not a focus of this study as explained earlier. However, for general descriptive data, these odds are offered as an indication of the probabilities by race of receiving an additional degree in wave 2.

Table A3. Wave 2 Odds for Minority Attainment of Additional Degrees

	Black	Hispanic	Asian/Pacific Islander	Total
No	218	219	250	687
Yes	20	23	30	73
Total	238	242	280	760
Odds	0.0917	0.1050	0.12	0.1063



Table A4. Continued

<b>Journalism/ Writing</b>									-0.382*
SE									0.185
<b>Politics</b>									-0.208
SE									0.186
<b>Public Policy</b>									0.045
SE									0.197
<b>Social Service</b>									-0.119
SE									0.194
<b>Starting Business</b>									-0.012
SE									0.157
<b>Teaching/ Academia</b>									0.349*
SE									0.150
<b>Nagelkerke R Square</b>	0.003	0.004	0.007	0.007	0.065	0.070	0.073		0.096

#### Analysis of Wave 2 Models: Areas of Statistical Significance

In wave 2, there were few variables that were statistically significant. Though most of the differences were negligible, the statistically significant variables were gender, non-practicing status, private firm work (only in model 7), and consideration of careers in consulting, investment banking, journalism, and teaching/academia. As in the merged models, the variable with the highest statistical significance was non-practicing attorney.



## APPENDIX B

## WAVE 1 AND 2 PROBABILITIES

After looking at the general models of the merged wave 1 and 2 data, I analyzed the probabilities of certain responses in order to gain a better understanding of what factors connect to the likelihood of attaining an additional degree. The formula used for this analysis was:

$$Y = e^M / (1 + e^M) \text{ where } M = B_0 + B_1X_1 + B_2X_2 + B_3X_3 + B_4X_4 \dots + B_nX_nZ_i$$

The negative values were exponentiated.

These probabilities look at combinations of factors such as race and gender. The N values vary dependent on the variables being analyzed. These are not controlled analyses (not taking into account the other factors). Instead, these provide general probabilities as descriptive data.

Table B1. Wave 1 and 2 Probabilities Chart

		Gender		Race		Marital Status			Children		Attorney	
		Male	Female	White	Non-White	Married	Never Married	Other	Yes	No	Practicing	Non-Practicing
Race	White	0.0740	0.0530	X	X	X	X	X	X	X	X	X
	Non-White	0.0900	0.0650	X	X	X	X	X	X	X	X	X
Marital Status	Married	0.0727	0.0956	0.1179	0.1193	X	X	X	X	X	X	X
	Never Married	0.0695	0.0700	0.0826	0.1016	X	X	X	X	X	X	X
	Other	0.0878	0.0756	0.0873	0.0769	X	X	X	X	X	X	X
Children	Yes	0.0985	0.0651	0.0813	0.0963	0.0831	0.0909	0.0909	X	X	X	X
	No	0.1098	0.0875	0.0994	0.1077	0.0934	0.1121	0.0739	X	X	X	X
Practicing Attorney	Practicing	0.0580	0.0440	0.0660	0.0840	0.0688	0.0775	0.0629	0.0662	0.0739	X	X
	Non-Practicing	0.1940	0.1510	0.2130	0.2590	0.1969	0.2988	0.1757	0.1972	0.2278	X	X
Satisfaction	Satisfied	0.0966	0.0710	0.0823	0.1038	0.0854	0.0992	0.0691	0.0830	0.0891	0.0684	0.1931
	Neither Satisfied for Dissatisfied	0.0610	0.0490	0.0680	0.0860	0.1404	0.1636	0.1034	0.1512	0.1344	0.0969	0.2646
	Dissatisfied	0.0722	0.1206	0.0947	0.0769	0.0625	0.1494	0.1428	0.0618	0.1243	0.0575	0.2793
Type of Practice	Private Practice	0.0622	0.0609	0.0549	0.1125	0.0627	0.0556	0.0714	0.0556	0.0729	X	X
	Solo Practice	0.1079	0.0532	0.0887	0.0888	0.1075	0.1112	0.0455	0.0887	0.0857	X	X
	State & Local Gvt	0.1216	0.1264	0.0994	0.1472	0.1158	0.1862	0.0527	0.1077	0.1414	X	X
	Other	0.1464	0.1010	0.1325	0.1089	0.1144	0.1501	0.1070	0.1229	0.1194	X	X
Consulting Career	Considered	0.1547	0.1065	0.1397	0.1299	0.1236	0.1536	0.1497	0.1449	0.1243	0.1016	0.2336
	Did not Consider	0.0773	0.0604	0.0659	0.0882	0.0691	0.0915	0.0412	0.0563	0.0847	0.0554	0.1989
IB Career	Considered	0.1320	0.1040	0.1480	0.1730	0.1455	0.1897	0.1667	0.0765	0.0908	0.1130	0.3270
	Did not Consider	0.0730	0.0570	0.0830	0.0980	0.0797	0.1054	0.0737	0.1563	0.1667	0.0640	0.2070
PA Career	Considered	0.0870	0.0620	0.1100	0.1240	0.0961	0.1137	0.0784	0.0827	0.0871	0.0690	0.2200
	Did not Consider	0.0690	0.0490	0.0810	0.0910	0.0813	0.0984	0.0801	0.0863	0.1161	0.0670	0.2170
Wave 1 Debt	\$0-\$35,000	0.1090	0.0805	0.0853	0.1725	0.0911	0.1288	0.0595	0.0676	0.1216	0.0704	0.2264
	\$35,001-\$65,000	0.1087	0.0768	0.0981	0.0947	0.0788	0.1347	0.0953	0.0720	0.1189	0.0649	0.2546
	\$65,001-\$90,000	0.1047	0.1007	0.1033	0.0899	0.1115	0.1132	0.0506	0.1067	0.0960	0.0709	0.2492
	\$90,001-\$213,000	0.0866	0.0711	0.0763	0.1000	0.0710	0.0693	0.1299	0.0861	0.0711	0.0722	0.1480
Wave 1 Salary	\$10,001-\$50,000	0.1126	0.0859	0.1032	0.1332	0.0858	0.1300	0.0366	0.0917	0.1195	0.0873	0.1999
	\$50,001-\$71,000	0.0942	0.0789	0.0940	0.0875	0.0936	0.1829	0.0704	0.0698	0.1012	0.0595	0.2466
	\$71,001-\$110,000	0.0719	0.0775	0.0642	0.0989	0.0871	0.0408	0.0548	0.0926	0.0534	0.0614	0.1480
	\$110,001-\$225,000	0.1196	0.0990	0.1087	0.1153	0.0853	0.0999	0.1764	0.0848	0.1367	0.0802	0.2921
Wave 1 US News Ranking	1-20 Schools	0.0968	0.0647	0.0892	0.0770	0.0739	0.0910	0.1098	0.0766	0.0893	0.0606	0.2174
	21-100 Schools	0.1220	0.0870	0.1049	0.1090	0.1001	0.1506	0.0698	0.0925	0.1163	0.0802	0.2318
	All Other Schools	0.0776	0.0948	0.0727	0.1368	0.0870	0.0775	0.0750	0.0803	0.0905	0.0700	0.1931

Table B1. Continued

Career		Satisfaction			Type of Practice				Consulting		IB	
		Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Private Practice	Solo Practice	State & Local Govt	Other	Considered Consulting	Did not Consider Consulting	Considered IB	Did not Consider IB
Type of Practice	Private Practice	0.0568	0.0905	0.0526	X	X	X	X	X	X	X	X
	Solo Practice	0.0879	0.1373	0.1250	X	X	X	X	X	X	X	X
	State & Local Govt	0.1162	0.1783	0.0999	X	X	X	X	X	X	X	X
	Other	0.1125	0.1731	0.1521	X	X	X	X	X	X	X	X
Consulting Career	Considered	0.1279	0.2133	0.1280	0.0783	0.1695	0.1346	0.1741	X	X	X	X
	Did not Consider	0.0696	0.1018	0.0457	0.0575	0.0604	0.1020	0.0857	X	X	X	X
IB Career	Considered	0.0807	0.1164	0.0986	0.0613	0.0725	0.0977	0.1137	0.1239	0.0675	X	X
	Did not Consider	0.1411	0.3124	0.1199	0.0747	0.3571	0.2499	0.1965	0.2165	0.0991	X	X
PA Career	Considered	0.0824	0.1087	0.1140	0.0645	0.0838	0.1358	0.1108	0.1391	0.0671	X	X
	Did not Consider	0.0970	0.2125	0.0550	0.0514	0.1086	0.0845	0.1428	0.1359	0.0762	X	X
Wave 1 Debt	\$0-\$35,000	0.0821	0.1925	0.1216	0.0628	0.0556	0.1380	0.1396	0.1400	0.0704	0.0873	0.1591
	\$35,001-\$65,000	0.0938	0.1250	0.0533	0.0826	0.0732	0.0417	0.1077	0.1458	0.0707	0.0840	0.1373
	\$65,001-\$90,000	0.0795	0.2381	0.1492	0.0659	0.1191	0.0811	0.1436	0.1599	0.0782	0.0901	0.2292
	\$90,001-\$213,000	0.0899	0.0981	0.0508	0.0734	0.1000	0.0938	0.0955	0.1135	0.0657	0.0821	0.0732
Wave 1 Salary	\$10,001-\$50,000	0.1047	0.2105	0.0351	0.0629	0.1317	0.1054	0.1462	0.1449	0.0862	0.1028	0.1144
	\$50,001-\$71,000	0.0789	0.1091	0.1160	0.0611	0.0811	0.0571	0.1256	0.1234	0.0663	0.0807	0.1221
	\$71,001-\$110,000	0.0633	0.1842	0.0926	0.0797	0.0238	0.0541	0.0870	0.1482	0.0449	0.0745	0.0976
	\$110,001-\$225,000	0.1063	0.1365	0.1234	0.0635	0.1283	0.2174	0.1437	0.1692	0.0848	0.0871	0.2858
Wave 1 US News Ranking	1-20 Schools	0.0803	0.1738	0.0370	0.0594	0.0488	0.0303	0.1276	0.1071	0.0738	0.0804	0.1143
	21-100 Schools	0.0911	0.1758	0.1250	0.0672	0.1428	0.1112	0.1380	0.1841	0.0622	0.0941	0.1521
	All Other Schools	0.0847	0.1186	0.0843	0.0845	0.0417	0.1464	0.0905	0.0909	0.0845	0.0789	0.1695

Table B1. Continued

		PA Career		Educational Debt						Salary	
		Considered PA	Did not Consider PA	\$0-\$35,000	\$35,001-\$65,000	\$65,001-\$90,000	\$90,001-\$213,000	\$10,001-\$50,000	\$50,001-\$71,000	\$71,001-\$110,000	\$110,001-\$225,000
<b>Wave 1 Debt</b>	<b>\$0-\$35,000</b>	0.0829	0.1117	X	X	X	X	X	X	X	X
	<b>\$35,001-\$65,000</b>	0.0783	0.1222	X	X	X	X	X	X	X	X
	<b>\$65,001-\$90,000</b>	0.0981	0.1094	X	X	X	X	X	X	X	X
	<b>\$90,001-\$213,000</b>	0.0799	0.0783	X	X	X	X	X	X	X	X
<b>Wave 1 Salary</b>	<b>\$10,001-\$50,000</b>	0.1028	0.1101	0.1072	0.0919	0.1038	0.1136	X	X	X	X
	<b>\$50,001-\$71,000</b>	0.0812	0.0866	0.0547	0.0505	0.0910	0.0577	X	X	X	X
	<b>\$71,001-\$110,000</b>	0.0688	0.0932	0.0682	0.0764	0.0877	0.0789	X	X	X	X
	<b>\$110,001-\$225,000</b>	0.0930	0.1519	0.0824	0.1545	0.1270	0.0566	X	X	X	X
<b>Wave 1 US News Ranking</b>	<b>1-20 Schools</b>	0.0757	0.1083	0.0636	0.0761	0.0842	0.1056	0.0928	0.0308	0.0707	0.1489
	<b>21-100 Schools</b>	0.0879	0.1214	0.1094	0.0927	0.1274	0.0777	0.1157	0.1032	0.0812	0.1096
	<b>All Other Schools</b>	0.0878	0.0813	0.0915	0.1022	0.0764	0.0633	0.1250	0.0781	0.0677	0.1006

## APPENDIX C

## MERGED WAVE 1 AND 2 MODEL SE VALUES

These are the SE values included for Table 10 from chapter 4.

Table C1. Merged Wave 1 and 2 Model SE Values

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8	Model 9
Constant	-2.502***	-2.324***	-2.412***	-2.327***	-2.645***	-2.567***	-2.67***	-2.927***	-3.191***
Male	0.184	0.184	0.186	0.186	0.190	0.190	0.192	0.198	0.199
White		0.226	0.228	0.228	0.233	0.234	0.235	0.238	0.239
Married			0.257	0.262	0.266	0.269	0.271	0.272	0.273
Never Married			0.301	0.317	0.323	0.325	0.327	0.330	0.332
Kids				0.219	0.223	0.223	0.225	0.227	0.229
Non-Practicing Attorney					0.200	0.240	0.241	0.245	0.248
Private Firm						0.243	0.243	0.245	0.247
Solo Practice						0.379	0.380	0.383	0.384
State & Local Gvt						0.451	0.252	0.458	0.461
Satisfied							0.292	0.297	0.297
Neither Satisfied nor Dissatisfied							0.353	0.356	0.357
Consulting								0.203	0.204
Investment Banking								0.280	0.282
Educ. Debt \$0-\$30,000									0.285
\$31,001-\$61,000									0.286
\$61,001-\$90,000									0.276
Salary \$10,001-\$50,000									0.291
\$50,001-\$71,000									0.281
\$71,001-\$110,000									0.287
1-20 Schools									0.295
21-100 Schools									0.232
Nagelkerke R Square	0.001	0.003	0.005	0.007	0.069	0.071	0.084	0.102	0.108

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