
Flight from Law: A Competing Risks Model of Departures from Law Firms

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Building on job satisfaction, occupational segregation, and life course literatures, I analyze temporal dimensions of career mobility within the legal profession with a sample of Canadian lawyers. I use a continuous-time stochastic model of the underlying processes of movement across work settings to examine factors accounting for gender differences in career paths. The findings suggest that women's integration into the legal profession remains marginal: women continue to be underrepresented in law firm partnerships, moving significantly more slowly than men toward these positions. In addition, women exit law firm practice at a rate significantly higher than that of their male counterparts. Empirical evidence also suggests that the rapidly increasing size of entry cohorts to the legal profession has restricted the number of partnerships available to aspiring associates and has hastened the departure of lawyers from law firm practice. I document emerging paths from law and examine causal factors "pushing" lawyers out of law firm practice, as well as those "pulling" them toward other more attractive options.

Research on women's entry into traditionally male-dominated professions has flourished during the past decade. Some studies herald women's entry as "nothing short of revolutionary" (Abel 1988:22), while others suggest that women's entry has failed to achieve genuine integration or the economic progress for women that we might expect (Reskin & Roos 1990). Much of the research literature has focused on women's historical battles to gain access to the professions (Armstrong & Armstrong 1994) and on gender differences in earnings, promotions, and areas of specialization (Reskin & Padavic 1994; Reskin & Roos 1990). In

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contrast, few studies have examined gender differences in departures from the traditionally male-dominated professions (Wright & Jacobs 1994). Yet, the extent and nature of departures is clearly salient to women's integration into the professions.

Studies of departures from the legal profession suggest that full integration remains uncertain. Research in the United States and Canada shows that a smaller proportion of women law graduates enter law practice and a higher proportion of those who enter leave during the first few years (Abel 1988; Brockman 1992, 1994; Menkel-Meadow 1989). For example, Abramson and Franklin (1986) in their study of Harvard graduates from 1974 found attrition to be one of the main reasons for women's low representation in partnership. A Canadian study of British Columbian lawyers revealed that compared with only 13% of the men, 22% of the women called to the bar between 1974 and 1988 had left the profession in 1990 (Brockman 1992:2). Regardless of when women entered law practice, they possessed higher rates of attrition (Brockman 1994:123). Motives for leaving centered on difficulties associated with combining family life and law practice, a lack of flexibility in work arrangements, work-related hours, and experiences of sexual discrimination in the workplace (Brockman 1994).

Nelson's study (1988) of Chicago lawyers also revealed that women are far more likely to leave firms before making partner than are male associates. The turnover rate for women remains appreciably higher for more senior cohorts. Of women associates hired from 1971 to 1975, only 35% remained in 1984 compared with 48% of all associates. The differential in turnover declines for the next cohort, those entering law from 1976 to 1980: 42% of women remained in 1984 versus 51% of the total cohort. Despite some improvement over time, the differential is substantial throughout the period (Nelson 1988:139). So, turnover of women was highest among earlier cohorts of lawyers. As greater numbers of women were hired and retained in firms, turnover rates have declined. Nonetheless, Nelson (1988:140) points out that the differential between men and women shows no sign of disappearing.

Women's high rates of attrition from the legal profession are important since law is one of the few traditionally male-dominated professions to have changed dramatically in its gender composition over the past 25 years. Over this period women's representation has increased from 15% of Canadian lawyers in 1981 to 28% in 1996.¹ Currently, women represent close to 50% of law school students in Canada (Donovan 1990:137). These

¹ The figure for the year 1981 pertains to all lawyers in Canada and is derived from national census data (Statistics Canada 1993). The most up-to-date estimate (1996) was derived from the Law Society of Upper Canada's contemporary membership records, pertaining to Ontario lawyers.

pronounced growth rates have prompted studies of job satisfaction (Chambers 1989; Mobley et al. 1994; Wallace 1995), stratification and mobility (Hagan & Kay 1995; Heinz & Laumann 1982; Nelson 1988), gender composition of the profession (Epstein 1993; Liefland 1986; Menkel-Meadow 1989), and gender differences in salaries (Hagan 1990; Dixon & Seron 1995; Kay & Hagan 1995). Yet, surprisingly little attention has been directed toward analyses of departures from the profession or the emergence of alternative career paths (Brockman 1994). And while anecdotes circulate about women leaving law firms before partnership decisions are rendered for fear of negative outcomes, there is little systematic research documenting the factors affecting departures (Hirsch 1989; Liefland 1986).

This study moves beyond recent research in several respects. First, the analysis weaves together social-psychological approaches to job satisfaction, organizational commitment, and job leaving with structural analyses of reintegration within professions. These perspectives on job leaving are integrated by means of a life course approach. This approach considers interlocking trajectories of life and career events together with structural changes in the larger marketplace of law practice. As such, a life course perspective allows us to conceptualize departures from practice in terms of structural transformations ongoing in the profession and the ways in which lawyers moving through these structures manage their lives (Riley et al. 1988:15).

Second, this analysis employs techniques of event history analysis to examine exits from law practice; a technique particularly well suited to the questions posed by life course research. This methodological approach mirrors more accurately the *process* of transition from one employment setting to another than do conventional studies (Hachen 1988). Third, this research extends prior work by conceptualizing departures as multiple destinations through a competing risks model, including exits from law firms to solo practice, government employment, as well as departures from the practice of law. Thus, this analysis allows for consideration of a diversity of career paths.

Using data from a 1990 random sample of lawyers in the province of Ontario, I examine the extent to which gender differences in departures can be attributed to affective characteristics (i.e., job satisfaction and organizational commitment), structural changes in the profession (i.e., numbers of lawyers and economic climate), or transitions across the life course (i.e., marriage and children). When these three dimensions are incorporated, the findings reveal the process of leaving law firms varies by gender and destination (i.e., government, solo practice, not practicing law). First, the results demonstrate that the effects of job satisfaction and organizational commitment are important to reducing the risk that junior lawyers will leave firms to work in

government or leave law practice entirely. Second, the results suggest that ghettoization rather than integration characterizes the legal profession, with striking differences in women's patterns of promotion versus their rate of exit from law practice. Third, the results reveal that while life events, such as having children, have an impact on promotions and lateral mobility with significant gender differences, having children does not directly affect exits from law practice. Together, these findings provide evidence of mobility processes in the legal profession based on gender and destination path.

Explanations for Gender Differences in Job Exits from Law

I begin by discussing one prominent perspective that explains differences in job exits in terms of commitment and satisfaction. This approach emphasizes social-psychological processes contributing to the decision to leave an organization and examines the impact of affective characteristics, such as job satisfaction and organizational commitment, on job exits (Mowday, Porter, & Steers 1982; Mueller, Wallace, & Price 1992). I then describe a second approach focusing on more structural properties of professions, including gender composition, resegregation, and patterns of attrition (Reskin & Roos 1990; Wright & Jacobs 1994). The two literatures tend to be distinct from each other: the first emphasizes the decisionmaking process involved in job exits from organizations, while the second considers job exits as integral to structural changes within professions. I discuss these two models of occupational structure and employee attachment with reference to lawyers. Finally, I introduce a life course conceptualization of law practice and discuss how family and career are interrelated and have an impact on job transitions. The goal is to generate a more complete understanding of the processes involved in career paths among lawyers, specifically the causal processes underlying gender differences in departures from law practice.

Job Satisfaction and Organizational Commitment

One of the most significant perspectives on worker attachment is the job satisfaction/organizational commitment (JSOC) approach pioneered by organizational and industrial psychologists (Mowday et al. 1982; Porter & Steers 1973) and applied in numerous studies of job turnover. The prominent feature of this approach is that attachment is treated primarily as a noninstrumental, emotional, affective psychological bond linking employee to employer (Halaby 1986:634). Price (1977), who developed one of the most cited models of the turnover process,

describes this process as beginning with a series of structural and individual determinants of job satisfaction (e.g., pay, communication, centralization). Job satisfaction then determines the probability of an individual staying in or leaving the organization, contingent on the opportunity structure. A final premise of this model is that individual demographic characteristics should not have independent causal impacts once the variables in the model have been taken into consideration.

Sociological studies have expanded the boundaries of the JSOC model (see Lincoln & Kalleberg 1985; Price & Mueller 1981; Mueller & Price 1990). Research has demonstrated that job attitudes (job satisfaction and commitment) and demographic variables (age, marital status, tenure) are important predictors of job turnover. Furthermore, the impact of investment appears to change over time. Investments in a job consist of resources that are intrinsic to the job (e.g., years of service, nonportable training and skills) or resources extrinsic to the job (e.g., friends at work, extraneous benefits associated with a job). Since investments tend to accumulate over time, the impact of investments on job commitment should increase. It becomes increasingly costly to abandon a job and forfeit invested resources (Rusbult & Farrell 1983:431).² In addition, loyalty is argued to be an important intervening variable between structural conditions of work and the decision to stay or leave (Mueller et al. 1992:214). Rewarding features of work increase loyalty to the organization, reducing the likelihood of leaving. Loyalty also stabilizes with tenure and thus partly explains the negative relationship often observed between tenure and turnover (Mueller et al. 1992; Price 1977).

Unfortunately, the JSOC model does not directly address gender differences, except to the extent that women are less satisfied with their jobs (as a consequence of lower rewards by way of promotions, salary, and benefits) and experience reduced organizational commitment (possibly due to conflict with responsibilities in the home). However, research investigating job satisfaction in the legal profession highlights the importance of gender differences and the relevance of sector, workplace climate, and balance with family. For example, in 1984 the Young Lawyers Division of the American Bar Association undertook a national sur-

² Explanations rooted in the discipline of economics emphasize the costs of leaving an organization in relation to investments in human capital. For example, Parsons (1972: 1121) described the central proposition as “[t]he greater economic value a worker has to a particular firm may be due to skills and knowledge peculiar to the firm, or to the high search and transfer costs required to adjust a worker and his family to an alternative firm.” Large investments in firm-specific human capital are likely to lead to reduced labor mobility since the economic cost of worker-job separations is increased (*ibid.*). Over the life cycle tenure and experience will negatively affect the employee’s probability of separation from the organization. The tenure effect, it is argued, is caused by the growth of firm-specific capital (Jovanovic 1979:1249).

vey of career satisfaction/dissatisfaction. The study revealed that whereas women and men working in corporate legal departments have nearly identical levels of satisfaction, twice as many women as men working in private practice are dissatisfied. When partnership is controlled for, women remained still more dissatisfied than their male colleagues. Reasons cited for the higher levels of dissatisfaction for women included a lack of intellectual challenge, lack of promotional prospects, reduced financial rewards, and a hostile work environment (Hirsch 1985, 1989). A recent study (Hall 1995) of public defense attorneys in New York State, Massachusetts, Connecticut, and Philadelphia found that promotional opportunities and workloads correlated with women's job satisfaction, while job prestige and peer support correlated with men's job satisfaction. Hall (p. 133) reported more negative assessments of promotional opportunities and supervisory support among women. However, studies of University of Michigan law graduates (Chambers 1989), Georgia lawyers (Mobley et al. 1994), and Calgary law firm lawyers (Wallace 1995) failed to find significant differences in the job satisfaction of male and female lawyers. Chambers notes that the variance between the Michigan study and other studies might be the result of the elite status of Michigan graduates and the improved opportunities this status affords. Nonetheless, a common pattern revealed across several studies is that women are more likely than men to mention the relationship of family to work in evaluating their employment (Brockman 1992; Chambers 1989; Spangler 1986; Stanford Law Project 1988).

Gender, Integration, Resegregation, and Ghettoization

The JSOC model has been criticized for a lack of focus on structural contexts of job leaving. As Halaby (1986:636) argues, "the approach conceptualizes the bond of worker to employer in terms of the affective ties engendered by the psychological costs and benefits of the work, and thus is rooted in a model of individual psychology that is imposed on the workplace." In contrast, other analyses of job exits have focused on professions as a whole, rather than on organizations, addressing more structural properties as well as issues of gender.

The resegregation thesis is one such approach. It holds that women's large-scale entry into previously male-dominated professions is not a stable outcome but rather reflects one phase in a process that generates the reestablishment of sex-segregated work roles. Reskin and Roos developed the most advanced analysis to date of the resegregation process in *Job Queues, Gender Queues* (1990). They find that women are often concentrated in

the least desirable niches within occupations.³ These positions typically involve lower pay, fewer required skills, reduced autonomy, and limited opportunities for promotions. Two processes are salient to Reskin and Roos's research: resegregation, where an occupation reverses from male dominated to female dominated, and ghettoization, where women become concentrated in low-status sectors within occupations.

Wright and Jacobs (1994) extended analysis of these processes with a study of two computer specialties—systems analysis and computer programming. Their study revealed feminization, a growing representation of women in the profession, contributed to male flight (increased exit rates of men) from the occupation. Their findings are consistent with the notion of resegregation: "Disproportionately male attrition reinforces the tendency of an occupation to become female-dominated, while disproportional female attrition inhibits the feminization of an occupation" (p. 521). However, Wright and Jacobs found that ghettoization was not an accurate characterization of computer work, given a narrowing gender gap in earnings and the increased dispersion of women across specialties (p. 532).

Research to date examining the legal profession is more consistent with a ghettoizing occupation than a genuinely integrating occupation (Reskin & Roos 1990). For example, women have gravitated toward government employment over the more prestigious and financially rewarding setting of private practice (Abel 1988; Thorner 1990). Within private practice, women are less likely to achieve partnership (Abramson & Franklin 1986; Kingston 1988; Meier 1990; Menkel-Meadow 1989; Neallani 1992). Despite rising levels of experience, women remain more highly represented among positions of lower authority, lower supervisory powers, and lower prestige (Hagan, Huxter, & Parker 1988). They are also disproportionately represented among the unemployed, those employed on a part-time basis, and the underemployed (Liefland 1986; Marciano 1987).

Women are also more highly represented among lower-status specialties within law practice. For example, women are more highly represented among family law practitioners, while men are more highly represented in corporate commercial and civil litigation (Kay 1991:21); family law is perceived as lower in prestige than either corporate commercial or civil litigation (Hagan et al. 1988). As a consequence of women's overrepresentation in lower-status sectors, they tend to receive lower earnings than

³ Reskin and Roos (1990) examine 14 cases in which women made significant inroads during the 1970s into previously male-dominated occupations. The occupations include book editors, pharmacists, public relations specialists, bank managers, systems analysts, insurance sales occupations, real estate salespersons, insurance adjusters and examiners, bartenders, bakers, typesetters, and compositors. They also draw on case studies of accountants and auditors, broadcast and print reporters, and bus drivers.

men (Adam & Baer 1984; Vogt 1986). And even when women and men work in equivalent positions, they are differentially rewarded for their hours of legal work (Hagan 1990; Stager & Foot 1988). Perhaps most troubling is the finding that the earnings gap widens for women as they ascend mobility ladders within the legal profession (Kay & Hagan 1995). Consistent with other studies of the marginalization and resegregation of women within professions (Reskin & Roos 1990; Wright & Jacobs 1994), studies of the legal profession have revealed an increasing concentration of women into a limited number of lower-status specialties and sectors and has also shown that women encounter barriers to promotions and that the gender gap in earnings appears to grow rather than diminish across careers.

Career Dynamics and the Life Course

The two main perspectives—the more socio-psychological approach to job satisfaction, organizational commitment, and job leaving (i.e., JSOC approach) and structural analyses of professions (i.e., the reintegration thesis)—represent different yet not necessarily competing theoretical perspectives. Each theoretical approach offers insights into motivations and structural factors influencing departures from the practice of law. Missing from these approaches is a consideration of the life course and transitions over careers. This omission has been highlighted in studies of the legal profession. For example, research examining turnover problems among lawyers engaged in legal service programs emphasizes the need for research that examines transitions across careers (Katz 1978); studies exploring gender and under-employment among lawyers, however, point to the need to address issues relating to parenthood and the life course more generally (Marciano 1987).

Research examining job satisfaction and organizational commitment also emphasizes the importance of the *process* of employee turnover (Greenhalgh 1980), in particular the need for analyses of transitions across work histories (Burchell 1993), and the timing of departures from firms (Lee & Mowday 1987). Studies of occupations and professions often refer to processes similar to the language of life course dynamics. In particular, the conceptual language of careers depicts the sort of temporal dimensions and processes familiar to analyses of life transitions (Elder 1985a:31). Studies also suggest that job transitions, including job exits, and the sequencing of transitions early in the career history affect career attainments later in life (Hogan 1980). Some job exit studies make reference to the importance of an individual's "career stage" in predicting whether the employee will leave the organization (Lee & Mowday 1987; London & Stumpf 1982). For example, in the early career stage, a lawyer

may be in the process of evaluating the job choice, acquiring new skills, and deciding on career options. At a later career stage, the initial evaluation process is complete, and other factors, possibly nonwork factors, may become more salient to a lawyer's decision to leave (Lee & Mowday 1987). Lee and Mowday (p. 740) contend that career stage may influence the importance of various antecedents of leaving and therefore should be incorporated into models of lawyers' leaving.

Yet, few studies have examined job leaving as a transition in a work history using longitudinal data. A life course perspective provides a framework for understanding how job transitions are shaped within structural opportunities and constraints. This perspective extends research into careers by introducing the multi-dimensional aspects of demographic transitions and focusing attention on temporal changes in the life course (Elder 1985a). Thus, life course research offers an interactive model that views family and work as interrelated and highlights the structural barriers which act as obstacles within these spheres (Koenigsberg, Garet, & Rosenbaum 1994:35; Moen 1985:131). This model is particularly appropriate since a sizable proportion of female lawyers are in their active, childrearing years (Epstein 1986). A life course perspective raises questions, among them, What are the effects of marriage and children on the careers of men and women (in terms of continuity, promotion, and movement between sectors of practice)? What are the coping mechanisms and accommodations made by women with children? When in the course of their careers are men or women prone to discontinuity, either through leaves or departures from law practice? What are the motivations and causal processes underlying such transitions within and from the practice of law?

Data and Methods

The Sample

Research reported in the following pages attempts to answer such questions using a 1990 mailed survey of Canadian lawyers. A disproportionately stratified random sample of lawyers was selected from the membership lists of the Law Society of Upper Canada. The sample was stratified by gender to include approximately equal numbers of men and women called to the Ontario Bar from 1975 through 1990. This time span was selected because it is only in the past 15 years that women have entered the legal profession in sizable numbers. The sample is unique in that it was also stratified to include members who had experienced temporary absences from the practice of law in the two years prior to the survey and members who had left the practice of law

during the five years prior to the survey.⁴ The inclusion in the sample of individuals who had left law practice enables the analysis of causal processes of both lateral mobility within law and departures from the profession. With one follow-up reminder, 1,597 survey instruments (68%) were returned. The analyses reported here are based on lawyers reporting law firm settings as their initial entrée to private practice (1,009 cases).

Measurement

Descriptive statistics for men and female lawyers in the sample are presented in Table 1. Below I briefly highlight the measurement of independent variables following the sequence used in the subsequent multivariate analyses.

Background and Family Variables

Two dummy variables measure gender (women = 1) and ethno-religious background (1 = white Anglo-Saxon Protestant). Research has also demonstrated the importance of noncareer events, such as marriage and parenthood, for understanding issues in gender stratification. The effects of marital status remain inconclusive, although there is some evidence that marital status may have some negative impact on women's desire to remain in the workforce (see Evetts 1988; Lorence 1987) and women's promotion opportunities. For example, married female professionals may be limited in their geographical mobility, since spouses may be differentially willing to accommodate themselves to each other's careers, with wives usually more willing to relocate or otherwise adapt to a husband's career demands (Fox & Hesse-Biber 1984). To the extent that husbands receive more attractive employment offers and progress more swiftly along career paths, this is often a rational strategy in maximizing family socioeconomic standing.

⁴ The stratum of members who have left practice includes lawyers who are currently suspended, whose suspension was imposed during the past five years (1985 to 1989 inclusive), and for whom the Law Society of Upper Canada possesses an address. Suspended members include individuals suspended for nonpayment of annual membership fees or for nonpayment of errors and omissions levies. Note that suspended members have not been suspended as a penalty for misconduct. Rather, in this context, suspension indicates that these individuals have left the profession and have discontinued their membership fees to the Law Society. This stratum was created in an effort to include those who have left the practice of law (sample $N = 73$ men and 57 women). It should be noted, however, that suspended members (individuals having departed from the practice of law and no longer paying membership fees to the Law Society) are underrepresented. Although the list of suspended members provides a very accurate total of the number of departures during the past five years, there were difficulties incurred in tracking these members for mailing purposes. For example, of the 517 suspended members listed with Canadian addresses (across the five-year period), the Law Society possessed home addresses for only 353, and of those, only 130 were up to date. More recent departures were more apt to possess up-to-date addresses, while earlier exits (four to five years ago) were more likely to have moved in the interim.

Table 1. Descriptive Statistics for Dependent and Explanatory Variables

Variables	Men (<i>N</i> = 493)		Women (<i>N</i> = 516)		<i>t</i> -Value of Difference
	Mean	S.D.	Mean	S.D.	
Background & family variables:					
Ethno-religious background	.335	.473	.380	.486	1.497
Married	.793	.406	.709	.455	-3.093**
Children	.596	.491	.461	.499	-4.334***
Human capital & work-related variables:					
Elite law school	.385	.487	.362	.481	-.754
Specialization status in first job	6.034	.895	6.061	.838	.500
Articles preference	.414	.493	.362	.481	-1.675
Parental leave	.012	.110	.201	.402	10.318***
Other leave	.097	.297	.142	.349	2.167*
Work context:					
Size of firm in first job					
< 10 lawyers	.584	.493	.517	.500	-2.133*
10–19 lawyers ^a	.120	.325	.118	.323	-.072
20–49 lawyers	.099	.300	.111	.314	.574
50+ lawyers	.197	.398	.248	.432	1.963*
Regional location: Toronto	.538	.499	.566	.496	.905
Market conditions:					
Unemployment rate at call	8.781	1.606	8.855	1.547	.736
No. of bar admissions at call	1,042.446	99.093	1,086.789	84.100	7.647***
Perceptual indicators:					
Sexual discrimination	.024	.154	.192	.394	8.963***
Job satisfaction	3.832	1.111	3.789	1.079	-.622
Organizational commitment	4.016	.886	3.950	.858	-1.213
Professional commitment	16.657	3.887	17.215	4.141	2.207*

^a Firm size of 10–19 lawyers is the comparison category.

* *p* ≤ .05 ** *p* ≤ .01 *** *p* ≤ .001

Recent research concerning lawyers and the balance of work and family has demonstrated that women continue to bear principal responsibility for the care of children (Brockman 1994; Chambers 1989). As a result of role conflicts between family responsibilities and work demands, women often confront barriers in ascending career ladders. Traditional legal careers afford lawyers little time for nonwork activities, especially those that involve a substantial commitment of time and energy outside the office. Female lawyers who have children are caught between society’s delegation of childcare responsibilities to women and a career structure that does not accommodate the demands of family. This conflict of role demands is intensified by the fact that women’s peak childbearing and childrearing years coincide with the critical years of career establishment (Liefland 1986:613–14; Gutek & Larwood 1987:24).

Therefore, two dummy variables are constructed for marital status prior to time of job transition (1 = married) and presence of one or more children prior to time of transition (1 = children).⁵ Men were more likely to be married (79%), compared

⁵ Another measurement technique is to examine work transitions across a five-month range (two months prior to and two months following the birth of a child). This strategy would allow us to examine transitions immediately surrounding the significant

with women (71%); men were also more likely to be parents (60%, compared with 46% of women).

Human Capital and Work-Related Variables

I also consider individual investment and productivity characteristics as emphasized by human capital and status attainment traditions (see Blaug 1976; Mincer 1970). A dummy variable indicates graduation from either Osgoode Hall Law School of York University or the University of Toronto Law School, the elite law schools in Ontario (Hagan et al. 1988:39). Specialization status is measured along a graded 10-point scale of prestige, with the highest-ranked specialties including taxation, corporate/commercial and civil litigation and lower-ranked specialties including criminal and real estate law (see Hagan et al. 1988; Kay & Hagan 1994). First jobs are also important to securing “footing” on a lucrative career ladder (Granovetter 1974; Hagan & Kay 1995), and therefore lawyers in the study were asked whether they were successful in obtaining their first choice for an articling position. This measure in part reflects early access to preferred career placements but also reflects retrospectively satisfaction with the initial entrée to law practice. There were no significant differences between men and women in their attendance at elite law schools, specialization status, or their success in securing preferred articling positions.

Interruption of the “normative” pattern of professional life may occur as a consequence of gender (Marciano 1987:92). Research into the careers of female lawyers reveals that the allocation of time to family, particularly during periods of early childcare, can create discontinuity in women’s careers, especially if it results in withdrawal from employment (England 1982; Jones, Marsden, & Tepperman 1990; Robinson 1987; Rosenfeld 1980; Rosenfeld & Spenner 1988; Sorenson 1983). Such discontinuity can reduce one’s competitive position and personal networks (Fox & Hesse-Biber 1984; Nieva 1985).

Two questions tapped information regarding leaves from the practice of law. Respondents were asked: “Have you ever taken a parental (maternity/paternity) leave?” They were also asked: “Since being called to the Bar, have you at any point taken a leave from work (other than for purposes of parental leave)?” Two dummy variables were constructed for parental leave (1 = parental leave) and other leaves (1 = leave other than parental). Women were significantly more likely to take parental leaves than their male colleagues (20% of women compared with only

event. As McLaughlin (1982:410) observes, much of the complexity is removed from the research by limiting the analysis to the nature of the work/fertility relationship during the months surrounding birth. Picot (1988:21) finds that the arrival of a newborn child influences the probability that a woman will leave the workforce (positively) and that a woman who is not working in the paid labor force will enter employment (negatively).

1% of men). Women were also slightly more likely to take other forms of leave (14%) than men (10%) in law practice.

Work Context

Organizational structures, such as size of law firm, are essential to an explanation of career mobility (Hannan 1988; Meyer 1988). The measurement of firm size is a cumbersome task given the blurred and disputed boundaries between midsized to large law firms. The general shift to larger units of practice has further complicated measurement of what defines the contemporary big law firm (see Galanter 1983:154–55). Adam and Baer (1984) and Hagan et al. (1991:255) use a cut-off point of 20 lawyers in their Canadian research, while Heinz and Laumann (1982) employ a cut-off point of 30 lawyers in their American research. Curran et al. (1985:13–14) draw a distinction at 21 or more lawyers, and Abel (1989:123–24) adopts a 20-lawyer as well as a 50-lawyer division in his analysis of large firms. The closeness of these measures probably reflects an attempt to select a division that is distinctive yet still includes a significant part of the lawyer population (Hagan et al. 1991:255). Following this guideline, I adopt a four-level variable of firm size (4 dummy variables): small firms (< 10 lawyers), low–medium sized firms (10–19 lawyers), high–medium sized firms (20–49 lawyers), and large law firms (50+ lawyers). Men were more often employed in the smaller law firms (58% compared with 51% of women), while women were slightly more often employed in larger law firms (25% compared with 20% of men).

Regional Location

A dummy variable is included to consider those who work in Metro Toronto versus working outside Toronto (1 = Toronto). Toronto is Ontario's financial capital and home to the nation's largest law firms; therefore, it is expected that the style, structure, and mobility within practice may vary inside versus outside this center (Kay & Hagan 1995). There was no statistically significant difference between the sexes, with about half of the province's lawyers working in Toronto.

Structural Context

In addition to these factors, I added variables intended to capture the structural context of law practice (i.e., fluctuations in the economy) and changes within the profession (i.e., growth in numbers). The unemployment rate at year of call indicates the economic climate at time of entry to practice; number of bar admissions at year of call reflects the size of the respondent's cohort upon entry to practice. Difficult economic times, such as the

recession periods of the early 1980s and late 1980s into the early 1990s, may reduce opportunities for lucrative opening positions and destabilize early career development. It is expected that individuals who entered law during weak economic times will be more likely to exhibit unstable employment, periods of unemployment, and exits from law practice. In addition, the number of bar admissions at year of call offers a measure of cohort size which can determine the amount of competition at various stages of the career trajectory (Kahn & Mason 1987:155). Members of large cohorts compete intensely for promising articling positions, recruitment to prestigious firms, and invitation into the partnership of the firm (Kay & Hagan 1994:446). It is expected that unusually large cohorts of lawyers will experience reduced opportunities for promotions and increased rates of job exits and lateral movement between jobs. Differences between men and women and the size of their entry cohorts reflects both growth in the profession and the recent feminization of law.

Job Satisfaction and Commitment

Several variables intended to measure perceptions and affective characteristics are included in this analysis, following the job-satisfaction and job-leaving literature. Job satisfaction is measured through a 5-point Likert-style item. Respondents were asked with regard to their first job: "How did this position compare to the one you originally wanted after being called to the bar?" (1 = nothing like I wanted; 5 = exactly what I wanted). Often studies examining the causal impact of job satisfaction fail to situate satisfaction within a work history. This measure attempts to capture a temporal dimension, tracing initial job satisfaction to subsequent workplace behavior (mobility and job exits). Because the focus is on transitions out of firm practice for those who begin as associates, this measure is particularly appropriate.⁶ The proxy of job satisfaction is intended to capture both the aspirations and success or failure at achieving a desirable first job and also a retrospective evaluation of how the job measured up to one's expectations.

Linked to the evaluative measure of job satisfaction is a behavioral measure of sexual discrimination. Measures of perceived experiences of sexual discrimination are surprisingly rare in studies of job satisfaction and job leaving. This analysis introduces such a measure. Individual experiences of sexual discrimination are measured with self-reported incidents occurring in the course of one's work as a lawyer. This four-category variable was

⁶ In addition, lawyers in the sample have relatively short career histories. Of the sample, 54% are in their second position and 76% have experienced three or fewer jobs. Recall that this study focuses on transitions from initial employment in law firms. Therefore, this measure of job satisfaction taps satisfaction in the job just before the exit or transition under study.

recoded into a dummy variable (1 = occurrence of sexual discrimination occasionally, frequently, or always present; 0 = none or uncertain). While there were no significant differences between the levels of job satisfaction among men and women in their first jobs, women are more often the victims of sexual discrimination. Nearly 20% of women reported direct personal experiences of sexual discrimination in their work as lawyers compared with only 2% of male lawyers. It is expected that victims of sexual discrimination will be more likely to leave their firm for less antagonistic work environments.

Central to the etiology of job turnover is the concept of commitment (Aryee & Heng 1990). Organizational commitment is often defined as the degree of affective or emotional attachment of an employee to the organization (Lincoln & Kalleberg 1985; Price & Mueller 1981; Aryee & Heng 1990).⁷ Organizational commitment is measured by a question that asked directly about goals for professional advancement. Specifically, respondents were asked how important achieving a position of seniority in the law firm would be to them. This measure is intended to reflect a commitment to remain with the firm and to prosper through internal career ladders. This variable is measured using a five-item Likert-style item (1 = not important; 5 = very important). In contrast, professional commitment denotes a commitment beyond the organization to larger professional ideals and goals. Professional commitment is measured through a five-item scale tapping goals for professional achievement through appointment to the bench, public recognition, being honored by a professional organization, becoming a bencher in the Law Society,⁸ and leadership in politics ($\alpha = .718$). Each of these items reflects different contributions to the profession as whole, rather than commitment to a single organization (e.g., a law firm).⁹ Although no

⁷ Commitment has been further refined in the research literature on work and occupations to encompass numerous distinctions. For example, Meyer and Allen (1984) applied the terms *affective* commitment and *continuance* commitment to characterize emotional attachment and intention to leave, respectively. Recent research (Allen & Meyer 1990) provides evidence that these forms of organizational commitment are conceptually and empirically distinct. These forms of commitment are also distinct from *work* commitment and *career* commitment (Mueller et al. 1992).

⁸ Benchers are members of the legal profession elected to serve a four-year term as representatives of the profession at the Law Society of Upper Canada. The Law Society acts as the equivalent of a U.S. state bar association. Benchers form a governmental body (called "Convocation") whose responsibilities include development of policies, codes of conduct, continuing legal education, bar examinations, and Legal Aid plans. The legal profession in Canada is a self-regulating profession and in that capacity Benchers also serve on disciplinary tribunals hearing cases of professional misconduct.

⁹ The early organizational literature assumed that incongruence (or conflict) between the professional and organizational commitments influences the intentions of professionals to withdraw from their place of work (Blau & Scott 1962; Scott 1966). This has been called the organizational-professional conflict (Aranya & Ferris 1983). However, some argue (Lachman & Aranya 1986; Wallace 1993) that the two may be consistent with each other or even interdependent, to the extent that professional work expectations are met by the employing organization. Professional commitment is believed to develop dur-

differences appear between levels of organizational commitment for men and women, women possessed slightly higher levels of professional commitment (t -value = 2.207, $p \leq .05$).

Analytical Approach

This study is guided by a life course perspective, which examines occupational histories from within a dynamic orientation (Koenigsberg et al. 1994). I estimate a continuous-time, stochastic model (Tuma, Hannan, & Groeneveld 1979) of the underlying processes of lawyers' transitions across firm settings and out of law practice. Continuous-time data and methods are required whenever a case can move from one job to another (or out of employment) at any moment in time (Zatz 1985:20).¹⁰

Neither cross-sectional nor panel analysis research can offer us complete information about the underlying processes that produce the observed distribution of lawyers' labor force participation at any given time—processes of entering and exiting from law practice. The methodological approach used here has several advantages over cross-sectional data (which assume the system is at equilibrium) and panel data (with measurement taken at two more points in time).¹¹ First, we can analyze the process of complete departure from law practice separately from other forms of exits (lateral mobility to other settings in law practice). A variable could theoretically influence one of these processes but not the other. Longitudinal data are required to examine these possibilities. Furthermore, the process of leaving law can be studied more accurately with event history data because, unlike panel data, all possible employment changes are recorded (Felmlee 1984:172; Koenigsberg et al. 1994:36).¹² Another strength of this approach is that the continuous-time stochastic model offers a straightforward conceptualization of lawyers' labor force activity. Lawyers leave law firms at various points in time, and it is the job exits that are the unit of analysis, with the rate of exit forming the dependent variable (Felmlee 1984:172).

ing the process of professional socialization. Lachman and Aranya (1986:280) argue, therefore, that professional commitment can be viewed as preceding commitment to an organization and even affecting it through the realization of work expectations.

¹⁰ Social processes such as job changes demand dynamic models and estimation through methods involving temporal data (Tuma et al. 1979:847). A stochastic process is one which develops in time according to probability laws. Continuous-time data provide detailed information tracking these processes over small time intervals, in this case months.

¹¹ The method involves gathering detailed survey research and retrospective work histories measured in months and years for start and end dates of each job and leave period.

¹² Event history techniques are particularly well suited to the study of legal careers because they directly involve information on individuals who are potentially right-censored (those who did not experience a specified job transition during the work history to date) (Blossfeld et al. 1989:26).

One contribution of the present study is that it examines jobs held over a 15-year period rather than final job status. An examination of the first job exit or the current job status may overlook the process inherent in an individual's career (Koenigsberg et al. 1994:36). I employ a competing risk model to consider transitions to multiple destinations. In the current study, I consider four types of transition from within law firm settings: (1) invitation to partnership; (2) movement to self-employment as a sole practitioner; (3) movement to other areas of nonprivate legal practice (e.g., employee of government, corporation, Legal Aid or law clinic, private industry or other employment), and (4) complete departure from the practice of law.¹³ Because I anticipate that the hazard rate for job exits will decrease monotonically over time (Koenigsberg et al. 1994:47), I fit a Weibull distribution, a generalization of the exponential distribution, to these data. The Weibull function takes the following form:

$$h(t;Z) = hp(ht)^{p-1} \exp(ZB) \quad (1)$$

where h is a baseline hazard rate (a constant term); p is a scale function determining whether the hazard rate decreases ($p < 1.0$), remains constant ($p = 1$), or increases ($p > 1.0$) across time (I expect $p > 1.0$); Z is a vector of time-invariant predictor variables (measured in the first position in a law firm); and B is a vector of coefficients estimating the effect of the predictor variables on the hazard rate.¹⁴ The scale factor (p) indicates how the function varies over time (see Hage et al. 1993). Equation (1) presents a proportional hazard model which assumes that effects of the predictor variables are proportional across time points. Separate analyses indicate that this assumption is justified.

The modeling approach used here involves an initial block of demographic, human capital, and work-related variables. A second model includes market conditions. These two models are followed by perceptual variables of discrimination and job satisfaction. The final model introduces the effects of commitment variables.

¹³ The parameter estimates represent the effects of exogenous variables on unobserved rates of transition from initial employment in a law firm to each of the four possible destinations.

¹⁴ The central variable, the hazard rate, represents the instantaneous probability of experiencing a job change of some exact time. The hazard rate incorporates both probability and timing and thus corresponds to an intuitive notion of risk as the underlying generator of the dynamic process.

Results

Event history models of transitions are presented in Table 2. Parameter estimates are readily interpreted through antilogs as *multipliers* of temporal rates of change from first position after Bar admission (firm settings only) to a job change.¹⁵

The most notable finding of Table 2 is clearly the pervasive effect of gender: regardless of background factors, human capital, work-related variables, market conditions, job satisfaction, or commitment, women experience more rapid rates of transition out of law practice. When these factors are taken into account (see model 4), we find that women leave law 60% more quickly than men ($p \leq .05$).¹⁶

As model 1 shows, being married reduces the rate of movement toward leaving the practice of law by 35% ($p \leq .05$). Success at securing a preferred articling position also reduces the risk of leaving law practice by 42% ($p \leq .01$). Both parental leaves and other leaves increase the risk of leaving law. Departures from law occur more often and more quickly (at 123%) from small firms with fewer than 10 lawyers, compared with the firms having 10–19 lawyers. Larger firms over 20 or even 50 lawyers do not appear to have quicker rates of departure from law practice.

These data indicate that market conditions, in particular economic climate, significantly improve the estimates of the hazard rate based solely on demographic and work-related variables (model 2 vs. model 1, $\chi^2 = 9.6816$, $p \leq .01$). Individuals who enter

¹⁵ Another convenient style of presenting the results is to display the antilogs of estimated parameters rather than the parameters themselves. The antilogs are then interpreted as *multipliers* of temporal rates of change from first position after bar admission to partnership; values greater than 1.0 reflect increases in these rates, and values less than 1.0 reflect decreases. For continuous variables, the parameters represent the fractional change in the rate due to an infinitesimal change in the variable. As Zatz (1985:21) observes, the antilog is then the effect of a marginal, rather than a unit, change in the exogenous variable. Since these are generally very close, and unit changes are more readily understood by those familiar with regression analysis, Zatz interprets antilogs for continuous variables as multipliers of the rate corresponding to unit changes in the variables. For dummy variables, the percentage change in the rate of one group relative to the control group is simply $100(e^{\theta} - 1)$, where e^{θ} represents the antilog (see Tuma et al. 1979:835; Tuma & Hannan 1984:157–61). This strategy permits us to interpret the antilogs for dummy variables in terms of the percentage increase or decrease in the likelihood of moving to each outcome state in the next instant of time (measured here in months) due to the variable under consideration. Although I have chosen to display the estimated parameters rather than antilogs of estimated parameters, I have followed Zatz's (1985) techniques of interpreting both dummy and continuous variables.

¹⁶ Procedure Lifereg (in SAS) uses log of duration as the dependent variable. To calculate the hazard rate coefficient from the Weibull accelerated failure time model, we reverse the sign of the parameter estimate, divide by the scale factor, and exponentiate. One minus this value indicates a reduction or an increase in the hazard rate. For example, to obtain the effect of gender on the hazard rate, calculate $(.3487 \div .7447) = .4682$ (exponentiated) = 1.597; then $(1.00 - 1.597) = 60\%$ increase in the hazard rate. Once the sign of the Weibull coefficient is reversed and the result divided by the scale factor, the value is comparable to the nonexponentiated coefficient in a Cox proportional hazard model. Exponentiated coefficients (in both cases) are easier to interpret because they represent effects on the hazard rate rather than on the log hazard rate.

Table 2. Estimated Effects of Variables on Departure Rates from Law Firms (Complete Exits out of the Practice of Law) (Standard Errors in Parentheses)

	Model 1	Model 2	Model 3	Model 4
Intercept	7.4623*** (.7847)	9.8601*** (1.2666)	8.5818*** (1.3167)	5.0633*** (1.4199)
Scale parameter ^a	.8351 (.0713)	.7729 (.0691)	.7654 (.0681)	.7447 (.0657)
Background & family variables:				
Gender	-.5462*** (.1755)	-.4289** (.1667)	-.3277* (.1691)	-.3487* (.1623)
WASP	.0675 (.1753)	.0462 (.1630)	.0356 (.1616)	.0844 (.1592)
Married	.4287* (.2233)	.3832+ (.2053)	.3141 (.2032)	.4212* (.2043)
Children	-.2641 (.2111)	-.3421+ (.1972)	.3401+ (.1949)	-.3572+ (.1909)
Human capital & work-related variables:				
Elite education	-.0835 (.1766)	-.1295 (.1635)	-.0833 (.1618)	.0103 (.1558)
Specialization status	-.0117 (.1042)	-.0762 (.0976)	-.0837 (.0938)	-.1333 (.0939)
Articling preference	.4484** (.1907)	.3625* (.1781)	.3433* (.1773)	.2959+ (.1745)
Parental leave	1.3200** (.4568)	1.2716** (.4250)	1.2009** (.4193)	1.0050** (.4026)
Other leave	-.6287** (.2033)	-.5850** (.1896)	-.5515** (.1865)	-.2350 (.1829)
Firm size first job ^b				
<10 lawyers	-.6682* (.3121)	-.5800* (.2881)	-.4536 (.2859)	-.5259+ (.2801)
20–49 lawyers	-.0944 (.3989)	-.0317 (.3706)	-.1102 (.3688)	-.0066 (.3588)
50+ lawyers	.2494 (.3905)	.2836 (.3641)	.1294 (.3617)	.0711 (.3531)
Regional location: Toronto	-.1535 (.1860)	-.1101 (.1722)	-.1120 (.1708)	-.2252 (.1701)
Market conditions:				
Unemployment rate at call	—	-.1247** (.0455)	-.1309** (.0455)	-.1158** (.0449)
No. of bar admissions at call	—	-.0016+ (.0010)	-.0012 (.0010)	-.0010 (.0010)
Perceptual variables:				
Sexual discrimination	—	—	-.4527* (.2077)	-.3085 (.2047)
Job satisfaction	—	—	.2674*** (.0715)	.2288*** (.0726)
Organizational commitment	—	—	—	.7047*** (.1175)
Professional commitment	—	—	—	.0537* (.0234)
No. of events	103	103	103	103
Log-likelihood	-375.8301	-370.9893	-361.3802	-326.6791
χ^2 likelihood ratio		9.6816**	28.8998***	98.302***
Test for improvements ^c		M_1/M_2	M_1/M_3	M_1/M_4
Degrees of freedom		2	4	6
χ^2 likelihood ratio			88.6204***	69.4022***
Test for improvements ^c			M_2/M_3	M_3/M_4
Degrees of freedom			4	2

^a The test for $p \neq 0$ is statistically significant.
^b Firm size of 10–19 lawyers is the comparison category.
^c M_i/M_j refers to the likelihood ratio test for improvements from model i to model j .
+ $p \leq .10$ * $p \leq .05$ ** $p \leq .01$ *** $p \leq .001$

the legal profession during periods of economic decline experience elevated risks of leaving law. For each unit increase in the unemployment rate at the time of call, lawyers move 18% more quickly out of law practice ($p \leq .01$) (see model 2).

Affective variables are also important precursors to job leaving (model 3 vs. model 2, $\chi^2 = 88.6204$, $p \leq .001$). Lawyers who experience sexual discrimination leave law practice 81% more quickly than their counterparts whose work environment is not so hostile ($p \leq .01$). Meanwhile, lawyers who experience higher levels of job satisfaction in their first job are less likely and slower to leave law at subsequent points in their careers (see model 3). The rate of movement out of law is reduced by 30% for those who report higher levels of job satisfaction ($p \leq .001$). These findings are consistent with the research of Mueller and Price (1990), but unlike prior studies of job satisfaction, this analysis includes an additional perceptual measure: sexual discrimination.

Indicators of commitment further improve the estimates of the hazard rate (model 4 vs. model 3, $\chi^2 = 69.4022$, $p \leq .001$). Lawyers reporting high levels of organizational commitment move 61% slower toward leaving law ($p \leq .001$), while lawyers exhibiting higher levels of overall professional commitment move 7% slower toward leaving law practice ($p \leq .05$). This is somewhat of an anomaly, since we might expect lawyers with strong professional commitment to change jobs but remain within sectors of law practice. However, it may be that professional commitment is a less tangible and more enduring quality, allowing individuals to transfer their legal education and skills to other realms of work. In contrast, organizational commitment—possessing concrete goals within the firm—might be more directly related to the decision to stay or leave law practice. It is also probable that the existing measure of professional commitment reflects status honor within the profession (through such items as appointment to the bench, public recognition, leadership in politics, and becoming a bencher in the Law Society) rather than the dimension of service to the client. To the extent that the measure reflects commitment to professional status outside the law firm, it is perhaps not surprising that individuals exhibiting strong professional commitment should seek status opportunities outside law practice.¹⁷

¹⁷ Professional commitment might be further enhanced by the inclusion of other values fundamental to professional practice including adherence to an ethical code, responsibility to the profession, service to clients, and the production of knowledge (see Goode 1957:194–200; Epstein et al. 1995:312). The existing multiple-item indicator is intended to capture several dimensions of what it means to be a professional. However, service to the client is considered in only a limited way by the items “public recognition” and “being honored by a professional association.” I wish to acknowledge my appreciation to one anonymous reviewer for encouraging further analysis of professional commitment.

Table 3. Estimated Effects of Variables on Departure Rates from Law Firms (Complete Exits out of the Practice of Law) for Men and Women Separately (Standard Errors in Parentheses)

	Men		Women	
Intercept	6.4027***	(1.9278)	3.7308+	(2.1638)
Scale parameter ^a	.7150	(.0946)	.7397	(.0869)
Background & family variables:				
WASP	.0407	(.2470)	.0242	(.2119)
Married	.3321	(.3025)	.3774	(.2733)
Children	-.2441	(.2796)	-.3509	(.2692)
Human capital & work-related variables:				
Elite education	-.4386*	(.2259)	.4605*	(.2308)
Specialization status	-.1467	(.1345)	-.1412	(.1339)
Articling preference	.3757	(.2609)	.0816	(.2332)
Parental leave			1.0020**	(.4190)
Other leave	-.4302	(.2800)	-.3115	(.2511)
Firm size first job ^b				
<10 lawyers	.0126	(.3219)	-1.2076*	(.5702)
20–49 lawyers	.6040	(.4669)	-.6867	(.6341)
50+ lawyers	.3649	(.4050)	-.4482	(.6700)
Regional location: Toronto	-.2383	(.2529)	-.1571	(.2282)
Market conditions:				
Unemployment rate at call	-.1780**	(.0655)	-.0659	(.0627)
No. of bar admissions at call	-.0012	(.0014)	-.0005	(.0014)
Perceptual indicators:				
Sexual discrimination			-.5126*	(.2466)
Job satisfaction	.1941*	(.0975)	.2542**	(.1028)
Organizational commitment	.7049***	(.1678)	.7309***	(.1715)
Professional commitment	.0158	(.0327)	.0899**	(.0343)
No. of events	47		56	
Log-likelihood	-152.5616		-162.7569	
Degrees of freedom	16		18	

^a The test for $p \neq 0$ is statistically significant.

^b Firm size of 10–19 lawyers is the comparison category.

+ $p \leq .10$ * $p \leq .05$ ** $p \leq .01$ *** $p \leq .001$

The saturated model is estimated separately for women and men in Table 3. Interestingly, elite education appears to operate in opposite directions for men and women. For men, an elite law school education increases their risks of leaving law practice by 85% ($p \leq .05$); while for women, an elite education reduces the risks of leaving law by 46% ($p \leq .05$). This reverse effect might in part reflect the recent entry of sizable numbers of women to the two largest law schools in the province, University of Toronto and Osgoode Hall. However, this finding may also reflect improved opportunities offered through elite education: for men these opportunities may be afforded outside of law practice in terms of business opportunities, politics, or other careers where a legal background is beneficial; for women an elite education may enhance prospects within firms. This explanation is consistent with explanations for leaving law reported by men and women in this study: men more often identified improved opportunities elsewhere as a motive for leaving law, while women were more inclined to report feeling pushed out of law or for reasons of

“balance” and “quality of life.” (Of course, these responses might also reflect rationalizations rather than realities of the job market.)

Taking a parental leave actually reduces the risk that women will leave law practice by 74% ($p \leq .01$), demystifying the assumption that women are leaving law to care for their children. Women working in smaller law firms of fewer than 10 lawyers are over 4 times (or 411%) more likely to leave law practice ($p \leq .05$) compared with their female counterparts in midsized firms of 10–19 lawyers. Smaller firms appear less able to retain female lawyers, perhaps due to lower salaries and a reduced ability to offer workplace benefits such as flexible working hours and improved maternity and childcare supports. Or perhaps larger firms are perceived as adhering to more universalistic standards, while smaller firms offer greater scope for discrimination (see Menkel-Meadow 1989:213).

Market conditions appear salient to job transitions. For men, entering the profession during periods of economic recession increases the risk of leaving law by 28% for each unit increase in the unemployment rate ($p \leq .01$). For women, factors related to firm context, personal experiences of discrimination, and general job dissatisfaction appear more relevant to their job exits than economic climate. Sexual discrimination plays an important role in women’s job exits: women who experience sexual discrimination in the practice of law are 100% more likely to leave the profession ($p \leq .05$). Job satisfaction and organizational commitment are relevant to the decision by both men and women to stay in law practice. Higher levels of job satisfaction in the first job reduce men’s risks of leaving law by 24% ($p \leq .05$) and women’s risks by 29% ($p \leq .01$). Higher levels of organizational commitment reduce the risk of leaving law for both men and women by about 63% ($p \leq .001$). Professional commitment is also relevant, but only for women. Strong professional commitment reduces the movement of women out of law practice by 12% ($p \leq .01$).

So far, the analysis has considered only full departures (out of law practice) from law firms. Yet, it is also important to consider departures from firm practice to other realms within law practice. For example, lawyers may leave law firms (where nearly 60% of law graduates begin their careers as associates) to work in government, private industry, solo practice, Legal Aid clinics, or legal education. Table 4 examines a competing risks model of four transitions from initial employment in law firms, including invitation to partnership, transition to solo practice, change to the nonprivate practice of law (including employment with government, corporation, Legal Aid or law clinic, private industry, or other employment), and complete departures from the practice of law.

Table 4. Competing Risk Model of the Estimated Effects of Variables on Rates of Transition out of Firm Practice (Standard Errors in Parentheses)

	Transition to Partnership ^a	Transition to Sole Practitioner ^b	Transition to Nonprivate Practice of Law ^b	Complete Departure from Practice of Law ^b
Intercept	—	(1.5843)	8.1394***	(1.2990)
Scale parameter ^c	—	(.0860)	1.0090	(.0588)
Gender	.4596***	(.1452)	-.0320	(.1493)
WASP	.0922	(.1201)	.3180*	(.1443)
Married	.2245	(.1942)	.4753**	(.1757)
Children	.4121**	(.1581)	.0601	(.1746)
Elite education	.0028	(.1247)	-.0326	(.1413)
Specialization status	.0571*	(.0716)	-.1649*	(.0841)
Articling preference	.1089	(.1407)	.1668	(.1603)
Parental leave	.1971	(.2002)	-.4825*	(.2222)
Other leave	.4972**	(.2115)	-.4089**	(.1729)
Firm size first job ^d				
<10 lawyers	.1392	(.2007)	-.9585**	(.4031)
20–49 lawyers	.1055	(.2601)	.6614	(.7448)
50+ lawyers	.0284	(.2318)	1.5097+	(.8872)
Toronto	.1651	(.1325)	.4011+	(.2184)
Unemployment rate at call	.0735*	(.0358)	.0375	(.0625)
No. of bar admissions at call	.0023***	(.0007)	.0007	(.0011)
Sexual discrimination	.2718	(.2451)	.0249	(.3279)
Job satisfaction	.1772**	(.0577)	.1170	(.0837)
Organizational commitment	.2994***	(.0678)	-.2683**	(.1101)
Professional commitment	.0050	(.0147)	.0476*	(.0249)
No. of events	317		240	103
Log-likelihood	-1,945.0435		-758.8208	-326.6791

^a Risk estimates of partnership are calculated using a nonparametric model, Cox's proportional hazard model (Procedure Phreg in SAS).
^b Effects of covariates on transitions to solo practice, nonprivate practice, and complete departure from law practice are calculated using a log-linear survival regression with a Weibull distribution (Lifereg procedure in SAS). This technique uses log of duration as the dependent variable. Coefficients are therefore of opposite sign from results obtained using proportional hazards. Effects on the hazard rate are discussed in the text by reversing the sign and dividing the result by the scale factor.
^c The test for $p \neq 0$ is statistically significant.
^d Firm size of 10–19 lawyers is the comparison category.
 + $p \leq .10$ * $p \leq .05$ ** $p \leq .01$ *** $p \leq .001$

The first column presents mobility prospects for men and women within law firms. A striking contrast is apparent between women's chances for advancement in law firm versus their risks of leaving law practice. While women move up the firm mobility ladder to partnership 37% more slowly than men, women also move out of law practice 60% more quickly than their male counterparts. Interestingly, many of the variables relevant to job leaving pertain to upward mobility, but in different ways. Having children increases the rate of movement toward partnership by 51% (but only for men; see Kay & Hagan 1996). Leaves other than parental slow the rate toward partnership by 39% ($p \leq .01$). High unemployment at the time of call dampens prospects for partnership down the road, as does the entry of large cohorts to law practice. This suggests that the structure of the profession has, with the large influx of admissions, incurred some difficulty in extending promotion opportunities to recent cohorts of bar admissions. Finally, as predicted in the literature, higher levels of job satisfaction and organizational commitment increase the rate of movement toward promotion (19% and 35%, respectively, $p \leq .01$).

The second column documents the risks of leaving a law firm to set up one's own law practice as a sole practitioner. Like exits from law practice, leaves increase the risk of exiting to set up a solo practice by 100% ($p \leq .01$). Lawyers working in smaller law firms of fewer than 10 lawyers also move 139% more quickly to solo practice than their counterparts in slightly larger firms of 10–19 lawyers ($p \leq .01$). Both success in securing preferred articling positions and strong organizational commitment increase the risk of moving to solo practice (60% and 28%, respectively, $p \leq .01$). This finding is not so curious, since the ability to secure a desired articling position, as well as a commitment to achieving partnership, might also reflect the desire for autonomy and leadership in law practice more generally. To the extent that a lawyer possesses these qualities and the firm fails to offer opportunities, solo practice may be an attractive alternative.

The relationship between leaves and risks of either moving to solo practice or leaving law practice entirely may operate differently for women and men. Lawyers in the study described leaves from practice as a moment for reflection and contemplation of alternative career lines. Solo practice was described by numerous male lawyers as an opportunity for greater independence, flexibility in hours, and choice of cases. In this sense, leaves may offer an occasion for reevaluation of priorities. And yet, women tended to describe the critical moment as *following* leaves (particularly maternity leaves). Their leaves were often interrupted with requests for legal work, and on returning to the firm, several women reported files had been reassigned, clients transferred to other members of the firm, and even office space reduced or

relocated. Epstein et al. (1995:303) also report such a “passed over” effect and the expectation that female lawyers will drop out or leave the partnership track following maternity leaves. For many women, the movement to solo practice may reflect constraint and persuasion, rather than choice and opportunity for autonomy.¹⁸

In the third column, transitions to nonprivate practice (including employment in government, corporations, Legal Aid or law clinic, private industry, or other employment settings) are displayed. Minority lawyers are more likely to leave private practice, while white Anglo-Saxon Protestants move out of law firms to nonprivate practice 27% more slowly ($p \leq .05$). Married lawyers also move to nonprivate practice 38% more slowly than their nonmarried counterparts ($p \leq .01$). As with exits to solo practice, lawyers moving to nonprivate practice make that transition more quickly following a leave (50% more quickly). Lawyers also move 64% more quickly from small firms to nonprivate practice than from firms of 10–19 lawyers ($p \leq .01$). The size of one’s bar admission cohort increases the risk of leaving a law firm for nonprivate practice (0.3% for every unit increase in the size of the cohort or 30% for every additional hundred lawyers called to the bar). As expected, higher levels of job satisfaction in the first law firm job reduce the rate of departure to nonprivate practice by 22%, while higher levels of organizational commitment reduce the risk of leaving by 21% ($p \leq .01$ and $p \leq .001$, respectively). As in all three exit paths, professional commitment reduces the rate of transition out of law firm practice by about 5% ($p \leq .01$) for every unit increase in the measure of commitment.

The final column displays the estimates of the hazard of leaving law firm practice to work entirely outside the practice of law. Most revealing in Table 4 is that there are no statistically significant gender differences in lateral mobility from law firms to either solo practice or nonprivate practice, such as government employment. Rather, significant gender differences exist for upward mobility within firms and exits completely out of law practice. Women who begin their careers in law firms are slower than men to receive partnership invitations, and for these women the risk of leaving law is greater than for their male counterparts. More often, these exits are not merely lateral moves to other practice settings but rather exits entirely out of law practice. For women, careers within law firms appear to represent a pattern of “up or out,” with small firms either pushing them out or careers outside law practice attracting women with more advantageous working conditions. It is also noteworthy that organizational and

¹⁸ As Epstein et al. (1995) observe, individuals’ choices and the pressures they encounter are often interactive: “Thus, what an individual describes as an individual choice when viewed collectively shows a pattern of constraints that lead to these individual decisions” (p. 309).

professional commitments reduce the risk of leaving private practice (to nonprivate practice and complete departures from law practice). Job satisfaction is salient to reducing movement to nonprivate practice and jobs outside law practice. Structural factors such as economic climate seem less relevant to lateral mobility between practice settings and more relevant to the decision to leave law practice entirely.

These transitions were further explored through an examination of cohort effects. The sample was divided into a senior cohort with 8 to 15 years of experience (bar admissions from 1975 to 1982) and a more junior cohort with 7 or fewer years of practice experience (bar admissions from 1983 to 1990).¹⁹ Approximately 30% of women and 46% of men were in the more senior cohort. The results (not displayed here) reveal that junior firm lawyers are significantly more likely than members of the earlier cohort to leave law practice. However, this effect was reversed for movement to solo practice, with junior lawyers less likely than the earlier cohort to make this transition. There were no significant differences between junior and senior cohorts in the risk of leaving firms for nonprivate practice (e.g., corporate, industry, government employment).²⁰

Discussion and Conclusions

The analysis of multiple types of job transitions across the early stages of lawyers' careers reveals a diversity of career lines in the contemporary legal profession. These data suggest that for many lawyers starting out in law firms, the traditional career path of associate to partnership within the firm will not be their destiny. Rather, the career histories of the lawyers in this sample exhibit considerable fluidity, with movement to solo practice, to government, and to other forms of nonprivate law practice, as well as exits to careers outside law practice.

I have argued here that a more complete understanding of the processes involved in career transitions among lawyers can be achieved by integrating affective attributes, such as job satisfaction and commitment, together with more structural analyses of the profession. A life course approach links these two perspectives while providing a conceptual frame of reference to explain individual career and life transitions within the larger structure of law practice.

¹⁹ This division captures sufficient numbers of women in the more senior cohort and marks a critical point in the career at which firm lawyers should be near or past the time of partnership decisions.

²⁰ Exits from firm practice to not practicing law were explored separately for junior and senior cohorts. The results do not suggest a different underlying causal process between cohorts.

The findings demonstrate that job satisfaction and organizational commitment models are essential to understanding the causal forces and motivations that lead to job exits and lateral mobility in law. Job satisfaction and both organizational and professional commitment reduce the risk of leaving private practice and law practice more generally for both men and women. Job satisfaction is particularly important to reducing the risk that young lawyers will leave firm practice to work in either government or outside the practice of law. Movement to solo practice is in some ways a more gentle transition: lawyers with strong organizational commitment, specifically aspirations to attain partnership within firm settings, and successful attempts to secure favored articling positions, are well equipped to make the move to solo practice. Solo practice remains within the private practice of law and for some lawyers may offer increased autonomy and greater decisionmaking in the selection of cases, hours worked, and diversity of fields practiced. In a sense, law firm practice may operate as an extension of legal and business education and thus as a valuable resource readily transferred to solo practice.

The results of this study also speak to structural interpretations of the feminization of professions. The evidence supports the ghettoization perspective rather than genuine integration of women into law. Women continue to be underrepresented in positions of authority, such as law firm partnerships. In fact, women move toward partnership 37% more slowly than their male counterparts. At the same time, women move out of law practice 60% more quickly than men. While resegregation theory sees men as fleeing law (see Reskin & Roos 1990; Wright & Jacobs 1994), this study finds it is women who are overrepresented in the exodus from law. These findings are suggestive of what some writers have termed a "flight from law" (see Hirsch 1989; Menkel-Meadow 1989; Otvos 1992).

Interestingly, small law firms appear to be the least successful in retaining female lawyers, with the risks of complete withdrawal from law practice being greatest for women in smaller law firms. This finding is intriguing given recent critiques of large law firms, specifically in terms of bureaucratization (Nelson 1988), rising billable hours (Galanter & Palay 1990; Kaye 1988; Menkel-Meadow 1989), and restructuring of partnership ladders (Galanter & Palay 1991; Kay & Hagan 1994). However, the rapidly increasing size of entry cohorts to the profession has taken its toll on the share of partnerships available to aspiring associates, as well as hastened the departure of lawyers from private practice. And economic conditions appear to be more relevant to exits out of law practice and less influential in lateral mobility between sectors of practice.

Future research should further examine firm size and mobility patterns, particularly movement between and within law firms.

Several trends have been generalized from American studies, and the Canadian context reveals its own distinctive character. For example, the large Canadian law firm, like its counterparts in the other industrialized countries, has undergone profound changes in recent years, including the rapid growth of individual firms and growing geographic dispersion through branch offices. However, this growth has taken place on a smaller scale than has been true of American examples (Galanter & Palay 1990; Sander & Williams 1992), and trends in development of branch offices, foreign offices, and mergers occurred later than trends reported in the United States (Daniels 1993:157). Canada also possesses a lower ratio of lawyers to citizens, and citizens are perhaps less likely to use courts (Hagan 1990).²¹ The partnership ladder itself is somewhat different in Canada with recent law graduates entering law firms through articling (apprenticeship) positions for a period of one year prior to bar admission examination. Articling students compete to be hired back as junior associates in these firms and to begin the five- to eight-year climb to partnership (Hagan & Kay 1995:52–54).

A life course perspective encourages further consideration of events outside of careers such as family and marriage. The results of this study find neither the presence of children nor the experience of parental leaves as having a direct impact on exits from law practice. This finding counters the assumption that women are leaving law practice to care for their children. However, the interaction between career and life events is complex. Recall that most women in the sample are relatively junior in their careers and many remain childless to date. Therefore, the effects of family and career remain inconclusive. Moreover, the impact of children on careers may vary across stages in the life cycle (Menkel-Meadow 1989:214), with demands and responsibilities varying by whether children are infants, in preschool, of school age, or adolescents.

Job satisfaction itself may involve more than an assessment of the work environment; job satisfaction may extend to a consideration of family or personal life. Although most law firms have developed maternity-leave policies, prior research suggests there are continuing tensions for women who seek to balance both family and a legal career, and these conflicts tend to drive women out of firms (Abramson & Franklin 1986; Epstein 1981; Nelson 1988; Stanford Law Review Project 1982). Halliday (1986) maintains that women select positions that satisfy at least two criteria: first, the time commitments must fit a reasonable schedule so family responsibilities are not complicated; and second, they must pursue careers in sectors of the profession with flexibility of

²¹ See Hagan (1990) for an excellent comparative analysis of the cultural and structural differences producing substantial differences in lawyering in Canada and the United States.

hours and in which interruptions are least disruptive. The effects of home and childcare responsibilities on career attainment may encourage women to maximize employment characteristics other than status or earnings, such as flexible working hours or improved benefits. Comments by lawyers in this survey suggest these considerations are relevant to the transitions experienced in their careers. For example, one lawyer stated:

I left private practice of criminal law in part because it was wearing on me and I wasn't making enough money for the time I put in, and in relation to colleagues (especially male). In addition to the wearing aspect of the subject matter and the business of law, I found that as a "single mother," the hours I previously worked were no longer feasible. I had to spend some time with my son. After two years with government I was appointed to the Provincial bench. Much of the time I spent in government recently was in policy work. This was interesting, although a real career move away from what I had done. . . . I like the variety that practice offers; I want the resources that government offers. The stability of my present position is something that is certainly very attractive.

Therefore, job satisfaction measures should be further developed to consider balance between realms of work and family, satisfaction with law firm benefits (e.g., flexible hours, leave options, and childcare support), and perceptions of sexual discrimination in the workplace. Are there important gender differences in what constitutes job satisfaction? In this regard, Menkel-Meadow (1989) suggests that research needs to examine what women and men lawyers regard as meaningful work. What are the relations between satisfaction and measures of work structures, family integration, status, and income? Research should further develop these models to include measures of authority and autonomy in law practice. Do the risks of leaving private practice decline with increasing access to positions of power?

Workplace constraints may also operate in more subtle ways. Another lawyer who had left private practice referred to such effects as a "phasing out" as a consequence of maternity leaves, rather than either a dismissal by the employer or a conscious decision to leave on her part:

I feel that the Law Society should establish a policy relating to the maternity leaves which a lawyer can expect. . . . I had three leaves. All of these were unpaid (except for Unemployment Insurance benefits). I had trouble reestablishing myself in the law firm after my leaves. I attribute this to the fact that I practiced only on a part-time basis after my leaves. Also both firms for which I worked felt that they needed to take on another lawyer to fill in the gap created by my maternity leaves. Even though the "replacement lawyer's" involvement with my file load was meant to be temporary, I never really got control of my files

after my return. I feel like I've been phased out in both law firms due to my maternity leaves.

These findings raise a number of questions for future research. First, what are the consequences for gender integration in the legal profession, given women's reduced prospects for partnership and apparent flight from private practice? Will women continue to leave law firms, or will women change the social organization of firm practice (Menkel-Meadow 1989)? More optimistic lawyers among the sample call for such transformation within law firms:

I am disturbed by what I see as an inflexibility on the part of the legal profession to accommodate the needs of female lawyers who have families. I know of a number of extremely competent female lawyers who, until they had families, were engaged in private practice for some time and who now find it impossible to arrange job-sharing or part-time work within the private practice of law. I see this as a result of an unhealthy and increasingly persistent demand by law firms to increase billing hours and to tailor one's family life to one's career needs. This effectively forces female lawyers with families to either pursue employment outside the practice of law or to subject themselves to the enormous pressure of maintaining some semblance of home life as well as a very busy career. Most of the women I know who have attempted the latter have reached "burn out" and have opted for either leaving the profession or the private practice of law. This strikes me as a terrible brain drain of talent away from the private practice of law and is something I feel the Law Society has an obligation to address. I see the solution to the problem as something more sophisticated than simply agitating for longer maternity/paternity leave. I think it involves a fundamental shift in the thinking amongst private law firms which can only be achieved through education and perhaps the encouragement of some sort of incentive or insurance programs at these firms. . . . I am confident that collectively, we as lawyers could devise various proposals which would work if we had the will. What I find disturbing is what appears to me to be active resistance to even addressing these problems, amongst those in the profession itself.

This study has examined job exits combining voluntary turnover (quits) and involuntary turnover (dismissals). Yet, the etiology underlying exits initiated by the employee may differ from those initiated by the employer. Future research should differentiate between these two forms of exits in assessing the factors which pressure or entice lawyers out of particular jobs. Future studies should also examine the prevalence of movement between law firms as well as aggregate changes such as increasing or declining diversification of career lines between cohorts. Are the careers of contemporary cohorts of lawyers more complex in their transitions, or more diverse in their longer career trajectories, than earlier cohorts of lawyers? More important, future re-

search needs to broaden the analysis to examine the larger profession of law. Such analyses might focus on initial career moves, exits, and reentries to law practice, as well as the timing and sequence of these transitions. The findings of this study suggest that research needs to move beyond the traditional boundaries of law firm practice to explore the work of law graduates in government, Legal Aid offices, education, private industry, corporations, and other business endeavors.

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