

BLACKS IN PRESTIGIOUS LAW FIRMS

Jerome Culp

I. INTRODUCTION

The number of black lawyers has increased substantially in the last quarter century.¹ This increase in the quantity of black lawyers is a part of the general improvement in the position of black Americans in our society. Black Americans are more likely than ever before to graduate from high school and college and to succeed in gaining access to education in professional and graduate programs.² This has led some authors to conclude that black progress has reached the point that it is no longer necessary for racial inequality to be an important concern of public policy.³ This view of the changes in the position of blacks implicitly makes several assumptions. Two of the primary assumptions are that black progress will continue at the rate that it has in the past and that the opportunities for blacks have been altered permanently and substantially by changes in the last twenty-five years. The latter assumption is beyond the scope of this paper.⁴ The former assumption that black progress will continue over the life history of blacks will be examined carefully with respect to black lawyers.

The progress of blacks in society can be overestimated because it is of rather recent vintage. Most of the observers of the progress of blacks have emphasized the degree to which this progress is concentrated among those who are just entering the marketplace and in those groups who have post-secondary education.⁵ This means that in evaluating the position of blacks the available evidence is restricted to a very limited part of what will be the life earning history of blacks. Accordingly, we know a great deal about whether those black workers entering the market are starting with similar salaries and positions, but very little about what blacks will be making ten and twenty years into the future. This is also true with regard to the market of black lawyers. It is only a generation ago that a black Supreme Court clerk and former Harvard Law Review member⁶ was turned down for employment with several prestigious law firms. The level of hostility to blacks has been reduced in the last thirty years, along with a general reduction in

1. FREEMAN, *THE BLACK ELITE: THE NEW MARKET OF HIGHLY EDUCATED BLACK AMERICANS* 16 (1978).

2. *Id.* at 215-217.

3. See Glazer, *AFFIRMATIVE DISCRIMINATION: ETHNIC INEQUALITY AND PUBLIC POLICY* (1978); Sowell, *Ethnicity in a Changing America*, 107 *DAEDALUS* 213 (1978); Professor Ely has stated that "the lawyer that can make whites a discrete and insular minority has not been trained." Ely, *Foreward: On Discovering Fundamental Values*, 92 *HARV. L. REV.* 1 (1970). Obviously, the social scientist who can make such an argument is alive and well and writing for COMMENTARY.

4. See Culp and Loury, *In Defense of Public Policy Towards Race*, 10 *REVIEW OF BLACK POLITICAL ECONOMY* 1 (1980).

5. See Freeman *supra* note 1; Smith and Welch *Race Differences in Earnings: A Survey and New Evidence* (Unpublished paper prepared for the Rand Corporation, 1978).

6. William Coleman, former Secretary of Transportation is the black lawyer illustrated here who was a victim of racial discrimination in prestigious law firms.

racial animus yet, it is not clear whether the opportunities for blacks in the legal profession are permanent or are subject to emasculation by attrition, or a failure to promote. There is also the possibility that the level of racial hostility towards blacks will increase as all Americans are squeezed by—at least in the short-run—a general decline in economic progress. This is an important question to ask because it will constitute the greater part of the answer to the question of whether law firms are doing enough to promote the involvement of blacks and other minorities in the legal profession.

II. THE SAMPLE

In order to examine whether black progress in the legal profession is permanent, I have concentrated on a very narrow part of the market for lawyers. I will examine the employment of black lawyers in what I term, "prestigious" law firms. Before I define what is meant by "prestigious" law firms I will attempt to justify a look at that initial part of the market. Law is a profession in which not all the members have equal opportunities to influence change. Large corporate law firms produce an inordinate amount of the legal changes. This result is obviously true in corporate law, anti-trust and other areas involving large corporations, but the efforts of a small segment of these corporate lawyers has become increasingly important in environmental, civil rights and civil liberties areas.⁷ If blacks are to have a substantial influence on shaping legal strategies and policies in the future, they have to have access to the resources and authority of these law firms.

In addition, in an economic sense the market for lawyers in these prestigious law firms is substantially different from that for other lawyers. These firms often pay as much as ten to fifteen thousand dollars more than the starting salaries of lawyers in other parts of the profession. This means that it is necessary to look at this market separately if we are to understand the opportunity for blacks.

I chose to survey five cities: New York, Chicago, Washington, D.C., Atlanta and San Francisco. A complete survey might include Los Angeles, Houston, Cleveland, Boston and Philadelphia on the list. I have limited this paper to the five cities because I think they represent a good cross-section of the regions of the country.

I have defined "prestigious" law firms as those law firms which recruited at the Harvard Law School in both 1978 and 1979 and which have substantial starting salaries. For New York and Washington, this cut-off salary was a starting salary for first-year lawyers of \$25,000; for Atlanta and San Francisco, this cut-off salary was \$20,000. Table I shows these cut-off salaries for the five cities picked for examination.

7. Examples can be found in the work of groups such as the Lawyers Committed To Civil Rights and in the efforts of corporate lawyers for example, Abe Fortas from law firms for example, Arnold & Porter, Wilmer & Dickering and others in cases as diverse as criminal cases such as *Gideon v. Wainwright*, 372 U.S. 335 (1963) and recent civil rights cases such as *N.A.A.C.P v. Claiborne Hardware Company*, No. 78, 353, Slip op. (Miss. Ch. Ct. Aug. 9, 1976).

TABLE I
CUT-OFF SALARY OF SELECTED FIRMS

City	Number of Firms in Sample	Average Number of Lawyers Per Firm	Cut-off Salary* for Starting Lawyers
New York	69	96.25	\$25,000
Chicago.....	31	78.45	\$22,000
San Francisco.....	16	72.69	\$20,000
Atlanta	16	64.69	\$20,000
Washington, D.C.	38	55.71	\$25,000

*The salary for 1979 is used here.

Table I shows the number of firms which this survey produced. The largest number, as would be expected, was in New York where sixty-nine firms met the two criteria. Only sixteen firms in San Francisco and Atlanta met the established criteria. These differences in the number of firms is not very different from my *a priori* expectation about the size of the national market for lawyers in the five cities picked for examination. Chicago and Washington have about as many firms as New York and twice as many as San Francisco and Atlanta. Table I also shows figures for the average size of the law firms selected. Of the law firms selected, the New York firms are the largest and average 100 lawyers per firm. Surprisingly, the Washington firms average the lowest lawyers per firm with almost fifty-six. However, Chicago, San Francisco and Atlanta all have substantial numbers of lawyers per firm with seventy-eight the average number in Chicago and sixty-five in Atlanta. My selection procedures have produced a sample with a large concentration of large firms.

This sample of firms includes a substantial part of the prestigious law firms in these five cities. However, there are likely to be some substantial biases reflected in how this sample was chosen. First, since I used Harvard Law School as a place where the firms have to interview, those cities furthest from Cambridge are less likely to send recruiters to Cambridge to recruit. This is one explanation for the smaller number of firms which interview at Harvard Law School and met my selection criteria in Atlanta and San Francisco. This also might explain why the selected law firms from Washington are smaller than those in San Francisco and Atlanta. Since the cost is relatively smaller, small firms in Washington should be more willing to go to Cambridge than would a similar sized firm in Atlanta or San Francisco. In addition, since firms recruit in order to hire attorneys, some small firms though "prestigious" are less likely to recruit because they are less likely to grow. A simple example sufficient to demonstrate this proposition is to compare a 200-person firm with a three-person firm. In order for the 200-person firm to grow at ten percent a year, the 200-person firm must hire twenty lawyers a year. The three-person firm would have to recruit only one person in three years to produce the same average increase. The small firm is less likely to be recruiting in any particular year and more likely not to be a part of the sample as I have structured it. In terms of the object of this paper this disability is not likely to be significant for two reasons. First, historically, discrimination has been greatest in smaller personal firms where it is not possible to insulate black employees from contact with white employees.

Secondly, one also would expect nepotism and business and family ties to be more important in small firms. Since blacks have fewer contacts in general one would expect blacks to be less likely to get a job in small firms; this means that blacks are less likely to be in small firms. Table II validates this probability.

TABLE II
BLACK LAWYERS IN SMALL FIRMS

A		
City	Number of Firms With Three or Fewer Lawyers	Number of These Small Firms with Blacks
New York	7	0
Chicago	6	0
Washington, D.C. . .	7	0
San Francisco	4	0
Atlanta	4	2

B		
	Total Number of Lawyers	Total Number Black Lawyers
All firms	13,387	194
Thirty or fewer lawyer firms.....	495	2

III. NUMBER OF BLACKS IN LAW FIRMS

Black lawyers are not very likely to work at the "prestigious" law firms. The number of black lawyers in the five selected cities are catalogued in Table III.

TABLE III
TOTAL NUMBER OF BLACK AND WOMEN LAWYERS IN SELECTED FIRMS

Cities	Total Number of Lawyers	Percentage		Black Lawyers	Women Lawyers
		Black	Women		
New York	6640	1.3%	13%	85	863
Chicago	2432	1.05%	12.6%	25	305
Washington	2117	2.0%	13.5%	43	286
Atlanta	1035	2.1%	9.9%	22	103
San Francisco	1163	1.6%	16%	19	186

Black lawyers make up less than three percent of the total number of lawyers in these firms. Two interesting facts can be gleaned from these figures. Black lawyers are slightly more likely to be in prestigious law firms in Washington and Atlanta, the two Southern cities, than they are to be in the three

Northern cities. However, the percentage involved is extremely small. If the Northern cities were as likely as the Southern cities to have black lawyers in their law firms, the number of black lawyers in prestigious law firms would have been larger by eighty-five lawyers or by the number of black lawyers now employed in New York firms.

A second problem with the sample as drawn is that "prestigious" law firms recruit lawyers outside of Harvard. A better sample of firms would have been drawn from firms that recruited at several notable law schools, e.g., Stanford, Yale, Columbia and University of Pennsylvania. However, this research is constrained by the available data which I gathered from Employment Directories for 1978 and 1979 published by the Harvard Law School for its second-year and third-year law students. The bias created by the use of the material from Harvard will not be significant if firms which I have termed "prestigious" are almost as likely to recruit at Harvard Law School as they would a hypothetical sample of schools.

In addition, in every city but Atlanta women lawyers are more than ten percent of the lawyers in these law firms. The low number of women lawyers in Atlanta could be a product of regional differences in the acceptance of women as equal participants in the legal profession. However, this view does not explain why these firms are more likely than their Northern counterparts to accept blacks as members of their law firms. One explanation that seems consistent is that the Atlanta firms have a greater supply of potential blacks to choose from because blacks are more willing than others to reside in Atlanta. A similar rationale could explain the reluctance of women to be employed as lawyers in Atlanta. If women lawyers prefer other cities to Atlanta, then it could lead to fewer being employed in Atlanta. There is insufficient data to ascertain whether the dearth of female lawyers in Atlanta is a product of the preferences of blacks and women or of the firms that hire them. In addition, the past failures of prestigious law firms to be receptive to hiring blacks and females can lead potential applicants to be discouraged by former policies so that any present perceived indifference by blacks and women may stem from a legacy of the past.

Data was also provided for Spanish-surnamed, Asian-Americans and American Indians. In none of these cities were any of these three groups a significant proportion of the lawyers. Only in San Francisco did the combined number of Asian-American lawyers (fifteen) and Spanish-surnamed American lawyers (six) outnumber the number of black lawyers (nineteen) in the sample in that city.

IV. DISCRIMINATION

The key question which must be addressed is whether the limited number of black lawyers in these law firms is a product of discrimination by these firms or of differences in the quality or quantity of black lawyers. In addressing this question it is important to keep in mind that discrimination is always difficult to measure. People differ in both measured and unmeasured ways. Potential applicants for jobs in a law firm can differ in previous experience, grades, awards, and writing experience. Some applicants may differ in ways that are not easily measured, e.g., patience, willingness to work late, and determination. Although unmeasured, these are just as im-

portant as the measured factors in determining whether a lawyer is successful. Accordingly, because it is not possible to assert that blacks and whites differ consistently in certain qualities, it is not possible to attribute the remaining differences to discrimination. In addition, the problem has been made even more complicated by the fact that some perceived differences are in fact produced by prior discriminatory conduct by firms so that the observed attributes are induced by previous firm conduct.

Black lawyers are primarily concentrated as associates in these law firms. As Table IV shows, blacks are very unlikely to be partners in these prestigious law firms.

TABLE IV
DISTRIBUTION OF BLACK PARTNERS

Cities	Total Number Partners	Total Black Partners
New York	2361	5
Chicago	1242	3
Washington.....	963	8
Atlanta	463	3
San Francisco	497	1

Washington and Atlanta are the best cities in this sample for a black to gain a partnership. However, it is clear that in none of the cities being a partner is very likely. This is obviously partially a result of the past discriminatory policies of firms and of the limited numbers of black lawyers in the 1950's and 1960's. However, a question should be posed as to whether the increase in the number of black lawyers at the associate level is likely to continue.

Table V shows the change in the number of lawyers from 1978-1979. These five cities had substantially different experiences in the growth of demand for lawyers. New York and Washington had a smaller percentage increase (less than five percent) in the number of lawyers than the other three cities. Chicago, Atlanta and San Francisco experienced increases in the number of lawyers at levels at least twice as large as New York.

TABLE V
PERCENTAGE CHANGE IN LAWYERS 1978-1979

Cities	All Lawyers	Black Lawyers	Women Lawyers
New York	4.3%	9.4%	15%
Chicago	18.6%	12%	22%
Washington.....	3.6%	16.3%	13.5%
Atlanta	10%	13.6%	6.8%
San Francisco	8.5%	21%	24.2%

These differences may reflect the change in the character of the labor market. New York has the largest average firm size in this sample and thus firms there may have reached a point where it is more difficult for a large firm to grow in size. In addition, local markets which specialize, e.g., bond work or government regulations, may experience some cyclical variations in demand. Since cities like New York have large concentrations of lawyers

specializing in such categories, these increases may not be representative of any general trend in the growth of lawyers in this labor market.

Table V also shows data on the percentage change in black and female lawyers. These numbers suggest, at least in the time period surveyed, a substantial increase in the number of black and female lawyers. In every city there have been larger percentage increases in blacks and women than there were in all lawyers. However, only in Atlanta was the percentage increase in the number of black lawyers greater than the percentage increase of women lawyers. A caveat should be mentioned, however. The universe of black attorneys is very small. These large increases in the number of black lawyers means that a very small number of lawyers are actually involved, e.g., in Chicago the twelve percent increase is an increase of three additional lawyers out of the total increase in lawyers of 230 (or about one percent of the increase in all lawyers).

The conclusion that has to be drawn is that access to these prestigious law firms has been increased. As Table VI shows, the small increases in the number of black lawyers is larger than the present percentage in those firms.

TABLE VI
INCREASE IN BLACK LAWYERS IN SELECTED FIRMS

Cities	Percentage Increase In All Lawyers That are Black in Selected Firms	Percentage of Blacks in Selected Firms
New York	2.8%	1.3%
Chicago	1.3%	1.03%
Washington.....	9%	2.0%
Atlanta	2.8%	2.1%
San Francisco	4%	1.6%

This increase is not very large, however, except for Washington where the increase in the number of lawyers was small so that a small increase in the number of blacks was significant. At the present rate of increase blacks will not increase their share of jobs in these selected firms for a long time.

TABLE VII
PERCENTAGE OF SELECTED FIRMS WITH BLACK LAWYERS

Cities	Percentage of Selected Firms With Black Lawyers	Percentage of Selected Firms With Blacks With Only One Black
New York	55%	42.1%
Chicago	45.1%	50%
Washington.....	57.9%	40.9%
Atlanta	75%	58.3%
San Francisco	50%	50%

One hypothesis that should be examined is whether firms are seeking not simply to increase their number of blacks but to have only token repre-

sentation of blacks in their firms. This phenomenon will result in the hiring of one or two black lawyers in these firms. The present data base does not permit me fully to test this hypothesis, but some conclusions can be reached from the data in Table VII on the percentage of these selected firms with blacks. In all the cities but Chicago the percentage of firms with at least one black lawyer is more than fifty percent. Atlanta has a surprisingly high (seventy-five percent) percentage of firms with at least one black lawyer. In addition, Table VII shows that of these firms with black lawyers more than forty percent in all cities have only one black lawyer. The percentage of black lawyers who are employed by these firms is so small that it is difficult to ascertain whether the large number of one-black firms is a product of this small number of blacks or is caused by firms simply attempting to acquire a token representation. If the goal of firms is only to reach some token level, then, as the number of blacks in these firms increases and these firms have acquired their one or two tokens, the rate of increase of black lawyers may decline.

The distribution of these selected firms with respect to black lawyers is included in Table VIII.

TABLE VIII
DISTRIBUTION OF SELECTED LAW FIRMS
BY NUMBER OF BLACK LAWYERS
EMPLOYED IN SELECTED CITIES

Cities	No Blacks	One Black	Two Blacks	Three Blacks	Four Blacks	Five Blacks	Total Number of Firms
New York ...	44.9%	23.2%	17.9%	4.3%	4.3%	5.8%	69
Chicago	54.8%	25.8%	9.6%	5.8%	0	3.2%	39
Washington..	44.7%	23.7%	15.7%	7.9%	7.9%	2.7%	38
Atlanta	25%	43.75%	18.75%	6.25%	0	6.25%	16
San Fran. ...	50%	25%	6.25%	6.25%	0	12.5%	16

The patterns for all five cities is similar. The major difference is that Atlanta has very few firms with no blacks in comparison to the other cities. Atlanta has only twenty-five percent of its firms with no black lawyers which is approximately one-half of the percentage of the other cities in this sample. In addition, Washington has a larger concentration of firms which employ three or more blacks. Thus, the two cities with the largest concentrations of black lawyers have very different distributions of blacks in those law firms. Atlanta is a city with firms of one or two black lawyers. Over sixty percent of all Atlanta's selected firms have either one or two black lawyers. This pattern is consistent with an attempt to get a token representation without greatly increasing the representation of black persons in these firms. Washington has a greater number of firms with more than two black lawyers, possibly because there are more nondiscriminatory firms in Washington. These patterns of firm distribution suggest that at least some cities may have a problem of tokenism in terms of black employment. If this is true, blacks will find progress in the future to be limited.

V. OTHER PRESTIGIOUS JOBS

This paper has concentrated on "prestigious" law firms but there are other jobs in the public and the private sector which may have a similar attraction. For example, employment in the Office of Legal Counsel in the Justice Department or in the Solicitor General's office can be as difficult to obtain as employment in any of these firms, and such employment has the potential for influencing the direction of the law as much. In some of these jobs blacks do considerably better than they have in the prestigious law firms. I have also used the Employment Directories at Harvard to collect data on three of these areas.

The first area is that of legal departments of corporations which recruited at Harvard Law School in 1978 and 1979 and had starting salaries in 1979 of more than \$20,000. Table IX shows the representation of blacks and women in these corporate departments.

TABLE IX
PERCENTAGE OF LAWYERS OF
SELECTED CORPORATE LEGAL DEPARTMENTS
WHO ARE BLACK AND WOMEN

Number of Corporate Departments	15
Average Size of the Department	56.33 Lawyers
Percentage of Lawyers - Black	2.9%
Percentage of Lawyers - Women	13.2%
Percentage Change in Black Lawyers	0%
Percentage Change in Women Lawyers	11.6%
Percentage Change in All Lawyers	5%
Percentage of Firm with at least One Black	60%

Blacks have greater representation in these companies than they do in the comparable prestigious law firms. Sixty percent of these corporate departments have at least one black. The one disquieting note is that there was no movement in the number of black lawyers in the 1978 to 1979 period. There are several possible explanations of this occurrence. The explanation most consistent with the data is that these firms are satisfied with the general level of black representation for black lawyers, but there is at least minimal evidence that suggests that they may be less so in the future.

Some government agencies also offer attractive opportunities for lawyers. Some of these agencies and departments also recruit at Harvard. Table X shows the distribution of women and black lawyers in these agencies and departments listed in Harvard's Employer Directory.

TABLE X
GOVERNMENT LAWYERS

Agencies	Senior Lawyers			Junior Lawyers		
	Total	Black	Women	Total	Black	Women
FTC	598	26	133	15	2	4
HEW.....	155	11	35	224	27	88
Interior.....	131	2	8	89	3	23
NLRB.....	21	1	4	55	2	25
Post Office.....	51	1	2	16	3	5
Securities & Exch. ..	697	37	132*	(None Listed)		
Transportation.....	8	1	2	29	5	7
Justice.....	906	(4.3%)	48	2739	(4.3%)	476*
Percentages for all						
Agencies.....	100%	4.6%	13.2%	100%	5%	19.8%

*This includes figures for all minorities.

These figures suggest that blacks also have a greater opportunity for employment in these departments. In all of these agencies, black lawyers account for 4.6% of the senior lawyer positions and five percent of the junior lawyer positions. This is about twice as large as the percentage of lawyers in the private sector.

The last group of lawyers which were included are the legal services agencies. Since much of their clientele is black or minority it should be expected that black lawyers would be in demand and would desire to work for these firms. Table XI shows the distribution of employment in these agencies who traveled to Harvard to recruit.

TABLE XI
LEGAL SERVICES

Total Number of Lawyers.....	987
Number of Senior Lawyers	287
Number of Black Senior Lawyers	18
Percentage Senior Black Lawyers	6.3%
Percentage Total Black Lawyers.....	5.6%
Percentage Total Women Lawyers	25.5%
Number of agencies.....	14
Percentage with at least one Black Attorney	64.3%

Blacks are much better represented in these agencies than in either government employment or employment in private prestigious law firms. Over six percent of the senior lawyers in these firms are blacks. The only disquieting note is that a smaller percentage of the younger lawyers are black. This suggests that as these jobs have become more attractive over time that blacks may be squeezed out. The government has provided black lawyers an opportunity when other employment was not available. If this road is blocked also, there will be significantly fewer opportunities available to blacks.

VI. CONCLUSION

The statistics in this sample of black lawyers in prestigious law firms reveals that law firms are not doing enough to promote the involvement of blacks and other minorities in the legal profession. Although some progress has been made, black lawyers are severely underrepresented in prestigious law firms. Part of this problem reflects a history of discrimination and exclusion in those firms. This history is especially evident in the small law firms in which black lawyers are not significantly represented. Of the 495 lawyers in all of the firms with thirty or less lawyers, only two were black. Black lawyers are more likely to be employed in corporate law offices, for the federal government, and for legal services agencies than in prestigious law firms. However, the rate of increase in the corporate law offices and the legal services agencies seems slow. The survey reveals that in every city surveyed, the percentage of black lawyers employed in law firms is rising faster than the overall percentage of lawyers employed in law firms. It must be noted, however, that this is potentially a reflection of the very small number of blacks who work in these firms. If the percentage of lawyers in the three Northern cities were to be increased by the percentage in the two Southern cities, the number of black lawyers would increase by eighty-five—approximately the number who now work in New York.

**APPENDIX A
PROFILE OF LEO STUDENTS**

YEAR CLASS ENTERED	BLACK		SPANISH/CHICANO/PUERTO RICAN		NATIVE AMERICAN		TOTAL	
	No.	% Graduated	No.	% Graduated	No.	% Graduated	No.	% Graduated
1968	5	60	1	0	-	-	6	50
1969	10	60	-	-	-	-	10	60
1970	8	50	-	-	3	33	11	45
1971	12	75	-	-	1	0	13	69
1972	11	73	4	3	2	0	17	65
1973	30	73	3	2	3	67	36	72
1974	13	92	3	3	1	100	17	94
1975	11	91	5	4	4	75	20	85
1976	11	64	6	6	3	67	20	75
1977	12	83	5	4	2	0	19	74
TOTAL	123	74	27	22	19	9	169	72

* Several LEO students are currently enrolled at the Law School and are thus not included in these figures.

APPENDIX B
QUESTIONNAIRE

I. General Background

1. In what year were you born? _____
2. In what city and state were you born? _____
3. What state was your principal residence prior to entering law school?

4. a) While you were a child, was the head of your household—

male	<input type="checkbox"/>
female	<input type="checkbox"/>
- b) Which of the following most nearly describes the occupation of the head of your household during your childhood?

Lawyer or judge	<input type="checkbox"/>
Other professional (doctor, teacher, clergyman, etc.)	<input type="checkbox"/>
Businessman or salesman	<input type="checkbox"/>
Skilled worker	<input type="checkbox"/>
Office worker	<input type="checkbox"/>
Semi-skilled worker	<input type="checkbox"/>
Unskilled worker	<input type="checkbox"/>
Farmer	<input type="checkbox"/>
Other	<input type="checkbox"/>
5. a) Which of the following degrees (or equivalent) did you hold prior to admission to law school?

AB/BA/BS	<input type="checkbox"/>
MA/MS/MBA	<input type="checkbox"/>
Ph.D.	<input type="checkbox"/>
- b) Which of the following degrees (or equivalent) did you acquire after law school?

MA/MS/MBA	<input type="checkbox"/>
Ph.D.	<input type="checkbox"/>
Master of Laws (LL.M.)	<input type="checkbox"/>
Doctor of Laws (S.J.D.)	<input type="checkbox"/>
None	<input type="checkbox"/>

II. Law School Experience

1. Why did you decide to go to law school? _____

- a. Would you have applied to law school if there were no affirmative action program? Why? Why not?

- b. How did you hear about the University of Wisconsin?

- c. Why did you choose Wisconsin?

- d. Were you accepted at any other law schools? Which?

2. In what year did you graduate from law school? _____
3. a) How many years did it take you to graduate from law school? _____
b) If answer to "a" is more or less than three years, what factors affected the time it took you to complete law school?

4. a) During law school, did you receive financial assistance through the law school (scholarship, loan or others)?
Yes
No
- b) If yes, what portion of your total expenses did this provide?
Scholarships _____ %
Loans _____ %
5. What portion of your expenses and tuition did you earn through outside employment —
in undergraduate college? _____
in law school? _____
6. a) What are your perceptions of the Law School's affirmative action program?

1. best aspects _____
2. worst aspects _____
b) Have these perceptions changed since the time you first entered law school?

7. What do you think were/are the goals of the affirmative action program?

- a) Do you think the program achieved/is achieving those goals?

- b) Any suggestions for change? _____
8. What kind of working relationships did you have with your fellow students (i.e., study groups, etc.)
a. non-minority students _____
b. minority students _____
9. What kind of social relationships did you have with your fellow students?

a. non-minority students _____
b. minority students _____
10. What did you think of the law faculty?
a. professionally _____
b. personally _____
11. Do you think the faculty treated minority students differently from non-minority students?

- a) How?
1. socially _____
 2. grades _____
12. a) Were you admitted to the Wisconsin bar under the diploma privilege?

- b) Why not? _____
13. Have you taken any bar exams?
- | <u>State</u> | <u>Date</u> | <u>Successful</u> |
|--------------|-------------|-------------------|
| | | |
| | | |
14. How have bar examination requirements affected your job choices?

15. To what extent have your financial obligations from education expenses affected your job choices? How?

III. Voluntary Professional Activities and Relationship to Minority Community

1. a) During the past year, approximately how many hours (during and after office hours) have you spent in the following activities?
 - 1) Unpaid political work, including service in an unpaid elective office, political organizations and related activities. _____
 - a. nature of work _____
 - b. with whom? _____
 - 2) Voluntary (unpaid) community service and charitable work, including community centers, civic associations, charities, etc.
 - a. nature of work _____
 - b. with whom? _____
 - 3) Unpaid civil rights work, including legal research, advice and litigations.
 - a. nature of work _____
 - b. with whom? _____
 - 4) Other (explain) _____
2. a) How did you become involved in volunteer activities (i.e., did you seek it out; were you contacted)? _____
- b) Why did you get involved in volunteer work? _____
3. Are there any extra pressures on you in terms of your professional and social relationships with the minority community? What kinds? _____
 - a. Did you feel any of these pressures while in law school? _____
4. Are there any extra professional and social pressures from your family? What kinds?

 - a. Did you feel any of these pressures while in law school? _____

5. How did attending law school affect your relationship or changes in your circle of friends? Be specific.
-

IV. Employment

Part A. TO BE COMPLETED BY ALL INTERVIEWEES

1. What is the population of the city or town in which your principal office is located?

- Under 5,000
- 5,001 - 10,000
- 10,001 - 20,000
- 20,001 - 50,000
- 50,001 - 100,000
- 100,001 - 300,000
- 300,001 - 600,000
- 600,001 - 1 million...
- Over 1 million.....

2. In what city and state is your office located?
-

3. a) Is your principal source of earned income (excluding investments) derived from the practice of law? (Include salary income of attorneys employed by corporations, government, judges and law teachers.)

- yes
- no

- b) If answer to a) is yes, of the following, which is your primary legal occupation?

Private Practice:

- Sole practitioner (sole proprietor)
- Sole practitioner engaged in group practice (space sharer)
- Partner in a law firm
- Associate or sole proprietor of firm

Other full-time Legal Occupations:

Judge:

- Federal
- State or State Administrative Body
- County/Municipal or Local Administrative Body

Government (full-time except judge):

- Federal
- State or State Administrative Body
- County/Municipal or Local Administrative Body

- Corporation employee
- Law Teacher (full-time)
- Legal Services or Reference Service

- Public Interest Law Firm
- Judicial Clerkship
- c) How long have you been employed as above?

- d) If your answer to a) is "no" what was your principal income source:
 - Government employee (nonlegal)
 - Political office
 - Real estate sales
 - Insurance sales
 - Teaching (except law)
 - Non-profit Institution
 - Other (explain) _____

- e) How long have you been employed as above? _____
- 4. What was the nature of your first full-time job after graduation from law school:
 - a. Same as in 3
 - b. Non-legal
 - Government employee
 - Political office
 - Real estate sales
 - Insurance sales
 - Teaching (except law)
 - Non-profit Institutions
 - Legal
 - Private Practice:
 - Sole practitioner (sole proprietor)
 - Sole practitioner engaged in group practice (space sharer)
 - Partner in firm
 - Associate or sole proprietor of firm
 - Other full-time legal occupations:
 - Judges:
 - Federal
 - State
 - Local
 - Government (full-time, except judge)
 - Federal
 - State or State Administrative Body
 - County/Municipal or Local Administrative Body
 - Corporation employee
 - Law teacher (full-time)
 - Legal Aid or Reference Service
 - Public Interest Law Firm

- Judicial Clerkship
- b) How long were you so employed? _____
- c) Reason for leaving: _____
5. How many full-time jobs have you had since graduation from law school? _____
6. Reason(s) for job change(s). _____

PART B. TO BE ANSWERED BY ALL LAWYERS IN PRIVATE PRACTICE, BOTH SALARIED AND NON—SALARIED

1. a) If you are a sole proprietor, practicing alone, check here and go on to Question 2.
- b) If you share office space with other lawyers, but do not merge receipts, how many lawyers are there in your office? _____
- c) If you are in a partnership, or if you are a sole proprietor who employs other lawyers, how many lawyers (proprietors and employees) are there in your firm? _____
- d) If you are an associate lawyer, how many lawyers are there where you are employed? _____
2. From which field(s) of law did you bring the greatest amount of gross income into the office in your last fiscal year? (Enter the appropriate code letter(s) from the list below.
- Primary source of gross income _____
- Secondary source of gross income _____
- Third most important source, if any, _____
- A. Bankruptcy, personal
- B. Business and institutional clients
- C. Commercial (including business, bankruptcy and collections)
- D. Constitutional and civil rights
- E. Criminal (including misdemeanors)
- F. Domestic relations (family)
- G. Negligence - Plaintiff
- H. Negligence - Defendant
- I. Real Estate (personal or institutional excluding landlord-tenant)
- J. Landlord-Tenant
1. Landlord _____%
2. Tenant _____%
- K. Trial work, except negligence and constitutional
- L. Wills, estate planning and probate
- M. Administrative agencies (local, state and federal)
- N. Other, specify: _____
3. Is there any area of your practice that you devote more than one-third of your time? _____

4. a) When you started in private practice, did you become an associate of a practicing lawyer?
- Yes.....
- No
- b) If not, how much capital (including loans and credit) did you have to get started? \$ _____
- c) Was this amount sufficient to start properly? Why? _____
Why not? _____
- d) How do (did) you go about getting clients? _____

- e) Do you think that it has been easier or more difficult for you, as compared to non-minority lawyers to get clients? _____
5. Is your office located (Check one)
- downtown or near the courthouse?
- in a city neighborhood?
- in a suburb?
- in a rural area?
6. Is your office housed (Check one)
- in an office building?
- in a home or converted residence?
7. a) What proportion of your clients are minority? (Check one)
- 90 - 100%
- 80 - 89%
- 70 - 79%
- 60 - 69%
- 50 - 59%
- 40 - 49%
- 30 - 39%
- 20 - 29%
- 10 - 19%
- Less than 10%
- b) What are the major minority groups that you serve or represent?

- c) Do you feel that you are locked into a minority practice? _____
8. a) Have you experienced a significant increase in the number of non-minority clients?
- Yes.....
- No
- b) Have you experienced a significant decrease in the number of non-minority clients?
- Yes.....
- No
- c) What factors do you attribute to the above changes, if any?

PART C. TO BE ANSWERED BY ALL INTERVIEWEES:

1. What factor(s) do you attribute to your finding first job?
 - _____ law school placement office
 - _____ previous work while in law school
 - _____ previous work before law school
 - _____ faculty member (non-minority)
 - _____ faculty member (minority)
 - _____ Other (explain) _____
2. What kind of experiences have you had in the job-hunting market? _____
3. What factor(s) do you attribute to your finding subsequent full-time employment? _____
4. How much money do you make:
 - \$5,000 - 10,000
 - 10,001 - 15,000
 - 15,001 - 20,000
 - 20,001 - 25,000
 - 25,001 - 30,000
 - 30,001 - 35,000
 - 35,001 - 40,000
 - Above \$40,000
5. Do you think that you earn more or less than your colleagues?
 - a. minority? Why/Why not? _____
 - b. non-minority? Why/Why not? _____
6. How many other minorities are in your office? _____
7. Do you think that you would have been hired on any of your jobs if you had not been a minority? _____
8. Have there been extra pressures and/or obligations imposed on you because you are a minority? How? What types? _____
 - a. Have they been self-imposed or imposed by the employer? _____
 - b. Did you expect these obligations, pressures? Were they explained to you by the employer before you started work? _____
9. a) Have your jobs given you the opportunity to affect the rights and living conditions of minority people?
 - Yes.....
 - No
 - b) How? _____
 - c) Are you conscious of your impact? _____
 - d) Do you intentionally favor the rights and/or positions of minorities? _____
10. What was your impression of the level of your skills as compared to your co-workers:
 - a) on your first job? _____

b) other jobs? _____

PART D. TO BE ANSWERED BY ALL INTERVIEWEES WHO ARE NOT SOLE PROPRIETORS

1. a) Have you seen yourself as a token minority employed on any of your jobs?

Yes.....

No

b) What impact has this had? _____