

LAW AND BEYOND

A NATIONAL STUDY OF CANADIAN LAW GRADUATES

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LAW AND BEYOND

A NATIONAL STUDY OF CANADIAN LAW GRADUATES

INTRODUCTION

Law and Beyond (LAB) is the first national study of Canadian law graduates. Funded by the Social Sciences and Humanities Research Council of Canada, the study aims to create a definitive picture of the early careers of individuals admitted to the bar in 2010.

The study is prompted by recent statistics that reveal a range of remarkable changes in the economy and the legal profession. These statistics raise questions about the job environments that new lawyers inhabit and their sources of satisfaction within the profession. The immediate goal of the study is to describe the range and variety of motivations and aspirations, career options and decisions – both personal and professional – that characterize new lawyers. The ultimate objective is to sustain what appears to be working well in the legal profession and to help devise corrective measures for the frustrations it engenders.

This report provides an overview of the results of the study, providing a first-ever glimpse of where Canadian law graduates work, what kinds of work they do, how much they earn, and the sources of their satisfactions and dissatisfactions, with particular attention also devoted to the roles of gender and ethnicity. This report will also draw a number of comparisons to a comparable study of the careers of American lawyers, and which served as the model for this study of Canadian law graduates. Called After the JD (AJD), the American study has been following the careers of a nationally representative cohort of American lawyers who were admitted to bar in 2000.

In addition to acknowledging the generous funding of the Social Sciences and Humanities Research Council of Canada, and to the assistance of a number of Law Societies and law school deans from across the country, I also extend my deepest appreciation and thanks to

RESPONSE RATE

**We obtained 1,099
completed and eligible
responses, with a final
response rate of 46%
and a cooperation rate
of 79%.**

the more than 1,000 lawyers who responded to the LAB study. They generously shared their time and insights, providing an unprecedented look at legal practice in Canada.

Methodology

The sample for the LAB study is comprised of the entire population of individuals called to the bar in 2010 in every jurisdiction in Canada (N = 2,530). Since the study was focussed on early lawyer careers, the study only included individuals who were called in 2010 and who graduated from law school after 2007; thus the design excludes those who had already been working as a lawyer in another jurisdiction, whether in Canada or abroad (often termed “special calls”).

The study was launched in September 2012, when letters were sent to all sample members to introduce them to the study and its goals. Paper and web surveys were used simultaneously beginning in October 2012, with paper surveys being sent to those for whom an e-mail address had not been obtained. After multiple cycles of reminders, and with paper surveys and incentives being sent to the last round of all nonrespondents, we obtained 1,099 completed and eligible responses (136 by paper and 963 by web). After adjusting for eligibility, the final response rate is 46% (AAPOR Rate 4¹), while the cooperation rate is 79% (the cooperation rate adjusts for both eligibility and whether sample members were ever contacted (AAPOR)). The findings in this report have been weighted to better approximate the distribution of the eligible population of 2010 admittees in each province.

¹ American Association for Public Opinion Research. Available at: <http://www.aapor.org/AAPORKentico/Education-Resources/For-Researchers/Poll-Survey-FAQ/Response-Rates-An-Overview.aspx>

KEY FINDINGS FROM THE LAW & BEYOND (LAB) STUDY

- Twenty-two percent (22%) of the LAB sample are non-white, 56% are women, and 16.4% are immigrants.
- Sixty-three percent (63.4%) of new lawyers started their first jobs with the same employers with whom they articulated.
- Ninety-two percent (92%) of the sample reported that they are practicing lawyers in their primary jobs, which is almost identical to the proportion reported by new lawyers in the U.S. context.
- Canadian lawyers, as with their American counterparts, are most likely to begin their careers in private law firms. Almost 70% work in private firms, 22% work in the public sector, and the remainder work in business (both practicing and not practicing law) or other settings.
- Graduates of top-quarter law schools were most likely to be working in the largest law firms (20.7%), compared to 9.2% who graduated from fourth-quarter law schools.
- Respondents working full time work on average 53 hours per week, slightly higher than their US counterparts, who reported an average work week of 49 hours.
- Respondents report an average of 45 hours of pro bono work over the past year.
- Twenty-three percent (22.6%) of the LAB sample report having no educational debt.
- The median amount of debt among those reporting some educational debt is \$50,000.

INCOME

- The average earnings (including bonus) of respondents working full time is \$80,487 and the median is \$78,000.
- Lawyers working in private firms have median earnings of \$80,000, while new lawyers working in the public sector have median incomes of \$70,000.
- Canadian lawyers in large firms earn significantly less than their American counterparts. Data on the class of 2010 in the

United States indicate that the median starting salary for lawyers working in firms of over 251 lawyers was \$130,000USD compared to \$105,000CAD for similarly-situated Canadian lawyers.

- Among Canadian provinces, respondents working in Alberta report the highest median earnings, \$90,000, with the highest earnings across the sample in each of the public and private sectors.
- Seventy-nine percent (79.3%) of LAB respondents report being extremely or moderately satisfied with their decision to become a lawyer, which is similar to reports from a comparable American sample.

GENDER

- Ninety-six percent (96%) of men and women are working full time in the paid labour force.
- Women remain more likely than men to work in the public sector, even in their early careers, with more than one quarter of women working in the public sector, compared to about 20% of men.
- Across all settings, women working full time are earning 93% of men's salaries. Women report median earnings of \$75,000, compared to \$80,500 for men.
- Men out-earn women in private law firms of all sizes, with the differences especially pronounced for those in solo practice; in the largest private firms (251+) women's earnings are 91% of men's.

RACIAL/ETHNIC ORIGIN

- Respondents from racialized communities are more likely to be working in the public sector (29.9% vs. 21.7%), whereas white respondents are more heavily concentrated in private firms (70.1% vs. 58%).
- Among the various ethnic/racial groups, black respondents are least likely to be working in private law firms and are overrepresented in the public sector.

SECTION 1: DEMOGRAPHIC CHARACTERISTICS

DEMOGRAPHIC CHARACTERISTICS

Gender, Ethnicity, and Sexual Orientation

The demographics of Canadian society are changing, especially as the pattern of immigration has shifted over the course of the last half century. Today, one out of five people in Canada is foreign born, and one out of every five is a member of a visible minority group (Statistics Canada 2011).² The composition of Canadian lawyers is slowly shifting to mirror these broader changes in Canadian society. Analysis of Census data indicates that in 2006, 8.8% of lawyers were visible minorities (up from 4.7% in 1996), while 13.5% were first-generation immigrants (up from 11.4% in 1996).

The LAB sample demonstrates that the new generation of Canadian lawyers is a more diverse group than the population of Canadian lawyers as a whole. Twenty-two percent (22%) of the LAB sample are non-white, compared to 8.8% of Canadian lawyers;³ 56% of the LAB sample are women, compared to 38.6% of Canadian lawyers; and 16.4% are immigrants, compared to 13.5% of Canadian lawyers. Meanwhile, 5.6% of the sample report that they are gay, lesbian, transgender, or bisexual. It is worth noting that the gender distribution of the sample closely approximates the data from the Federation of Law Societies of Canada's statistics, which indicate that in 2010, 54% of calls to the bar were women.

New Canadian lawyers are also a more diverse group than new American lawyers, though there is a 10-year gap between the two studies.⁴ In the *After the JD* study, forty-six percent (46%) of this comparable sample of new American lawyers were women, 17% were non-white, and 2.5% reported being gay or lesbian.

Educational Background

The LAB sample includes graduates from universities throughout the world, though the majority of respondents attended Canadian law schools. On the whole, the sample shows that lawyers have very successful undergraduate careers, with 87% of the sample reporting cumulative undergraduate grades of B+ and higher. The preponderance of the sample has undergraduate majors in the humanities (36.5%) and the social sciences (34.4%), with the rest having graduated with degrees in the sciences (13.7%), business (12.8%), and engineering (2.7%). Many considered careers other than the law, including 50.5% looking at public policy or administration, 48.3% considering public or social service, and 41% thinking about business management.

Socioeconomic Background

LAB respondents come from relatively privileged backgrounds: 62.6% of LAB respondents' fathers and 55.9% of respondents' mothers have a bachelor's degree or higher, which is substantially higher than the general population statistics for Canadians around the age of respondents' parents, which indicate

² Statistics Canada. 2011. National Household Survey, Catalogue no. 99-010-X2011001.

³ Statistics Canada. 2006. Canadian Census data. Custom tabulation on file with author.

⁴ Data from Wave 1 (2003) of the *After the JD* study.

that 20% of adults aged between 55 and 64 have postsecondary qualifications or more.⁵ Within the LAB sample, 63.6% of respondents' mothers and 69.3% of respondents' fathers have or had white-collar occupations. In comparison, 32% of Canadians aged between 55 and 64 were classified as having a managerial or professional occupation.⁶

While not dramatic, there is other evidence of the reproduction of social inequality within the relationship between social background and the status of law school attended. Maclean's rankings for 2010 were used in order to determine the selectivity of respondents' law schools.⁷ These rankings were then collapsed into four quarters. For example, compared to graduates of fourth-quarter law schools, a larger proportion of respondents who attended top-quarter law schools had mothers and fathers who worked in higher-status, white-collar occupations, and were more likely to report a father with graduate education. While the overall range is constrained, especially when compared to the U.S. context, we do find that across most measures, socio-economic background increases along with law school rank, suggesting that those who come from more privileged backgrounds are more likely to attend higher-ranked law schools.

On the other hand, a considerable minority of LAB respondents shows upward mobility in becoming lawyers. About 21% of respondents' mothers and fathers have blue-collar occupations, while about a third of mothers and 29.4% of fathers did not attend college or university. Many respondents are also first- or second-generation immigrants; 16.4% of LAB respondents were born outside of Canada, and just over one third (34.2%) of the sample are second-generation immigrants.⁸

Religion

Fully 50.5% of the sample report having no religious affiliation, 20.7% are Roman Catholic, 13.2% are Protestant, and 7.7% are Jewish. This represents a considerably higher proportion than the Canadian population as a whole, in which 23.9% report having no religious affiliation.⁹ It also stands in contrast to the *After the JD* study, in which only 23% of new American lawyers reported no religious affiliation, a figure only slightly higher than the U.S. average of 16.1% who report being unaffiliated.¹⁰

⁵ Statistics Canada. 2011. National Household Survey. [Catalogue Number 99-012-X2011040](http://www5.statcan.gc.ca/olc-cel/olc.action?objId=99-012-X2011040&objType=46). Available at: <http://www5.statcan.gc.ca/olc-cel/olc.action?objId=99-012-X2011040&objType=46>

⁶ Statistics Canada. 2011. National Household Survey. Catalogue Number [99-012-X2011036](http://www5.statcan.gc.ca/olc-cel/olc.action?objId=99-012-X2011036&objType=46). Available at: <http://www5.statcan.gc.ca/olc-cel/olc.action?objId=99-012-X2011036&objType=46>

⁷ Maclean's law school rankings for 2010, divided into four quarters, were used to determine the selectivity of respondents' law schools. The top quarter included the University of Toronto, Osgoode, McGill, and Queen's. The second was made up of the University of British Columbia, Dalhousie, Victoria, and Western. The third quarter included Ottawa, Alberta, Saskatchewan, Calgary, and New Brunswick (the latter two had the same overall rank). The fourth quarter, meanwhile, included Manitoba, Windsor, and Moncton. Two additional law school categories were also considered: one for civil law schools (including McGill BCL, Montréal, Laval, Université du Québec à Montréal, and Sherbrooke) and another for non-Canadian law schools.

⁸ Second generation is defined by Statistics Canada as individuals born in Canada who have at least one parent born abroad.

⁹ Statistics Canada. 2011 [National Household Survey](http://www5.statcan.gc.ca/daily-quotidien/130508/dq130508b-eng.htm?HPA). Available at: <http://www5.statcan.gc.ca/daily-quotidien/130508/dq130508b-eng.htm?HPA>.

¹⁰ Pew Research – Religion and Public Life Project. <http://religions.pewforum.org/reports>.

TABLE 1.1 Distribution Of Sample By Race, Gender & Immigrant Status

| | | Count | Column N % |
|------------------|---------------------------|----------------|----------------|
| Gender | Male | 463 | 44.10% |
| | Female | 588 | 55.90% |
| | <i>Total</i> | <i>1051</i> | <i>100.00%</i> |
| Ethnicity | White | 801 | 77.60% |
| | Black | 38 | 3.70% |
| | Asian | 68 | 6.60% |
| | South and Southeast Asian | 60 | 5.80% |
| | Other | 65 | 6.30% |
| | <i>Total</i> | <i>1032</i> | <i>100.00%</i> |
| | Immigrant status | Born in Canada | 884 |
| | Born outside of Canada | 173 | 16.40% |
| | <i>Total</i> | <i>1057</i> | <i>100.00%</i> |

TABLE 1.2 Social Background Of LAB Respondents By Law School Rank

| | | Top Quarter | Second quarter | Third quarter | Fourth quarter | Civil Law | Total |
|---|--------------------------------|----------------|-------------------|------------------|-------------------|-----------|-------------|
| Mother's occupation | White collar | 68.40% | 60.10% | 62.30% | 59.80% | 64.90% | 63.60% |
| | Blue collar | 31.60% | 39.90% | 37.70% | 40.20% | 35.10% | 36.40% |
| | <i>Total N</i> | <i>225</i> | <i>158</i> | <i>239</i> | <i>87</i> | <i>74</i> | <i>783</i> |
| Father's occupation | White collar | 74.20% | 72.80% | 67.40% | 62.30% | 60.20% | 69.30% |
| | Blue collar | 25.80% | 27.20% | 32.60% | 37.70% | 39.80% | 30.70% |
| | <i>Total N</i> | <i>275</i> | <i>195</i> | <i>279</i> | <i>106</i> | <i>83</i> | <i>938</i> |
| Highest level of education completed by mother | Bachelor's degree or higher | 60.50% | 52.50% | 53.90% | 46.70% | 68.20% | 56.00% |
| | All other | 39.50% | 47.50% | 46.10% | 53.30% | 31.80% | 44.00% |
| | <i>Total N</i> | <i>296</i> | <i>204</i> | <i>297</i> | <i>107</i> | <i>88</i> | <i>992</i> |
| Highest level of education completed by father | Bachelor's degree or higher | 70.20% | 60.20% | 57.30% | 50.00% | 67.10% | 61.80% |
| | All other | 29.80% | 39.80% | 42.70% | 50.00% | 32.90% | 38.20% |
| | <i>Total N</i> | <i>292</i> | <i>201</i> | <i>295</i> | <i>106</i> | <i>85</i> | <i>979</i> |
| Immigrant status | Born in Canada | 79.70% | 91.30% | 86.30% | 86.10% | 88.80% | 85.50% |
| | Born outside of Canada | 20.30% | 8.70% | 13.70% | 13.90% | 11.20% | 14.50% |
| | <i>Total N</i> | <i>300</i> | <i>206</i> | <i>299</i> | <i>108</i> | <i>89</i> | <i>1002</i> |
| Ethnicity | White | 75.40% | 81.50% | 81.40% | 72.10% | 86.60% | 79.10% |
| | Black | 5.80% | 2.40% | 1.70% | 5.80% | 0.00% | 3.40% |
| | Asian | 7.50% | 6.30% | 5.40% | 9.60% | 1.20% | 6.30% |
| | South and Southeast Asian | 6.80% | 5.90% | 3.00% | 4.80% | 3.70% | 5.00% |
| | Other | 4.40% | 3.90% | 8.40% | 7.70% | 8.50% | 6.20% |
| | <i>Total N</i> | <i>293</i> | <i>205</i> | <i>296</i> | <i>104</i> | <i>82</i> | <i>980</i> |

SECTION 2: ARTICLING

ARTICLING

It is important to recall that all respondents in the LAB study are law graduates who have been called to the bar, and thus all successfully found articling positions and completed their articles.

More than three quarters of respondents articulated in private law firms or with solo practitioners, while about 18% articulated in a government setting. For those articling with private law firms, the plurality (28%) articulated with small firms of 2-20 lawyers, while another 18% articulated with large firms of over 251 lawyers. In the government sector, articles with provincial or local government positions were more common than federal government positions.

Articling and Hire-Backs

Articling continues to be a pivotal transition into the labour force for new lawyers in Canada. Across the sample, 63.4% of new lawyers started their first jobs with the same employers with whom they articulated, but there is wide variation by province and by setting. New lawyers in Ontario were least likely to find their first job with the employers with whom they articulated, with about 55.8% of respondents in Ontario reporting that they were hired back. In contrast, at least 75% of respondents in Alberta, British Columbia, Newfoundland and Labrador, Nova Scotia, and Saskatchewan report having been hired back.

Respondents who articulated for private law firms were more likely to be hired back compared to those who had articles in the public sector, but there is wide variation by setting. Hire back rates were highest in the larger law firms: the rate was 93% in firms of 101-250 lawyers and 82.9% in firms of 251+ lawyers. Those articling in provincial government positions were more likely to be hired back than those articling for the federal government, where 56% were hired back.

Articling and the Transition to Practice

To what extent does the setting in which one articulates determine the setting of new lawyers' jobs? The answer is clear cut for those who articulated in the largest firms given the high hire-back rates, but for others it is less clear.

Respondents who articulated with a solo practitioner were not surprisingly least likely to be found in that setting at the time of the survey. Of those who articulated in a firm setting, those who articulated in the smallest private law firms (2-20 lawyers) were least likely to remain in this setting with only 58.5% of the lawyers who articulated in these firms currently working in firms of this size. Instead, close to 40% are now working in solo practice and 18.3% are working in provincial or local government positions.

Overall, it appears that there is more mobility from articling positions in government *into* positions in the private law firm sector than the reverse. While the majority of those who articulated in a provincial government setting remained in that setting, a strong minority (23.1%) took a job with a private law firm (with most in small or solo practice). Lawyers who articulated with the federal government were most likely

to remain in that setting, but about 20% of these respondents moved into the private law firm sector, and were split between small and very large firms.

Figure 2.1 Setting of Articles and % Hired Back

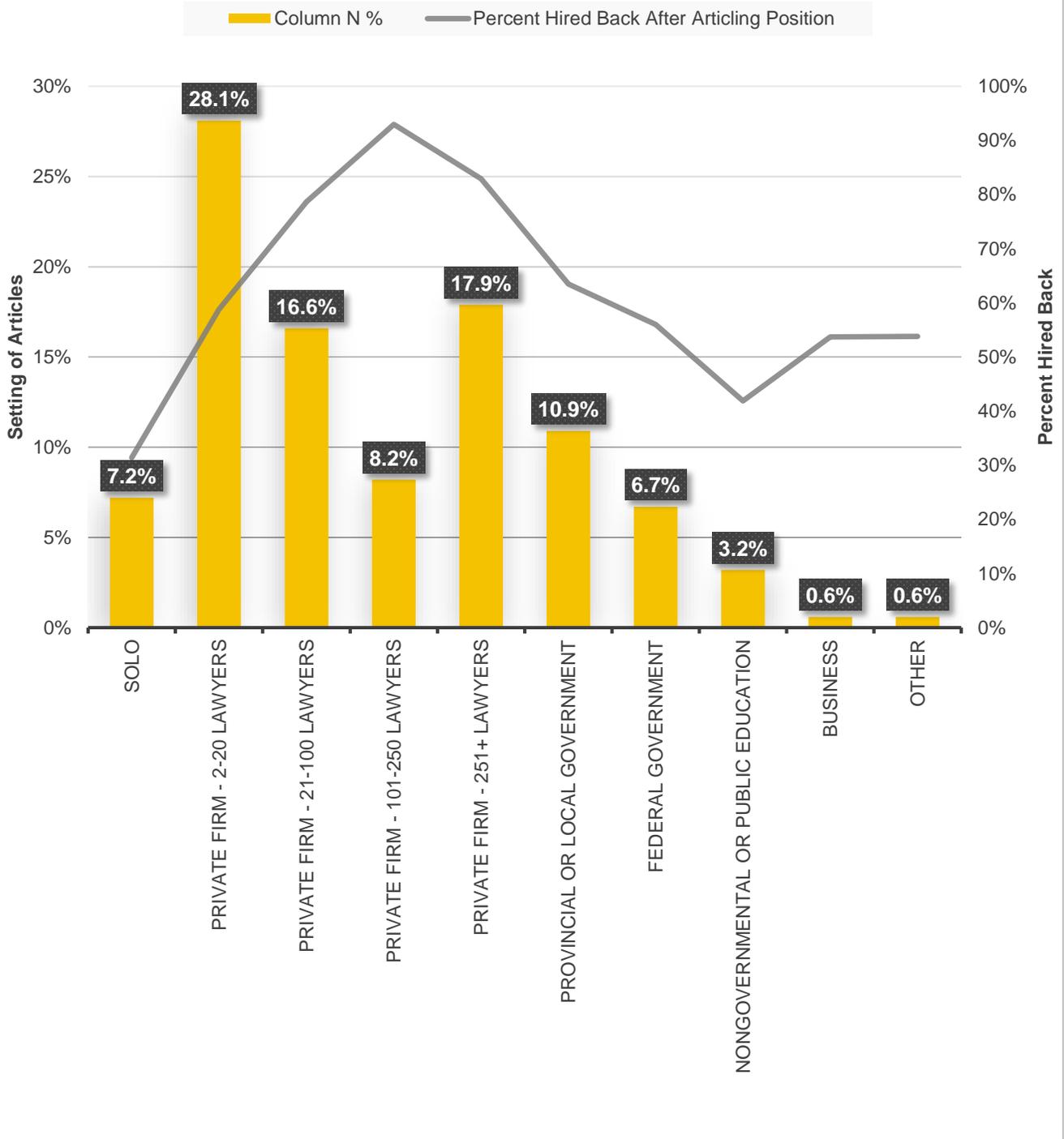


TABLE 2.1. Setting Of Articles

| | | Count | Column N % | Percent Hired Back After Articling Position | |
|-----------------|--|-------|------------|--|--------|
| Practice | Solo | 78 | 7.20% | 31.40% | |
| Setting | Private firm - 2-20 lawyers | 306 | 28.10% | 58.80% | |
| | Private firm - 21-100 lawyers | 180 | 16.60% | 78.70% | |
| | Private firm - 101-250 lawyers | 89 | 8.20% | 93.00% | |
| | Private firm - 251+ lawyers | 195 | 17.90% | 82.90% | |
| | Provincial or Local Government | 118 | 10.90% | 63.50% | |
| | Federal Government | 73 | 6.70% | 56.00% | |
| | Nongovernmental or public education | 35 | 3.20% | 41.90% | |
| | Business | 6 | 0.60% | 53.70% | |
| | Other | 7 | 0.60% | 53.80% | |
| | Total | | 1087 | 100.00% | 63.50% |

SECTION 3: PRACTICE SETTING

PRACTICE SETTING

Practice setting is a key context that shapes many of the outcomes of interest, including income, satisfaction with work life, and pro bono opportunities. In addition to the findings presented in this section, practice setting will prove relevant for all subsequent sections of this report.

The vast majority of the lawyers in the sample – 96.6% – are working full time, with an additional 1.9% reporting that they work part time and 1.4% reporting they are not employed. Ninety-two percent (92%) of the sample reported that they are practicing lawyers in their primary jobs, which is almost identical to the proportion reported by new lawyers in the U.S. context.

Canadian lawyers, as with their American counterparts, are most likely to begin their careers in the private sector, with almost 70% of new lawyers working in private firms. Roughly 22% work in the public sector, with the remainder working in business (both practicing and not practicing law) or other settings.

Private Law Firm Practice

The overwhelming majority of new lawyers begin their careers in private law firms. The largest portion – almost 31% – work for firms with 20 or fewer lawyers and 5.6% have established solo practice. The highest concentration of lawyers working in solo and small practice is in the Toronto Census Metropolitan Area (CMA) subdivisions.¹¹

One in five respondents began their careers in law firms with more than 101 lawyers. Specifically, 15.4% of respondents work in the largest law firms (251+) and 4.6% work in firms of 101-250 lawyers. Calgary is the city with the highest concentration of respondents (41.3%) working in large law firms (101 plus), followed by Toronto (25.8%).

The distribution of Canadian graduates by firm size differs in interesting ways from their American counterparts. A greater proportion of American law graduates begin their careers in large law firms than their Canadian peers, especially in the largest firms of over 251 lawyers. Canadian law graduates working in private law firm practice are more likely to be working in firms of 2-20 lawyers than are their American counterparts.

Firm size does not match office size in all cases. Many lawyers working for large firms report working in a smaller office. Thirty-one and a half percent (31.5%) of new lawyers who work for the largest law firms (251+) work in offices with between 21 and 100 lawyers, and 52.5% of respondents who work for large law firms (101-250) report that they work in an office with fewer than 100 lawyers.

The prestige of law school attended seems to influence – and perhaps limit – a respondent's chances of working in the largest private firms. Those most likely to be working in the largest law firms graduated from top-quarter law schools (20.7%), compared to 9.2% from fourth-quarter law schools. Similarly, the

¹¹ Toronto CMA subdivisions include all of the census subdivisions included by Statistics Canada within the Toronto CMA, as well as Hamilton. These subdivisions were separated from Toronto because both proved to be meaningful analytical categories. Note that all other cities mentioned in this report include the city's subdivisions. Toronto is the only exception.

largest law firms (251+) have the largest share of graduates with the highest grades, with almost half of respondents in this setting reporting a law school grade of A- or better.

Government

Of the 16.6% of new lawyers working in the government sector, two thirds work for the local or provincial government and one third work for the federal government. About half of the lawyers working for the federal government are located in Ottawa.

A large majority of new lawyers who do government work report that they practice law in their primary jobs. However, considerable minorities – 22.4% at the local or provincial levels and 18.2% at the federal level – report that they are not practicing law in their positions.

Non-Governmental Public or Education Organizations

Some 5.7% of the sample work in non-governmental public or education organizations. These include positions in legal services, duty counsel, and public interest organizations, as well as working in education (both as law professors and in other positions). Greater concentrations of respondents working in these settings are found in the Toronto CMA subdivisions and in Montréal.

Business

A further 7.7% of new Canadian lawyers work for businesses. The business category is quite diverse, with 20.6% of these respondents working for Fortune 1000 companies, 17.6% working for professional service firms, and the remainder working in some other business setting. Of all respondents working in business, just over a quarter are not practicing law in their jobs. Respondents in Calgary are overrepresented in this category compared to respondents in other cities.

The Rest

The remaining 1.2% of respondents report working in other settings, with most of these respondents working in labour unions. The majority of these respondents are practicing law, with just over one third doing primarily non-legal work. All are employed full time.

FIGURE 3.1 DISTRIBUTION OF RESPONDENTS BY PRACTICE SETTING

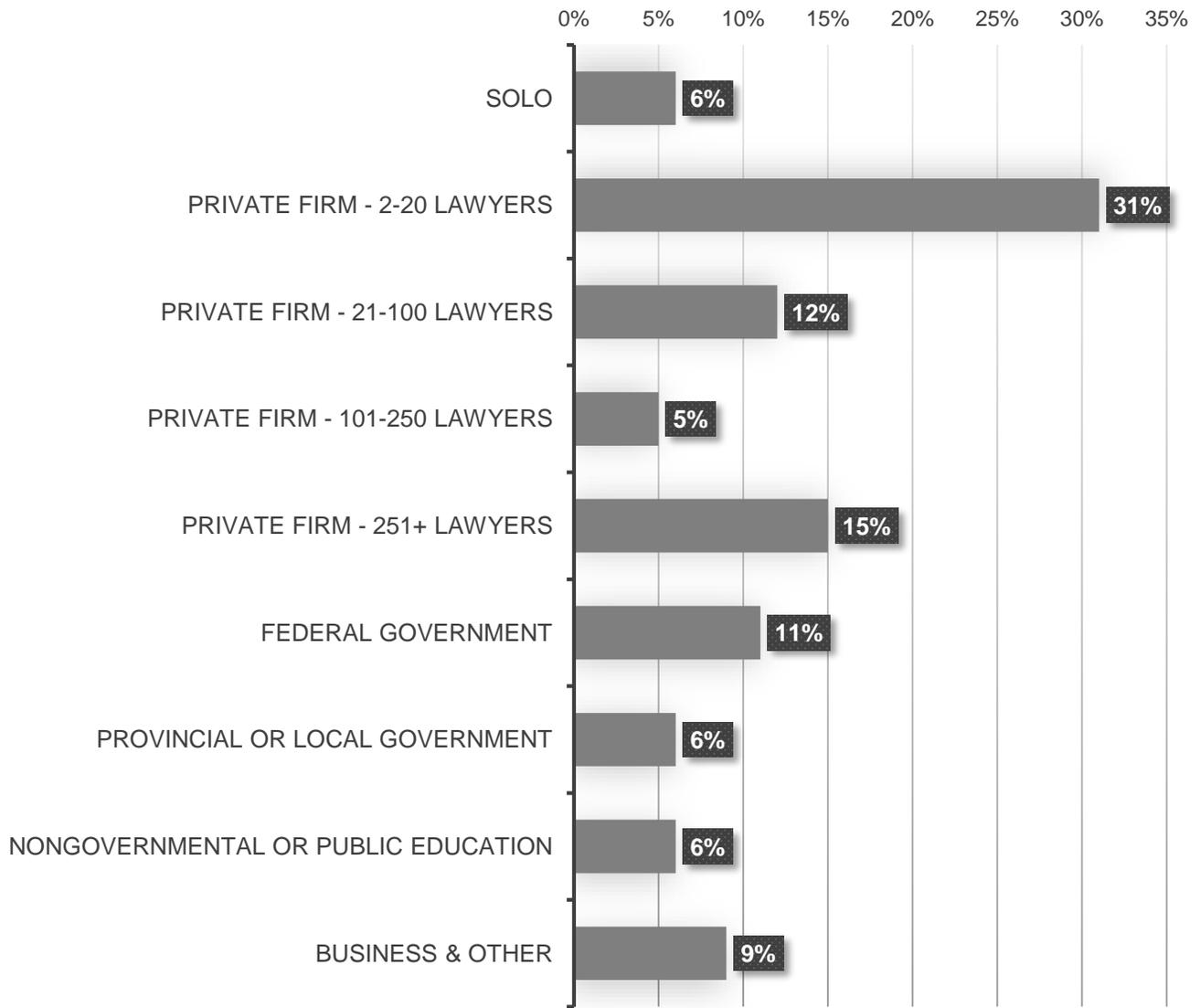


TABLE 3.1 LAB Respondents By Practice Setting, Compared With The AJD (First Wave) Practice Setting Distribution

| | AJD1 | LAB | Difference |
|-------------------------------------|------|-----|------------|
| Solo | 5% | 6% | 1% |
| Private firm - 2-20 lawyers | 25% | 31% | 6% |
| Private firm - 21-100 lawyers | 13% | 12% | -1% |
| Private firm - 101-250 lawyers | 8% | 5% | -3% |
| Private firm - 251+ lawyers | 20% | 15% | -5% |
| Federal Government | 5% | 11% | 6% |
| Provincial or Local Government | 11% | 6% | -5% |
| Nongovernmental or public education | 6% | 6% | 0% |
| Business & Other | 9% | 9% | 0% |

TABLE 3.2 Practice Setting By Law School Rank

| | Top Quarter | Second quarter | Third quarter | Fourth quarter | Civil Law | Total |
|-------------------------------------|-------------|----------------|---------------|----------------|-----------|--------|
| Solo | 5.40% | 4.90% | 2.70% | 7.60% | 0.00% | 5.30% |
| Private firm - 2-20 lawyers | 25.30% | 36.10% | 35.00% | 27.60% | 22.00% | 31.20% |
| Private firm - 21-100 lawyers | 11.80% | 14.40% | 9.80% | 17.20% | 12.10% | 11.70% |
| Private firm - 101-250 lawyers | 2.40% | 6.90% | 4.70% | 1.90% | 2.20% | 3.80% |
| Private firm - 251+ lawyers | 21.30% | 13.40% | 15.50% | 7.60% | 7.70% | 14.80% |
| Federal Government | 10.50% | 11.90% | 8.80% | 12.40% | 25.30% | 11.50% |
| Provincial or Local Government | 7.10% | 4.00% | 10.10% | 7.60% | 6.60% | 7.00% |
| Nongovernmental or public education | 5.70% | 2.50% | 5.10% | 9.50% | 9.90% | 5.70% |
| Business | 9.10% | 5.90% | 7.40% | 7.60% | 8.80% | 7.80% |
| Other | 1.40% | 0.00% | 1.00% | 1.00% | 5.50% | 1.20% |
| Total N | 296 | 202 | 297 | 105 | 91 | -- |

FIGURE 3.2 PRACTICE SETTINGS BY PROVINCE

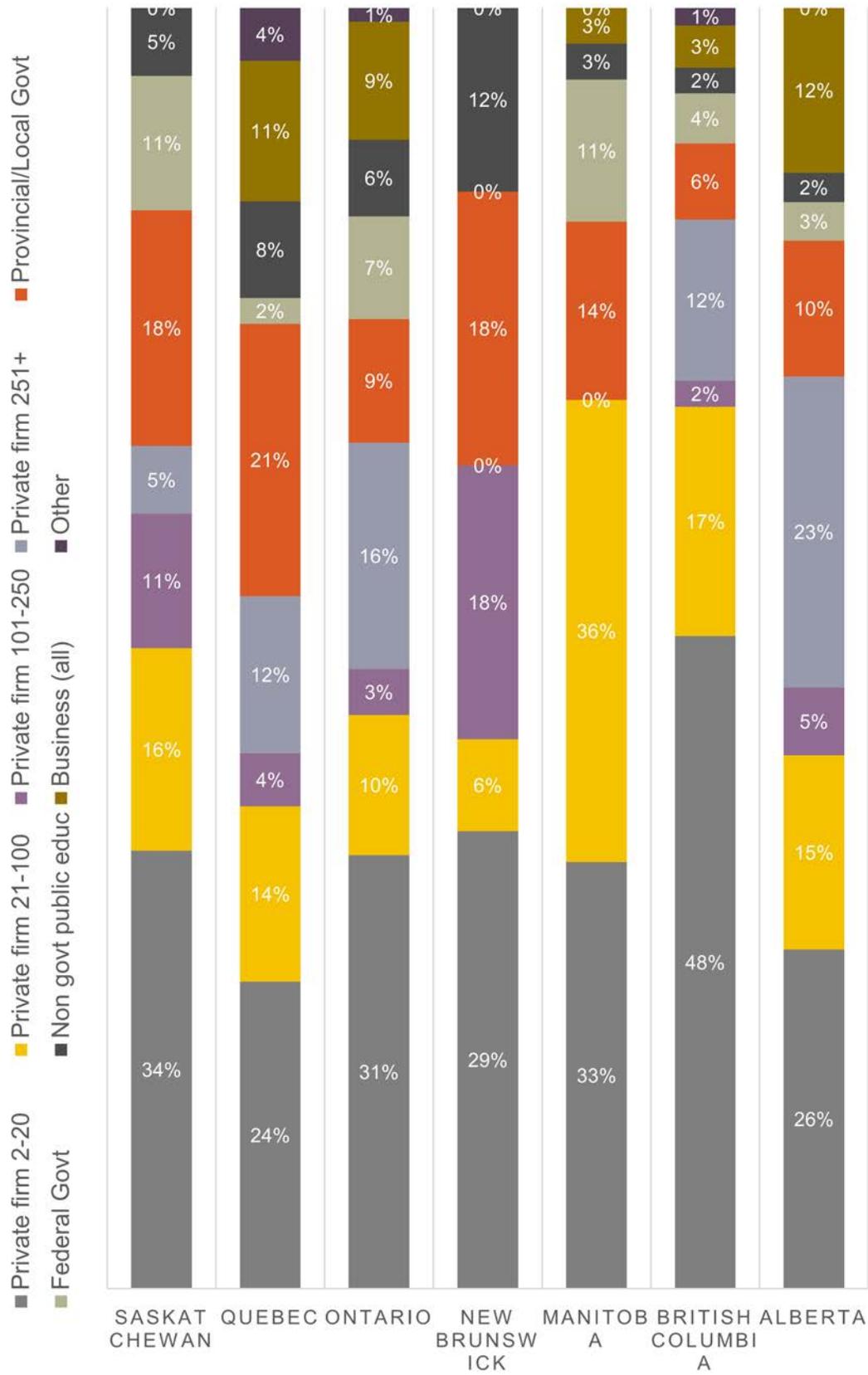
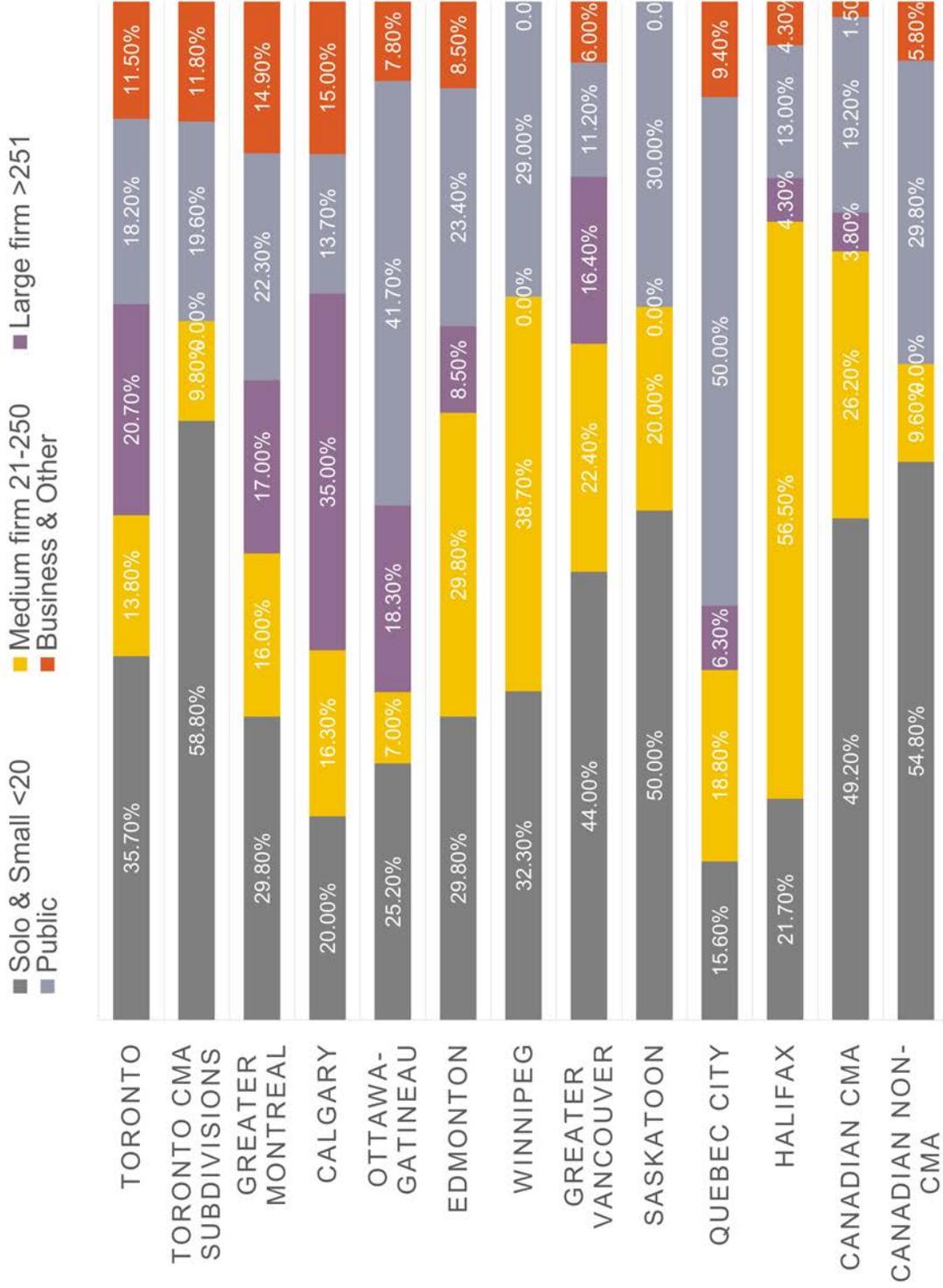


FIGURE 3.3 PRACTICE SETTING BY CITY



SECTION 4: WHAT NEW LAWYERS DO

WHAT NEW LAWYERS DO

Hours Worked

New lawyers in Canada working full time report an average work week of 53 hours, and while the majority of this time is spent in the office or firm, it includes an average of three hours spent working at home during weekdays and another three hours on the weekend. These figures are slightly higher than an equivalent U.S. sample of new lawyers, who reported an average work week of 49 hours. Hours worked, of course, vary by sector. Lawyers who work in private law firms report that their work week averages about 56 hours, while those working in the public sector report an average of about 47 hours.

A considerable proportion of the sample, 28.5%, report working more than 60 hours a week. As expected, the longest hours are reported by those in the largest law firms. The highest proportion (48.7%) of those working long hours was those employed in the largest firms of over 251 lawyers, followed by those working in large firms of 101-250 lawyers. Work hours vary by city, and while respondents in Canada's largest metropolitan areas certainly report long work hours, respondents in smaller urban centres report long work hours as well. Over one third of respondents in Halifax, Calgary, Vancouver, Edmonton, and Toronto report working over 60 hours per week.

Specialization

LAB respondents were asked to indicate how they allocate their time among 22 areas of law. We consider those respondents who report spending more than half of their time in any one area of law as having a specialization. By this definition, 65.2% of the sample are specialists. Respondents working in the largest private firms (over 251+) are most likely to specialize, followed by those in federal government settings.

The Nature of Work

Most new lawyers work on a wide range of matters. Within the past three months, respondents report having worked on an average of 48 matters, with a median of 30. There is great variation among settings. Lawyers employed by the largest firms (251+) report an average of 30 matters, with a median of 20, while respondents who work in non-governmental or public education settings report an average of 114 matters, with a median of 70.

Practice setting shapes the nature of the work being done by new lawyers, and the long-noted divide in the types of work done by those in small compared to large firms remains entrenched. Solo lawyers are considerably more likely to meet face-to-face with clients, appear as first or second chair on a case, and handle the entire matter on their own than their counterparts in large law firms. Large firm lawyers, on the other hand, spend more of their time drafting transactional documents and formulating strategy.

Pro Bono Work

Over two thirds of respondents report that they have engaged in some pro bono activities, and of those reporting any pro bono hours (including none), respondents report an average of 45 hours of pro bono work over the past year, which is approaching the CBA's recommended target of 50 hours per year.¹²

The average number of hours new lawyers devote to pro bono work varies widely across settings. Among lawyers in private law firms, solo practitioners report the highest number of pro bono hours (78 hours), while those in the largest private firms report fairly high hours as well (59 hours). On the other hand, lawyers in large firms of 101-250 lawyers report the lowest number across the sample at 19 hours. The highest rates of engagement with pro bono work are reported by those working in non-governmental public settings, with an average of over 100 hours over the past year.

Roughly 20% of the sample say that they would like more opportunities for pro bono work. Lawyers working for the federal government were most likely to express the desire for more pro bono opportunities, followed by lawyers working in large private firms (101-250). Given that lawyers in this setting also reported working the lowest number of hours, it appears that a lack of opportunities or other barriers rather than commitment or desire is driving this difference.

¹² Canadian Bar Association. "CBA's Resolutions Relating to Equal Justice." Available at: <http://www.cba.org/CBA/Access/main/PrintHTML.aspx?DocId=50468>.

Figure 4.1 Median Hours and Percent Working over 60 Hours by Setting (full-time workers only)

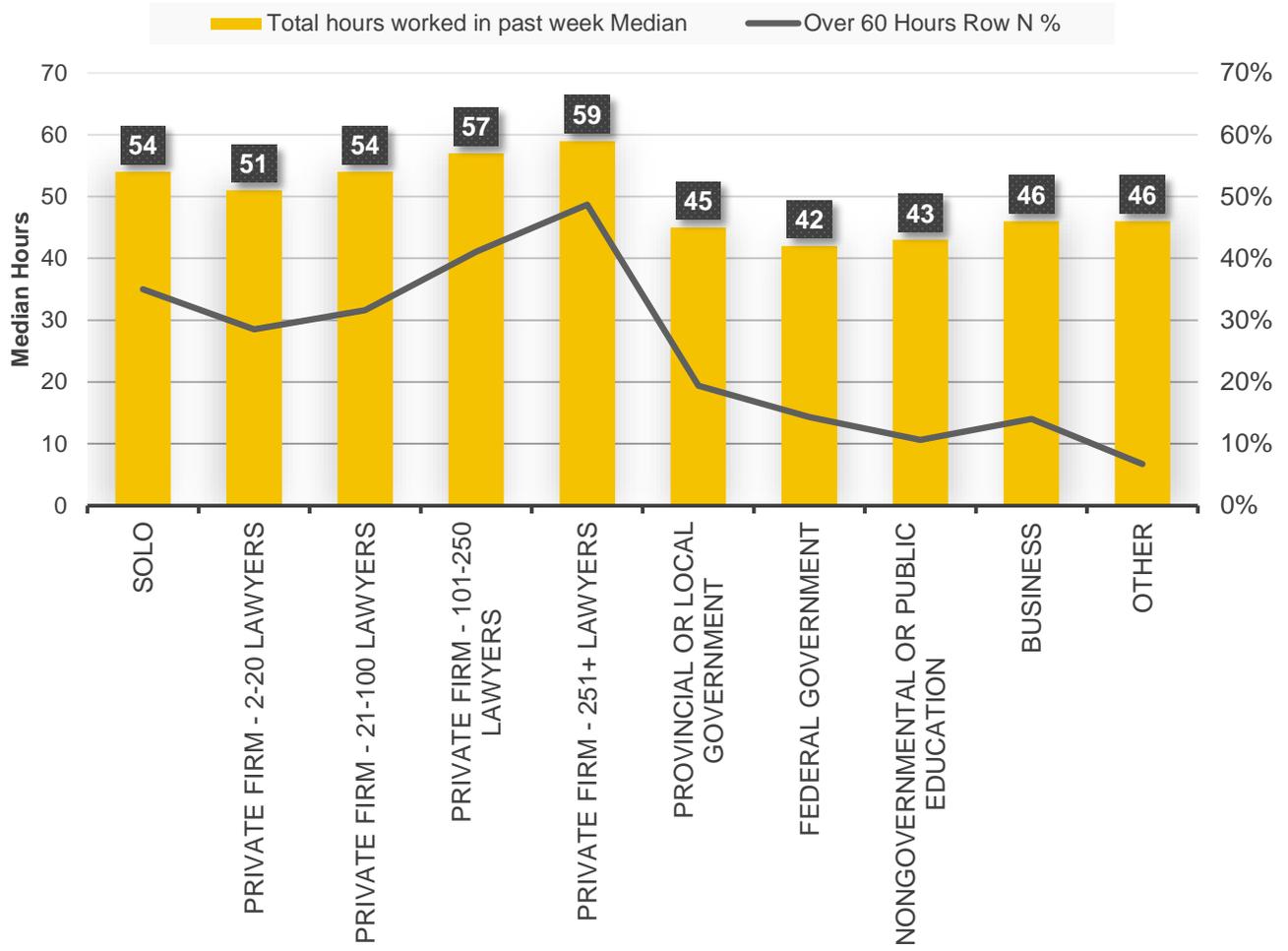


TABLE 4.2 Pro Bono Statistics By Practice Setting

| | Average Pro Bono Hours (including 0 hours) | Percent Engaging in Some Pro Bono | Average for Those Engaging in Some Pro Bono | Median for Those Engaging in Some Pro Bono |
|-------------------------------------|--|-----------------------------------|---|--|
| Solo | 78 | 82.5% | 93.96 | 47.50 |
| Private firm - 2-20 lawyers | 49 | 73.2% | 67.21 | 35.00 |
| Private firm - 21-100 lawyers | 47 | 68.5% | 69.39 | 30.00 |
| Private firm - 101-250 lawyers | 19 | 66.7% | 30.86 | 20.00 |
| Private firm - 251+ lawyers | 59 | 73.4% | 79.98 | 50.00 |
| Provincial or Local Government | 20 | 44.7% | 90.02 | 97.00 |
| Federal Government | 10 | 38.9% | 69.53 | 97.00 |
| Nongovernmental or public education | 73 | 73.8% | 108.17 | 64.00 |
| Business | 22 | 59.8% | 75.44 | 97.00 |
| Other | 29 | 73.3% | 76.55 | 97.00 |
| Total | 45 | 66.8% | 74.63 | 45.00 |

SECTION 5: THE INCOME OF NEW LAWYERS

THE INCOME OF NEW LAWYERS

The desire for financial security draws many young adults to pursue law as a career,¹³ and the data show that this goal is generally fulfilled. The average earnings of the new lawyers working full time in the sample is \$80,487 and the median is \$78,000.¹⁴ These earnings place them among the top 10% of Canadian earners.¹⁵ There is, however, tremendous variation within the sample. The bottom 25% of new lawyers earn less than \$62,000, while the top 25% earn more than \$99,000, with the top 5% earning at least \$123,500. In comparison, data on the class of 2010 in the United States indicate average earnings of \$84,111, with a median of \$63,000 and with 29.5% earning more than \$100,000.¹⁶

Setting

One of the most important determinants of new lawyer salaries is their setting and sector of practice. Lawyers working in private firms have median earnings of \$80,000, while new lawyers working in the public sector have median incomes that are lower by \$10,000. However, respondents' earnings do not show a clear-cut divide between private practice and other sectors. Lawyers in the public sector do not always make less than their colleagues working in private law firms; the sample shows considerable variation in median earnings among respondents working in different government branches, and a wide range of earnings in private law firm practice.

Private firm earnings range from a median of \$60,000 for lawyers working solo, and increase sequentially the larger the law firm, reaching a median of \$105,000 for new lawyers working in the largest law firms (251+). The median earnings of lawyers employed by local or provincial governments is \$76,000, compared to \$69,300 for the federal government.

The comparison to American earnings is instructive. While the median earnings as a whole are not that different across the two countries, Canadian lawyers in large firms earn significantly less than their counterparts in the United States. Data on the class of 2010 in the United States indicate that the median starting salary for lawyers working in firms of over 251 lawyers was \$130,000.¹⁷

¹³ When asked to rate the importance of various factors in their decision to go to law school, 62% of LAB respondents rated eventual financial security a 6 or a 7 on a scale of 1-7, where 7 represented a "very important" goal.

¹⁴ All figures in this section are calculated based on the stated earnings of respondents who report working full time. Earnings are calculated based on the sum of self-reported salary, bonus, profit sharing/equity distribution and stock options, and "other".

¹⁵ According to Statistics Canada, "the top 10% of Canadians had incomes over \$80,400" in 2011 based on the National Household Survey. Available at: http://www12.statcan.gc.ca/nhs-enm/2011/as-sa/99-014-x/99-014-x2011003_2-eng.cfm.

¹⁶ NALP. 2011. "Starting Salaries - What New Law Graduates Earn - Class of 2010: Available at: http://www.nalp.org/starting_salaries_-_what_new_law_graduates_earn_-_class_of_2010. Note that NALP reports starting earnings, not including bonuses.

¹⁷ NALP. 2011. "How Much Do Law Firms Pay New Associates? A 16-Year Retrospective." Available at: http://www.nalp.org/new_associate_sal_oct2011.

Location

Among Canadian provinces, respondents working in Alberta report the highest median earnings, \$90,000, with the highest earnings across the sample in each of the public and private sectors. The lowest median earnings, \$36,000, is in New Brunswick.

Respondents in the largest metropolitan areas including Calgary, Toronto, and Vancouver earn the highest median earnings, all above \$90,000. Respondents in the smaller urban centres report lower median earnings. For instance, Quebec City respondents report a median of \$54,000, and new lawyers from Winnipeg and Halifax report a median of \$63,000. Outside of Canada's metropolitan areas, the median earnings for new lawyers is \$65,000.

Law School

While salary is in large part determined by practice setting, the career options of new lawyers are shaped by their credentials, including law school attended and, to a lesser degree, grades.

Inasmuch as they reflect widespread perceptions of law schools' reputations, Maclean's rankings were used in order to determine the selectivity of respondents' law schools. These rankings were then collapsed into four quarters. Using this methodology, we found that overall, higher law school rankings correspond with higher earnings. Respondents who graduated from top-quarter and second-quarter law schools had on average higher median earnings than the whole sample median. This is in large part due to the relationship between law school ranking and practice setting, with a larger proportion of top-quarter law school graduates obtaining positions in the more lucrative large law firms. Of course, accounting for geographic location is also crucial, with law schools ranked in the top two quarters tending to be located in the larger urban areas of the country.

Law school performance also shapes earnings, with earnings generally increasing in a linear fashion as GPA increases. Performance also combines with law school rank to produce important advantages. For example, those who graduated from top ranked schools with A range grades out-earn even the highest performing third and fourth quarter law graduates.

FIGURE 5.1 SALARY BY SETTING OF LAB RESPONDENTS
(FULL-TIME WORKERS ONLY)



| | Solo | Private firm - 2-20 lawyers | Private firm - 21-100 lawyers | Private firm - 101-250 lawyers | Private firm - 251+ lawyers | Provincial or Local Government | Federal Government | Nongovernmental or public education | Business | Other |
|------------------------|-----------|-----------------------------|-------------------------------|--------------------------------|-----------------------------|--------------------------------|--------------------|-------------------------------------|-----------|----------|
| Salary - Median | \$60,000 | \$72,000 | \$80,000 | \$86,200 | \$105,000 | \$76,000 | \$69,300 | \$64,000 | \$85,000 | \$83,304 |
| Salary - Percentile 25 | \$35,000 | \$58,000 | \$67,000 | \$65,000 | \$95,000 | \$60,000 | \$65,000 | \$50,000 | \$67,000 | \$60,000 |
| Salary - Percentile 75 | \$100,000 | \$90,000 | \$96,000 | \$105,000 | \$115,000 | \$85,000 | \$77,000 | \$76,000 | \$107,500 | \$90,000 |

Figure 5.2 Median Salary by Law School Tier (Full-Time workers only)

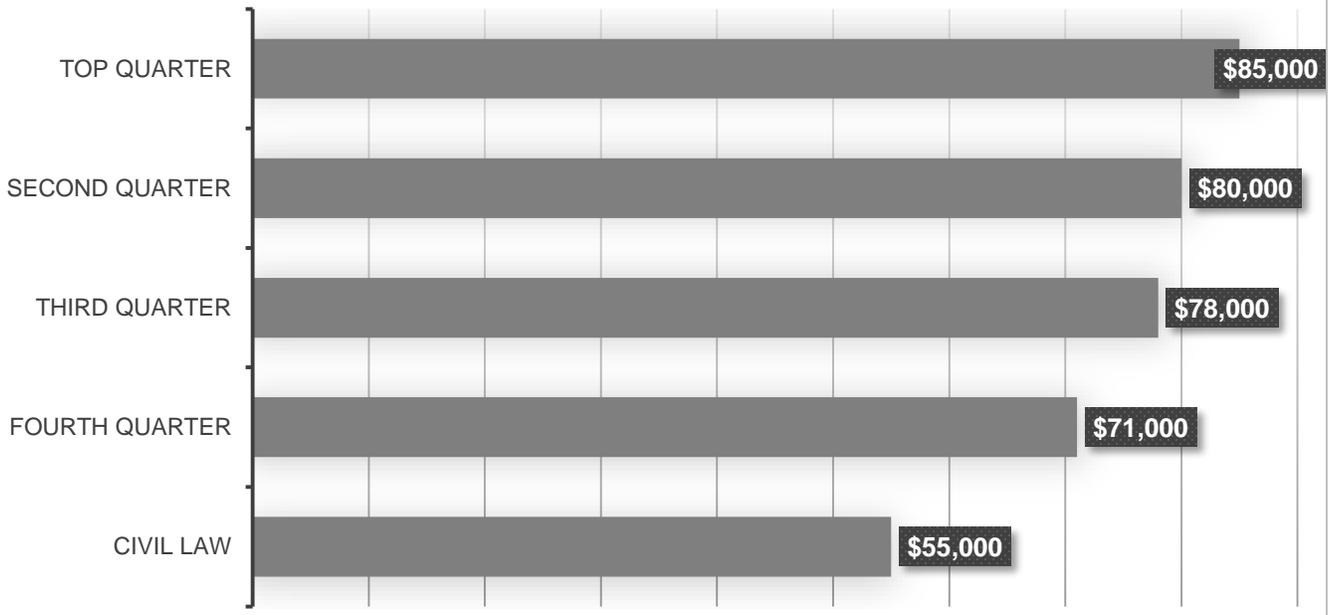


TABLE 5.1 Median Income By Law School Selectivity* and Practice Setting (Full-Time Workers Only)

| | Top Quarter | Second quarter | Third quarter | Fourth quarter | Civil Law |
|-------------------------------------|-------------|----------------|---------------|----------------|-----------|
| Solo | \$63 K | \$75 K | \$60 K | \$48 K | |
| Private firm - 2-20 lawyers | \$80 K | \$75 K | \$72 K | \$60 K | \$53 K |
| Private firm - 21-100 lawyers | \$84 K | \$95 K | \$85 K | \$71 K | \$65 K |
| Private firm - 101-250 lawyers | \$100 K | \$66 K | \$86 K | \$105 K | \$42 K |
| Private firm - 251+ lawyers | \$110 K | \$110 K | \$100 K | \$105 K | \$98 K |
| Provincial or Local Government | \$80 K | \$75 K | \$78 K | \$83 K | \$55 K |
| Federal Government | \$78 K | \$70 K | \$67 K | \$71 K | \$67 K |
| Nongovernmental or public education | \$69 K | \$50 K | \$70 K | \$64 K | \$44 K |
| Business | \$78 K | \$75 K | \$100 K | \$90 K | \$51 K |
| Other | \$87 K | | \$90 K | \$93 K | \$40 K |
| Total | \$85 K | \$80 K | \$78 K | \$71 K | \$55 K |
| Total N | 259 | 179 | 276 | 98 | 86 |

* Maclean's law school rankings for 2010, divided into four quarters, were used to determine the selectivity of respondents' law schools. The top quarter included University of Toronto, Osgoode, McGill, and Queen's. The second was made up of University of British Columbia, Dalhousie, Victoria, and Western. The third quarter included Ottawa, Alberta, Saskatchewan, Calgary, and New Brunswick (the latter two had the same overall rank). The fourth quarter, meanwhile, included Manitoba, Windsor and Moncton. Two additional law school categories were also considered, one for civil law schools (including McGill BCL, Montréal, Laval, Université du Québec à Montréal, and Sherbrooke) and another for non-Canadian law schools

TABLE 5.2 Median Salary By Law School Grades and Rank (Full-Time Workers Only)

| | | Law school rank | | | | |
|-------------------------------|------------|-----------------|----------------|---------------|----------------|-----------|
| | | Top Quarter | Second quarter | Third quarter | Fourth quarter | Civil Law |
| Cumulative law school average | A+ | \$100,000 | \$105,000 | \$90,000 | \$90,000 | . |
| | A | \$90,821 | \$100,000 | \$100,000 | \$81,000 | \$60,000 |
| | A- | \$95,000 | \$74,000 | \$79,750 | \$80,000 | \$60,000 |
| | B+ | \$85,000 | \$84,000 | \$80,000 | \$71,000 | \$55,000 |
| | B | \$85,000 | \$72,000 | \$75,000 | \$65,000 | \$50,000 |
| | B- | \$75,000 | \$75,000 | \$79,000 | \$40,000 | \$52,500 |
| | C or lower | \$90,000 | \$62,000 | \$70,000 | \$81,000 | \$0 |

TABLE 5.3 Median Salary By Province and Sector (Full-Time Workers Only)

| | Practice sector | | | Total |
|------------------|-----------------|-----------------|-----------------|-----------------|
| | Private firm | Public sector | Other | |
| Alberta | \$94,500 | \$80,000 | \$100,000 | \$90,000 |
| British Columbia | \$87,000 | \$75,000 | \$90,000 | \$83,000 |
| Manitoba | \$60,000 | \$68,250 | \$65,000 | \$63,000 |
| New Brunswick | \$43,000 | \$25,200 | . | \$36,000 |
| Ontario | \$85,000 | \$74,000 | \$88,500 | \$81,350 |
| Quebec | \$65,000 | \$54,000 | \$51,500 | \$57,700 |
| Saskatchewan | \$72,000 | \$74,000 | . | \$72,000 |
| <i>Total</i> | <i>\$81,000</i> | <i>\$71,000</i> | <i>\$85,000</i> | <i>\$80,000</i> |

*Note: Provinces with low Ns are omitted from this table.

SECTION 6: DIMENSIONS OF SATISFACTION

DIMENSIONS OF SATISFACTION

The majority of LAB respondents report high satisfaction with their decisions to become lawyers and the various aspects of their jobs. The experience of Canadian lawyers is consistent with findings from the United States, which show no evidence of widespread unhappiness among attorneys (Heinz, Nelson, Laumann, and Sandefur 2005; *After the JD*, #1).

Levels of Satisfaction

When asked whether they are satisfied with the decision to become a lawyer, 79.3% of new Canadian lawyers report being extremely or moderately satisfied. This figure aligns with satisfaction reports of a comparable American sample, in which 80% reported being moderately or extremely satisfied.

When asked to rate their satisfaction on 18 aspects of their current position, the average response fell in the moderately to extremely satisfied range on all measures. The highest level of satisfaction was reported for “relationship with colleagues,” “level of responsibility,” and “intellectual challenge” of the work, findings identical to the United States. Meanwhile, as was the case with their American peers, new Canadian lawyers reported the lowest satisfaction with the “performance evaluation process.”

Dimensions of Satisfaction

Using a statistical method known as factor analysis, four dimensions of satisfaction were created based on reported satisfaction levels for 17 aspects of a respondent’s current position. The first dimension is “work substance and setting satisfaction,” which includes satisfaction ratings for the intellectual challenge of work, the substantive area of work, tasks performed, opportunities for building skills, level of responsibility, and relationship with colleagues. The second dimension, “work conditions satisfaction,” consolidates ratings for work-life balance, control over amount of work, and control over how work is done. A third dimension, “power track satisfaction,” includes satisfaction with compensation, advancement opportunities, recognition received for work, job security, and the performance evaluation process. Finally, “social value satisfaction” includes ratings for workplace diversity, the value of work to society, and pro bono opportunities.

Correlates of Satisfaction

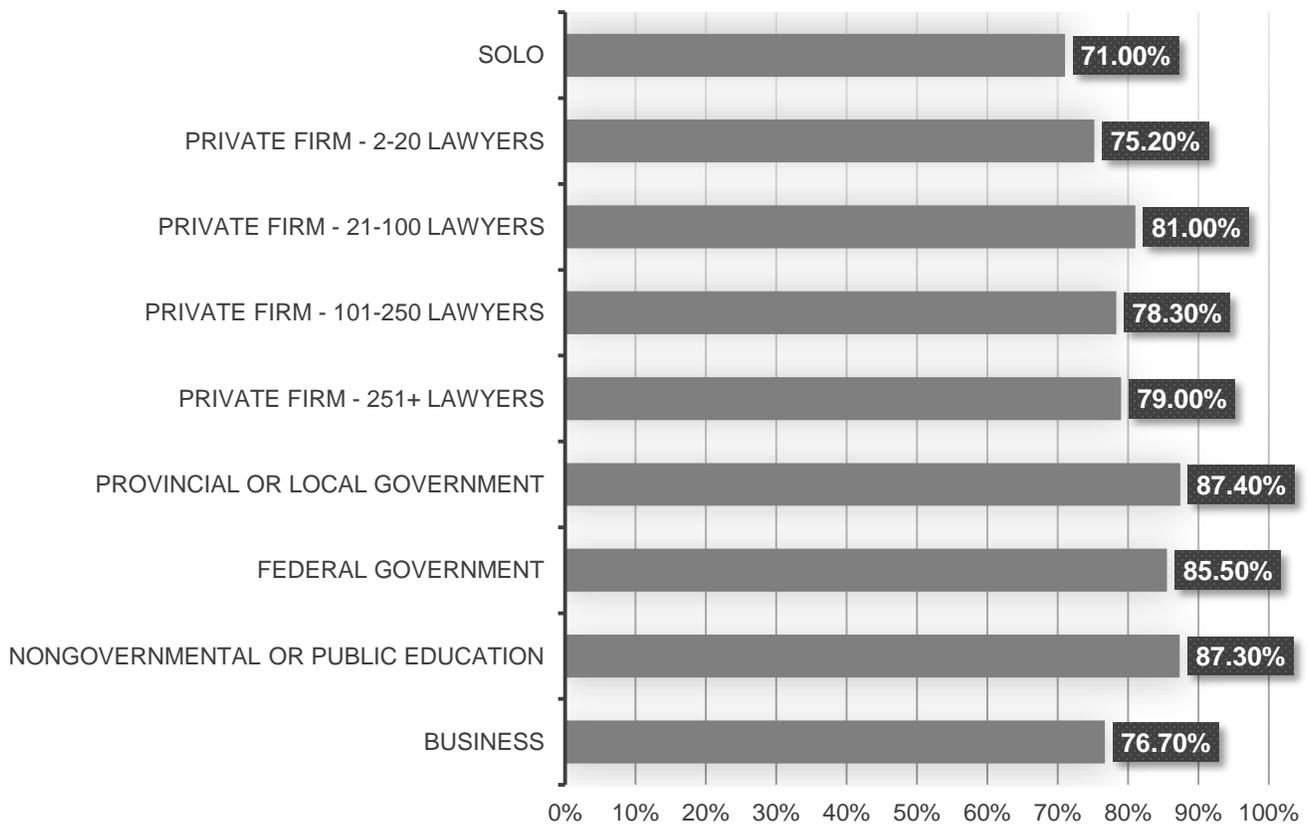
Among new Canadian lawyers, satisfaction with the decision to become a lawyer is not correlated with income, though practice setting does seem to influence levels of happiness. While there is very little variation in reported career satisfaction by setting, we find that satisfaction with the decision to become a lawyer is highest among those working for provincial or local government and in the nongovernmental public sector, and lowest among those in sole practice.

We find more variation when examining particular dimensions of satisfaction. Work setting and substance satisfaction is highest among respondents working in large private law firms (101-250) and those working for provincial or local government. It is lowest among respondents working for businesses or solo.

Satisfaction with work conditions is highest among respondents working for businesses and for provincial or local governments and lowest among those working in private firms. Notably, the larger the firm the lower the satisfaction regarding work conditions, which encompasses items such as work-life balance, control over amount of work, and control over how work is done. This finding is not surprising given the long hours respondents work in these settings, and respondents' relatively junior status, which impacts their ability to assert autonomy over their work.

Power track satisfaction is highest among those working in the largest firms, and is in line with the fact that they are the highest earners in the sample. It is lowest for those working for non-governmental or public education organizations, and for those working at all levels of government. On the other hand, these respondents report the highest social value satisfaction, while those working for businesses or for the largest private firms (251+) report the lowest. The low satisfaction with social value among lawyers in the largest law firms contrasts with high satisfaction reported by their peer group in the U.S. context.

FIGURE 6.1 PERCENT EXTREMELY OR MODERATELY SATISFIED WITH DECISION TO BECOME A LAWYER BY PRACTICE SETTING



**FIGURE 6.2 DETAILED MEASURES OF JOB SATISFACTION
(MEAN)**

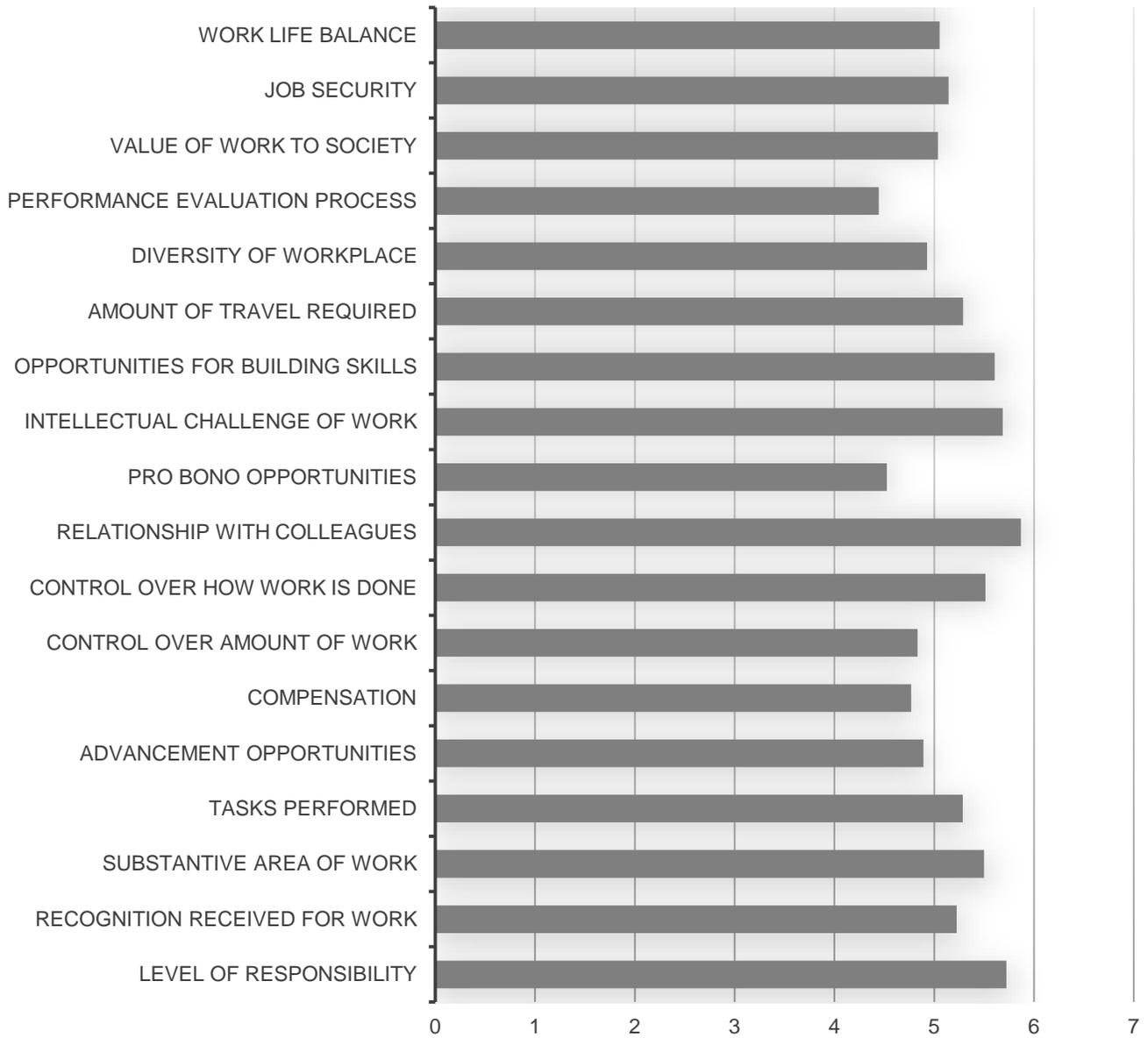
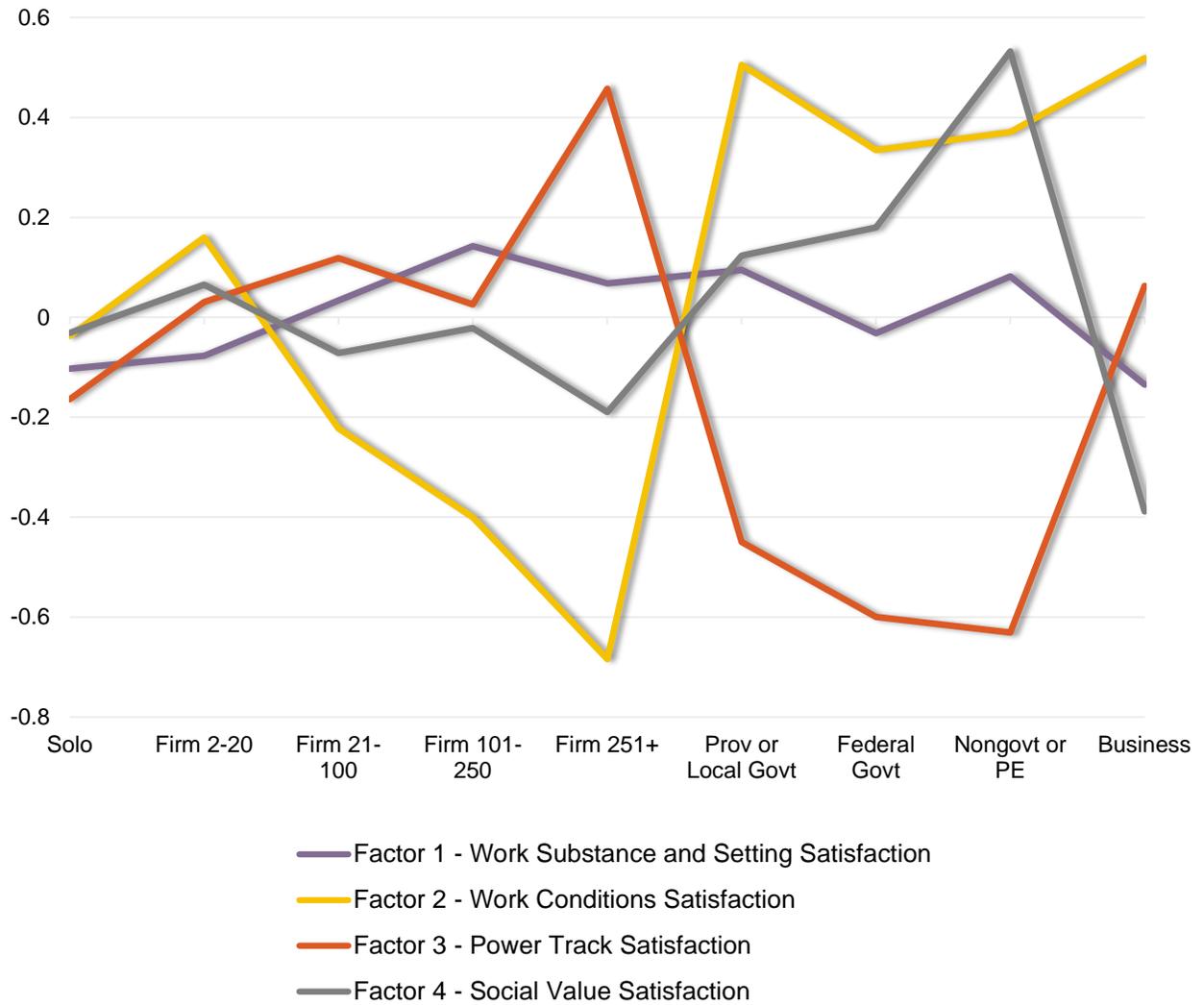


FIGURE 6.3 JOB SATISFACTION FACTOR SCORES (MEANS)
BY PRACTICE SETTING



SECTION 7: MOBILITY AND TURNOVER

MOBILITY AND TURNOVER

New lawyers in Canada report a great deal of job mobility in the early years of their careers, and considerable desire to move jobs within the next few years. Though the majority of LAB respondents were called to the bar within the four years before taking the survey, they reported an average of 1.41 employers, a statistic that excludes clerkships. In total, 36.7% of young lawyers reported having had more than one employer since being called to the bar.

Mobility by Employment Sector

The highest rate of turnover is reported by respondents working for businesses, with 70.7% having at least one job change on their resumes. Turnover rates are also high among respondents working in the non-governmental or public education sectors (58.3%) and those employed by provincial or local governments (53.7%).

Recent law graduates working for private law firms have comparatively lower rates of turnover. Plus, the larger the firm, the less likely respondents are to have had at least one job change since taking the bar. Respondents working solo thus report the highest rate of job change which, at 38.8%, is about 20 percentage points higher than the turnover rate at the largest firms (251+).

Taken together, these patterns suggest that careers that begin in business or solo practice are more unstable than those that begin in large law firms, though this pattern may change as careers progress.

Intentions to Move

A considerable group of new lawyers report that they would soon like to change employers. Overall, 36.5% of respondents report that they are thinking of changing jobs within the next two years. Of these, 18.8% report that they would only like to stay with their current employer for the next one to two years, while 7.0% want to leave in less than a year and 10.8% are already looking for a job.

Intentions to move jobs within the next two years do not match rates of past mobility, and are higher at private firms (38.1%) than in the public sector (33.6%), with the highest rates of intended mobility being expressed by those in the largest law firms. This is a pattern reminiscent of that found in *After the JD*, and supports the finding that mobility intentions reflect contradictory sentiments of satisfaction combined with assessments of one's future chances of promotion and aspirations for the future.

FIGURE 7.1 INTENDS TO CHANGE JOB WITHIN ONE-TWO YEARS

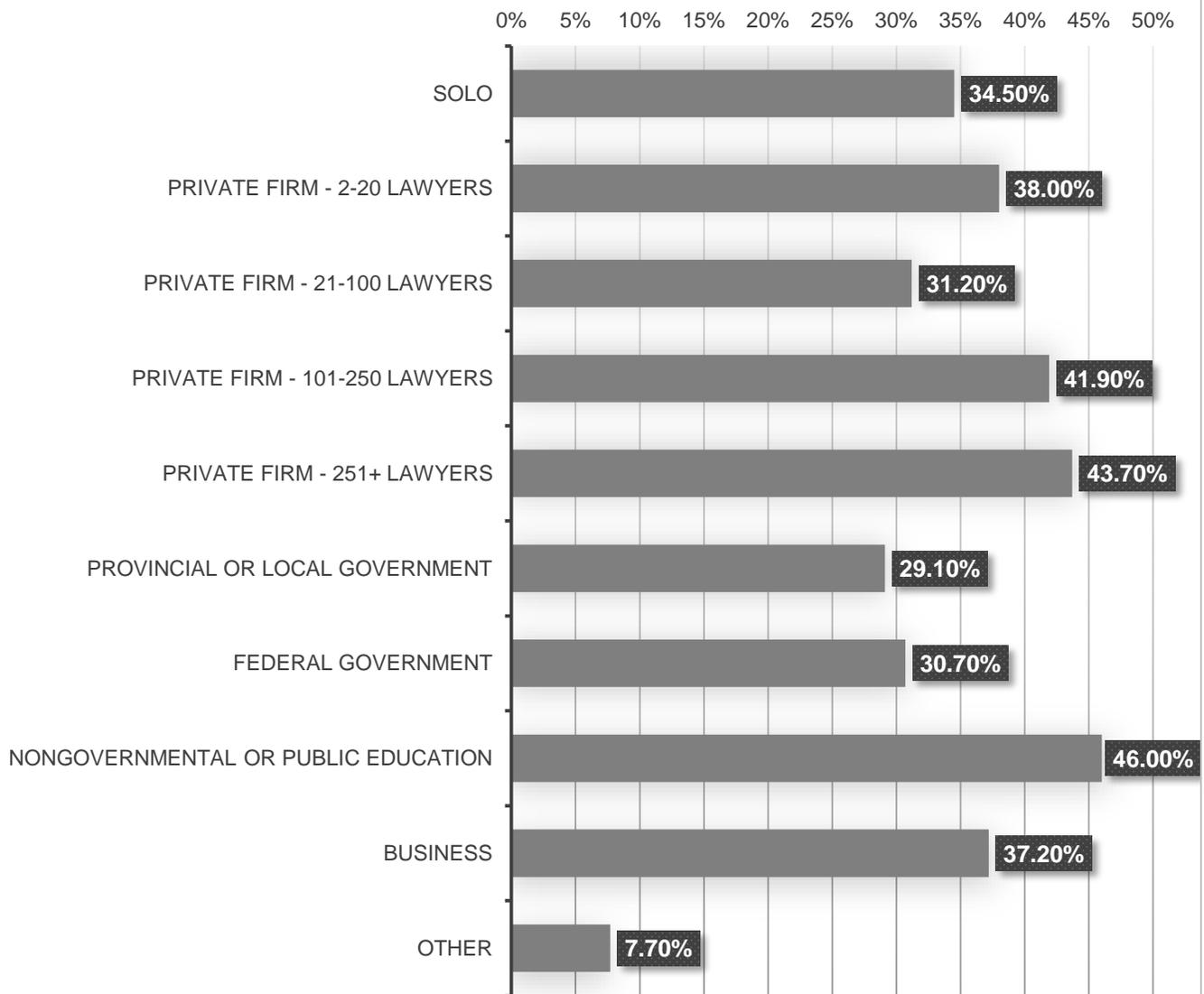


TABLE 7.1 Prior and Future Job Mobility By Setting

| | At Least One Job Change | Intends to Change Job within One-Two Years | Total N for Job Changes | Total N for Future Mobility |
|-------------------------------------|-------------------------|--|-------------------------|-----------------------------|
| Solo | 38.80% | 34.50% | 49 | 55 |
| Private firm - 2-20 lawyers | 33.10% | 38.00% | 323 | 334 |
| Private firm - 21-100 lawyers | 19.50% | 31.20% | 123 | 125 |
| Private firm - 101-250 lawyers | 19.50% | 41.90% | 41 | 43 |
| Private firm - 251+ lawyers | 18.00% | 43.70% | 150 | 158 |
| Provincial or Local Government | 53.70% | 29.10% | 121 | 127 |
| Federal Government | 37.50% | 30.70% | 72 | 75 |
| Nongovernmental or public education | 58.30% | 46.00% | 60 | 63 |
| Business | 70.70% | 37.20% | 82 | 86 |
| Other | 75.00% | 7.70% | 12 | 13 |
| Total | 36.70% | 36.50% | 1033 | 1079 |

SECTION 8: GENDER

GENDER

The influx of women into the legal profession is by now well documented. In Canada overall, 41% of lawyers are women,¹⁸ while 2006 data for Ontario show that women account for almost 60% of young lawyers, and 38% of all Ontario lawyers.¹⁹

Women comprise 55.8% of the LAB sample. Yet even among this newest cohort of lawyers, gender differences persist in terms of settings, earnings, and their experience of work, including satisfaction and experiences of discrimination.

Since the LAB study surveyed respondents in their early careers, gender differences in labour force participation are not yet marked, with 96% of both men and women working full time in the paid labour force. There are some minor differences, however. Female respondents are more likely than men to report being unemployed, while male respondents are more likely to be working part time. Reasons for non-standard employment also vary by gender, though all differences are small. Women are more likely than men to report they work part time in order to care for children, and men are more likely to report that they are unemployed because they cannot find full-time employment.

Of course, as the LAB study respondents form unions and start families, we have reason to believe the employment patterns of men and women will begin to diverge. According to data from the After the JD Study, in AJD1 90% of women were employed full time; this fell to 77% at Wave 2, and to 76% by Wave 3. In contrast, the percent of men employed full time remained fairly invariant across waves, with 96% of men reporting that they were working full-time by Wave 3 of the study.

Practice Setting

There are notable gender disparities in new lawyers' choices of practice setting. Echoing past research in Canada and the United States, we find that women remain more likely than men to work in the public sector, even in their early careers, with more than one quarter of women working in the public sector, compared to about 20% of men.

Of those working in private law firms, we also find some gender differences. There are half as many women as men working solo, but there are more women working in the smallest private firms (2-20) than men. We also find more men than women working in the country's largest (251+) private law firms.

As we noted above, women are overrepresented in the public sector, whether they work for the government or in the non-governmental or public education sectors. Interestingly, women in the LAB sample are also slightly more likely than men to be working in the business sector. Moreover, compared to their male peers working in the business sector, women are more likely to be practicing law as part of their jobs.

¹⁸ Federation of Law Societies of Canada. 2012 Statistical Report. Available at: <http://flsc.ca/wp-content/uploads/2015/03/2012-statistical-report.pdf>.

¹⁹ Michael Ornstein. 2010. Racialization and Gender of Lawyers in Ontario. Available at: http://www.lsuc.on.ca/media/convapril10_ornstein.pdf.

Specialization

As previously mentioned, a considerable portion of the sample can be considered to be specialists. Women in the LAB sample are more likely to have specialized than men. Of the various areas of specialization considered in the study, one of the highest gender gaps is in family law, where 70.9% of specialists are women. More women than men (57.3% vs. 42.7%) are also criminal law specialists.

Earnings

Even at such an early stage of their careers, new lawyers face considerable gender disparities in compensation rates.²⁰ Across all settings, women working full time are earning 93% of men's salaries, with women reporting median earnings of \$75,000, compared to \$80,500 for male lawyers. This difference is almost wholly due to the gender gap in earnings among lawyers in private law firms and in business – the gender gap in earnings in the public sector is substantially smaller. And while women out-earn men in nongovernmental, public and educational settings, the median earnings in these settings are below the average for the sample.

Men out-earn women in private law firms of all sizes, with differences especially pronounced for those in solo practice; but even in the largest private firms (251+) women's earnings are only 91% of men's. The largest salary disparity is in the business sector, where the median salary for men is \$100,000, while women report a salary median of \$79,000. Future analyses will investigate the correlates of these disparities, but it is notable to find that these disparities are occurring at the very start of lawyers' careers, where the constraints of marriage and family are not yet relevant for the majority of respondents.

Median salaries are also almost at parity for lawyers employed by the government, no matter whether at the federal, provincial, or local levels. Only in the non-governmental and public education sectors do women earn higher median salaries than men.

Satisfaction

While overall satisfaction with the decision to become a lawyer is high across the sample, women's ratings are somewhat lower than men's (77.2% vs. 81.6%).

Compared to their male counterparts, female lawyers report higher satisfaction in regards to work substance and setting and fairly similar levels of satisfaction with work conditions. On the other hand, women report lower ratings than men with regards to their satisfaction with the power track and the social value of their work. This latter finding in particular is driven by women's low ratings of social value satisfaction in the largest law firms.

²⁰ All figures in this section are calculated based on the stated salaries of respondents who report working full time. Salaries are calculated based on the sum of self-reported salary, bonus, profit sharing/equity distribution and stock options, and "other".

Networking

Research on lawyers has noted that social networks within the workplace might be a key mechanism relating to earnings, mobility and promotion.

Most networking measures in the LAB study suggest that male and female lawyers spend their time in roughly the same ways, with a few key exceptions. Echoing findings from the *After the JD* study, we find that men are more likely than women to report joining partners or senior attorneys for meals or other recreational activities. Men are also more likely than women to serve on the boards of directors of business organizations or trade associations. Future research will investigate whether and how these social networks might play a role in women's careers.

Marriage and Family

Professional women often delay marriage and child bearing in their early careers, and the evidence from the LAB study on this question is mixed. Among respondents aged 27 to 32, we find that roughly equal proportions of men and women report being married or in a domestic partnership, with women somewhat more likely to be partnered than men. Overall, about 60% of women and 57% of men report being married or in a domestic partnership.

On the other hand, we do find that women are more likely to have delayed child bearing compared to men. Specifically, 87.1% of males aged 27-32 compared to 91.9% of the females aged 27-32 reported having no children living with them for a significant part of the year. Of course, with a median age of 31, LAB study respondents are relatively young. According to Statistics Canada, the average age of mothers at the birth of their children in 2010 was 30.1 years.²¹ At the same time, the evidence appears to support a pattern of delay in child bearing rather than a decision to be child free, with 74% of women and 73% of men expressing a hope for children in the future.

Discrimination

Despite high-profile attention to the status of women in the profession from law societies and professional organizations across the country, new female lawyers are considerably more likely than men to report having experienced some form of discrimination or harassment in their workplace.²²

The most prevalent experiences include the 23% of women who reported that they had experienced demeaning comments or other types of harassment, and with 17% reporting that a client requested someone other than themselves to handle a matter. Overall, women were more likely to report negative

²¹ Statistics Canada. 2013. Fertility: Overview, 2009 to 2011. Available at: <http://www.statcan.gc.ca/pub/91-209-x/2013001/article/11784-eng.htm>.

²² Respondents were asked the following question: During the last two years, has any of the following ever happened to you in your place of work by virtue of your race, religion, ethnicity, gender, disability, or sexual orientation.

experiences than men across all measures. On the other hand, 22.9% of the female respondents, compared to 11.8% of the male respondents, report having obtained an assignment or opportunity by virtue of their race, religion, ethnicity, gender, disability, or sexual orientation.

FIGURE 8.1 GENDER BY SECTOR

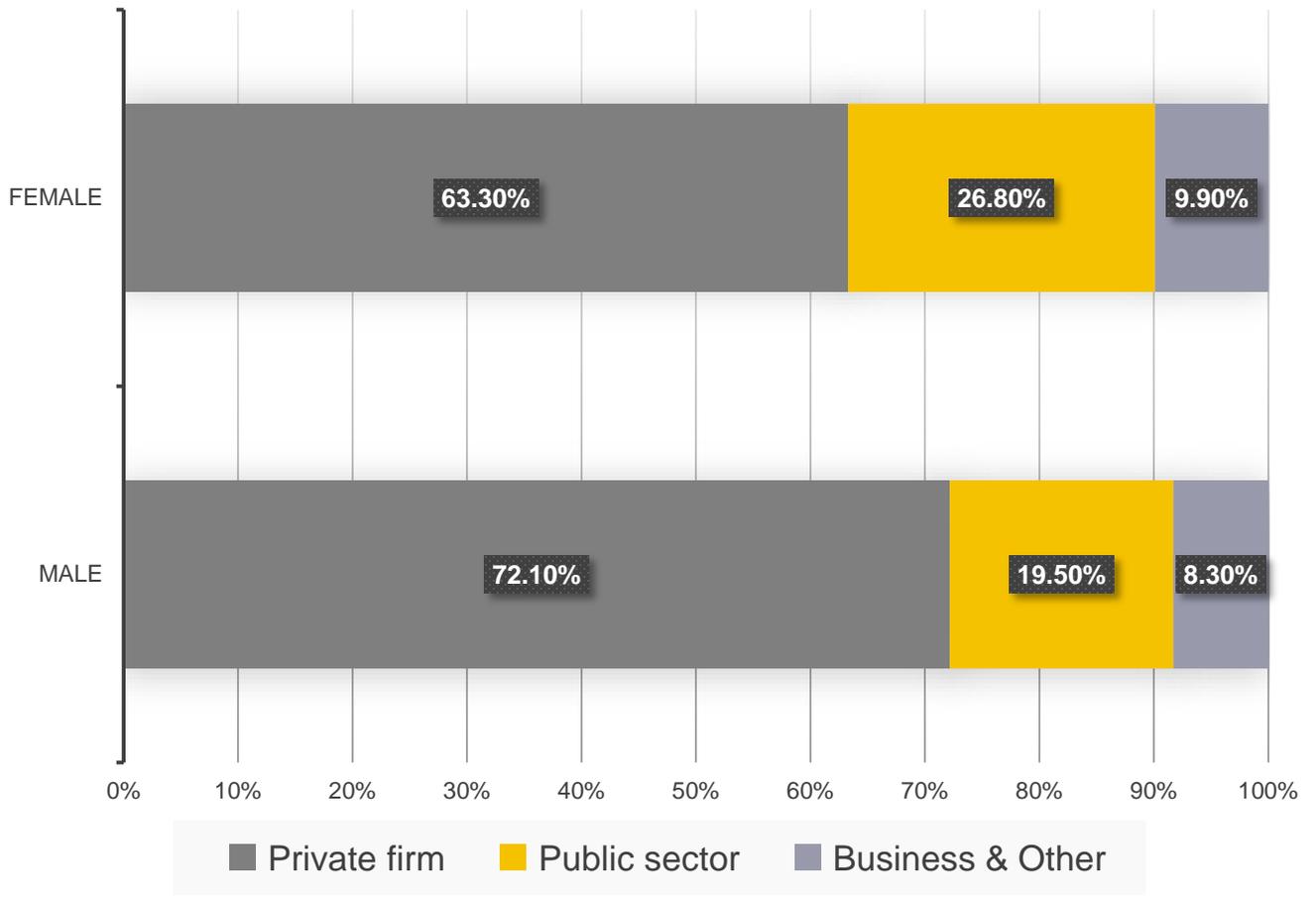


FIGURE 8.2 GENDER BY SETTING

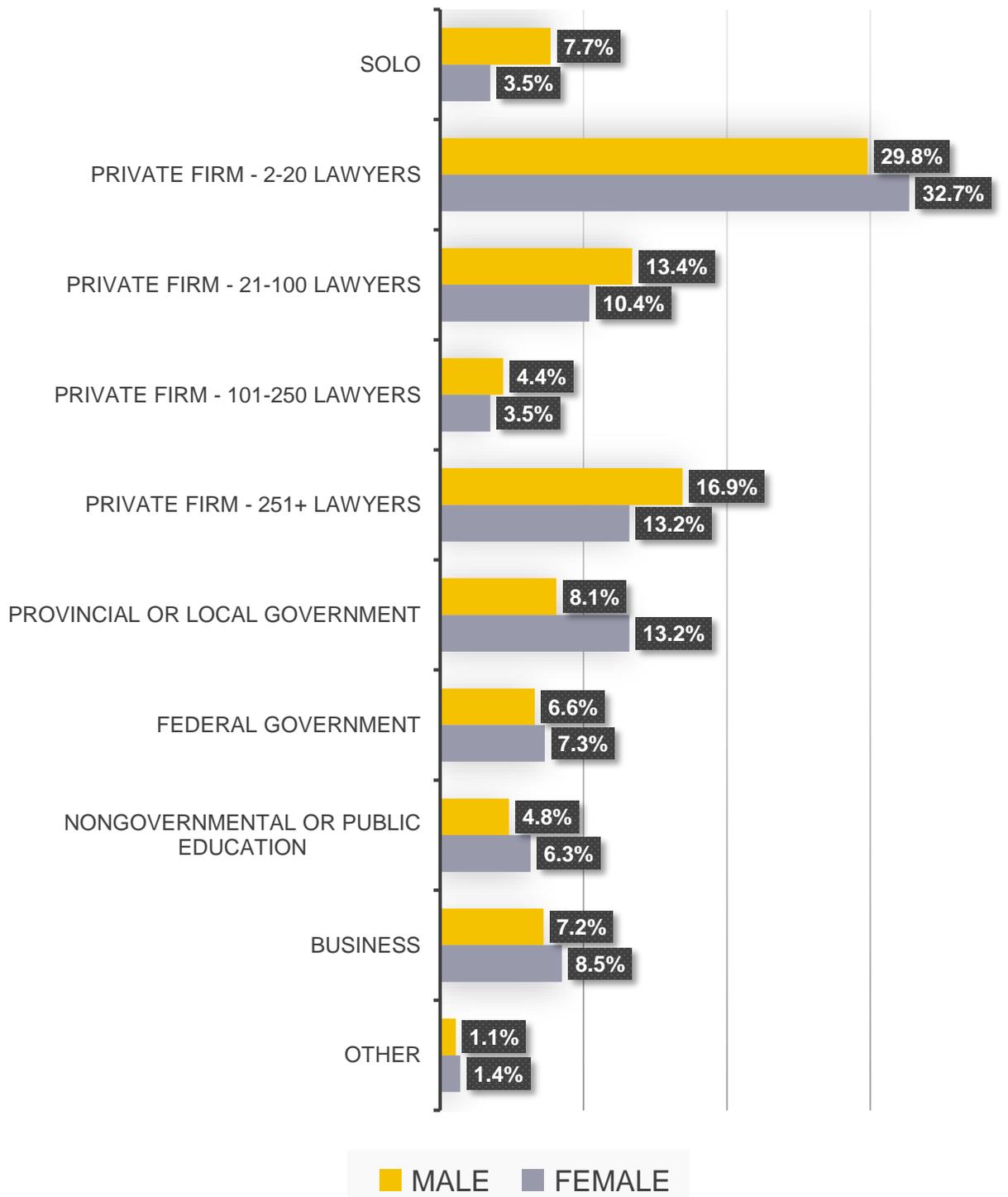


TABLE 8.1 Gender By Setting

| | Male | | Female | | Total Count |
|-------------------------------------|-------|------------|--------|------------|----------------|
| | Count | Column N % | Count | Column N % | |
| Solo | 35 | 7.70% | 20 | 3.50% | 55 |
| Private firm - 2-20 lawyers | 136 | 29.80% | 188 | 32.70% | 324 |
| Private firm - 21-100 lawyers | 61 | 13.40% | 60 | 10.40% | 121 |
| Private firm - 101-250 lawyers | 20 | 4.40% | 20 | 3.50% | 40 |
| Private firm - 251+ lawyers | 77 | 16.90% | 76 | 13.20% | 153 |
| Provincial or Local Government | 37 | 8.10% | 76 | 13.20% | 113 |
| Federal Government | 30 | 6.60% | 42 | 7.30% | 72 |
| Nongovernmental or public education | 22 | 4.80% | 36 | 6.30% | 58 |
| Business | 33 | 7.20% | 49 | 8.50% | 82 |
| Other | 5 | 1.10% | 8 | 1.40% | 13 |
| Total | 456 | 100.00% | 575 | 100.00% | 1031 |

TABLE 8.2 Median Salary By Setting And Gender (Full-Time Workers Only)

| | Gender | | Female/Male |
|-------------------------------------|-----------|-----------|-------------|
| | Male | Female | |
| Solo | \$60,000 | \$47,500 | 79.2% |
| Private firm - 2-20 lawyers | \$75,000 | \$70,000 | 93.3% |
| Private firm - 21-100 lawyers | \$85,000 | \$80,000 | 94.1% |
| Private firm - 101-250 lawyers | \$86,000 | \$76,000 | 88.4% |
| Private firm - 251+ lawyers | \$110,000 | \$100,100 | 91.0% |
| Provincial or Local Government | \$78,000 | \$76,000 | 97.4% |
| Federal Government | \$70,000 | \$68,800 | 98.3% |
| Nongovernmental or public education | \$62,000 | \$65,000 | 104.8% |
| Business | \$100,000 | \$79,000 | 79.0% |
| Other | \$88,500 | \$83,304 | 94.1% |
| Total | \$80,500 | \$75,000 | 93.2% |
| Total N | 456 | 575 | |

FIGURE 8.3 Satisfaction With Decision To Become A Lawyer By Gender And Setting

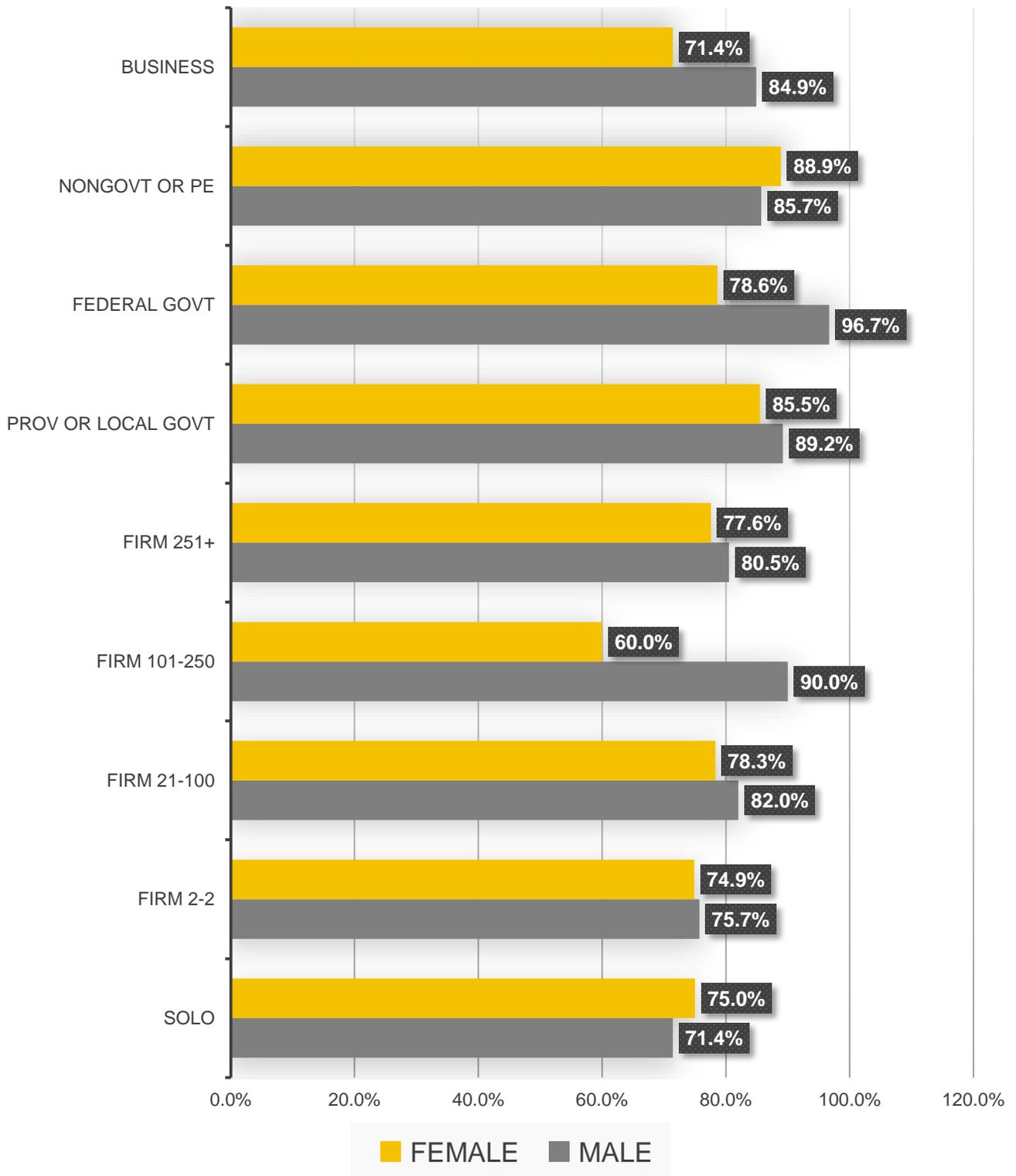


TABLE 8.3 Marriage and Children For LAB Respondents (Ages 27-31)

| | | Male | Female |
|---------------------------|---|--------|--------|
| Marital status | Never married or never in a domestic partnership | 41.50% | 35.50% |
| | Married, first time | 36.20% | 35.30% |
| | Remarried after divorce, annulment or being widowed | 0.40% | 0.00% |
| | Domestic partnership | 20.20% | 24.30% |
| | Divorced or separated | 0.70% | 3.20% |
| | Other | 1.10% | 1.70% |
| Number of children | Zero | 87.10% | 91.90% |
| | One | 10.40% | 7.10% |
| | Two or more | 2.50% | 0.90% |

TABLE 8.4 Discrimination By Gender

| | Male | Female |
|---|--------|--------|
| Experienced demeaning comments or other types of harassment | 7.40% | 22.60% |
| Missed out on a desirable assignment | 3.80% | 13.50% |
| Had a client request someone other than you to handle a matter | 8% | 17% |
| Had a colleague or supervisor request someone other than you to handle a matter | 3.40% | 5.30% |
| Obtained an assignment or opportunity | 11.80% | 22.90% |

SECTION 9: RACE & ETHNICITY

RACE AND ETHNICITY

There is no question that the Canadian legal profession is becoming more diverse. Fully 22.4% of the LAB sample identify with an ethnic or racial group that is considered by Statistics Canada to be a member of a visible minority²³ or Aboriginal, while 77.6% of the sample categorize themselves as white. This proportion is considerably higher than that of Canadian lawyers as a whole, where only roughly 8.8% are categorized as being members of visible minorities.²⁴ Within the sample, 6.6% of respondents self-categorized as Asian, 5.8% as South or Southeast Asian, 2.7% as First Nations, and 3.7% as black.²⁵

Location

The geographic distribution of visible minority and Aboriginal respondents is highly unequal. About one quarter of respondents working in Ontario, Saskatchewan, the Northwest Territories, and Alberta and 20% of respondents in British Columbia are members of a racialized community. The rate of ethnic or racial diversity is much lower in all other provinces. Toronto is the most diverse city in the sample, with about 30% of respondents working in Toronto reporting that they are members of racialized communities.

Demographic Characteristics

As noted in Section 2, 16% of respondents were born outside of Canada, and just over one third are second-generation immigrants. Members of racialized communities are more likely to be first-generation immigrants than their white counterparts (41% vs. 9%). Members of racialized communities are also more likely to have parents born outside of Canada, with 83.9% of these respondents having fathers born outside Canada (compared to 24.4% of white respondents) and 87.3% having mothers born outside of Canada (compared to 22.4% of white respondents).

Overall, white respondents were more likely than members of racialized communities to report that their father had completed university-level education or greater (62.7% vs. 55.5%). The discrepancy was especially pronounced with regards to those with a father who graduated from law school (11.2% for white respondents vs. 1.8% for racialized community respondents).

²³ “This category includes persons who are non-Caucasian in race or non-white in colour and who do not report being Aboriginal.” <http://www.statcan.gc.ca/concepts/definitions/minority01-minorite01a-eng.htm>.

²⁴ 2006 Canadian census data.

²⁵ The race/ethnicity categories were formed as follows: respondents categorized as white chose “White/Caucasian” as their answer option; those categorized as black chose “Black/African Canadian”; those categorized as Asian chose “Chinese,” “Filipino,” “Japanese,” or “Korean”; those categorized as South and Southeast Asian chose either “South Asian (e.g., East Indian, Pakistani, Sri Lankan, etc.)” or “Southeast Asian (e.g., Vietnamese, Cambodian, etc.)”; those categorized as First Nations chose “First Nations/Inuit”; those categorized as Mid-East/Arab chose either “Arab” or “West Asian (e.g., Iranian, Afghan, etc.)”; and those categorized as Latin American chose “Latin American” as their answer option.

A larger divergence is evident in terms of parents' occupations: 67.2% of white respondents' fathers have white-collar occupations, compared to 57.6% of visible minority respondents' fathers. Meanwhile, 30.7% of visible minority fathers have blue-collar occupations, compared to 28% of white respondents' fathers.

Practice Setting and Earnings

As the Canadian legal profession becomes more diverse, many are concerned with the extent to which racialized lawyers are facing systemic barriers as they pursue their careers. The data from the LAB study suggest that there are some important – though at times quite subtle – divergences in career patterns that might be cause for concern.

Two markers in which we find subtle differences are labour force participation and the practice of law. The data suggest that members of racialized communities are somewhat less likely to be working full time than their white counterparts (94% vs. 97%) and are less likely to be practicing law (9.8% vs. 8.5%). While the differences are small, this is very early in their careers.

We also find important differences in the allocation of lawyers between sectors and settings. Respondents from racialized communities are more likely to be working in the public sector (29.9% vs. 21.7%), whereas white respondents are more heavily concentrated in private firms (70.1% vs. 58%). Among the various ethnic/racial groups, black respondents have the most unique career profiles: they are least likely to be working in private law firms and are most overrepresented in the public sector.

In terms of specific practice settings, Asian respondents have the highest proportion of any group working in the largest private firms (with more than 251 employees), at 18%. Meanwhile, South and Southeast Asian and black respondents are overrepresented in solo practice. The overrepresentation of black lawyers in the public sector is due to their concentration in provincial or local government positions, as well as in nongovernmental public or education positions.

Of course, practice settings are a major determinant of earnings, and it is thus no surprise to find earnings disparities in the sample. While the mean and median salary for racialized compared to white respondents is almost identical (with median earnings just above \$78,000 for both groups), differences emerge by specific racial/ethnic groups and by setting.

For example, because of their distribution in sole practice and in large law firms, black respondents report the lowest median earnings among those working in the private law firm sector, while Asian lawyers' earnings are the highest. While further analysis is required to isolate the mechanisms underlying the differences in earnings, some of these differences will be likely be attributable to location, since salaries have been shown to be geographically sensitive.

Satisfaction

The data on satisfaction suggest that there might be some further cleavages. Lawyers from racialized communities express lower levels of satisfaction with their decisions to become lawyers, with South and Southeast Asian lawyers reporting the lowest levels of satisfaction with the decision to become a lawyer

in the sample. These lower levels of satisfaction appear to map onto job mobility intentions, with close to 60% of black and South/Southeast Asian respondents reporting that they plan to look for a new job in the next two years. These data stand in contrast to findings from *After the JD*, where black lawyers reported the highest levels of satisfaction in the sample, though at the same time they also reported among the highest mobility intentions.

Compared to their white counterparts, members of racialized communities report dissatisfaction regarding the power track and work substance and setting. Satisfaction ratings are reversed, however, with regards to work conditions and the social value of work. These satisfaction distinctions hold even when taking into account practice sectors.

When looking at specific groupings, it is not surprising to find that black lawyers report the lowest levels of satisfaction with the power track and work substance, while Asians and South/Southeast Asians report the highest levels of satisfaction with their work conditions.

Race and Gender

Gender categories intersect with race and ethnicity in important ways. While women outnumber men within the LAB sample, gender proportions are more skewed for visible minority respondents; 61.1% of visible minority respondents are female, compared to 54.6% of white respondents.

The combined effects of race and gender are especially visible when it comes to salaries. Women of almost all ethnic groups have lower median salaries than men. However, not all ethnic/racial groups show evidence of lower salaries for women. Female Asian respondents have higher median salaries than their male counterparts, as do Latin American and South/Southeast Asian respondents.

Discrimination

Members of racial and ethnic minority groups report disproportionate experiences with discrimination that signal cause for concern. Fully 15.3% of respondents who are members of racialized communities report having experienced one or more forms of discrimination, compared to 5.9% of white respondents. This reported percentage is particularly high among black respondents (28.1%) and those who are Middle Eastern and/or Arab (24%).

The most prevalent forms of discrimination reported by respondents include having missed out on a desirable assignment (with members of racialized communities reporting this form at twice the rate of white respondents) and experiencing demeaning comments or other types of harassment, with 28% of black respondents reporting this form of discrimination.

FIGURE 9.1 RACE BY SETTING

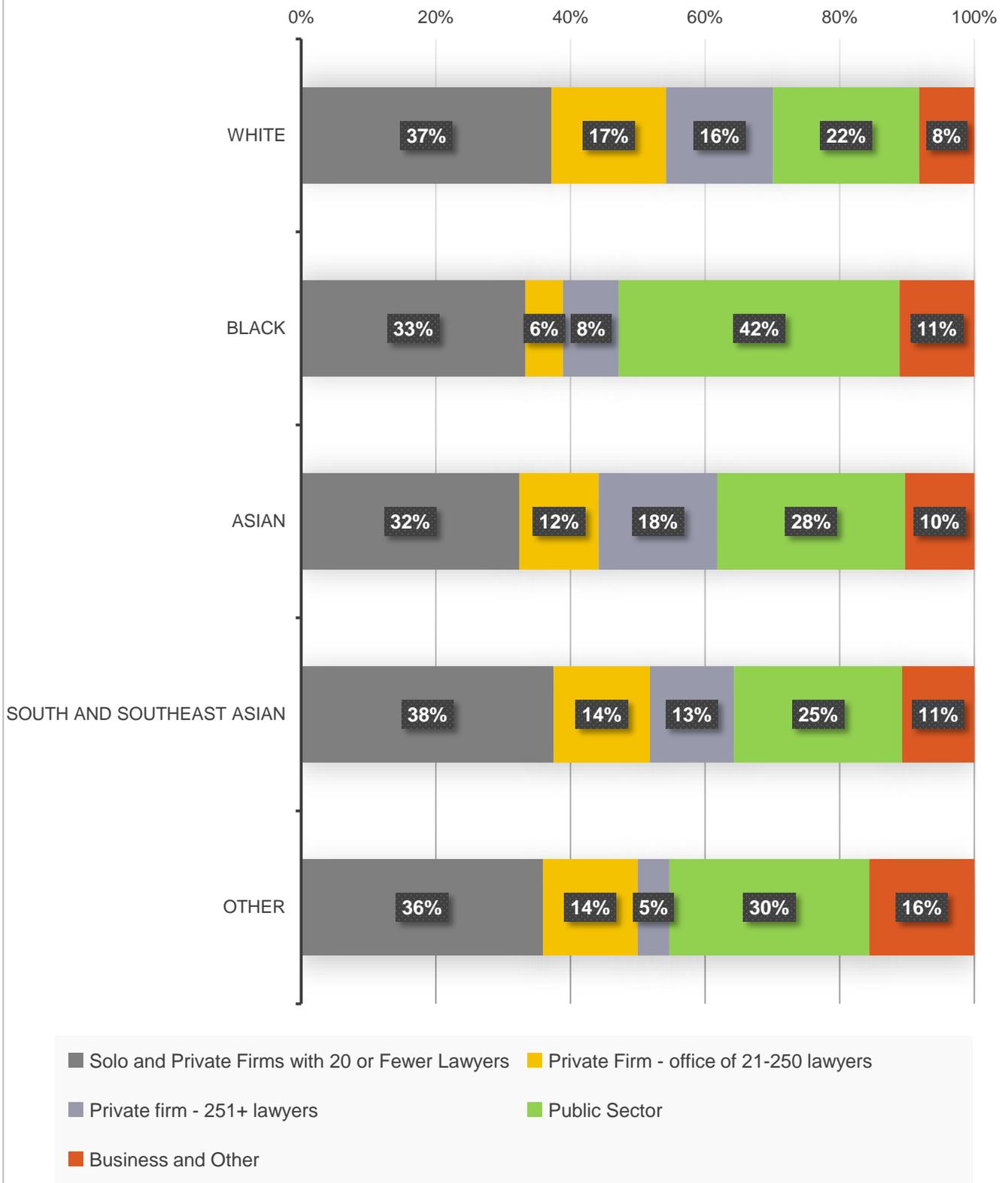


TABLE 9.1 Race By Setting

| | White | Black | Asian | South and Southeast Asian | Other |
|---|------------|-----------|-----------|---------------------------|-----------|
| Solo and Private Firms with 20 or Fewer Lawyers | 37.20% | 33.30% | 32.40% | 37.50% | 35.90% |
| Private Firm - 21-250 lawyers | 17.00% | 5.60% | 11.80% | 14.30% | 14.10% |
| Private firm - 251+ lawyers | 15.90% | 8.30% | 17.60% | 12.50% | 4.70% |
| Public Sector | 21.70% | 41.70% | 27.90% | 25.00% | 29.70% |
| Business and Other | 8.20% | 11.10% | 10.30% | 10.70% | 15.60% |
| <i>Total N</i> | <i>788</i> | <i>36</i> | <i>68</i> | <i>56</i> | <i>64</i> |

TABLE 9.2 Median Income By Setting and Race (Full-Time Workers Only)

| | White | Black | Asian | South and Southeast Asian | Other | Total |
|----------------|------------|-----------|-----------|---------------------------|-----------|------------|
| Private firms | \$80,000 | \$65,000 | \$95,000 | \$80,000 | \$74,000 | \$80,000 |
| Public sector | \$71,000 | \$63,000 | \$66,500 | \$71,882 | \$76,900 | \$70,001 |
| Other | \$85,000 | * | * | * | * | \$85,000 |
| Total | \$78,200 | \$65,000 | \$85,300 | \$76,000 | \$74,000 | \$78,200** |
| <i>Total N</i> | <i>774</i> | <i>30</i> | <i>61</i> | <i>46</i> | <i>53</i> | <i>964</i> |

*Cells suppressed due to low N.

**Total includes suppressed cells.

TABLE 9.3 Satisfaction With Decision To Become A Lawyer By Setting and Race

| | Extremely or Moderately Satisfied with Decision to Become a Lawyer | | | | | |
|---|--|-----------|-----------|---------------------------|-----------|------------|
| | White | Black | Asian | South and Southeast Asian | Other | Total |
| Solo and Private Firms with 20 or Fewer Lawyers | 76.80% | 75.00% | 63.60% | 61.90% | 86.40% | 75.70% |
| Private Firm - 21-250 lawyers | 78.40% | 100.00% | 87.50% | 75.00% | 77.80% | 78.90% |
| Private firm - 251+ lawyers | 83.20% | 33.30% | 50.00% | 71.40% | 100.00% | 79.30% |
| Public Sector | 88.80% | 73.30% | 94.70% | 78.60% | 84.20% | 87.30% |
| Business and Other | 78.50% | 75.00% | 85.70% | 50.00% | 90.00% | 78.30% |
| Total | 80.80% | 72.20% | 75.00% | 67.90% | 85.70% | 79.70% |
| <i>Total N</i> | <i>636</i> | <i>26</i> | <i>51</i> | <i>38</i> | <i>54</i> | <i>805</i> |

SECTION 10: FINANCING A LEGAL EDUCATION

FINANCING A LEGAL EDUCATION

The average amount of education-related debt for the entire LAB sample, including those with no debt, is \$41,454, with a median of \$35,000.

About 22.6% of the LAB sample report having no educational debt. The average amount of debt among those reporting some educational debt is \$53,540, with a median of \$50,000. Even among those with some debt, the sample showed a considerable debt range, from a minimum of \$10 to a maximum of \$192,000.

The Demographics of Debt²⁶

There is some variation in levels of indebtedness by ethnic group, with Asian respondents reporting a lower than average median debt of \$30,000, and black respondents reporting a higher than average median debt of \$55,000. We find no difference in debt levels based on gender.

Debt levels do not match law school rankings. Respondents who graduated from second-quarter law schools reported the highest median debt, while respondents from top-quarter Canadian schools had the second-highest median debt levels of the sample. Moreover, only 14.6% of respondents from fourth-quarter schools reported having no debt, compared to 19.7% of respondents from top-quarter schools. This pattern suggests that those attending the top quarter of law schools, which are among the most expensive in the country, likely had some financial assistance in paying their tuition (whether family resources, loan repayment assistance, scholarships, or otherwise). This perhaps maps onto the finding in Section 2 that there is a correlation between parental socio-economic status and law school ranking, such that those who attend fourth-quarter law schools are more likely to rely on loans to finance their education.

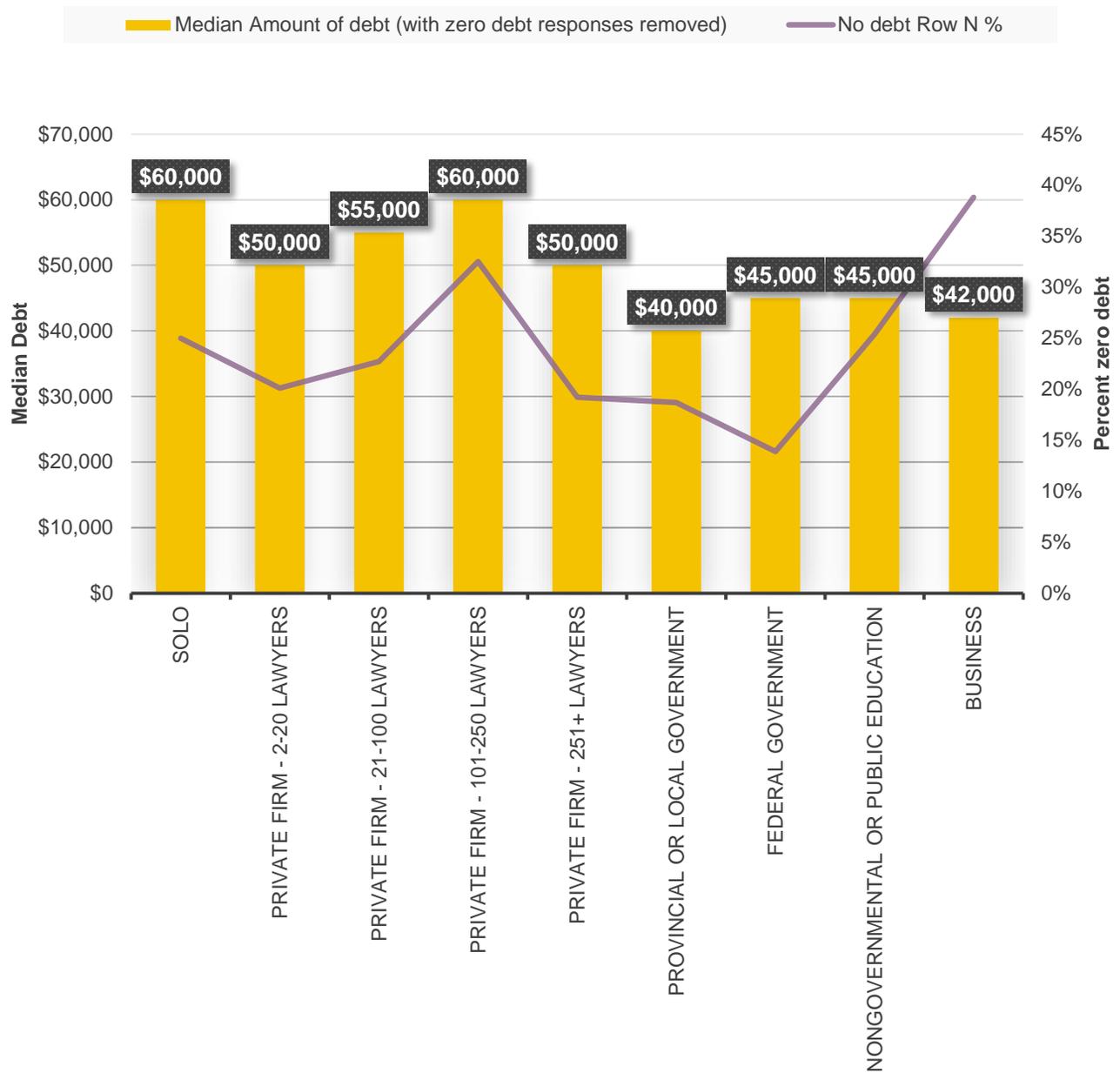
Practice Settings

On average, levels of debt were higher among those working in private law firms, compared to respondents working in the public sector. Lawyers working solo and in medium-sized private firms (101-250) reported the highest median debt of \$60,000. Meanwhile, those working for the provincial government had the lowest median debt of \$40,000, while respondents working for the federal government and in the non-governmental sector reported median debt of \$45,000. Finally, respondents working in business reported a median debt of \$42,000. These findings are in contrast to the data from *After the JD*, which suggested very little variation in debt levels by practice settings among new law school graduates – though as might be expected, Canadian educational debt levels are generally lower than those in the United States.

²⁶ All debt figures in this subsection – and for the remainder of section 10 – were calculated by excluding respondents with no debt.

The data suggest that debt was a salient concern when respondents were choosing their sector of practice. Respondents working for larger private firms were most likely to rate debt as a salient concern and a factor in their choice of practice setting. They were also more likely to take into consideration their ability to pay off law school debts when comparing job offers. It is perhaps not surprising that their intentions matched their debt levels, with private firm lawyers having higher median and mean debt levels than their counterparts working in the public sector.

Figure 10.1 Median Total Educational Debt (for Those Reporting Any Debt), and Percent Reporting Zero Debt, by Practice Setting



*Note: Other category suppressed due to low N.

TABLE 10.2 Median Salary, Median Debt (For Those With Any Debt), and Percent With Zero Debt By Law School Selectivity and Race (Full-Time Workers Only)

| | | Percent with no debt | Median amount of debt (with zero debt responses removed) | Median Compensation |
|------------------------|---------------------------|----------------------|--|---------------------|
| Law school rank | Top Quarter | 19.70% | 55000 | \$85,000 |
| | Second quarter | 17.40% | 60000 | \$80,000 |
| | Third quarter | 24.10% | 50000 | \$78,000 |
| | Fourth quarter | 14.60% | 50000 | \$71,000 |
| | Civil Law | 32.60% | 15000 | \$55,000 |
| | Total | 21.20% | 50000 | \$78,000 |
| | <i>Total N</i> | <i>954.00</i> | <i>973</i> | <i>973</i> |
| Race | White | 23.50% | 50000 | \$78,200 |
| | Black | 9.10% | 55000 | \$65,000 |
| | Asian | 21.50% | 30000 | \$85,000 |
| | South and Southeast Asian | 11.50% | 50000 | \$80,000 |
| | Other | 12.90% | 50000 | \$75,000 |
| | Total | 21.60% | 50000 | \$78,200 |
| | <i>Total N</i> | <i>977</i> | <i>991</i> | <i>991</i> |

SECTION 11: LAW SCHOOL AND THE TRANSITION TO PRACTICE

LAW SCHOOL AND THE TRANSITION TO PRACTICE

New Canadian lawyers have high opinions of their law school experiences. On average, the LAB sample expressed high levels of confidence in the positive effects of their law school experiences on having developed useful skills, being able to advance to the next level in their legal careers, and with the ability to be successful in their careers. They expressed slightly less confidence in their law school's role in having found -- in the law -- the right profession for them, as well as in their ability to bring commitment to the legal profession when compared to their peers. Perhaps these are qualities they attribute to themselves rather than to their schools.

Bar Passage

The LAB sample excludes law school graduates who have yet to pass the bar. However, the experiences of new lawyers in the sample do show that passing the bar is a real hurdle for a small segment of Canadian lawyers with 6% of the sample needing more than one try in order to pass the bar. Among Canadian provinces, respondents working in New Brunswick (23.1%), Nova Scotia (14.3%) and Ontario (8.5%) were most likely to have taken the bar exam more than once.

Finding a Job

All Canadian jurisdictions require a period of articles after law school graduation and before bar admission. As a career study, the LAB study asked only about jobs once respondents were called to the bar, but as the data below highlight, articling is an important step in this pathway.

Across the sample, LAB respondents found that the most useful factor in finding their first or current jobs was their experience in their articling position. In fact, 63.4% of the sample reported that their first job after being called to the bar was with the same employer with whom they completed their articles. Meanwhile, least important in helping to find their first or current jobs were being hired following a part-time position held during law school, having an unpaid internship with their first employer, and the law school's alumni network.

The data also indicate that there are differences in job search strategies based on law school attended, with school prestige shaping the means used by respondents to get their first job.

The higher the law school rank, the more important the on-campus interview process was for respondents, from a high of 24.3% for respondents from top quarter schools to a low of 11.6% for those from fourth quarter schools.

A similar pattern is evident in the case of direct, unsolicited contact with an employer, which was more important for respondents from second, third and fourth quarter schools. Roughly 40% of participants from these schools found unsolicited contact to have been useful in their job search strategy, compared to 30.6% of those from top quarter schools.

Role of Mentors

Only 8.9% of new Canadian lawyers report having had no mentors since being admitted to the bar. Least likely to have mentors are solo practitioners, and those working at all levels of government or in non-governmental or public education settings. Most likely to have mentors are new lawyers working in private firms, likely due to more institutionalized mentorship programmes. Of the respondents who did have mentors, the overwhelming majority report having senior attorneys, partners or managers as mentors.

Effects of Economic Recession

The legal profession and the legal services industry have been negatively impacted following the global economic recession of 2008. Respondents were asked to reflect on whether they have experienced any repercussion as a result of the economic climate. The majority of respondents (55%) indicated that they experienced no noticeable impact of the recession. At the same time, about 20% reported difficulty finding a job after articling, while 12% reported difficulty finding an articling position and another 12% reported that their current job is not secure.

TABLE 11.1 Levels Of Confidence In The Positive Effects Of Law School Experiences

| | | Not or Somewhat Confident | | Confident or Very Confident | | Total Count |
|--|--|---------------------------|---------|-----------------------------|---------|-------------|
| | | Count | Row N % | Count | Row N % | |
| | | | | | | |
| Effects of law school experiences | I have developed useful skills for this stage of my career | 269 | 25.60% | 783 | 74.40% | 1052 |
| | I can advance to the next level in my legal career | 266 | 25.30% | 784 | 74.70% | 1050 |
| | I have the ability to be successful in my career | 203 | 19.40% | 846 | 80.60% | 1049 |
| | Law is the right profession for me | 398 | 37.80% | 654 | 62.20% | 1052 |
| | I have found a satisfying job | 326 | 31.10% | 723 | 68.90% | 1049 |
| | I have selected the right field of law for me | 313 | 29.90% | 734 | 70.10% | 1047 |
| | Compared to my peers, I bring commitment to the legal profession | 402 | 39.40% | 619 | 60.60% | 1021 |

FIGURE 11.1 MOST USEFUL FACTOR IN FINDING FIRST OR CURRENT JOB - PERCENT WHO FIND FACTOR IMPORTANT

