

# **5 Ways the Legal Profession Is Changing, But Slowly**

The legal profession is notoriously slow to embrace change. So goes the axiom, which was largely confirmed in the “Profile of the Legal Profession” report released by the American Bar Association this month at its Annual Meeting in San Francisco.

If there’s a single thread weaving together the patchwork of statistics in ABA’s 34-page compendium, it’s that the profession hasn’t changed all that much in the last decade. Even though the total number of active lawyers now tops 1.35 million and has grown at twice the rate of the population since 2010, the growth rate has slowed to a crawl. Three out of the past four years saw growth rates of less than 1%. The states with the fastest-growing lawyer populations over the last decade were Florida, Utah and North Dakota. New York and California, home to one out of four practicing lawyers, remain the two states with the most lawyers.

Now let’s take a deeper dive into the numbers presented in the ABA’s Profile of the Profession.

## **1. Lawyer Wages Growing Less Than Inflation**

The average lawyer today makes \$144,230 a year, the report said, citing the U.S. Bureau of Labor Statistics, which doesn't include profits from law firm partners and shareholders. Lawyer wages took a hit after the recession of 2008-2009. Although wages have grown since 2010, they haven't kept pace with the rate of inflation.

Physicians and surgeons make more than lawyers — \$210,980 on average.

Other professions making similar wages to lawyers include financial managers, aircraft pilots, flight engineers, and marketing and sales managers.

Lawyer wages vary dramatically based on location. The highest-paid lawyers are found in San Jose, where the average wage is \$207,950. In contrast, the lowest-paid lawyers in Arecibo, Puerto Rico, earn an average of \$39,980.

The ABA report doesn't provide insight into which practice areas are the most lucrative. For more on that, you'll need to download the Clio Legal Trends Report.

## **2. Minorities Remain Underrepresented in the Legal Profession**

Despite efforts to try to diversify the legal profession, the percentage of lawyers who are racial or ethnic minorities — including Hispanic, African American, Asian, Native American and mixed-race — barely grew in the last decade, from 12% to 15%, the ABA reported. Meanwhile, minorities make up more than 23% of the total U.S. population.

Hispanics and African Americans experience the greatest disparity.

Although the U.S. population is 18.1% Hispanic and 13.4% African American, these groups' share of the lawyer population is only about 5% each.

“The legal profession evolves very slowly,” outgoing ABA President Bob Carlson acknowledged when the stats were released.

Patricia D. Lee, chair of the ABA Diversity and Inclusion Center, described the gains as small but steady and said law firms can and should do more to attract and retain minority lawyers.

## **3. Men Still Outnumber Women, Especially in Leadership**

Plenty of women are joining the profession. Since 2014, more than half of all law graduates have been women. Yet the high enrollment numbers

aren't translating to parity in the profession, the findings show. In 2000, women made up 31% of lawyers. In 2019, the share increased to just 36%.

When it comes to women in senior leadership roles at U.S. law firms, the stats are even more troubling; the growth rate has been largely stagnant for at least a decade. Fewer than one in five equity partners are women.

Roberta Liebenberg, former chair of the ABA Commission on Women in the Profession, blamed a number of factors. Women at law firms experience high stress, greater responsibilities at home and fewer opportunities in the workplace than their male counterparts.

To top it off, women are paid less than men. The ABA report also found that the average weekly salary for women lawyers was \$1,762 in 2018, compared with \$2,202 for men. The disparity crossed all experience levels. The median pay for female associates was \$182,901 compared with \$190,614 for men. When it came to equity partnership, men are paid 27% more than women.

It's no wonder many women are deciding to leave law firms by age 50, Liebenberg said.

"They're reinventing themselves in their second season and going to other places," she said, including going in-house, opening their own law practices

or joining the bench. It's distressing, she said, when you consider that the women who are leaving won't be there to mentor and support the next generation of women lawyers.

She cautioned that law firms that don't address the imbalance will be less competitive in the marketplace as clients continue to demand that women be given opportunities to work on their matters.

#### **4. Three of Four Law Firms Use Social Media**

While the new ABA report didn't track the adoption rate for the technology, it did show which social networks and related platforms are going in and out of favor.

Three-quarters of all responding lawyers said their firms maintain a presence on social media, according to the ABA's 2018 Legal Technology Survey Report. Among those using social media, the most popular platform remains LinkedIn. However, LinkedIn use by firms was down to 69% from a high of 93% in 2015. Use of Facebook has increased a bit to 63%, up from 58% in 2017. Among other common tools and websites used for marketing, firms looked to be moving away from Martindale (31%), Twitter (14%) and Google Plus (14%).

Individual lawyers have also embraced social media, with 79% saying they use it for either personal or professional reasons. LinkedIn is by far the most popular among websites used for business development, followed by Facebook, Avvo and Twitter.

## **5. The Future State of the Legal Profession**

For a glimpse at what the future of the profession might look like, it's helpful to look at law school enrollment and data on where newly minted lawyers are finding jobs.

Interest in legal education has seen a slight uptick in recent years after five years of steady decline. However, the total enrollment of 111,472 in 2018 remained far below the high of 147,000 in 2010.

The number of women and minorities going to law school is also higher than it's ever been, with women making up a widening majority and minorities making up 31%.

New graduates are having greater success finding jobs at law firms (46.6%) and government jobs (12%), with fewer heading either the corporate or nonprofit route.

Only an adventurous 1% of the new graduates embarked on a solo law career, down from 2.3% in 2012, the first graduating class after the Great Recession ended.

It remains to be seen what the next decade will bring. If the past is any indication, the legal profession will continue its slow evolution. We will, though, be able to track the progress thanks to the ABA report profiling the profession, which the association plans to update annually.

By Laura Ernde