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## **Do Law School Outcomes Follow the Legal Myth of Thirds?: An Analysis of the *After the J.D.* Study**

Michael W. Raphael  
*CUNY Graduate Center*

Tanesha A. Thomas  
*CUNY Graduate Center*

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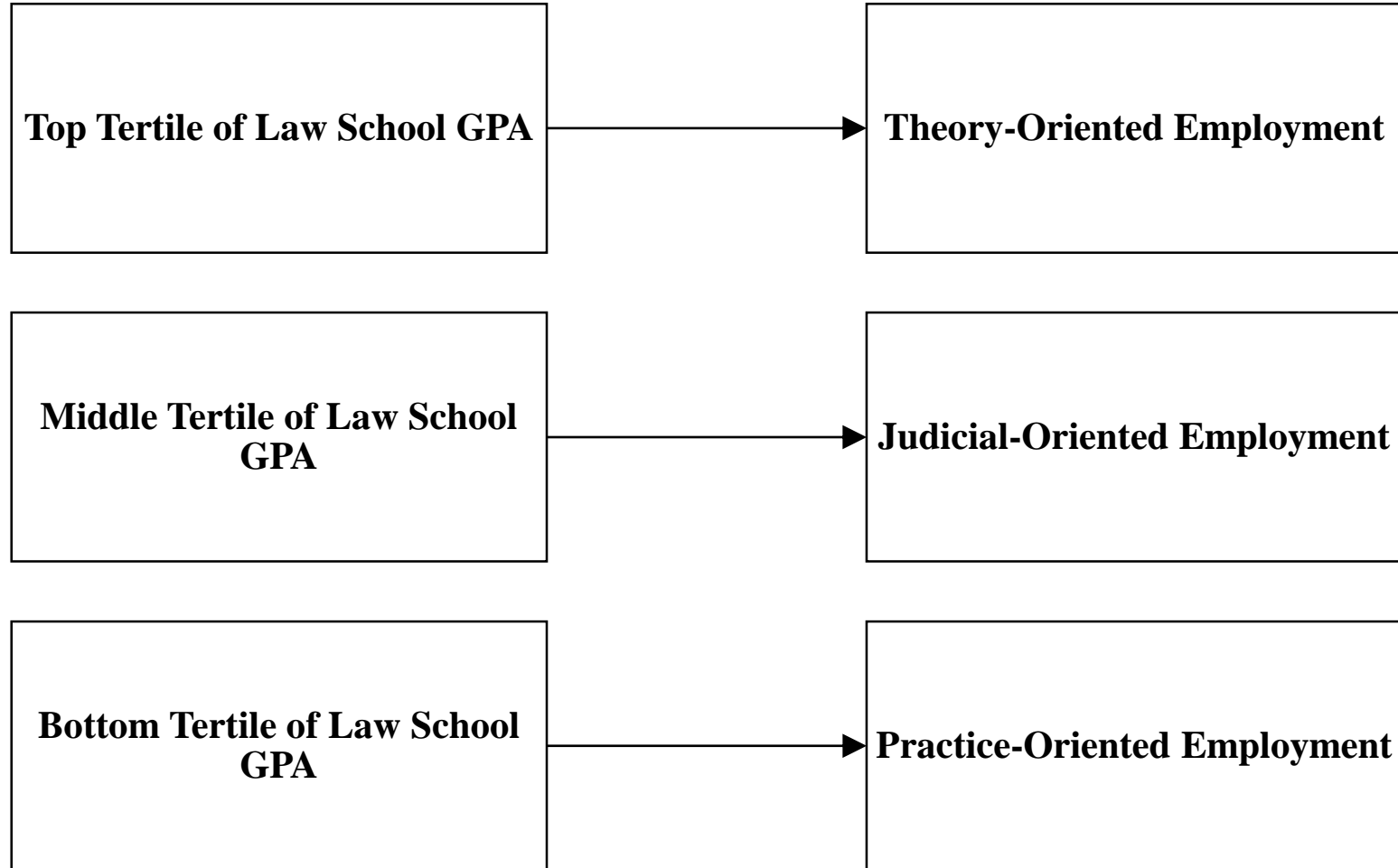
# Do Law School Outcomes Follow the Legal Myth of Thirds?:

**An Analysis of the *After the J.D.* Study**

Michael W. Raphael  
Department of Sociology  
CUNY Graduate Center

Tanesha A. Thomas  
Department of Sociology  
CUNY Graduate Center

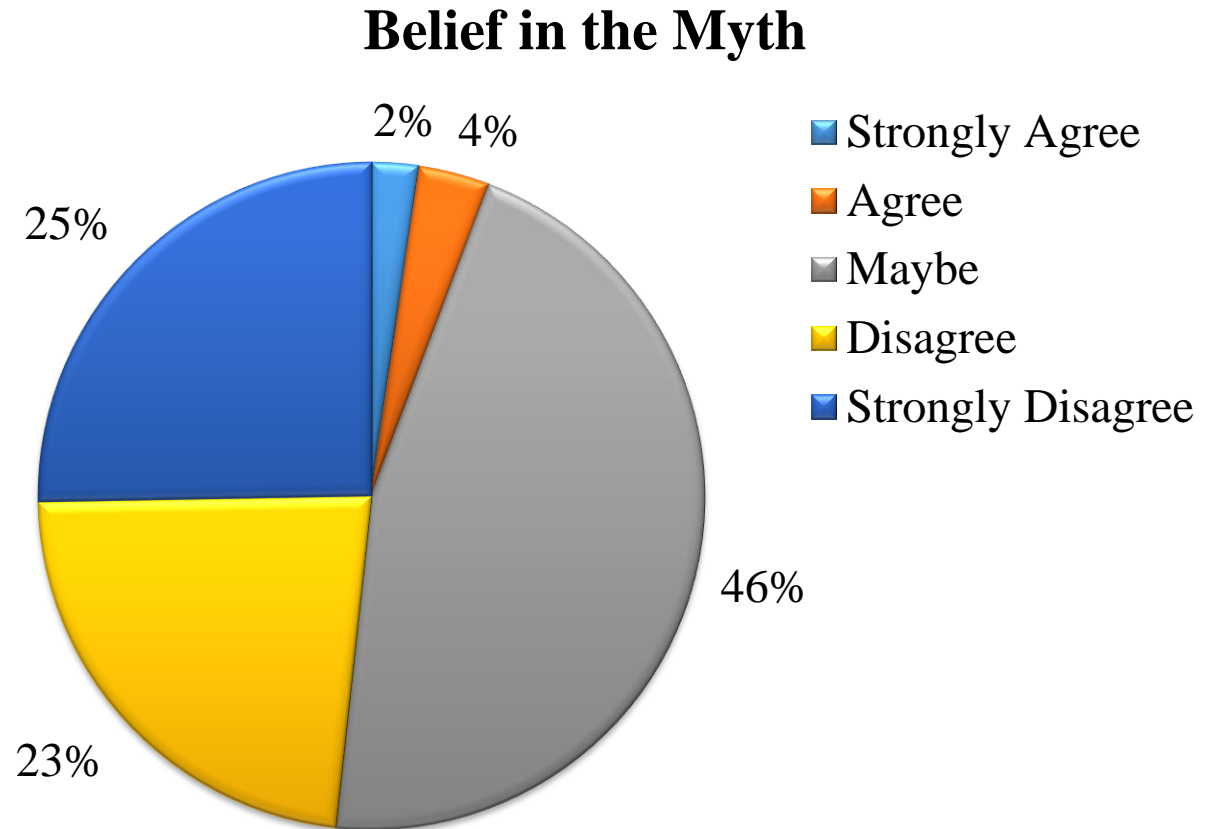
# The Legal Myth of Thirds



# A Preliminary Survey

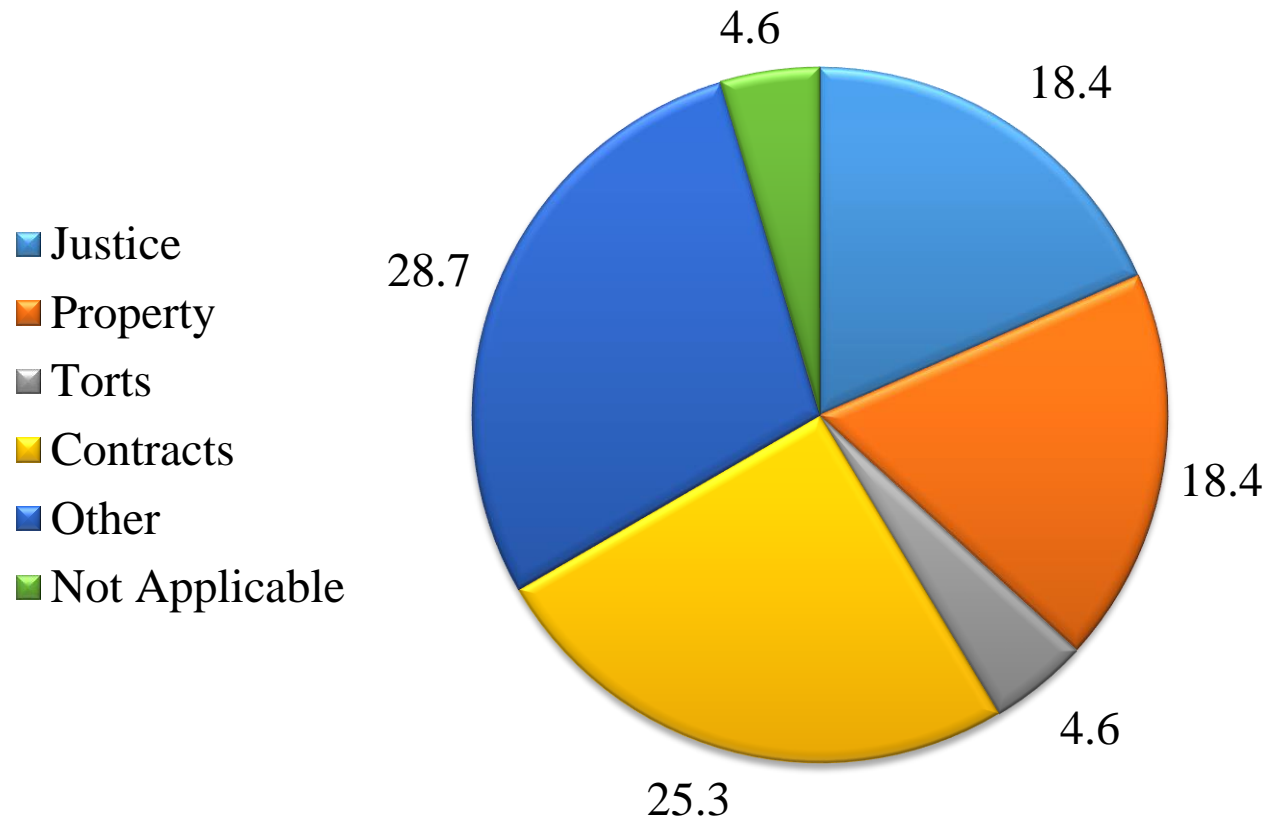
- A short 7-question survey was administered in April 2014 concerning:

- Sex
- Age
- Year of Enrollment
- Awareness of the Myth
- Belief in the Myth
- Area of Legal Specialty
- Desired Type of Legal Employment

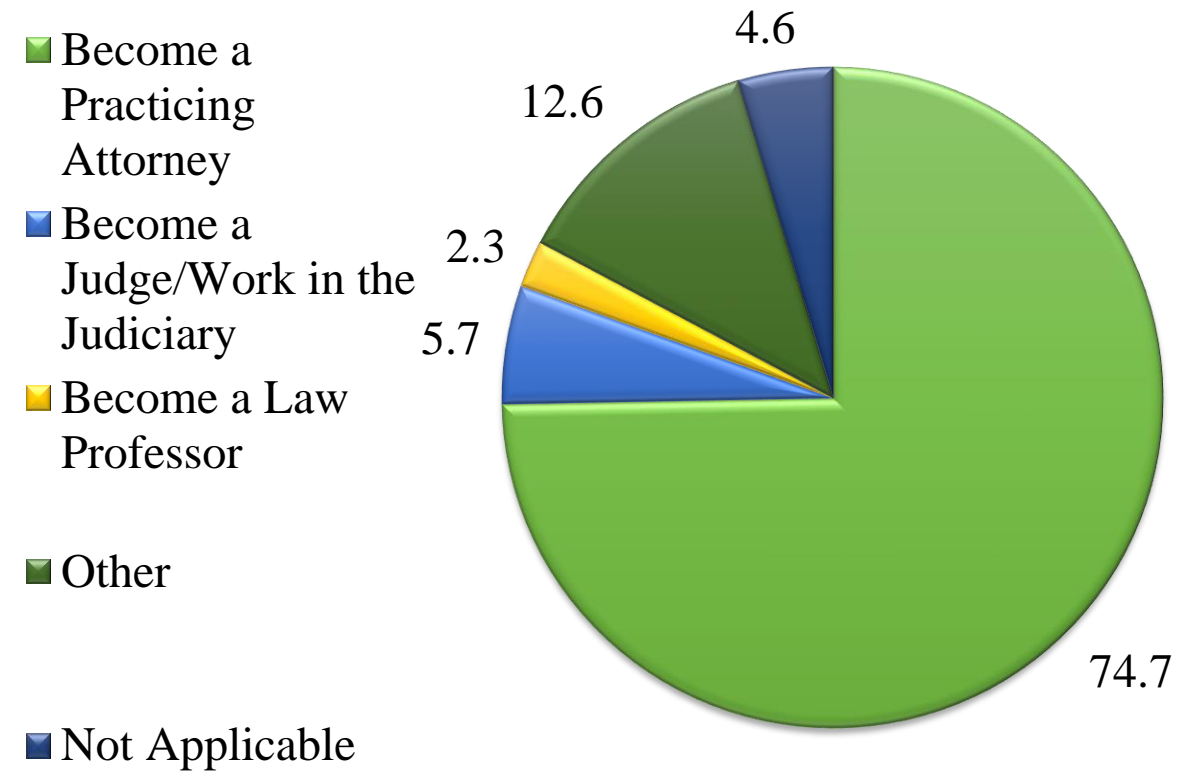


# Desired Employment Outcomes

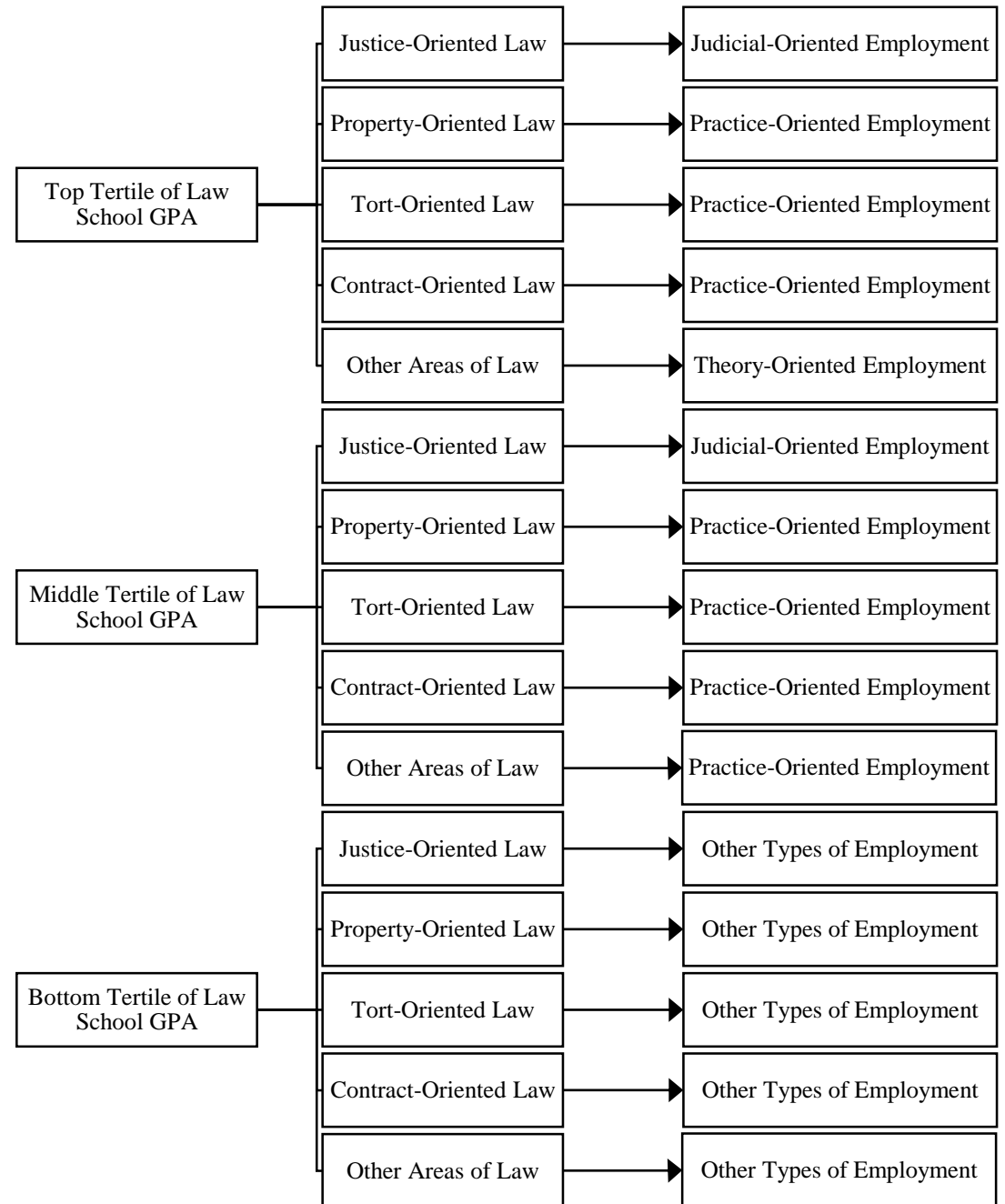
## Area of Legal Specialty (%)



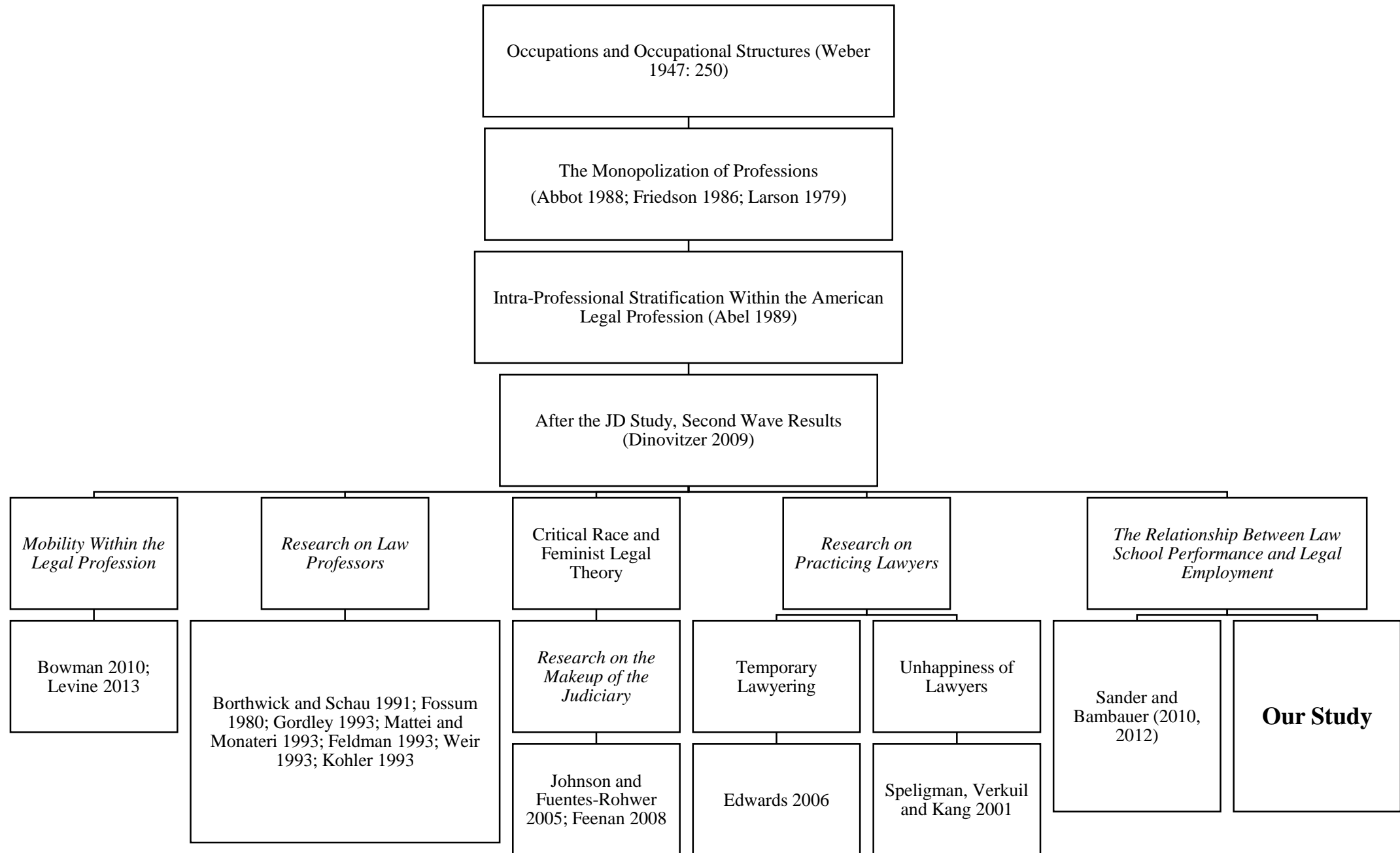
## Desired Type of Legal Employment (%)



# The Legal Myth of Thirds Re-Formulated



# The Theoretical Relevance of the Legal Myth of Thirds to Sociology

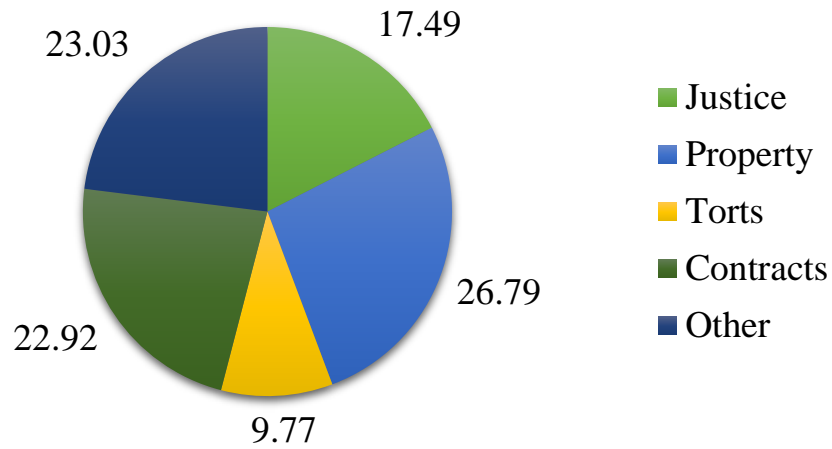


The Second Wave of the  
*After the J.D. Study*

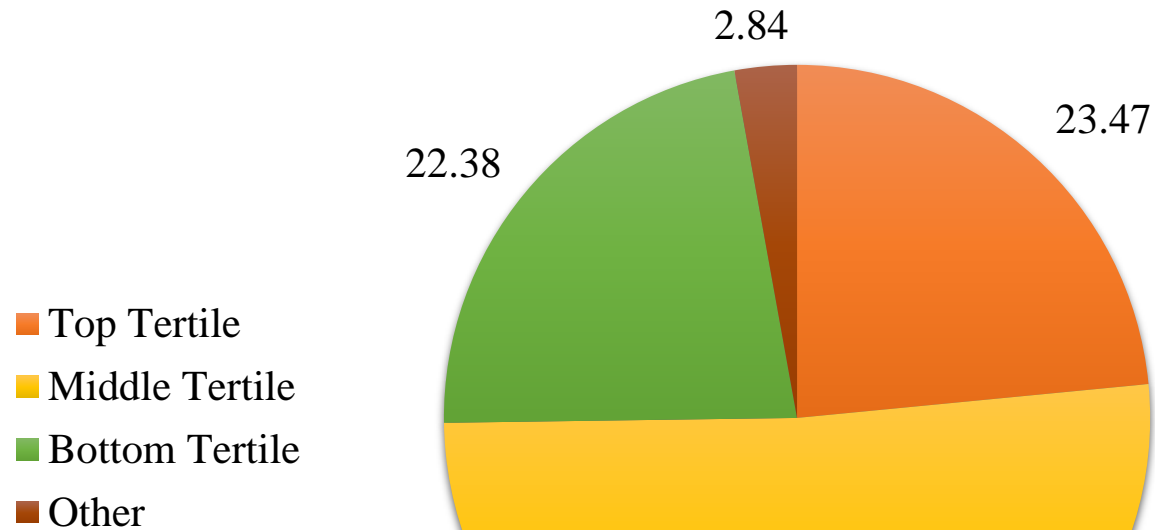


# Actual Employment Outcomes

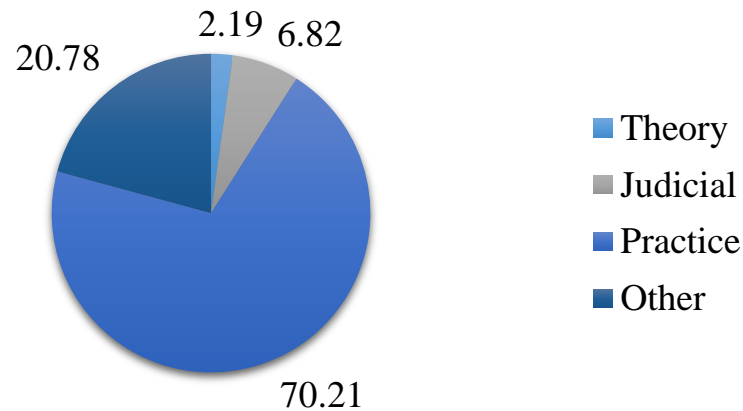
Area of Law Specialty (Valid %)



Distribution of Grade Point Average (Valid %)



Type of Legal Employment (Valid %)



# Regression Results

**Table 1. OLS Regression Analysis for Variables  
Predicting Law School GPA of After the JD, Wave 2 Respondents**

<b>Variable</b>	<b>Model I</b>		
	<b>B</b>	<b>SE B</b>	<b>β</b>
<b>White</b>	-.991***	.118	-.215
<b>Female</b>	-.275**	.093	-.081
<b>Age</b>	-.109**	.070	-.085
<b>Income</b>	-.179***	.049	-.240
<b>Categorical Effects</b>	4.486E-005	.000	.018
<b>Continuous Effects</b>	.003	.014	.020
<b>Constant</b>		5.641***	
<b>Adjusted R<sup>2</sup></b>		.099	
<b>p = .05* p 0 .01** p = .001 ***</b>			

**Table 2. OLS Regression Analysis for Variables Predicting Area of Law Specialty of After the JD, Wave 2 Respondents**

<b>Area of Law Specialty:</b>	Justice			Property			Torts			Contracts			Other		
<b>Variable</b>	B	SE B	β	B	SE B	β	B	SE B	β	B	SE B	β	B	SE B	β
<b>White</b>	-.042	.025	-.042	.035	.029	.030	-.003	.019	-.004	.046	.027	.043	-.035	.028	-.032
<b>Female</b>	-.050*	.020	-.065	.060*	.024	.067	-.055***	.016	-.093	-.013	.022	-.016	.058*	.023	.068
<b>Age</b>	-.010	.016	-.035	.036	.019	.104	.003	.012	.012	-.014	.017	-.043	-.015	.018	.411
<b>Income</b>	-.048***	.010	-.291	.044***	.013	.231	.006	.008	.046	-.012	.012	-.068	.010	.012	.053
<b>Categorical Effects</b>	-2.785 E-006	.000	-.005	3.267 E-005	.000	.076	-1.188 E-005	.000	-.026	-1.719 E-005	.000	-.028	-8.143 E-007	.000	-.001
<b>Continuous Effects</b>	.001	.003	.035	-.012***	.004	-.278	.001	.002	.049	.006	.003	.157	.003	.003	.076
<b>Constant</b>	.475***			.065			.071			.193**			.196**		
<b>Adjusted R<sup>2</sup></b>	.068			.011			.015			.006			.011		
<b>p = .05* p = .01** p=.001***</b>															

**Table 3. Logistic Regression Coefficients for Variables Predicting the Theory-Judicial-Practice Divide of After the JD, Wave 2 Respondents**

	Theory			Judicial			Practice			Other		
<b>Variable</b>	B	SE B	Exp(B)	B	SE B	Exp(B)	B	SE B	Exp(B)	B	SE B	Exp(B)
<b>Top Tertile</b>	15.794	5687.127	7230247.264	-.014	.738	.986	.288	.396	1.334	-.427	.425	.653
<b>Middle Tertile</b>	14.250	5687.127	1544925.577	.458	.704	1.581	.372	.383	1.451	-.714	.414	.490
<b>Bottom Tertile</b>	15.137	5687.127	3748059.182	.500	.719	1.648	.140	.396	1.151	-.407	.431	.666
<b>Justice</b>	.413	1.432	1.512	4.020***	.465	55.710	-1.394***	.173	.248	-1.208***	.278	.299
<b>Property</b>	.593	1.231	1.809	-.009	.610	.991	.567**	.192	1.763	-.628**	.203	.533
<b>Torts</b>	-15.057	3010.124	.000	-16.864	3085.149	.000	.287	.252	1.333	-.166	.255	.847
<b>Contracts</b>	-15.160	2042.764	.000	.271	.610	1.311	.963***	.229	2.619	-1.101***	.249	.332
<b>Constant</b>		-21.06			-4.711***			1.166**			-1.017*	
<b>Nagelkerke R<sup>2</sup></b>		.092			.479			.169			.047	
<b>p = .05* p = .01** p=.001***</b>												

# Discussion: Law School G.P.A and Employment

- Candidates may not work on other key aspects of their professional development, erroneously assuming that a high law school GPA is going to cancel out all other contributing factors in getting a job.
- Lower achieving students may take themselves out of the running for jobs they may have actually had a chance at getting simply because of the assumptions they place on themselves regarding academic achievement.
- Both mindsets are essentially self-defeating.
- Our research proves that good grades in law school are not always a necessary condition for getting certain types of employment in the legal profession.

# Relevant Compelling Trends in the *Study*

## **Our Society**

- All of the independent variables had a statistically significant relationship with law school GPA:
  - a) Whites and females had lower law school GPAs;
  - b) Older students and those with higher incomes tended to graduate with lower GPAs
  - c) combining age and income into an interaction term, labeled continuous effects, revealed a positive effect on law school GPA.
  - d) The combination of race, gender, political views, and marital status into an interaction term, labeled categorical effects, also had a positive effect on law school GPA.

## **Conditions of Meritocracy**

- In this kind ideal-type:
  - (a) and (b) should be negated
  - (c) and (d) would still be irrelevant

# Meritocracy & Intra-Professional Stratification

## Our Society

- a) Whites were more likely than non-Whites to be employed in property and contract-related areas of law.
- b) Non-whites were more likely to be employed in justice, tort, and other areas of law.
- c) Males are more likely to be employed in justice, tort, and contract-related law.
- d) Females gravitate toward property and other areas of law.
- e) As age increases, respondents are more likely to be employed in property and tort law.
- f) Younger respondents are more likely to work in justice, contract, and other areas of law.
- g) As respondents' income increases, they are less likely to be employed in justice and contract law.
- h) An increase in income predicts likely employment in property, tort, and other areas of law.

## Conditions of Meritocracy

- The findings of (a) through (h) should not be affected by such socio-demographics since choice of law is suspected to be far more likely a function of specific grades rather than a respondent's overall GPA.



# The Mythic Status of the Divide

## **Our Society**

- Reviewing 7 findings, the results indicate that the theory-judicial-practice divide is *not* predicated on law school GPA.

## **Conditions of Meritocracy**

- These findings would be very different since the divide would actually exist and the American Dream would be feasible.

# Conclusions and Prospects

- What we found is confirmation that the theory-judicial-practice divide to be an outright myth for the time being.
- This means that intra-professional stratification in the legal profession is structured according to law students with high grade point averages favoring career outcomes as lawyers more so than careers in academia or work in the judiciary.
- However, we do recognize that this mythic status could, in fact, be correct, pending a fourth, fifth or even eighth wave of the *After the JD* study.

# Questions and Comments?

Thanks For Listening!

Please feel free to inquire further at  
[mraphael@gradcenter.cuny.edu](mailto:mraphael@gradcenter.cuny.edu)!

*E-Mail:*



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