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Law's Attractions and Detractions

A 1965 study of lawyers in the United States refuted the stereotype that women go into law to become social workers and men go into law to make money. White found no statistically significant difference between the percentage of women (59%) and the percentage of men (53%) who indicated that a “desire to help society” was an “important” or “very important” motivation to attend law school. However, the women (70%) were more likely than the men (60%) to state that “good remuneration” was important or very important to them.¹ Twenty-five years later, another study in the United States found that women (48%) were more likely than men (38%) to identify an interest in social service or helping others in their top three reasons for going to law school, and men (78%) were more likely than women (60%) to identify financial opportunity.² While some of these differences may be explained by the wording of the question in the two studies and their samples, it might also indicate changes over the twenty-five-year period. Helping others seems less important to both women and men over time, and the importance of financial reward increased for men and decreased for women. It could be that the increase in women entering the profession in the later period resulted in greater diversification in their motives.

Lentz and Laband compared a 1990 survey by the American Bar Association with a similar survey it had conducted in 1984, and concluded that there was a consistent pattern in that “men are driven more than women by financial considerations when choosing a career, whereas women’s career choices are determined more by the desire to help others than are men’s career choices.” According to Lentz and Laband, this carried over into the respondents’ initial choice of jobs, and the jobs in which they were currently working; however, they could not offer any “compelling insights into why or how such sex-based differences develop initially.”³

I asked my respondents a series of questions, all of which were open-ended and did not provide them with a “grocery list” to pick from: Why did you go to law school? Do you think that you will still be practising law five years from now?⁴ If you could “do it over again,” would you become a lawyer? Why or why not? (Respondents were probed on their likes and dislikes about the practice of law.) Are you satisfied with “the practice of law overall”?⁵ As an afterthought, I also asked some of them what advice they would have for anyone who was contemplating a career in law. This chapter examines their responses to these questions.

Reasons for Going to Law School

Many people think that women and men must have a keen interest in law to spend three years at law school (after three or four years as an undergraduate) and then another year articling for a low wage. As with any other career, there are numerous reasons for going to law school and pursuing law as a career.⁶ While approximately one-third of the respondents (38% of the women and 32% of the men) were keen to go to law school, an equal number of women and men (34%) did it for lack of anything better to do. They went to law school by default.

The Keeners

A little more than one-third of the women respondents and one-third of the men respondents said that they had a keen interest in law, or that law was something they always wanted to do. Elizabeth, now in her late thirties, fell in love with Erle Stanley Gardner (the author of Perry Mason novels) when she was seven years old; she watched every television show that had a lawyer in it, and read every book about lawyers that she could get her hands on. She is very happy with her criminal and family law practice, and would definitely choose to become a lawyer if she had to do it again. Barbara, a corporate-commercial solicitor in her late twenties, was on her way to becoming a concert pianist when an accident prevented her from pursuing her first passion. Becoming a lawyer had always been in the back of her mind when she was doing her undergraduate degree at university. After the accident, realizing that she couldn't “have the whole enchilada” with a career as a pianist, she did not want it at all. So Elizabeth went to law school, and would do it again. She is not sure where she will be in five years. If she has a child, she would like to spend more time at home, or work part time. Either of these options would be a major change for a woman who works sixty-hour weeks at the office.

For Pamela, a woman in her early thirties who practises administrative law, it was watching her lawyer-father at his office that drew her attention to law. She decided at a young age that she wanted to be a lawyer. Happy

with practice overall, Pamela would do it over again and will likely be practising in five years, unless she is on maternity leave. She would like to work at a firm with five other women who all practise law and to balance her personal life and career work.

Rosa was exposed to law through the lawyer her parents used for their business. Now, doing a mixture of family law and civil litigation (and still in her early thirties), Rosa is somewhat dissatisfied with the practice of law. She expects to be practising in five years, unless she wins a lottery. However, Rosa would choose to go into law again, even though she is extremely unhappy with her income of \$36,000 a year; after four years of practice, "the money definitely is not there."

Some women delayed going into law school for financial reasons, or because they were discouraged from going early in their lives. Flora, who is in her early forties, had always wanted to go to law school, but she had to support herself, and the student counsellor suggested that she go into nursing, teaching, or dental hygiene. The counsellor told her that "a woman would be very unhappy in law, because women just don't go into law." Flora, who practises family law and civil litigation, is very dissatisfied with the practice of law, tired of the conflicts, and tired of "cleaning up the mess"; however, she will likely still be practising in five years.

In her late fifties, Sandra, a family law and civil law litigator, explained that since she had no elderly relatives to take care of and her youngest child was in school, she could go to law school, something that had always been in the back of her mind. Similarly, Yvonne, a general solicitor in her mid-forties, had wanted to be a lawyer since she was fourteen. But she ended up in a bad marriage and did not go to law school until later. She had always been attracted to legal matters, and she thought that practising law would provide intellectual stimulation, which it did, but she finds the practice of law very dissatisfactory. She hopes not to be practising in five years, and would not become a lawyer if she had to do it over again. She explains, "There are more satisfying ways to earn a living and to contribute to society. Law is much more time-demanding and less financially rewarding than I had initially thought it would be."

Lois, a civil litigator in her mid-thirties, had always been fascinated by law, but was in another career. When she injured herself, she studied for the LSAT to keep sane, and later went to law school. She is very happy with the practice of law, and plans to continue to practise for the foreseeable future.

Iris, a real estate lawyer in her mid-thirties, was inspired to enter law school through a law course in high school. Although she had entertained other possibilities, Iris thought she was too stable for social work (the people taking the courses had a lot of problems), teaching did not suit her, and digging up a few things over a long period of time (archaeology) was not her idea of fun. She will "definitely" be practising law in five years.

Paula's classmates in high school always knew she was going to be a lawyer. She was not that sure herself, but it was a profession that she thought would be interesting. Now in her early thirties, she works as a prosecutor, and would probably become a lawyer if she had to do it over again. However, she is ambivalent about her satisfaction with law, and whether she will still be practising in five years. She has entertained alternative careers that have a legal edge to them. About her future, she commented, "I have no idea what I'll be doing five years from now. I have no idea what I'm doing month to month."

The men were more likely than the women to say that they had always wanted to be a lawyer, or had known it from a young age, or from the time they were in high school. For the most part, these men did not attribute their calling to any role models, although Vincent ascribed his interest to magazines (*Ramparts*), books (a biography of Clarence Darrow, the United States lawyer), and plays (Jerome Lawrence and Robert E. Lee's *Inherit the Wind*) he read as a schoolboy. He is very satisfied with his work as a Crown prosecutor, and would become a lawyer if he had the opportunity to do it again.

Murray's mother said he had wanted to be a lawyer since he was six (although he does not recall this, he deferred to his mother). It was something he always planned to do. Now in his early thirties, Murray is also satisfied with his work as a corporate and securities solicitor, and would become a lawyer if he had to do it again.

Jeff had exhausted another career and had nursed an interest in the law for several years. It was either law or a doctorate. The doctorate would have complicated his family situation, so he chose law. His friends in law seemed to enjoy it. Jeff likes the tradition of law, and all the "trappings" of the profession – the sense of historical continuity, institutions, and the challenges. Now in his early forties, Jeff is satisfied working as a commercial civil litigator.

Law School by Default

Perhaps surprisingly to some people, 34% of the women and 34% of the men said that their entry into law school was unplanned or by chance, that they were unemployed or looking for something to do, and so they went to law school by default.⁷ Angela's parents sat her down at the age of sixteen, and over a series of nights harassed her about what she was going to be when she grew up. Doing a doctorate, so that she could teach at a university, was too long a haul. She added, "You know, that book they give you at the beginning of law school that says going to law school because you don't know what else to do is not a good reason to go to law school? Well, I did." She is ambivalent about her work in the business arena: "I think I'd be more satisfied if I were doing something more aligned with my personal

views. I don't perceive that there are as many opportunities to do things that are more closely aligned with my personal values (women's rights, human rights, and so on) as there are things to do that are not so aligned." She is also ambivalent about whether she would do it again, although she does like the financial security of her work.

For Betty, it was the comparative wage survey that her father showed her. He said, "Look how much doctors make." Betty responded, "Oh, god, the sciences. I could never go into medicine." Her father countered, "Lawyers are second on the list ... I always wanted a Cadillac." According to Betty, she went to law school because her father wanted a Cadillac. Law was the "catch-all for bright people who didn't know what else to do." Law was for those who were not artistically gifted enough to go into architecture, or who did not have the stomach for medicine. She had also considered doing a doctorate, but was worried that she might end up with a big student loan and no job. Betty is dissatisfied with her work as a civil litigator, and knowing what she knows now (the low pay – a little more than \$50,000 after five years, the financial uncertainty, the whims of the partners, and financial disasters), she would have pursued a more academic career.

Deborah, a solicitor in her early thirties, had a degree in criminology and did not know what to do with it. Georgina, a solicitor in her late twenties, was in education and hated it. She wanted to salvage the years she had completed, so she switched to law. She commented that going into law because there is nothing else to do is the worst reason. Similarly, Jillian (also in her late twenties) in her fourth year of university did not want to do a thesis, or to look for a job in her alternative fields. Laura, a barrister in her late thirties, examined the MCAT and the LSAT, and decided on law over medicine, because it looked easier and took less time. Sybil, a solicitor in her late thirties, went to law school because her husband sent in her application and drove her off to write the LSAT. She allowed him to apply on the basis that she would have her life sorted out before September. Not having sorted it out, she went to law school by default.

Alex, a barrister and solicitor in his early thirties, flipped a coin. Law school won. Bruce, a barrister in his late twenties, went to law school to postpone the decision of what he wanted to do. Leon, a solicitor in his mid-thirties, went to law school as a whim, without a plan. Neil, a solicitor in his late thirties, was passed over for a promotion, and went to law school to get out of a dead-end job. Patrick, a barrister in his late fifties, fell into law after he decided he needed a change in career. Nicholas, a barrister in his mid-thirties, went to law school because there were no real jobs in political science, and he was not good at the sciences.

Frank would have preferred veterinary medicine, but he was not accepted. For this barrister in his mid-thirties, law school was something he could get into, but it was not his first choice. Stewart, a barrister in his late thirties,

would have gone into education, but the Social Credit government was cutting back, and there did not appear to be any future in teaching. Law school was something he could get into, and he “basically just needed a job.”

Jack's wife had a major influence on his decision to go to law school. She was insistent, because she wanted to live in the city where she wanted him to apply. She also thought Jack would be good at it, but he initially resisted because he did not want to follow in his father's footsteps, and he wanted to be a teacher. However, he realized that teaching might be a burnout career after ten years, so he went to law school with the intention of maybe teaching, and then going back to law. After law school, he realized that it was difficult to break up a law career. It was something you had to stay in. Now a barrister in his mid-thirties, he teaches part time and enjoys giving talks.

Vernon, a barrister in his mid-forties, was working himself to death at a job when his marriage broke up. He considered taking a year off and going to Europe, but instead he used the money he had saved to go to law school. He still kicks himself for not taking a year off: “Anally retentive, I wasn't comfortable doing that, so I went to law school.”

Douglas was looking for a new career. He was tired of being a teacher, “tired of telling children to sit down and be quiet, teaching them stupid stuff, and wasting their time and our tax money.” He tried manual labour, but his back started to give out, so he needed something else to do. People told him to become a lawyer and so he did. As a barrister in his late forties, he is very satisfied with the practice of law, and would do it again.

Commitment to People and to Society

Sixteen percent of the women and 10% of the men went to law school in order to improve society or help people.⁸ Amy went to law school because she wanted to “change the world, promote feminist values, and advocate on behalf of women.” Similarly, Emily had worked on a number of different women's issues before going to law school and thought she could further the cause through legal education. Megan, now a barrister doing mostly immigration and criminal law (but not sexual assault cases), thought she would work in a rape crisis centre after obtaining her law degree. Other women expressed a more general interest in helping people.

Simon had always wanted to work with Aboriginal people, and chose law school over a master's degree in social work. Riley was interested in social change and felt that law was one way of training for that, “even though practising law might not be the way to do it.” Tony went to law school to become a criminal lawyer, a “defender of the poor and oppressed”; however, that changed in his first year of law school when he got the impression he would be defending criminals, not the innocent, and discovered that civil practice would be more lucrative.

Law as a Challenging Career

Fourteen percent of the women and 6% of the men went to law school because they wanted a challenging career or intellectual stimulation.⁹ Carissa compared English (a subject she was familiar with) with law, which was the unknown and a greater challenge. She loved law school, the Socratic teaching method, the “tightly knit collegiality, almost cliquishness.” It made her feel special, one of the “chosen ones.” Carissa also saw law, unlike the sciences, as something that was constantly evolving: “People say law is a conservative, traditional profession, and it is. But laws change rapidly; they change with government, they change with judges. You see the Supreme Court of Canada coming down with amazing decisions today, which five years back, when I went to law school, I would never have dreamed of. I find that fascinating, intrinsically interesting.” However, law is not for everyone, according to this solicitor in her mid-thirties: “If you’re in it just for the money and you think that it compensates for all the other things, then you’ll be disappointed and you’ll hate it. And there’s no point in doing it unless you find it intrinsically interesting, and you get some internal satisfaction from [it].” Donna, a barrister in her mid-forties, and Zoe, also in her mid-forties, found law more intellectually challenging than education, their former careers. Tina was also attracted to law because she thought it would be intellectually challenging.

Things came easily to Kevin. He found that he would learn things quickly, and then lose interest. He knew nothing about law, and did not even know a lawyer. Law appeared as a daunting task, and so Kevin decided to take up the challenge of law. As a barrister in his early thirties, he finds that there is always someone scrutinizing his work – partners, associates, friends, clients, lawyers and clients on the other side, judges, and so on. Kevin finds law “a real motivator.” Asked whether he gets a “buzz” out of practising law, he responded, “It’s not that I get a buzz out of it ... I can’t figure out what it is ... As soon as I’ve figured it out I’ll probably quit.”

Money and Financial Security

Ten percent of the women and 18% of the men went to law school to earn money or achieve financial security. For Sally, law was a pragmatic decision and she thought she could earn a reasonable living. However, she finds the so-called economic security behind law a “phantom security.” The work is hard, and the stress is great. William went to law school to achieve more versatility in his professional career path; then he added, “I guess I’d be lying if I didn’t say it wasn’t also money, seeing as it was also a route to a better salary.” Conrad was led on by one of his wife’s rich girlfriends, who said, “Hey, why not become a lawyer and become really rich?” He continued, “I was naive enough to think that’s what was going to happen. I thought I’d make a lot of money. No one in my family but me has ever

been to university and I really did believe that lawyers all drove Mercedes Benzes and made megabucks. I was cured of that rapidly in first year; there wasn't much out there at the time."

Other Reasons for Going to Law School

Ten percent of the women and 24% of the men went to law school to broaden their education, and to have more control over their lives. For these lawyers, law offers more variety in learning, work, and job options. It provides them with a broader perspective on society, and on how things work. Some see law as providing a more independent and flexible career. It opens up more doors if they decide to go into politics, business, or some other career. Tim's philosophy on education is "to learn as much as possible in life, whether useful or not." He objects to education systems that cater to specific industries and job training: "It's incomprehensible to me that people should be focused on wasting precious high school and university time in framing somebody to a specific task." He added, "Really out of touch with reality in that regard, aren't I?"

Twelve percent of the women and 4% of the men mentioned pressure and expectations from family.¹⁰ Some of these women are the same ones who went into law by default, as it was often family expectations that forced them to decide what to do with their lives. Law was a "fallback" to meet these expectations. For example, Betty (whose father wanted a Cadillac) and Angela (who was harassed by her parents at the age of sixteen to decide what she was going to do when she grew up) felt pressure to go to law school. Nicole, who has left the practice of law, described the pressure from her family: "I had a lot of pressure from my family. In fact, when I discussed the possibility of going into education, I was strongly discouraged. I didn't take a year off or years off to travel or work, and I was probably too young to be making major career decisions. I was easily influenced by my parents, so I got into it. Also, I probably had a poor notion of what practising law was all about." Opal, who is in her early fifties, and Sybil, who is in her late thirties, were talked into going to law school by their husbands. Viola and Harvey, both in their early thirties, came from families of professionals, and there was pressure to enter one of the professions. For Lucas, who came from a traditional ethnic family, it was the only occupation that interested him, that was also acceptable to his family: "It was a matter of choosing among a limited list of acceptable things, and law had an element of creativeness to it."

Eight percent of the women and 10% of the men went to law school because someone recommended it to them. Some lawyers could not remember who recommended it; for others, there was a high school history teacher, their spouse, or friends. Dorothy's friend told her she would make a good lawyer. He added, "If anyone was meant to be a lawyer, it's you."

Women mention other reasons for going to law school. Elizabeth, a barrister in her late thirties, went to law school because she was told “girls don’t go to law school.” She explained, “I was young (thirteen or fourteen), and someone made the mistake of telling me that little girls don’t become lawyers.” That was her main reason for going to law school, “because I was told little girls didn’t do it. That’s the honest truth, I swear.” Olive, a barrister in her mid-thirties, went to law school because someone told her she would never pass the LSAT. Jessica went to law school to “redeem herself.” Heather, a solicitor in her mid-thirties, explained it this way:

Candidly, when I was younger the prestige appealed to me – not the prestige in terms of income or anything like that, but in terms of being a woman and being a lawyer. It was important to me to be something [practise a profession] so that people acknowledged I was smart. I don’t say this every day to people, but I grew up in the seventies, and I had a subscription to *Ms. Magazine* when I was about thirteen years old. I wanted to be something non-traditional. I didn’t want to be a teacher; I didn’t want to be a nurse like my mother and my grandmother. I wanted to do something that women didn’t usually do. Of course, in my law class it was half women by the time I got there, which is great.

Three women went to law school because they equated knowledge with power, although none of the men mentioned similar reasons. Kristine, a barrister in her mid-thirties, said she wanted to know the answers, and did not want to be “taken advantage of by people.” Melanie, in her late twenties, remembered being a student, and having landlord problems and getting pushed around. She did not like that, and wanted to know more about the system. Theresa, a barrister in her early forties, explained, “Knowledge is power. I was working in a unionized environment and I was holding positions on the union executive going to grievances and arbitrations ... I thought that I could be a more effective advocate if I had some more knowledge.”

Attractions to Practising Law

In the entire sample of 100 lawyers, 50% of the women and 62% of the men were satisfied with the practice of law overall, and 68% of the women and 78% of the men thought they would be practising law five years from the time of the interview. However, only 60% of the women and 70% of the men said they would go to law school, if they could “do it over again.” Given that 31.4% of the women and 25.6% of the men who were called to the bar in British Columbia at the same time as these respondents had already left the practice of law, what is it about the practice of law that the

remaining lawyers like and dislike? Following on the question, "If you could 'do it over again,' would you become a lawyer?," respondents were asked what they liked and disliked about being a lawyer. There were some common likes and dislikes by both the women and the men, and there were some unique responses.

Challenge and Satisfaction

The most frequent aspect of law that both the women (34%) and men (38%) liked is the fact that law is challenging, interesting, or satisfying. Carissa, who is in her mid-thirties, finds law fascinating and intrinsically interesting:

You're dealing with a variety of people every day, and you're dealing with a variety of files every day. As long as your area of practice is relatively broad, it provides you with variety. And it's an exciting life – going to court, preparing for a case, interviewing witnesses, interviewing clients, putting together a deal, travelling to different places to complete the transaction – it's an exciting lifestyle. If you've done well at law school and you're prepared to make sacrifices (that's a different story), you can have a fairly nice lifestyle. How many people at university think (I certainly never did) that they might end up in a downtown office such as this where I have twenty-four-hour secretaries if I want them or were so inclined, showers in the building, and couches in the offices? We're at a different level than most of society. Lawyers forget that the real world out there is not what they see in here. It's not *L.A. Law*, but it has its moments, and if you like law it's wonderful, but it's not for everyone.

Carissa always wanted to be Clarence Darrow or Perry Mason, because "that's all you see on television, and so I had my heart set on doing litigation." However, the job opportunity that she took was doing corporate-commercial work in a large firm. She had the advantage of speaking Chinese, and had worked for a corporate-commercial firm. Carissa loves the law. Since large law firms expect you to choose between being a barrister or a solicitor in a large firm, being a solicitor suited her just fine: "This job opportunity came up. I thought that since I had to choose anyway, and I love both, I'd just go for it. I like the firm and the people and the work." Carissa is good at what she does. She is good at organizing and keeping track of the paperwork involved in a corporate-commercial practice: "I like things to be in their place." She also thinks that being a woman is to her advantage: "Our negotiating style is not generally as aggressive. We don't have the need to win over the other side every time. I think that's useful in solicitor's work because you have to keep in mind, as a lawyer in a

business deal, that your goal is to bring the two parties together as opposed to trying to win. The perfect deal is one in which both sides walk away thinking they got what they wanted. This quality I have, as a woman, is helpful to the practice.”

Gail, a barrister in her early thirties, finds that she is learning new things all the time. Her job is never stagnant, there are different areas, different people. It is intellectually and physically challenging. She finds the stress of practice challenging and rewarding, as does Iris, a solicitor in her mid-thirties. Likewise, Melanie appreciates the challenge in learning about a case and getting a snapshot of her client’s situation or business. Nancy, a solicitor in her mid-thirties, enjoys putting deals together and helping complete the deals. Her job allows her to be creative, “and it’s a challenging career because every new deal is something different. I like that.” Wendy, who is no longer practising because of a family crisis, thrived on the stress of practice:

I liked the interaction. I liked winning. I’m an arguer, and nothing made me feel more omnipotent than getting up in chambers and making an argument. My very first week of practising law, I was in a new firm and got sent to the Court of Appeal. I was scared to death. But I won and I won big and I was just omnipotent – no one could tell me I was wrong about anything. That feeling is something that most lawyers probably thrive on: winning is good, losing is bad. I don’t like losing, and I don’t take it well. I’m not a good loser, and I’m also one of those types who thrive on stress. I guess they call me a Type A [personality] or something? Until recently I couldn’t imagine a day going by when I didn’t have to be doing something all the time. So, the job was perfect for that.

Similarly, Wanda, a barrister in her mid-thirties, enjoys the challenge of going to court, in that it keeps her on her toes all the time. Leon, a solicitor in his mid-thirties, found law a constant challenge: “The intellectual challenge is great. I don’t know whether there are any other jobs out there where you always have to be on your toes, and keep up on stuff. There’s a downside to that because it can be tedious; but, in the long term, I think that’s one of the great things about law.” Oscar, a solicitor in his early thirties, enjoys the challenge of putting big deals together:

I get access to the most senior people in a corporation. I’m forced to write a story about how their business works in a prospectus. This means I have to understand their business. How does this company work? What makes it tick? Those are the kinds of questions I have had to get into, and every deal I do is with a different company. Because you’re dealing with the most senior people and you’re asking them big-picture questions, it’s fascinating.

The other thing we do – if there's a contested takeover bid or you're acting for the bidder or the target – the types of transactions that make the headlines in the paper (it's not the fact that they're in the headlines [that I like them] but because they're big, interesting) – these complicated deals challenge you. I guess a lot of it is the challenge – to be able to make these big transactions work. You have to bring all your skills to bear and you juggle a lot of balls. There's a lot of scope to be creative, surprising scope to be creative. It's like the *Tax Act*. I view the *Tax Act* as a big game. There's a set of rules, you have to trudge your way through them, and if you can find a loophole your client will make millions. It's not the same, but there's some of the same flavour in securities – there's a whole bunch of rules in the *Securities Act* and a whole bunch of rules in the *Company Act*, and a whole bunch of business considerations, and you have to think about how can you design or structure a transaction that will work. So it's intellectually challenging, and it's a lot of fun – probably warped – but it is.

Similarly, Rob, a solicitor in his early thirties, enjoys the big deals:

I enjoy it. I enjoy getting caught up in the big deals. I get to make decisions and get caught up in things that I could never be caught up in if I weren't in this capacity, because I'll never have the money to be involved, as principal, in the deals that I work on. They're exciting; there's a rush that comes with that. Not to say that magnitude alone makes something exciting, because you could be doing a billion dollar deal and, if it's a cookie-cutter deal, it's not going to be that exciting – it just has more zeros in it. But this stuff [land development] is leading edge – we're changing the rules as we go – or rather the city is changing the rules, it depends on how you look at it. But it's exciting to sit there and be dealing with things that have never been done before, having to work them out from scratch, having to think forward and not say, "Well, I have a precedent for this," having to say what's going to matter ten years from now on this point, having to think it through. I find that challenging. I guess that's what it amounts to. I guess I find being a lawyer challenging, and I find achieving things rewarding and satisfying. Challenge and achievement are the two things that I'm looking for and definitely getting.

Interaction with People

Approximately one-quarter of the women (28%) and men (24%) like the interaction with people, clients, and other lawyers they encounter in the practice of law. Paula, a barrister in her early thirties, finds that work is never boring. Every day is different, and she meets a lot of people on the job – witnesses, police officers. In addition, she never knows what the day

has in store for her. What appears to be a normal trial can result in something different happening, whether it is a legal issue or just something funny.

Leon, a solicitor in his mid-thirties, likes being able to develop long-term relationships with his clients. Their appreciation for a job well done, in which he helps them organize their affairs, is rewarding. He likes “being part of the service industry.” Above all else, Lucas, a solicitor in his early thirties, likes his clients: “I thoroughly enjoy the fact that I get to meet so many people who come from so many different walks of life, and to do something that may make a difference.” Ray, a barrister in his mid-thirties, likes the exposure to different types of people and situations: “You have the honour of people confiding in you and relying on your advice.” William, an in-house counsel in his mid-thirties, enjoys the social aspect of law, in that it brings him into contact with a lot of different clients and different people. In addition, he believes that if you get the right practice, the camaraderie is great. Having left private practice, it was what he misses the most about his previous job: “Here, it’s more of a job. You come in in the morning and go home at night. There’s not as much camaraderie.”

Knowledge and Intellectual Stimulation

Approximately one-quarter of the women (26%) and men (26%) like being a lawyer because it provides them with knowledge, a good education, and intellectual stimulation. For example, Donna, who is in her mid-forties, likes litigation because there is always an opportunity to learn new things:

Each case probably involves something that you’re unfamiliar with, either a medical condition or some engineering concept. I do some aviation work, and so I’ve had an opportunity to learn about flight, or how a particular component of an airplane works. I’m inquisitive, I’m curious, and I like to learn. There’s always, always something to learn. If you have a case about a defective piece of machinery or something, you’ve got to find out all about that.

Similarly, William likes the mental stimulation law provides. However, he has found that as time passes, he is moving away from the law and more to “just juggling files and relying on your wits to get through, rather than relying on your intellect.” Emily, a solicitor in her late forties, appreciates the opportunity to be constantly learning, and feels that she can use her knowledge to make a difference. However, she would like more balance in her life so that she can “put the law to work in a volunteer way.”

Flexibility and Control Over One’s Life

For 22% of the women and 16% of the men, law provides them with flexibility and control over their lives. Some of the women find that law offers

them more control over their lives than the institutionalized work of their previous professions (dental hygienist, teacher, nurse), as did a man who had been a social worker. Law provides Lois, a barrister in her mid-thirties, with control over her life:

I'm the one who decides that I get up and start work at five in the morning because I didn't feel like doing it at some other time. Because I'm partner here, if I want a three-hour lunch or I want a day off in the middle of the week, then I take it as long as things are covered. So, my hours are flexible, bearing in mind we've got bills to pay every month and salaries to meet. So I can't abuse it, but I like the hours, I like the freedom especially, being partner. I leave at three every Friday afternoon. I like the control [law] has given my life. I'm single, I make more money than most people I date, I have my house, I have my dogs. I have control over my life, which is something that's always been important to me. I've never been one to be dependent on anyone, even back before becoming a lawyer. I've always believed in being self-supporting.

Fred, a solicitor in his late twenties, likes the flexibility of his workday: "Sure, it's long, but if I have to go and get a car repaired or something, I just take off and do it. I may work a little longer that day. You just make sure you get your work done. Even friends who work at multinational firms don't have that ability. They are generally in an office all day and, if a personal problem comes up, they've got to work around it."

Earlier in the interviews, when they were asked whether they were satisfied with the control they had over their work, 68% of the women and 84% of the men said that they were.¹¹ Many of the environments that lawyers work in provide them with control over their work. Amy, who is in her mid-thirties, likes the autonomy of her work, in terms of projects and the directions that she can take in her administrative law job; however the overall organization "is such that everything is required to go through a tiny funnel at the top, and that can cause frustration." Donna, a barrister in her mid-forties, was very dissatisfied with the control she had over her work, until she moved out on her own. Olive has as much control as she can expect for her type of practice:

The control – I have fairly good control. But obviously the other side of that is that you can't tell your clients, despite whatever you might actually say to them about it, "Don't get into trouble for two weeks, I'm taking a holiday." They don't believe that you're entitled to a holiday. They get arrested at four in the morning. You don't have any control over that. They're going to get in trouble, and if that means that you're at [Provincial Court] at nine o'clock to do a show cause for somebody when you've

got to be at Supreme Court at ten, well, that's what you've got to do to keep the business. They don't understand about holidays.

Helping Others

Although touted as a helping profession, only 18% of the women and 14% of the men said they liked law because it gave them an opportunity to help people. Laura, a barrister in her late thirties, likes to deal with people on a personal level: "I enjoy it when clients come in and we set up a good rapport, and I enjoy being able to help them. It's a great feeling of satisfaction when somebody comes to you with a problem and you're able to solve it, and they can set their lives straight again." Holly, a barrister in her early forties, also likes being able to help:

For many people, it's frightening to be faced with the court system. They don't know what they're doing in it, and there's a mystique about it. I like to be able to educate and to unravel that mystique so that people understand. I try to make the habit of saying, "This is the process" and then explaining every time what has happened so that people become more at ease with it [the court system]. That's the educating part, and I like to help. I think that's why I like family law, because you do get to help right away. It's not the same as doing a commercial thing, fighting over the value of a sign, you know. It's very satisfying.

Heather, a solicitor in her mid-thirties, finds helping ordinary people buy houses, negotiate leases or bank terms, set up companies, or get their divorce very satisfying, and that it provides her an opportunity to be creative. She adds, "I don't come from a real business family at all ... Business was never something I thought I'd enjoy. My family was distrustful of business people, actually. But I find, to my surprise and my father's horror, that it's satisfying because you're making jobs for people, and we provide a really good service for our clients."

Kristine, a barrister in her mid-thirties, also likes helping people: "I like knowing the answers. I like having people come in with problems, and being able to calm them down and sort the problems out – break them down into pieces and start solving them." Lois, a barrister in her mid-thirties, talks about the power that comes with her job, and how it assists her in helping people: "You've got some client who comes in, and they're having a terrible, terrible problem, and you can just pick up a phone with them sitting in your office and say, 'Well, Mrs. X is in my office, and she says this is happening, and what she wants is this. I don't want to get involved, and so on. Can we do something?' And it's dealt with in a phone call. And, being able to do that for people is really, really nice." Dorothy, a barrister in her mid-thirties, does a lot of *pro bono* work, and also works at

a substantial discount: "I have a little old lady who's never given us a retainer, and the senior partner doesn't understand what I'm doing. But she needed some good legal advice, and she came to me, and I stuck with her. I bill her next to nothing for my time. There's also a lot of *pro bono* work I've done for friends, and I find that gratifying." Owen, a barrister in his late thirties, finds that helping people makes him a better person: "It makes me more responsible to others and consequently to myself." Zeke, a barrister in his mid-thirties, finds it rewarding to assist "someone who runs up against a dead end, for example, a bureaucracy that is unyielding. To be able to assist in that way is rewarding and intellectually stimulating."

Prestige, Status, and More Weighty Opinion

Sixteen percent of the women and 14% of the men appreciate law's prestige and status, and the weightier opinion that it gives them. Amy, who is in her mid-thirties, would consider law if she had to do it again, because of the financial aspects and the status: "A law degree and a practice certificate allows one the status to make comments and offer opinions that carry weight. As a feminist, as a lesbian, and as a social justice advocate, it has been a real asset to have that status and credibility and that authority. The views I have now are simply more evolved views than the ones I had before I went to law school, yet the credibility I'm afforded now is exponentially greater than it was prior to my going to law school." For Flora, a barrister in her early forties, being a lawyer means people take her seriously. She is not "just a housewife." Viola (in her early thirties) likes the recognition that it gives her: "I mean, I think people, if they know you're a lawyer, they know that you've some sort of brain and will give you, whether it's deserving or not, the benefit of the doubt to start with." Likewise, Adams, who is in his mid-thirties, believes, "Fairly or not, if people know you're a lawyer, they accord your opinion weight they wouldn't accord the same opinion of a non-lawyer." Stewart, a barrister in his late thirties, thinks that people are "impressed when you tell them [you're a lawyer]. That may be because they've been watching too many *L.A. Law* shows." There are limits to the status, but he notices that people judge him differently now than when he worked at a camp washing dishes.

Financial Rewards

Twelve percent of the women and 16% of the men mentioned the financial rewards as one of the aspects they liked about being a lawyer. Earlier, when they were asked whether they were satisfied with their income, only 48% of the women but 70% of the men said they were.¹² Differences in income between the women and men are discussed in Chapter 3.

Amy had to switch law jobs to find a satisfactory income: "My income, when I worked for a non-profit organization, was a disgrace. I have registered

this concern with the non-profit and the funding body. It was exploitative." Now, in private practice doing administrative law, she is confident that she could earn more money, just by working more hours. Elizabeth's move from working for the Crown to private practice was profitable: "In the first three months, I made what I made with the Crown last year." Lois, a barrister in her mid-thirties, is happy with her income, although she works long hours and thinks she deserves everything she earns.

Other Attractions

Eight percent of the women and 2% of the men said they liked going to court. This is a rather low percentage, since 44% of the women and 54% of the men identified themselves primarily as barristers. However, it should be kept in mind that the respondents were not asked whether they liked going to court, only what they liked about the practice of law. The issue of going to court is dealt with again in Chapter 5, in a discussion of the adversarial system.

Nicole was surprised at the number of likeable people she has met in the practice of law, "because I think, from my experience, not many people do enjoy us." Law also helped her "grow as a person" and gain "a lot more self-confidence working in a professional atmosphere." Viola appreciates the fact that law taught her "to think in an organized way," and to articulate her "thoughts in a half decent way." It also gave her writing skills, "a powerful tool."

Detractions of Law

Stress and Responsibility

Some lawyers thrive on stress, others dislike it intensely. For many lawyers, law is a double-edged sword. What they like about it may also be what they dislike about it. Both Gail and Simon illustrate this. Gail likes the challenge and stress of law. When I asked her what she dislikes about law, she said, "Same coin, other side – demands, stress, responsibility. Sometimes it can be too much." Simon likes, among other things, the challenge of law. When asked what he dislikes, he responded, "Some of the same things you have on the other side of the coin. There are the demands of the practice, having to constantly make sure that you don't do anything wrong. There's a lot of pressure not to screw up."

Thirty-eight percent of the women and 40% of the men disliked the stress, responsibility, and decision making that go with the practice of law. Some lawyers do not like being responsible for other people's problems. Holly finds that "having other people's lives in your hands ... weighs very heavily" on her, and is stressful. Frank explains, "There's a lot of stress. People pay us to take over their problems, and they're usually not small

problems, they're big. Each one of those people has one big problem, lawyers have many." This is one of the reasons he thinks he might like to move to doing solicitor's work. Ray finds it stressful "being involved in making critical decisions on a daily basis. And usually the decisions you're making are some of the most important decisions in your clients' lives, even though they're not in yours."

For some, the stress of law means lack of sleep from worrying about files, or waking up in the middle of the night worrying about clients and files. For example, Zeke elaborated:

The job does pay well, but it doesn't pay well enough for the stress you carry with you – waking up in the middle of the night, worrying about what you're doing on a certain file, not being able to leave the job at work, taking it home with you. In a sense it never goes away. When I go on holidays, it's not like working at the mill where somebody else deals with your lumber. You come back here, and there's a big pile of stuff that's been waiting for you for the past three weeks. You work like mad to be able to go away, and you come back and work even harder to catch up.

Riley left private practice because of the stress:

I found the stresses of private practice to be severe. The hours certainly were difficult. The hours on the job weren't all that bad – it was all the time off the job that I spent thinking about all the things I had and hadn't done. Like a lot of lawyers starting out, I got very little sleep. I developed a sleep pattern in which I would wake up at three in the morning thinking about cases, and I would be unable to get back to sleep again. I just don't have the physical stamina to deal with that sort of thing. I recognize that that's something that often wears off, that as you practise you become more comfortable and you don't spend all night worrying. But I don't have much interest in seeing how long it would take to get to that point. I found that stressful. I came to law late and I think, because of my physical disability, I also have less stamina. I just felt there were more important things in life than worrying about cases that meant nothing to me personally, that I was only worried about because I wanted to do a good job for the clients. So it was the stress – the stress of always having to do what was best for the client even if that was sometimes distasteful. I found that difficult.

Melanie also finds that it is impossible "to take off for two months of the year. It's difficult to take off for more than two weeks, and when you do, you work twice as hard to get away and twice as hard when you come back, and you're phoning in while you're away."

For Vera, the stress comes from “always covering your ass, and that’s the term used all the time. You’re covering your ass with clients, with other people you work with, the lawyers, everybody is out to get you. That’s a reality, and I don’t think that’s a paranoid comment.” She attributes this partly to the fact that lawyers are less likely than other professionals to be supportive of one another: “Very few lawyers remark about the capability of other lawyers. They’re more willing to say, ‘That’s not a good lawyer,’ whereas in other professions they’re more supportive of one another. I think that that’s being recognized, and that may change over time, but I don’t see that in the medical fields or accounting fields or engineers.”

Neil dislikes “the stress – always having to be right, and having the threat of being sued if you are wrong.” Similarly, Conrad finds the threat of lawsuits stressful: “Every file you’ve got is a time bomb waiting for you to make a mistake, so you can be sued for professional negligence. I can whine about that, but I guess any profession is the same. Every time a doctor takes a look at someone for a head cold, he knows that he might be missing a telltale sign of cancer or something. So I guess every professional has to deal with that. Stress is a blanket that covers everything.” Stewart finds that there is “a lot of pressure, in terms of time and not making mistakes. There’s always the pressure of worrying about whether you have done the right thing or not, and whether you are about to be sued for negligence, and whether you have missed the limitation period. It’s almost like the Law Society is Big Brother keeping an eye out on everyone, and I don’t like that – the pressure that comes from the rules and regulations you have to conform to.”

Tony wonders whether the stress has a sufficient payoff:

If I were to focus on one complaint with the practice of law, I guess it flows from the financial concern. Given the economic climate, the number of people entering the profession, the business of it (becoming less of a profession more of a business) I don’t think the return (when you look at it from what the law asks you to give and the economic payback) – I don’t think it’s worth it any more. I think we get paid very well, but you look at it thinking you’re putting a hell of an investment into what you’re doing, and it’s the kind of thing that gives a lot of stress to your life. You probably have all the stresses, concerns, and difficulties you have in running your own business. But when you run your own business you’re building up a capital asset – something that has a value, and something you can look at in ten years and say, “I accomplished something. I built something where nothing was before.” Second, you can say, “Not only that, but I have something that is worth \times . This is my retirement that I’m building up.” I think with the law you can’t say you’ve created anything except your personal capabilities. So you don’t have something to look at

and show for what you've done, and you don't have the possibility of the higher financial returns that I think you could get by running your own business other than law. I think that's the principal concern I have. The toil and the stress and the costs in terms of your own personal life that the profession takes – the return isn't worth it.

Likewise, Vernon asks himself whether the payoff is worth the stress:

The amount of stress and emotional demand, the level of responsibility versus any return on that – when I was articling (at a major firm) people who had been lawyers for a long time said that they are now working three times as hard for one-third of the pay. And I don't see that changing. I also see it here in my own little shop. The overhead continues to increase and the billing. If it's your own hours you hit a peak, but the secretaries still want raises every year and everything still keeps going up. It's a lot of work to keep it going. Because I take it all very seriously, it's emotionally demanding, draining, and stressful. You're dealing constantly with people who are unhappy, and in family law you can't be happy about the outcome of the process. You can't make a client happy. They can't get it all. They can't get their family back, they can't be reunited, and they can't get a result that's going to get them everything. They're losing something no matter what happens, and often their lawyer takes the blame, even though the lawyer may have done beyond the best possible. And I have felt on occasion, from what I know could have happened, that the outcome is wonderful, but the client is still dissatisfied. I used to find it hard disassociating myself emotionally from some of the files. That's probably one of the biggest challenges I see, and what I like about other professions. I don't know what my dentist does, but I suspect that when he goes home he doesn't worry about my teeth; and, I can't say that for me.

Long Hours and Pressure to Bill

The hours demanded by the practice of law are often associated with the stresses of practising law. Twenty-four percent of the women and 24% of the men disliked the hours demanded, or the pressure to bill. For some, the pressure to market their services was also the target of their disfavour. Although Nancy enjoys the practice of law, because it is a challenging career and allows her to be creative, she dislikes billing:

One thing I hate about law (this is actually the biggest thing and everyone would admit it), it's the only profession I know of where you have to keep track of every minute of the day, of what you do, and be accountable, and feel like a failure if you haven't billed seven-and-a-half hours in that day. To legitimately bill seven-and-a-half hours, you have to work at least

twelve hours, otherwise you're padding or bumping up time. I think that's the biggest pitfall, and one of the main reasons I want to go in-house as counsel. That would be the main reason I don't want to do private practice, because I think it's so hard to be judged every day by how many hours you bill a client. That's the worst thing about law.

Edward sees his contemporaries who went into real estate doing a lot better financially than he is. Given the amount of effort that it took to get his practice going, and the number of hours he works (fifty to sixty a week – fewer than some lawyers), he could have been better off financially, and had time for recreation, had he done something else. He adds, "I can't take a vacation for more than two weeks." Likewise, Fred mused about the path not chosen:

If I could do it over again with the knowledge [I have] now, I would take a closer look at some other options. I may still have chosen law. My experience hasn't been bad enough that I would say "No," but I'm careful about people who come up to me and talk to me about my law school [experience]. My perceptions, I think, were more realistic than many of my classmates, but I was still off base. There's a lot about the practice that isn't known. The remuneration is reasonable but, if you look at the hours people work, and the stress they're under, and the chances of real advancement, given that there's no pension at the end of the road, it's all or nothing. I think the remuneration is reasonable. I think a lot of people look at law as a guaranteed job. You get articles and then you work a couple of years. Well, you get four years out, and the doors start closing. I took the Canadian Securities course right after first year, and that was where I was going to go. I look at my friends who became brokers at that time. Things are different [for them]. You can't always do it the same. Given the market and the success they've achieved and the differences in our lifestyle, I think maybe the path not taken may have led to a better tomorrow. But, as you can see from my satisfaction rating [three, or somewhat satisfied], I don't mope over it.

Hank finds that he's on a treadmill, things never stop: "I worked in private industry before I became a lawyer, and there are always times when you have a lull. You don't seem to get that [in law] as much; or, if you have a lull, you're worried." Harvey dislikes the hours of work, and unreasonable expectations of clients "in terms of completion dates, and the amount of work to be done and at what cost. And also pressure from the partners to bill, whether it's expressed or not. You know it's always a concern."

Murray finds the pressure to work long hours “tough on family life.” Leon thinks that his generation is “more concerned about family time and spare time” than income, and that there will be changes in the long hours of work: “We don’t need to work that hard. There’s no reason to set our goals that high. It’s not necessary.”

For Oscar, the solution is to gain some perspective about hours:

The hours get to you from time to time. But I think you have to have some perspective on it. The trick, when you don’t have a deal on, is to walk away at two in the afternoon or take Friday off. It’s difficult to train yourself to do that; if you can do that, it’s much easier to strike the balance ... I find when I’m not happy with what I’m doing, it’s because I’ve been grinding away for too long, and that just means I need a break. It’s not because I don’t like practising law, it’s just spending too many hours inside these four walls.

Stewart dislikes the economic pressures and the need to hustle business:

I think particularly in a small firm, there’s a lot of economic pressure. You pretty well have to [work hard] in small firms. I don’t know, maybe lawyers in smaller firms are turning into the modern version of used car salesman. You have to be out there hustling clients, taking people out to lunch – we take insurance adjusters out and claim managers, realtors. That’s something I’m not comfortable with – glad-handing people and trying to hustle business. I guess I’m not a good salesman. I’m too reserved to do that comfortably. So I don’t like that aspect of law, particularly.

Confrontation and Adversarial Work

Eighteen percent of the women and 8% of the men did not like the adversarial nature of their work. The respondents’ thoughts on the adversarial system and the adversarial nature of themselves and other lawyers are discussed in Chapter 5.

For Jillian, who deals with her own life in a non-confrontational manner, it is difficult to get involved in someone’s personal problems. Similarly, Viola dislikes dealing with other people’s personal problems and the confrontation that these problems lead to: “I’m being asked to play a role in someone else’s life where I don’t feel I belong, and in a confrontational way in which I don’t feel comfortable, because I don’t handle my own problems that way. It’s just all wrong for me.” Viola explained why she wants to get away from the “adversarial stuff”:

I find it really eats at me. I mean, I do a hearing and I win, and I still feel sick, and it's always been that way. And in court too, I'd win and I'd feel sick, and if I lost I didn't feel very good. It was never the decision – the decision was probably fair. I never won something I thought I shouldn't have won. It's not that. It's just the process to get to it. Telling some sixty-year-old man, "You know, I think you're overweight. Do you think that might be contributing to your problem?" I mean that. My first trial back in 1989, I thought I was going to commit suicide, all this stuff. I don't like digging into somebody's stuff.

For some lawyers, it is the conflict that permeates all aspects of their job that they dislike. Sometimes Laura finds the conflicts with her clients (telling them what they can and cannot do), with lawyers on the other side, and with lawyers in her firm (over ideas of how things should be done) excessive. Similarly, Paula commented:

Sometimes I get sick of the confrontation, and if it goes on for too long and you don't get a break from it, it becomes a question of "Why am I getting up in the morning to go argue with people?" Sometimes I enjoy it, sometimes I don't have a problem. And I don't mean legal argument, I mean just witnesses asking, "Why do I have to be here? I don't want to be here." And people just dissatisfied all the time. And you're arguing with people, and that I don't like. I get sick of that. And sometimes I wonder whether or not it's a productive career. [Arguing with people] instead of producing something or creating something. Is this a creative way to live my life? [Interviewer: So you don't know whether you would do it ever again?] No, I don't know. I have often wondered whether or not I'd do it over again, if I shouldn't have just gone and gotten a MBA or turned to the diplomatic core.

Tina dislikes the arrogance and egos that are created through the posturing in the adversarial process. Patrick finds that the "over-adversarial colleagues" with whom he deals are not serving their clients' best interests.

Lawyers Have a Poor Reputation

Sixteen percent of both the women and men did not like the reputation of lawyers or the jokes told about lawyers. The downside to being a lawyer, according to Sandra, is "the lawyer's reputation as a shark, somebody you have to watch out for, somebody you can't trust, who can weasel their way around the law and get you off on a technicality." Emily dislikes "people's reaction when you say you're a lawyer, a sleazy, money-grubbing lawyer." Gene does not tell people that he is a lawyer, unless he is asked. Lawyers

are viewed as “socially non-productive. They make work, they’re too highly paid, a gilded monopoly.”

Kevin hates what he perceives to be the perception of 99.9% of the public who do not deal with lawyers on a regular basis:

If you talk to anybody – as I say, 99.9% of the public – about what they think about lawyers, if they have negative views, most of those people’s experiences with lawyers are limited to a time in their lives when they were charged criminally, a time in their lives when they were going through a divorce. Those types of experiences have not been the kind that leave friendly imprints on their minds, and as a result they’re not going to think kindly of lawyers. They’re going to think, “I got ripped off by my wife, she took me for everything. And all I got was a bill from my lawyer.” And so they don’t see the system working for them all that well. That’s one of my dislikes about being a lawyer. I wish people would understand. A lot of times people don’t realize that success or failure sometimes hinges on them and the merits of the case.

Leon dislikes “the aspersions that are cast on lawyers all the time, because he thinks they are largely unfair.” He continues: “It’s just like any other profession, there are good ones and there are bad ones. It seems that there’s a tradition of making fun of lawyers and casting aspersions. All the stuff we’ve got on television doesn’t help, because they misrepresent the legal profession, very seriously. It makes for good entertainment, but it’s all sex and power. It has nothing to do with the real practice of law, and so I dislike that part of it.” Having made more money per year as a commercial fisherman than he did for his first six years of practising law, Owen dislikes “the perception that all lawyers are rich fat cats.” It bothers Fred when he tells people he is a lawyer, and “everybody figures [he is] a slimy, well-paid slug.”

Unpleasant Clients

Fourteen percent of the women and 20% of the men disliked the unrealistic expectations put on lawyers, and the unpleasantness of some of their clients. Jessica finds that clients in a wills, trusts, and estates practice are not “necessarily the most agreeable.” Family law and criminal law clients can also be demanding, as Elizabeth and Olive reveal:

At times your clients don’t let you have any life at all. They’re angry if you don’t want to deal with phone calls at ten-thirty at night or catching you on the street. I’ve been shopping with a friend and had someone come up to me and start blurting out their entire family matter in front

of my friend. I had to pull him [my client] away and say, "Look, this isn't appropriate." [He said,] "Why can't I get you in the office?" [I responded,] "I'm sorry you're going to have to try." I find that disheartening, and occasionally I have to do my shopping out of town, it's so frustrating. I'm pretty much the only lawyer in town doing family law – legal aid anyway – and it does mean the avalanche comes my way. You get stopped on the street, you get stopped in the malls; you cease having your own life, and sometimes you have to get quite hard.

The demands – people sometimes don't appreciate that you're a criminal lawyer and you're in court all day. You're not there to answer their phone calls, and they think that you're like a barber shop – three chairs, no waiting, and that you have no other clients. The demands from even one client are difficult to deal with, and sometimes you just have to cut loose, and let them find someone else.

Some of the lawyers dislike dealing with fees. Alex finds bartering with clients "very unbecoming." Jack hates "squabbles over money." Although it does not happen often, he dislikes it, because he thinks he issues fair accounts, and his clients get good value for their money. Gerry dislikes "this business of lawyers' fees, people always think you're trying to rip them off." To him, "There seems to be a consensus out there – a large portion of the people will try to chisel you down, whether you price your services at half of what you should charge, or whether you charge more than you should, a great percentage of people out there will try and chip away at it." This is one of the things that might cause him to quit the practice of law. He does not understand why "people ask you to assume responsibility or liability for all the difficult high-risk type situations. They expect you to advise and stickhandle it through, and pop the puck in the net. They look at it and say 'Oh, well, that looked easy.' When you succeed and you make it look simple. That's when you've done your job, and I don't think there's a great public awareness of what it is that lawyers do. I think that's unfortunate, and I think it grinds lawyers down." Likewise, Keith does not think that clients "appreciate all the work you do for them, and it's difficult to show them or explain to them. The bill is always too high, or you didn't do it fast enough. On the other hand, there are clients who are very happy, and that's rewarding."

Dislike of the Profession and Other Lawyers

Twelve percent of the women and 8% of the men disliked lawyers or the profession more generally. Karen dislikes dealing with unreasonable lawyers who do not arrive at the best solution for everyone, "because they like to

go to court and fight.” She feels guilty because the process is expensive, and not always productive, and many of the clients cannot afford it. She continues,

Sometimes, it doesn't sit right with me. I'm sitting in the senior partner's office and he's picking up the phone and talking on ten other files, but you know that he's charging the first client for that whole time. It just doesn't sit right. It's become too much of a business, and I just don't like that part of it. Even the court system frustrates me – you don't always get justice. You win, but you don't win, because the person has no assets or, you know, one spouse runs off with the children and you never see them again even though you have custody and you just fought for two months [to get it].

Susan dislikes “being around too many narrow-minded, chauvinistic lawyers and, if one is a lawyer, there's a tendency to have to associate with a lot of them.” Wendy thinks there “are some real scum-buckets out there. There are some lawyers who I don't think are human beings. You can be very adversarial, but you can still be a person.” She provides the example of a lawyer who would not agree to a trial adjournment shortly after a tragic death in her immediate family:

I wasn't looking for major sympathy, I was looking for common courtesy. If he'd phoned me and told me that something terrible had happened to him, I wouldn't have to phone up my client to get their consent to adjourn this thing, I'd just say, “Of course.” Now, I ended up getting it [an adjournment] anyway, but certainly not with his cooperation. And that kind of person, I'd run into his type, people who were using my own personal pain as leverage, thinking that maybe ... prompting me to settle the thing for some ridiculous sum of money. I called his bluff. I looked at him and thought, “Why do I deal with these people? Do I ever want to run across someone like him?”

Jeff does “not particularly enjoy the company of lawyers socially.” He “perhaps naively expected it to be a more contemplative, intellectual community than it turned out to be.” Lawyers are not “as inspired or inspiring company” as he expected. Rather, it turns out that law “is more of a locker room fraternity” than he anticipated. Vincent is more blunt about what he dislikes: “Stupid lawyers. Stupid, as in not necessarily agree or disagree, just thick. People who don't get the point, who don't do the work, who are intellectually lazy and it shows. And the same with judges because there are members of the Bench who are intellectually lazy.”

Facing the Gritty Side of Life

Eight percent of the women and 4% of the men disliked dealing with the negative aspects of life. Flora finds it hard to deal with conflict all the time. She admits, "It sounds stupid because you say, 'Well, why did you become a lawyer?'" Megan dislikes the responsibility "for someone else's crises," and Rebecca dislikes the fact that everyone is "working toward the negative":

Somebody comes in, and they're unhappy because something bad has happened to them or they want to do something bad. Nobody is ever happy at the end of the day, because of some kind of compromise – whether it's the judgment or a negotiated settlement that is a compromise – and everybody is sort of but not really happy at the end of the day. And I didn't like dealing with some of the people I had to deal with who, even when it was completely unnecessary, would cause a power struggle, just for the sake of having a power struggle. It's unnecessary.

Although Paul likes the practice of law, he dislikes the conflicts he has to deal with all of the time. He is also frustrated by

the backward notions of a lot of the people that you're dealing with, judges for example, and you have to work within the legal system, which is often corrupt and stupid. That's frustrating. Your clients are often people you don't have a lot of sympathy for, but you're obligated as a lawyer to represent their interests anyway, unless a moral problem develops and you can't morally represent this person. I wouldn't turn anyone away just because I don't like them, but you do have to deal with a lot of scummy clients. That, in a way, doesn't give you a lot of control over your life.

Advice to Those Contemplating a Career in Law

Although the question was not initially in the interview schedule, as the interviews progressed, I could not resist asking some of the respondents what advice they would have for students who are thinking about going to law school, or whether they would recommend law as a career.¹³ A number of the respondents recommended that students find out more about law before devoting four years of their lives (three years at law school and one year of articles) to studying it. For example, Karen had this advice:

If you have a chance – if you know anyone or if you can volunteer for a month or hang out in a lawyer's office – you should. You should see what it's like, follow someone around, and see what they do. It isn't just going into court and having glamorous arguments. It's having ten files all on your desk and everyone calling and saying, "Have you done this? Have

you done that?" and four senior partners all wanting you to put their lists of documents together. You know, it depends on where you are, but it's not always a glamorous profession, and especially if you're in a big firm and you're a junior lawyer. I urge them to think about what a lawyer does day-to-day, and if that still appeals to them, great. But if they're looking for certain things, have it [their expectations] tested with reality and make sure that's something they want.

Similarly, Zeke suggested that potential law students "sit down with a lawyer to find out what the practice is all about." Although Zeke is happy with his income, not all lawyers are "fabulously wealthy." Some lawyers "grind it out day-to-day," have all the headaches that go with the job, and do not get paid very well. According to Zeke, if you are not paid well for your work as a lawyer,

really, it's not worth it. You may as well go do something else so that at the end of the day, when five o'clock rolls around, you can leave and know that you're not going to have to even worry about it until you show up the next day. I think people should realize that maybe twenty years ago law was a ticket to become extremely wealthy, but it's not that way anymore. There are lots of lawyers, it's competitive, and you have to work. What you bring in, you've earned. There are people out there who don't have any work, who have graduated from law school and can't find articles, or get let go after articles, and I think that would surprise people who want to become lawyers – the excessive number of lawyers.

Law school was not what Riley expected. He thought that it would be more like graduate school, "where there was a focus on individual development and room for discussion of individual ideas." He was disappointed to find that it was more like high school: "You have all these courses structured, and you move about as a horde from class to class, and you go down to your lockers as a horde, and the gossip spreads like high school." Although he enjoyed the academic world, he finds that practising law is "not nearly as glamorous" as he expected. He has far less control over his practice and his life, and far more stress than he expected. He recommends that students know why they are going into law, and then talk to, or spend some time with, people who actually do the job: "See what they do, and all the routine drudgery – preparation of pleadings and answering letters from clients who are unhappy with their bills – all those routine things you don't think about before you go to law school." He would not discourage people from going to law school, but they should know what they are doing, and "separate the myths from reality." Law is not practised as it is seen on television.

Simon and Ted suggest that people think twice about going into law, because there are lots of lawyers, and the legal profession is becoming more and more competitive. It can be a difficult career path. When asked whether they would recommend law, a number of respondents said they would not. Conrad explained:

Absolutely not. Absolutely, positively not. Lawyers are like rats – there are just too many. They graduate something like 350 lawyers a year, and you have to think the average person looking in the yellow pages at all those lawyers' ads ... How often does a normal person need a lawyer in his or her lifetime? Maybe to draft a will, if they get divorced, or if they're in a car accident; corporate people, more often. There are just too many lawyers. The system is going to collapse under its own weight eventually. Even now, when I was looking for a job, there were people looking for lawyers who had completed articles and had a typing speed of a certain amount per minute because they wanted to use them as paralegals and stuff. When I was at ICBC (I'd been called to the bar), I worked for \$24,000 a year when I started. And I know lots of other lawyers who went to ICBC for a similarly low wage – at least you were making \$24,000 a year and you weren't having to work seventy hours a week to get it. I don't know whether any recommendation I could give would ever change people, because the one thing I know about lawyers, about their character, anyone who is ever interested in law school, no matter what you say to them about things being bad, they always feel that things will be different for them. They're better, they're smarter, they're luckier; they won't end up in that boat like everyone else. They remain undeterred in their quest for a degree.

Fred thinks that law is a double-edged sword. There are lawyers who make more than \$300,000 a year; however, on the whole that is not true. He has a theory about the people who are making lots of money:

My theory on that is that when you're making that kind of money, you have no life. Your life is your work and, if you're a woman, you're probably not married. But if you're married, you have no kids, you dote on a niece, you have tons of toys – the place at Whistler, the fancy car. And if you're a guy, you're probably divorced. But if you're not divorced, you have an empty marriage. And if you have kids, they see you as a trough – private school, fancy car. You and I see them at university, and they just treat dad like dirt. They're just not normal. Some are well balanced. I guess I thought at some point, will I be like them or will I be like the other people? I think people should know about that. Most lawyers don't make a lot of money, and it gets a bad rap in the profession.

Wesley was pessimistic about the chances of someone succeeding at law, given the number of lawyers:

Going back to another question about going back and doing law, one thing I was unaware of was the chance of success. And these numbers aren't accurate, but [reflect] a perception that I hold and many of my classmates held. Of the 2,000 people that applied to law school, 200 got in. Of the 200 that got in, 150 were able to find articling positions; seventy-five were able to stay in the law after that; twenty to thirty today are still practising, so that would automatically lead to the conclusion that [the success rate] is twenty out of 2,000 [1%]. Percentage wise it's a silly risk to be taking. Now the numbers I have given you are skewed, they're not accurate, they're approximations, but they give you a percentage. If you do this route, you've got a 1% chance of success, or you can do something else if you want to invest the eight years to do it. On a risk/return basis, I don't think you can justify that, but I didn't have a clue at the time.

Ray would not encourage people to go into law. From his perspective, the "market is flooded with lawyers," and universities should decrease the number of law graduates. Having said that, he adds, "It's difficult to find good quality and experienced lawyers."

Law is not something Vincent would do now. It is not as much fun as it was five years earlier, when he started practising law. Law school has become so "hyper competitive" he doesn't think that he would be admitted today. Yet the higher standards do not produce better lawyers:

The ability to write examinations doesn't determine that you're going to be good or even competent. So it seems an awfully specific, unrealistic training. When I look back on it, I had fun. I liked law school, but I've been out for two years doing everything from bussing and washing dishes to being a waiter, to being a ditch digger. I look at law school now, and you've got these people who come straight out of high school, straight into university, straight into law school, straight into articles, straight into the workplace, divorced entirely from reality, brilliant, but a disaster when they start to practise. And there are too many of them. If you're going in because you want a nice secure career, forget it. You make a hell of a lot more money selling real estate, and it's probably more secure. Why sweat blood for three years just so you can come out and be unemployed? If you want money and security, go to med school.

Alex would discourage people from going into law, because he is "getting tired of the lawyer bashing." People do not understand or appreciate what lawyers do:

But, I tell you, as soon as we do something wrong they're on us. They don't like to pay for anything, but as soon as something goes wrong – they just don't appreciate the services rendered. I don't think they understand. It's part of our job to explain to them what we do, but they don't want to hear that, because they think you're charging for it. They just want the cheapest work you can do, and I'm getting tired of it. And I charge them less than the norm, so I'm never going to get rich doing this.

Georgina, who went to law school by default to get out of another area she was unhappy in, thinks that the “worst reason to go into law is that there is nothing else to do.” The stress and the hours are not worth it. Her advice: “Become an optometrist if your goal is to make money. There are better jobs with more money and less stress.” If she could do it again, she would go into the medical profession. Vera would also recommend the medical profession, because it is a more friendly profession and more open to part-time work. She finds her workplace rather depressing: “The people I work with don't give a shit about me personally. They really don't. Some of the partners will pay lip service to you, and ask how you are doing, and stuff like that; but you just come and go ... I think if you went and asked every partner what my kids' names are, they'd have difficulties, although those same guys will tell you all about their problems with their wives, with their kids, and what's the latest trauma ... But it's not reciprocated, so it's not a personal relationship.”

Sybil would recommend neither law nor medicine. She lives in constant fear of being sued. She adds, “At least I know that the only grief I will have ever caused anybody will be money; but a doctor, you're playing with lives; that would be worse.”

Sandra, one of the older respondents, recommended that older women be encouraged to go into law:

I think a lot of them are afraid to, partly because it's so intimidating to get into law school, but I think they have a lot to offer. I'm not talking about having to be in your fifties, I'm talking about people in their forties. Those that maybe had that aspiration, but then decided to have a family and stayed home and didn't do it, and then are afraid to get back into it. I found people helpful. Nobody has been trying to block [my return to law school] in any way. I have had lawyers say, “What the heck are you going to do that for?” But they're in a place in their own lives where they're getting disillusioned with, or bored with, law, and they can't see why anybody would want to start out at this point in life and get into what they feel is now a rut. [Interviewer: Is law something you would recommend?] Yes, I think if a person has the abilities and the motivation, I think it would be good. I think as job-sharing becomes more available

and more effective, and as firms are more open to taking on more women, and as we try to deal with non-discriminatory clauses seriously, as long as we're not sixty-five, we're not going to be discriminated against so far as the Law Society is concerned. So I think that there's the opportunity to work, but to get into a smaller firm in which you can job-share. My own feeling would be that if a young woman lawyer had five or six years of experience or more and decided she wanted to stay home and have children and only work part time – to have an older woman, who maybe does not have the legal experience but had the time, who didn't have the pressures that small children put on you, [the two together] would be a good combination, because you could pick up for each other. I don't see that happening.

Sally thinks she would recommend law to some people – “people who are prepared to work hard, and who have a thick skin.” Although it depends on the type of law lawyers are in, she thinks that law is for people who are prepared for the stress and personal sacrifices, because “there aren't enough hours in the day to be able to do everything well.” She would like to see more flexibility, job-sharing, and a reduced workweek. However, she does not think this will happen without changed expectations for both women and men.

Nicole thinks that law is more difficult for women than for men. However, that does not mean that women should avoid law. Rather, “it means they should go into it in larger numbers.” She feels “somewhat guilty” about getting out of the profession: “Maybe more women should be making demands, rather than saying, ‘Okay, I'll leave. Goodbye.’”

A number of lawyers who work in smaller centres said they were great places to work, but chuckled about recommending it to others, because they did not want to increase the competition. Elizabeth explains:

The more competition we have out here, the more difficult it will be to do as well as we are, so I have a vested interest in keeping the population of counsel here down. However, I would sincerely encourage anyone to branch out – the bars are smaller, the sense of camaraderie is great, and the willingness to assist new counsel is incredible. It seems to be inexhaustible – far better chance of advancement; some difficulty in adjusting. I'm a big city girl, I grew up in [a large city], I lived in [a number of large cities], I'd never lived in a small town. The first year was difficult for me and my children; however, once we adjusted and started getting more involved in outdoor activities ... I truly love it up here now. I get down to the Lower Mainland when I can, go shopping and what not. I have no reservations about encouraging people to get out of the Lower Mainland.

Concluding Comments

The women and men in this study were similar in the two most frequent reasons they gave for going to law school; approximately one-third of the women and men went to law school because they had a keen interest in law, and one-third of them went to law school by default, with nothing better to do. Those lawyers who went to law school because they had a keen interest in law were more satisfied with the practice of law (58% of the women and 81% of the men) than those who were just looking for something to do. Only 33% of the women and 47% of the men in the latter group were satisfied with the practice of law. Similarly, lawyers who had a keen interest in law were more likely to predict they would be practising law five years from the time of the interview (68% of the women and 94% of the men), than those who were just looking for something to do. Only 47% of the women and 82% of the men in this latter group thought they would be practising five years from the time of the interview. However, when they were asked whether or not they would do it over again,¹⁴ only 68% of the women and 69% of the men who had a keen interest in the practice of law said they would, and 47% of the women and 71% of the men who were just looking for something to do said they would do it over again. Half of the twelve women and four of the thirteen men who were dissatisfied with the practice of law overall would become lawyers if they had to do it over again. Five of the dissatisfied men were uncertain whether they would do it again. Career choices are obviously complicated decisions. However, as one might predict, those who go to law school out of interest, as opposed to because of having nothing better to do, are more likely to be satisfied with the practice of law.

There were some differences. The men (24%) were more likely than the women (10%) to go to law school to broaden their education or gain more control over their lives. Money was mentioned more frequently by men (18%) than women (10%), and pressure from family was mentioned more often by women (12%) than men (4%). The women (16%) were slightly more likely than the men (10%) to identify commitment to improving society or helping people as a reason for going to law school. However, it is important to remember that the respondents were not given a list of possible choices. Such lists affect the type of responses one receives.

Overall, the men (62%) were more satisfied with the practice of law than the women (50%); however, given the historical exclusion of women and the finding by other studies what women remain “fringe dwellers” in the legal community, perhaps the surprise is that the difference is not greater. A similar proportion of women and men in this study liked the following aspects of the practice of law: the challenge and satisfaction, a forum in which to interact with people, and knowledge and intellectual stimulation.

A similar proportion disliked the stress and responsibility, the hours worked and the pressure to bill, and jokes about lawyers. However, the women (18%) were more likely than the men (8%) to dislike the adversarial nature of the work.

While women and men go into law for similar reasons, their experiences once in practice, discussed in Chapters 3 through 6, are less similar.