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Donald D. Landon

Southwest Missouri State University, Springfield, MO

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LAW CAREERS AND COMMUNITY CONTEXT: A COMPARISON OF RURAL AND URBAN EXPERIENCE

Donald D. Landon

*Department of Sociology and Anthropology
Southwest Missouri State University
Springfield, MO 65804-0095*

Abstract. *The legal profession is highly differentiated by practice situation, clientele, and community setting, producing multiple professions within the practice of law. Using community size as the independent variable, this paper argues that the structuring of a legal career has less to do with the commonalities of legal training or the presumed solidarity of a learned profession and more to do with the characteristics of the community in which professional practice takes root. With a comparative approach, using data selected from a sample of rural lawyers in communities of 20,000 or less in Missouri, a midsize (150,000) Missouri city, and a metropolitan setting (Chicago), this paper demonstrates that law careers are deeply rooted in the social, economic, and political characteristics of their communities and tend to mirror the dominant local institutions. In large-scale settings where the population is broadly stratified, legal careers are distributed within a professional hierarchy that mirrors the economic and social setting. Institutional practice is the norm while entrepreneurial practice is experienced as a residual form. In smaller settings, where populations are more homogeneous and the economic base does not support institutional practice, entrepreneurial practice is the norm. Entrepreneurial careers include diverse clientele, a concentration on personal plight matters and deep involvement in community activities. The community is thus argued to be the prior and fundamental source of structuring for the professional career of lawyers.*

It is not surprising that in a country where urbanization has been a primary source of social change over the past century social scientists should focus on cities and their impact on all phases of human experience. This emphasis is certainly true in the study of the legal profession. Despite the fact

that a century ago virtually all lawyers were “country lawyers,” nearly all recent studies of the legal profession have been done in metropolitan centers such as Detroit (Ladinsky 1963), Chicago (Heinz and Laumann 1982), New York (Carlin 1966), or Washington, DC (Nelson 1983).

Scholars’ neglect of lawyers practicing in small towns, which typify the urban structure of the Great Plains, has led to distortions in the understanding of the dynamics that propel the development of the profession. For example, one of the most recent studies of the social organization of the bar suggests that the profession is bifurcated into two great “hemispheres of practice”—one serving elite corporate clients and the other serving primarily individual clients (Heinz and Laumann 1982:319). This differentiation of the bar into two virtually unconnected worlds is seen as evidence of the “client-driven” character of the legal profession whose professional autonomy is more apparent than real.

Exclusive focus on the metropolitan bar can lead to such conclusions. The bar in metropolitan areas is highly differentiated, steeply stratified, and profoundly fragmented, but a question remains whether this is exclusively a client-driven phenomenon. A recent study of the (neglected) rural bar suggests that the community is a prior and more fundamental structuring influence (Landon 1990). Where communities are smaller and more homogeneous, the fragmentation of the legal profession is far less likely to occur. Where the economics of the community are smaller in scale and simpler in structure, the bar tends to mirror that modesty. Where the number of lawyers in a community fails to reach a critical mass, as in the case of the small town bar, the community and not the organized bar becomes the salient reference group for the practitioner.

While the ideology of the profession emphasizes its independence and autonomy, the evidence is overwhelming that law practice (in contrast to medicine) has its roots thrust deeply into the economic and social institutions of its containing community and therefore is both secondary to and dependent upon these institutions for its shape and its character. The metropolitan bar mirrors the institutions of metropolitan society. The rural bar mirrors the institutions of smaller scale communities. While country law practice has not been much studied, it is by no means dead. Spread out across the Great Plains

are thousands of practitioners whose careers are shaped more by the economic and social institutions of their communities than by the presumed commonalities of the profession.

Career Differentiation

This study addresses the relatively unexplored small town lawyer—the country practitioner—whose community environment does not exceed 20,000 in population and frequently is as small as 2500 or less (Landon 1990). The inquiry seeks to answer a series of questions about professional careers in less populous places. What distinguishes the rural career from the metropolitan career? Who are the persons who practice law in the country? What are their family backgrounds? What are their educational credentials? What is the lure of an entrepreneurial career in contrast to an institutional career in a large urban firm? What is the meaning of a “general practice” career in the country? Around what clientele is a rural career built? What are the evolutionary patterns in rural careers? Is there a difference between beginning and end? How does the small-scale setting constrain career aspirations? What are the indicators of status in a small town practice? These shall be the orienting questions as we examine the data from law practice in smaller settings.

The increasing differentiation of the bar has produced a multiplicity of career patterns within the profession. These varied careers have been the subject of considerable inquiry. Carlin (1962) delineated the unique career of the sole practitioner in Chicago struggling to survive off the “dirty work” left after the more remunerative and reputable work was creamed off by elite firm lawyers practicing on LaSalle Street. Wood (1967) documented the unique world and work of the criminal lawyer. O’Gorman (1963) explored the career tensions of the divorce attorney. Smigel (1964) and Nelson (1983) probed the work of the elite, superfirm corporate lawyer ensconced in a walnut-paneled suite on Wall Street. These studies represent the more dramatic examples of how differing client groups shape differential careers within the profession of law.

What we learn from these accounts is that careers in law tend to follow the contours of the primary social and economic institutions of the larger

society. As the scale of business and industry expanded and the corporation was born, corporate law practice emerged in departmentalized, large-firm settings, mirroring the structure of the business world it served. When the economy increases in complexity and business enterprises show strong trends toward specialization, the legal profession reflects that development in its own specializations (Mills 1951:122). When the small town gives way to large metropolitan centers with polyglot populations and great differences in wealth, which tend to generate clear ethnic and class distinctions, the legal profession in turn becomes stratified, mirroring the hierarchy already forming in the business and industrial sector as well as in the social class and ethnic structure of the city (Ladinsky 1963).

It is in this sense that the legal profession "is secondary to and therefore dependent upon the primary economic and social institutions of the society" (Wells 1964:186). As society has moved from the simplicities of early capitalism to the complexities of corporate enterprise, the legal profession has found itself moving from the simpler traditional general practice career that simultaneously embraced business and personal matters, to careers exclusively concerned with entities or with individuals (Heinz and Laumann 1982). As the resources of the society increased, enabling an increasing differentiation of the population into status groups, the legal profession has subdivided into status groups that again tended to reflect the larger hierarchy (Carlin 1962, 1966; Handler 1967; Zemans and Rosenblum 1981; Heinz and Laumann 1982).

The differentiation of law careers and the stratification of the profession found in these studies appear to be artifacts of the setting, not independent developments within the profession. This interpretation was confirmed in Handler's (1967) replication of Carlin's New York City study of professional ethics in the smaller setting of pseudonymous Prairie City (population, 120,000). He found relatively little stratification in the bar and an essential homogeneity in practice patterns and careers. The precarious career of the metropolitan sole practitioner, showing strong structural strains toward ethical compromise, was not found in Prairie City.

LoPucki (1990) found that lawyer career specialization had little to do with the fields of law as taught in law school. Instead, the logic of the local

economy tended to dictate specializations. Client demand and economic opportunity structured law practice.

Lortie (1960) suggested that law careers can generally be described as either “institutional” or “entrepreneurial.” The institutional career is typically developed within a large law firm where the beginning lawyer starts as an employee-apprentice without clients of his or her own. The neophyte works under the direction of more senior members of the firm and serves their clients, typically practicing in a relatively specialized area developing rather focused expertise. The early years constitute a probationary period under the scrutiny of more senior colleagues who are assessing his or her fitness for becoming a partner in the firm. The crucial relationships in the institutional career are thus with senior colleagues, who have supplied the clients, delegated work, and controlled the rewards of status, income, and ultimately partnership. As an institutional practitioner, the attorney sacrifices autonomy for security. The career is propelled by sponsorship more than by enterprise. The symbols of success tend to be technical mastery and hierarchical status. In many respects the institutional career stands at the center of the ecological network of the profession. It is a career with impressive cases and with prestigious, powerful, and wealthy clients and colleagues. It is a career generated by urban scale and diversity.

The entrepreneurial career, on the other hand, is an exercise in enterprise, not apprenticeship or probation. The entrepreneurial career is usually a solo practice or a loose affiliation of a few practitioners together. At one time it was the model career within the profession, but over time it has moved toward the periphery of law practice. The proportion of practitioners entering entrepreneurial careers is shrinking. Clientele are primarily small businesses and individuals of modest means. The latter are often “one-shot” clients who come for a divorce, a will, or a real estate transaction and have no further legal business.

The entrepreneurial career is a vulnerable career because of its double imperative—the need to earn a living while trying to build a practice. Survival is predicated on ingenuity and enterprise—making a niche for oneself in what appears to be an already overcrowded street. The vital relationships are with people who can send clients to the lawyer. *Success for the legal entrepreneur*

has little to do with professional hierarchy. Career advancement is as much a product of entrepreneurial enterprise as it is legal expertise.

While the solo practitioner's cases, clients, and professional colleagues rarely possess the power and prestige of those in institutional careers, the entrepreneur does claim the valuable distinction of autonomy with regard to time decisions. Whatever the economic precariousness of the entrepreneurial career, it is a career with a certain independence. This independence is perceived by the entrepreneurial practitioner as central to professional integrity. It is also judged to be compromised in institutional law practice (Heinz and Laumann 1982:365-73).

Data

The data for this study are derived from in-depth interviews with 201 lawyers practicing in 94 counties and 116 communities in rural Missouri during the period July 1982 through March 1983. An additional 77 interviews were conducted among attorneys practicing in a middle-sized Missouri city, Springfield (155,000) during the same time period. This additional data set is used to detect intermediate changes in practice patterns between the smallest communities (under 20,000) and the large metropolitan areas previously studied such as New York, Chicago, Detroit, and so on. All of the communities in the rural sample were independent towns outside of metropolitan centers and not included in Standard Metropolitan Statistical Areas. A stratified random sample of private practice attorneys was drawn from each community size category. Interviews were personally conducted by the principal researcher in the attorney's local offices and ranged from one and one-half to three hours in length. The sample was drawn from a compilation produced by the *Martindale-Hubbell Directory* and the 1981 *Missouri Legal Directory* published by the Legal Directories Publishing Company, Dallas, Texas.

Although Missouri is not a Great Plains state, the features of the rural bar delineated here should be indicative of Plains states, where small communities are the rule. For example, of the 200 or more communities in each of

TABLE 1

DISTRIBUTION OF RURAL LAWYERS BY PRACTICE TYPE

Firm size	Number	Percent
1	86	42.8
2-3	90	44.8
4-5	20	10.0
6-8	20	1.0
9-12	3	1.5
	201	100.0

Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota, 95% (in Oklahoma) to 99% (in South Dakota) have populations under 20,000.

The Differences Between City and Country Entrepreneurs

Law practice in rural areas is, by virtual necessity, entrepreneurial. Over 86% of all practitioners in the study's sample practiced alone or in 2-3 people firms (Table 1). The economic base in small towns can rarely support a firm of over five attorneys. Therefore, the opportunity for an "institutional" career in the country is virtually nonexistent. Country lawyers are therefore almost exclusively professionals left to the devices of enterprise.

But the entrepreneurial career in the country needs to be differentiated from its counterpart in metropolitan settings. The legal entrepreneur in the city occupies a peripheral position in the local professional ecology. He or she handles residual matters not attractive to the mainstream of the metropolitan

bar. He or she stands at the bottom of the local professional hierarchy, occupying a less reputable position in what has been termed a "moral division of labor" (Hughes 1958:71; Heinz and Laumann 1982). But in the rural setting, the entrepreneurial career is the only career. It is rarely tarnished by invidious comparison with local more reputable institutional careers, which simply do not exist in the country. Enterprise is the norm in the small setting and rarely does any single attorney or firm exercise a monopoly on prestigious clients. The social hierarchy in small towns is modest to begin with and it generally distributes itself pretty evenly over the local bar. In this sense, an entrepreneurial career in the country is qualitatively different than its counterpart in a metropolitan setting. It is neither discrediting nor differentiating. It is simply the norm.

There is a second difference as well. Entrepreneurial careers in metropolitan settings exist because of the dynamics of the market for professional services. Lortie's (1960) study of both institutional and entrepreneurial practitioners in Chicago suggested that the professional market selects some for core positions (institutional, large-firm practice) and leaves the residue to the devices of enterprise. Law school graduates enter the professional market trained specifically neither for institutional nor entrepreneurial careers. Rather they come only generally trained in law and flexible. Some are able to land jobs with established firms at which point they get their more specific socialization into the "core" law practiced in large firms. This socialization is administered by the more senior members of the firm. Those who do not obtain large firm positions form career expectations consistent with their more immediate prospects—the need to earn a living in a highly competitive business system. They become entrepreneurial practitioners.

This sorting and sifting by the market in metropolitan settings, according to Lortie (1959:369), is facilitated by the flexibility indigenous to law school training:

Career opportunities, distributed unevenly, coincide with socializing experiences and thus differences are not defined as serious inequities. Longings which the system of work cannot fulfill do not develop; flexible men are free to follow the market. . . . Men

undertaking entrepreneurial careers (in metropolitan settings) uphold their course with zest and vigor—a subtle alchemy prevails whereby these men assume the values appropriate to their fate.

The data in the study suggest that the entrepreneurial career in the country is deliberately chosen rather than adaptively accommodated as it appears to be in the metropolitan settings. While the market's limited ability to create institutional careers in the big city drives many into the necessities of enterprise, in rural settings the attractions of home, friends, and familiar surroundings, as well as the highly prized independence, appear to lure locally produced lawyers into entrepreneurial careers. What is seen as a *push* in the metropolitan setting appears to be a *pull* in the rural setting. Eighty-seven percent of the rural sample indicated they were practicing precisely where they intended to be. In only three of the 201 interviews was there a suggestion that having an entrepreneurial career in a small town was a compromise of the respondent's professional aspirations. One of those three attorneys said:

Well, I really didn't look for a job in a city firm. My law school grades weren't the best and my chances of getting a firm position probably weren't too good. So I looked around and decided to come here.

The vast majority of the respondents, however, were represented by another attorney who said:

From the time I entered law school I planned to come back to set up practice. . . . There's nothing in the city I want that I can't get by just making a visit there. Here I'm my own man. Nobody's telling me what to do.

The interviews did not pick up any "subtle alchemy" transforming the rural practitioner's values to correspond with their fate. They appeared to have entrepreneurial careers by design, not by default.

Characteristics of the Rural Bar

The Function of the Familiar for the Entrepreneur

The rural bar is primarily an indigenous bar. Nearly two-thirds of the practitioners grew up in the county they are currently practicing in or in an adjacent county. Apparently it is not just the lure of the country, but more specifically the lure of practicing among friends and acquaintances, which guides the rural practitioner's location decision. This preference is not surprising given the risks entailed in an entrepreneurial career. It is easier to meet the double imperative of building a practice and making a living when one locates among friends and acquaintances than it is if one hangs out a shingle among strangers. The risks of the entrepreneurial career are thus somewhat mitigated in the rural setting. The metropolitan entrepreneur finds a setting where he links must be forged to client sources in order to build a practice. Police, bail bondholders, and insurance agents are members of the crucial network that must be developed (Carlin 1966). The rural practitioner returning home to a small community has less need for brokers. He or she is already known and friends and acquaintances constitute a potential reservoir of legal business.

On the other hand the lawyer going back home to practice faces some career contingencies not found as commonly in larger settings. As one rural attorney observed:

Going back to your hometown is tough. Lots of time it's a mistake to go back. Sure, you have lots of contacts and all, but here everybody knows everybody and you are still "old man Jones' son" or "my old paper boy." You can be 60 years old before they accept you as an adult. . . . In a small town you've got lots of old friends, and you get them saying to you, "You know me Sam. I'm good for that money. Give me a few weeks to get it together." And pretty soon you're carrying \$5000 on the books you'll never collect. Come in as an outsider and you may starve for a while, but they'll pay their bills better.

Some of the rural bar grew up in metropolitan areas but selected a rural setting in which to practice because of quality-of-life considerations. It was not unusual for such “outsiders” to locate within driving distance of a metropolitan center. Their clientele were often a mixture of local people and some from the metropolitan setting. As one such “immigrant” said:

Situated here, we're only an hour from St. Louis and an hour out of the woods. I have clients from both locations as well as a lot of local people. I work in the St. Louis courts a lot, but I wouldn't live there.

Family Background and Career Placement

Law careers in major metropolitan settings appear to follow very predictable patterns. Differing ethnoreligious family backgrounds tend to dictate where prospective attorneys attend law school (Ladinsky 1963; Carlin 1966; Zemans and Rosenblum 1981; Heinz and Laumann 1982). The evidence suggests that family background tends to be very important helping the career options in the metropolitan setting. Students from advantaged backgrounds tend to gravitate to more elite law schools, which in turn supply the recruits for large-firm practice. Once channeled into a prestige law school by virtue of a prestigious family background, the newly-minted attorney is likely to be hired by a large firm and then escorted into an institutional career. Students from disadvantaged backgrounds tend to collect at local law schools, which generally supply the entrepreneurs for solo and small firm practice. Thus the stratification found within the metropolitan bar tends to be an extension of the social hierarchy found within the metropolitan population. The evidence from metropolitan settings further suggests that the proportion of students from modest backgrounds entering the legal profession and enjoying the upward mobility intrinsic to entering a professional career is declining (Heinz and Laumann, 1982:190).

The rural data, however, show a contrasting picture. The proportion of persons from lower socio-economic backgrounds choosing law careers is significantly greater in the country than in metropolitan settings. While

almost three-fourths of the lawyers in the Chicago sample came from upper middle class backgrounds, only 56% of the rural sample came from such backgrounds. Moreover the data suggest that the increase in the proportion of lawyers coming from lower socio-economic backgrounds tends to be linear. Moving from the metropolitan setting to the middle-sized city setting (Springfield) to the rural setting, the proportion of legal careers from working class backgrounds steadily increases. This linear relationship continues into the variations in community size even within the rural sample itself. In towns under 2500 over half the lawyers came from more modest backgrounds, while the larger rural communities had only 30-40% of their practitioners with such origins.

The use of a legal career to enhance one's status in the community is well understood by the rural bar. They are candid about their motivations for entering law and locating in small places. One attorney remarked:

While I was growing up in this town I noticed that lawyers wore the shined shoes and drove the nice cars. And they were the people everybody quoted to settle an issue. They seemed to have everything going for them. I wanted that, so I went to law school.

Another attorney said:

The leading people in small towns are the banker, the high school coach and the lawyer. People go to them for advice.

If status in a career is a function of the extent to which a person is at the core of a larger system, then in small towns the lawyer occupies a crucial position. He or she rubs shoulders constantly with people who make or are involved in making substantial local decisions. In selecting a small town for their career, rural lawyers may have selected a modest arena, but in that arena they are substantial actors.

There is another indication that the lure of higher status operates strongly in the rural bar. Over a fourth of the rural sample moved into law from other careers or occupations. Teaching, insurance, and accounting lead

TABLE 2
PRE-LAW CAREERS OF THE RURAL BAR

Career category	Frequency	Percent
No previous career	146	72.6
Public school teaching	11	5.5
Insurance	9	4.5
Accounting	5	2.5
Business executive	3	1.5
Factory work	3	1.5
Sales	3	1.5
University teaching	3	1.5
Military	3	1.5
Broadcasting	2	1.0
Publishing	2	1.0
Engineering	2	1.0
Real estate	2	1.0
Banking	2	1.0
Law enforcement	1	.5
Government	1	.5
Social work	1	.5
Farming	1	.5
Construction	1	.5
	201	100.0

the list (Table 2). The average tenure in these earlier careers was just under four years. Economic motivations must also be considered as influential since none of the occupations abandoned for a law career yielded the income promised by law.

Law School Background and Career Achievement

Studies of the metropolitan bar indicate that the route to a prestigious law practice begins in a professional or upper middle class background, achieves its primary thrust from selecting a nationally ranked law school, and consummates itself in a specialist's role in a large metropolitan firm serving elite clients (Heinz and Laumann 1982:172-73). Zemans and Rosenblum (1981:11) found that the law school attended was the best predictor of what type of practice a metropolitan attorney would have. Law school performance and academic standing explained the second largest proportion of variance in career settings.

Again the rural bar data diverge from the metropolitan findings. The country career is much less affected by the contingency of law school quality. The data show that over 90% of the rural bar in Missouri are trained in Missouri schools. Eighty percent received their training in the two state-supported law schools, and a full 70% took their credentials from a single school, the University of Missouri in Columbia. Only 8% of the sample took degrees from out-of-state law schools, and only one attorney in the sample graduated from a nationally ranked school (Michigan).

These data tend to strengthen the earlier suggestion that rural practitioners are country entrepreneurs by intention, not by adaptation. Had they aspired to a more prestigious institutional career, their selection of law schools would probably have shown greater differentiation. Caution is necessary, however, in drawing the conclusion that rural law students inevitably go to local law schools and return home to practice. Our data do not include others from rural settings who took law training but did not come back to a rural community to practice.

The mid-size city (Springfield) data show that as the size of the setting increases, the dominance of the state university law schools lessens in favor of a wide variety of credentialing institutions. Springfield, not being a major metropolitan area, has only rudimentary elements of stratification in its bar and consequently little draw on the graduates of nationally ranked law schools (Landon 1977). The Springfield data compare favorably with Handler's

(1967) study of another midsized city, in which he found only 5% of the bar to be graduates of Ivy League schools while 65% came from the state university and other in-state institutions.

Class standing in law school has an impact on law careers in metropolitan settings (Warkov 1965:144). Zemans' and Rosenblum's (1981:108-10) data show that high achievers in law school are more likely to have careers in large firms and practice in prestigious specialties. Class standing appears to operate in a similar, but much more modest fashion in rural careers. Obviously, the large firm setting is unavailable in small towns, but the data do suggest that top ranked law graduates who practice in the country are more likely to practice in the larger towns where the economic base is broader and the client selection is greater. They are also more likely to report that workloads are heavier. Only 10% report that their case load is too small while almost 40% who graduated in the bottom quartile of their class reported having too few clients. The average client load for the top graduates was 521 per year while the bottom quartile reported an average of 380.

While there is not much opportunity for cornering a prestigious specialty in the country, the data do show that high ranking graduates spend more of their law effort in the more lucrative fields. For example, those who graduated in the top 10% of their law class and have been practicing between 16 and 35 years spend on the average significantly more of their time in legal matters relating to business enterprises (banking, commercial and contract law, general corporate matters, and negligence and compensation for the defense) than do all of their colleagues who ranked below them (Table 3). The data also indicate that those with higher ranking in their class spend less time in personal plight areas such as criminal defense and domestic matters and the less reputable and remunerative area of collections. These data suggest that the higher the rank in law school, the more successful one will be in refining his or her practice in the rural setting.

The range of differences are small, which would be expected in a context where the options are limited, but the rural career, like its metropolitan counterpart, does appear to reward high academic achievement. The rewards, as would be expected, also include income (Table 4). Those who graduated at the top of their class and have been in practice 16-35 years have a mean income

TABLE 3

PERCENT OF EFFORT INVESTED IN VARIOUS AREAS OF LAW
PRACTICE BY RANK IN LAW SCHOOL AND YEARS IN PRACTICE

Practice areas	Years in Practice			
	6-15		16-35	
	Rank in law class		Rank in law class	
	Top 10% (n=12)	Others (n=77)	Top 10% (n=20)	Others (n=51)
Banking	7.1	4.6	6.5	5.6
Collections	7.9	4.2	1.0	3.0
Commercial, contracts	2.1	3.7	4.5	3.2
Criminal defense	8.4	6.9	4.5	6.7
Domestic	15.4	17.6	9.8	13.5
Estate	9.6	10.3	14.8	15.8
General corporate	4.2	3.0	4.5	3.0
Municipal	6.7	2.2	2.0	2.1
Negligence, defense	2.1	3.8	7.0	4.2
Negligence, plaintiff	11.7	10.5	13.5	13.6
Real Estate, commercial	2.9	5.3	6.0	6.3
Real Estate, residential	5.4	7.6	5.5	5.8
Personal taxes	0.0	1.7	2.0	2.3
All other	16.5	18.6	18.4	14.8
	100.0	100.0	100.0	100.0

of \$81,875 (1981 dollars), compared with \$60,694 for all others in practice the same length of time.

TABLE 4

AVERAGE 1981 LAW INCOME BY RANK IN LAW SCHOOL
AND YEARS IN PRACTICE RURAL SAMPLE

Years in practice	Law school rank				
	top 10%	top 25%	second 25%	third 25%	lowest 25%
6-15 years	\$53,333	\$62,222	\$60,781	\$40,312	\$43,000
16-35 years	\$81,875	\$57,777	\$75,526	\$51,406	\$45,714

Clients in Country Careers

Another major difference between metropolitan and rural settings is the ratio of entities available as clients to individuals available as clients. A rough approximation of that ratio can be observed in the number of pages in the telephone directory listing businesses and organizations and the number of pages listing residences. The variety of entities in a metropolitan setting is enormous, running the gamut from abortion clinics, abstract offices, and accounting firms to word-processing services, wrecking companies, yoga academies, and zoological research centers.

In rural settings, the ratio is not only smaller, but the variety of entities is less. Retail shops and stores, restaurants, repair services, local or county government offices, farm implement dealers, small industries, banks, and insurance agencies are typical. Thus the selection of a country law practice is a clearly self-conscious selection of a people-oriented practice rather than an entity-oriented practice. Individuals and their problems are the primary

TABLE 5

PROPORTION OF INDIVIDUALS AS CLIENTS

Percent of client load that is individuals	Percent of Attorneys	
	Rural	Springfield
90% or more	8.1	14.3
76% - 90%	61.2	15.9
51% - 75%	24.3	22.1
26% - 50%	4.0	24.5
Under 25%	2.5	22.1

focus, not businesses, corporations or institutions. As one rural attorney expressed it:

This is people practice here in the country. That's clear straight off from the beginning. Oh, sure we all try to get as many business clients as we can. They're more steady. But the bread and butter is people.

The ratio of entities to residences affects the law career (Table 5). Nearly half of the lawyers in the Springfield setting had as many or more business clients than they had individual clients. The rural sample, in contrast, showed only 6.5% having such a client mix. Almost 70% of the rural bar drew over three-fourths of their clients from the ranks of local or surrounding area citizens. Not only is rural practice people practice in sheer number of clients, it is also people practice in terms of income as well. The data show that over

three-fourths of the rural sample received half or more of their law income from work for individuals as compared to only 31% for the Springfield sample.

If the selection of a law career in the country is a self-conscious selection of a predominantly individual clientele, then the rural bar may be unique in general professional orientation. Several studies indicate that in general, people heading toward law careers evaluate “working with people” relatively low (Davis 1964:173-74, 183; 1965:140-42; Eron and Redmount; Miller 1967; Shaffer and Redmount 1977). For the rural practitioner, “working with people” is the centerpiece of the practice.

The interviews with the rural attorneys did reveal some ambivalence about people-practice careers. But most attorneys felt a deep sense of satisfaction in being able to help individuals solve their problems. Many have been central actors in extracting local folk from overwhelming difficulties and, from their viewpoint, the high points of their careers are marked by such events. Others have been less durable under the strain of handling a steady stream of other people’s troubles. Cynicism surfaced occasionally. One lawyer declared:

You might as well face it. Only nuts come to lawyers. If you can’t face that you’d better get out of this business.

Many remarked about the sheer exhaustion associated with people-practice:

I’ve been practicing here ten years but it seems like twenty. . . . I’ve handled over 500 divorces. . . . It’s gotten to the place where I dread seeing a client come in the door. I’m quitting this year—selling out. Going to move to the city and find a less hectic job.

I’m dead tired after 23 years of this. I think I’ve got a shot at circuit court judge. I’m going to give it a run anyway.

One practitioner who had moved to the country from an urban setting, where much of his work was for business and corporate clients, had thought a lot about what people-practice was all about. He said:

There's just a difference between people as clients and organizations (as clients). You're freer working for organizations. I guess it's because they don't have feelings. They don't stand over you or call you on the phone all the time like people do. I guess people come to lawyers when they're in trouble. They kind of feel their whole world is coming apart. It don't look that way to us, but that's how they see it. . . . In people work you've got to solve the legal problem and the emotional problem. It just takes a helluva lot out of you.

Counsellor at Law, Etc.

Several years ago, Hazard (1965:46-53), in criticizing existing studies of the legal profession, suggested that the word "lawyer" describes the body of training more than it describes the social function of the profession. He suggested that what lawyers did in America was enormously broad. Included in the broad spectrum of lawyering in the country is a considerable amount of personal counselling. A hallmark of rural practice is accessibility. Law offices are generally on Main Street. Their doors are typically open to walk-in clients, and for many rural attorneys, the walk-in clientele often want advice, reassurance, or simple companionship. These comments from different attorneys are typical:

If you are halfway friendly to people and act interested in them, they'll begin to bring all kinds of personal problems to you. Some people are just lonely, I guess. But there are a lot of people who think the local lawyer is a fountain of wisdom. I had a couple in here this morning who wanted to know if they should put their mother in a nursing home.

I get a lot of parents coming in here with problems with their kids. You're supposed to be a psychologist and a moral judge. I hear 'em out. You can't shut your door. Someday they may have a legal problem and you'll want them to come back. You've got to be ready for anything. Yesterday a client came in because he found out he had an inoperable brain tumor and he wanted to revise his will.

A pretty steady part of my practice is doing common sense tasks for people which are not directly legal problems. Lots of people here are unsophisticated, some illiterate. They get stuff in the mail, forms to fill out and the like and don't know what they are. Most of the time they are afraid so they bring the stuff to me to look at or do. I tell them it's alright, nothing to worry about and they go away feeling better. I don't guess that's law work but it is part of lawyering in the country.

The amount of time given to this kind of personal counselling varied enormously from lawyer to lawyer, reflecting the role of personality and practice style as well as other variables. Half of the sample estimated that 10% or less of their time was spent in that kind of personal counselling, but one-quarter of the sample said they spent over 20% of their time on such matters. One senior attorney said:

Over the years you'll accumulate a lot of these peripheral matters if you show an interest in people. For my own part, when I have helped reassure a troubled person I feel as good as if I had won a lawsuit.

Thus the opportunity structure for building a law career in the country is comparatively circumscribed. It is virtually inevitable that the practitioner will be an entrepreneur. Clients, while representing all facets of rural life, will be mostly individuals rather than entities. As such, the rural practitioner is in people practice, not by the sorting process of the local market as it is in urban settings, but rather by the inescapable characteristics of the context. Because

the experiences of people are different than the experiences of entities, and because the ethos of the rural context emphasizes accessibility, most rural lawyers experience clients bringing a broad range of personal problems, not all of which are clearly legal matters.

Life Course Trajectories: The Unfolding of a Rural Law Career

Additional evidence of the role of community setting in structuring the lawyer's career is available by using the "life course trajectory" concept. Professional careers are like business enterprises inasmuch as they have a developmental history. Newly graduated law students are not normally found on the judicial bench. Senior partners in large firms rarely do collection work. Incomes of attorneys in their fifteenth year of practice are expected to exceed the income of those in their first year of practice. Solo practitioners in small settings are rarely elected to the presidency of the American Bar Association. Career histories have a structure to them that enables analysis as surely as business development portrays a pattern that can be documented.

Heinz and Laumann's (1982:173) study of the Chicago bar utilized the concept of "social biography" to detail the sequence of status locations lawyers in that setting were likely to occupy over time, beginning with their selection of a law school. The data indicate (as noted earlier) that ethnoreligious group origin and father's occupational status are significantly involved in the type of law school the aspiring lawyer attends. The trajectory of career events from that point are highly predictable. Graduates of national or elite law schools tend to land their first job in a large law firm, which remains the context of their work throughout their career. The graduate of a local law school is most likely to have as a first job in a small firm or in solo practice, which also tends to be the context for the remainder of the career. Thus, by examining cohort groups within the metropolitan bar, Heinz and Laumann were able to display the life course trajectories of practitioners along a variety of status dimensions.

This life course trajectory analytic tool can be applied to rural careers with profit also. It can help us see how the scale of the environment shapes the development of the career. The life course trajectory concept applied to the

rural bar will necessarily examine different status categories than would be used in metropolitan settings. For example, the rural bar shows little or no evidence of ethnoreligious differentiation. It is primarily a homogeneous bar reflecting the social and ethnic homogeneity of the containing communities. Second, while the demand for legal services by corporate clients has increased significantly in metropolitan areas over the past several decades (relative to the demand for legal services to individuals), that uneven growth has been less felt in the country.

But within those limitations there is still a demonstrable life course trajectory among rural lawyers. The selection of mutually exclusive statuses to which rural practitioners are assigned at different career stages is necessarily arbitrary. They represent judgments made as a consequence of conducting the interviews with the sample and observing the frequency with which the rural bar spoke of “refining” their practice.

In summarizing, two things stand out in the life course trajectory of the rural law career in contrast to the metropolitan career trajectory. First, the homogeneity of the rural bar tends to eliminate the ethnoreligious factor as an important source of career achievement differences. In the country, it is age or seniority in practice rather than ethnicity that becomes the primary source of differentiation.

Second, because practice within the rural environment is primarily people practice, the dimensions along which career achievement variations occur are derived from variations inherent in that particular practice area rather than in the “hemispheric” differences found in the metropolitan bar. The business and corporate practice hemisphere simply does not exist for the small-town bar. What differences that do exist among careers in the country are largely related to variety within matters individuals normally bring to attorneys.

For example, senior practitioners in the country were able to prune out a large proportion of their collections and criminal defense practice over time. While divorce practice is universal in the country, the more senior the attorney the less likely it is for that type of practice to be a significant source of income or effort. Estate work appears to be increasingly captured by senior attorneys as does the relatively small amount of corporate and commercial

TABLE 6

A CROSS-SECTIONAL ESTIMATE OF THE YEARS-IN-SERVICE-SPECIFIC
LIKELIHOOD OF HAVING PARTICULAR PRACTICE AREA GENERATE
THE LARGEST PROPORTION OF INCOME

Years in practice	Percent earning largest proportion of income in					
	Personal injury	Estate	Divorce	General corporate commerical contract	Real estate	Criminal defense
Rural sample						
0-5	11	10	36	0	3	0
6-15	22	8	20	0	11	0
16-35	28	38	12	0	6	0
over 35	0	64	7	0	7	0
Springfield sample						
0-5	48	5	0	13	0	5
6-15	25	8	0	12	0	0
16-35	26	9	0	21	0	13
over 35	29	44	0	29	0	0

contract practice (Table 6). So in the rural environment careers typically vary not between two dimensions—personal clients and corporate clients—but along a single dimension.

Beyond those general differences in the career trajectories of metropolitan and country lawyers there is a pattern of career differences and

commonalities among rural practitioners that stands out. First, despite the limited scale of the small town, which reduces the options the lawyer has for changing employment and still remaining in the same community, the probability of a highly stable career in terms of locality is considerable. Again, because of the reduced scale of the rural environment, the probability of initiating the career as a sole practitioner is also high. The vulnerability of the career in its formative stages is high, and the probability that the rural career will be launched under the helpful guidance of an experienced attorney is small.

The rural career, in contrast to the metropolitan career, includes a nearly inevitable component of government employment. Early in the entrepreneurial career when economic vulnerability is greatest, resort to various kinds of government work, especially the prosecuting attorney's office, is common. As an elective office, it affords the beginning practitioner high public visibility, extensive advertising, and if elected, an opportunity to demonstrate competence in the court room, a standard requirement for career success in the country. The guaranteed income from the office, albeit modest, serves as an important stop-gap measure for economic security in the early period of the career.

While specialization is the vehicle of career differentiation in the city, refinement of practice is the vehicle in the country. In the city, specialization tends more to be an ascribed status—a position entered early in the career. In the country, whatever specialization occurs is more of an achieved status. It represents a career-long refinement of cases and clients. It rarely results in a complete escape from involvement in the personal-plight spectrum. Ideally, refinement of practice would also include a reduction in the high volume practice of the rural lawyer. But career trajectory data suggest high volume remains a virtually permanent component of the rural career. The refinement of practice is seen most dramatically in the sources of large income trajectory (Table 6). The movement from the stress and strain of domestic practice to the "milk and honey" of estate work is the most significant transition in the development of the rural career. Thus, within the rural bar we catch a glimpse of the process of differentiation within a very limited system. Though much smaller in scale than found in the metropolitan system, there is, nonetheless,

TABLE 7

POLITICAL ACTIVITY

Nature of political activity	% of attorneys answering yes	
	Rural	Springfield
Ever been a candidate for elective office?	65.2	18.2
Ever been elected to public office?	57.2	9.1
Interested in running for political office?	35.8	16.9
Interested in national office?	13.4	17.8
Active in political party organization?	66.7	50.6

even in rural practice a discernible move over time toward capturing the more desirable clientele and cases. Age, or more precisely, length of time in practice, appears to be the primary mechanism of career differentiation in the rural setting.

Extraprofessional Social Roles in the Rural Career

While community leadership has been documented as one dimension of the lawyer's professional role (Matthews 1952), the extent to which that role characterizes the career of the rural attorney has never been systematically measured. The data here suggest that a clear pattern of extraprofessional roles characterize the rural career, most clearly manifest in political activity.

Two-thirds of all rural practitioners are members of political party organizations, a nearly equal proportion have been candidates for elective office, well over half have served in elective office, and over one-third are still interested in elective office (Table 7). These data take on particular significance when they are compared with the data from the Springfield sample, which reflects a markedly lower level of political affiliation, aspiration, candidacy, and success.

At least three forces converge to pull the country practitioner into politics. First, in the early years his visibility is substantially enhanced by running for public office. Second, much of the rural attorney's work for individuals and business is facilitated by having political connections. Getting acquainted with the operation of the governmental system, meeting and working with the primary decision makers, and demonstrating success in getting things done through the system are all valued assets from the clients' point of view. Finally, there is public expectation that the lawyer will give some measure of community leadership and service. The lawyer is typically among the best educated persons in town and generally perceived to be knowledgeable about a wide range of public matters. That expectation typically converges with the lawyer's own self-interest to make political activity a staple part of the rural career.

In addition to the political roles, there is a relatively high level of community organizational activity involved in a country legal career. The organizations in which the rural bar are active run the gamut of local voluntary associations—Chambers of Commerce, service clubs, churches, lodges, country clubs, youth groups, veterans organizations, and so on. Rural practitioners in this study belonged on average to nearly seven local organizations (the range was one to 19). The urban (Springfield) sample, despite the much wider range of organizational possibilities open to them, had a mean membership rate of less than six, and a range of one to thirteen. The greatest differences in organizational affiliation between the rural and urban sample were in business organizations such as the Chamber of Commerce, and in civic and public service organizations such as Kiwanis, Rotary, or Lions Clubs.

The involvement in political and local organizational activity indicate the salience of the local community for the rural attorney. The local professional community is too small to provide the rewards of recognition and honor available in metropolitan centers with their powerful bar organizations. But the local community is a vital source of recognition and reward for the rural lawyer whose career embraces it enthusiastically.

Conclusion

This paper has argued that the structuring of a law career has less to do with the commonalities of legal training or the presumed internal solidarity of the profession, and much more to do with the characteristics of the community in which professional practice takes root. Intertwined with and deeply imbedded in the local economic and social institutions, law practice tends to mirror its environment. The hazards, for example, of a highly stratified career system are indigenous to large scale settings that already carry all the marks of social hierarchy undergirded by extensive class and ethnic differences and supported by uneven allocations of wealth and power among both individuals and organizations. On the other hand, the necessity of an entrepreneurial career is similarly indigenous to small settings unable to support large firms with a specialized practice or to promise a monopoly of exclusive clientele. From these two basic differences emerge a variety of career contingencies that separate rural law practice from metropolitan practice. The community is thus the prior and fundamental source of structuring for the professional career of lawyers.

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