

"Alas for you lawyers, You have taken away the key of knowledge. You did not go in yourselves and those who were on their way in, you stopped."

Luke 11:52

of Lawyers v. General Population

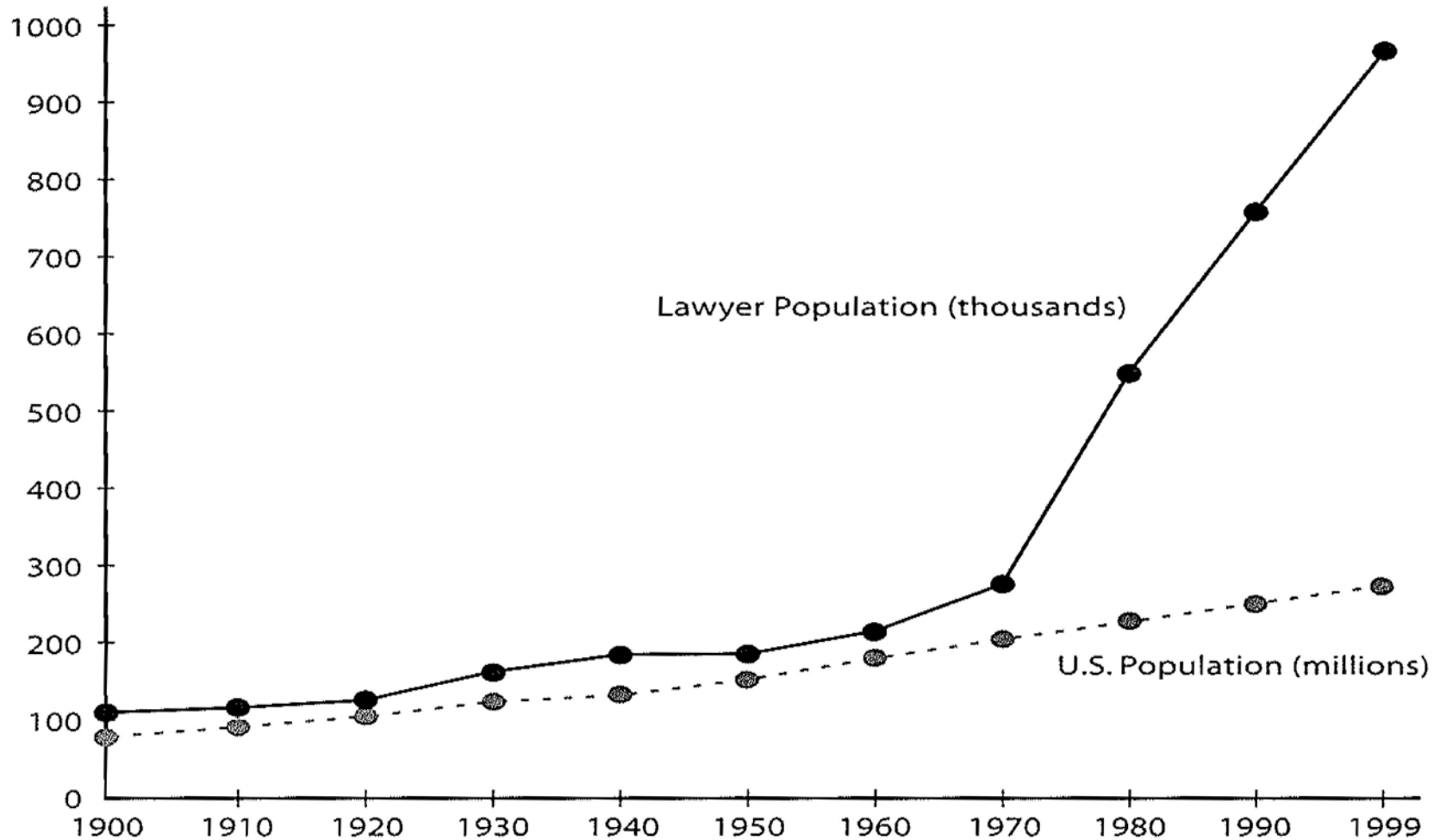


FIGURE 4.1 The Growth of the Legal Profession and U.S. Population

SOURCE: Bureau of the Census, *Historical Statistics of the United States* (Washington, DC: Government Printing Office, 1975), and Bureau of the Census, *Statistical Abstract of the United States* (Washington, DC: Government Printing Office, various years).

How much do lawyers make?

Nationally:

Mean wage: \$129,020

Median wage: \$113,240

Utah:

Mean wage: \$120,150

Median wage: \$100,660

Source: Bureau of Labor Statistics, May 2009

Distribution of Full-Time Salaries — Class of 2006

% of salaries

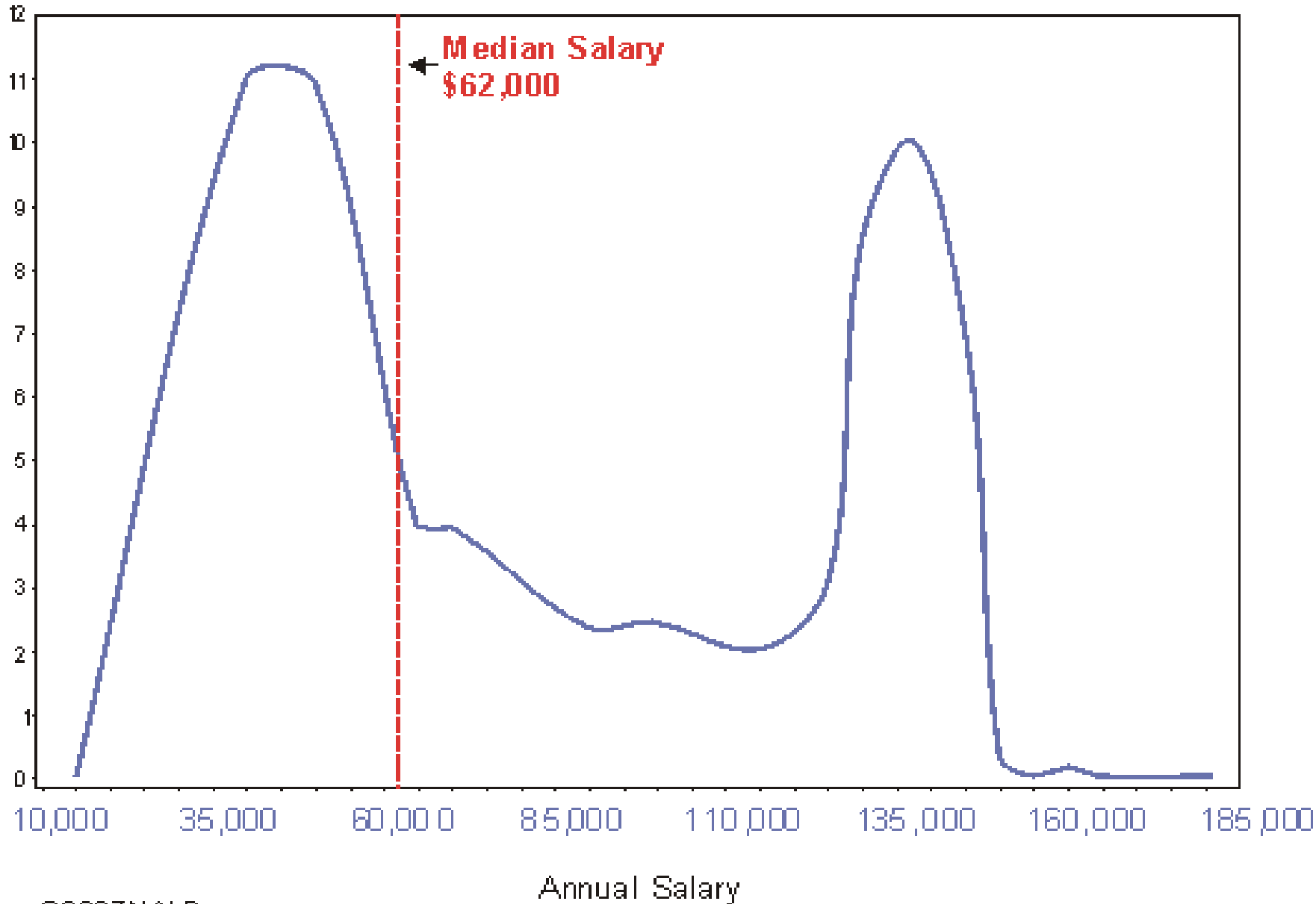
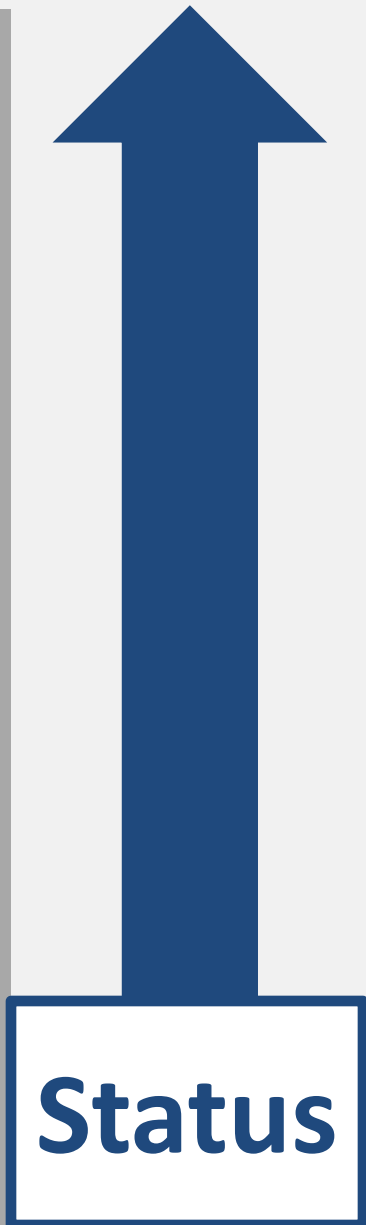


TABLE 4.2 Private Practitioners and Their Law Firms, 2000

Firm Size	Number	Private Practitioners (%)
2 lawyers	37,698	11
3 lawyers	25,963	7
4 lawyers	19,522	6
5 lawyers	16,052	5
6–10 lawyers	45,549	13
11–20 lawyers	40,108	11
21–50 lawyers	40,936	12
51–100 lawyers	26,279	8
101+ lawyers	95,892	28

SOURCE: Clara N. Carson, *The Lawyer Statistical Report: The U.S. Legal Profession in 2000* (Chicago: American Bar Foundation, 2004), p. 8, Table 8.

Attorney Status vs. Control of Client



Law as a Profession

Characteristics of a profession:

A public avowal of faith according to a traditional formula, or

The taking of vows on joining a religious order, or

The body of people in a learned occupation, or

An occupation requiring special education.

Law as a Profession

Characteristics of a profession:

- Self-direction
- Education
- Fiduciary duty
- Barriers to entry
- Organized to discipline its members

Bates v. State Bar of Arizona (1977)

Until 1977, most states prohibited attorneys from advertising.

In *Bates*, the U.S. Sup. Ct. found that the First Amendment free speech interests of lawyer advertisers were greater than suppression of “unnecessary” litigation and maintenance of profession’s image.

How Often Do Americans Use Attorneys?

**Proper context: Disputes and
Relationships**

**As the next two slides show,
people are relatively unlikely to
go to attorneys and do so after
attempting other solutions**

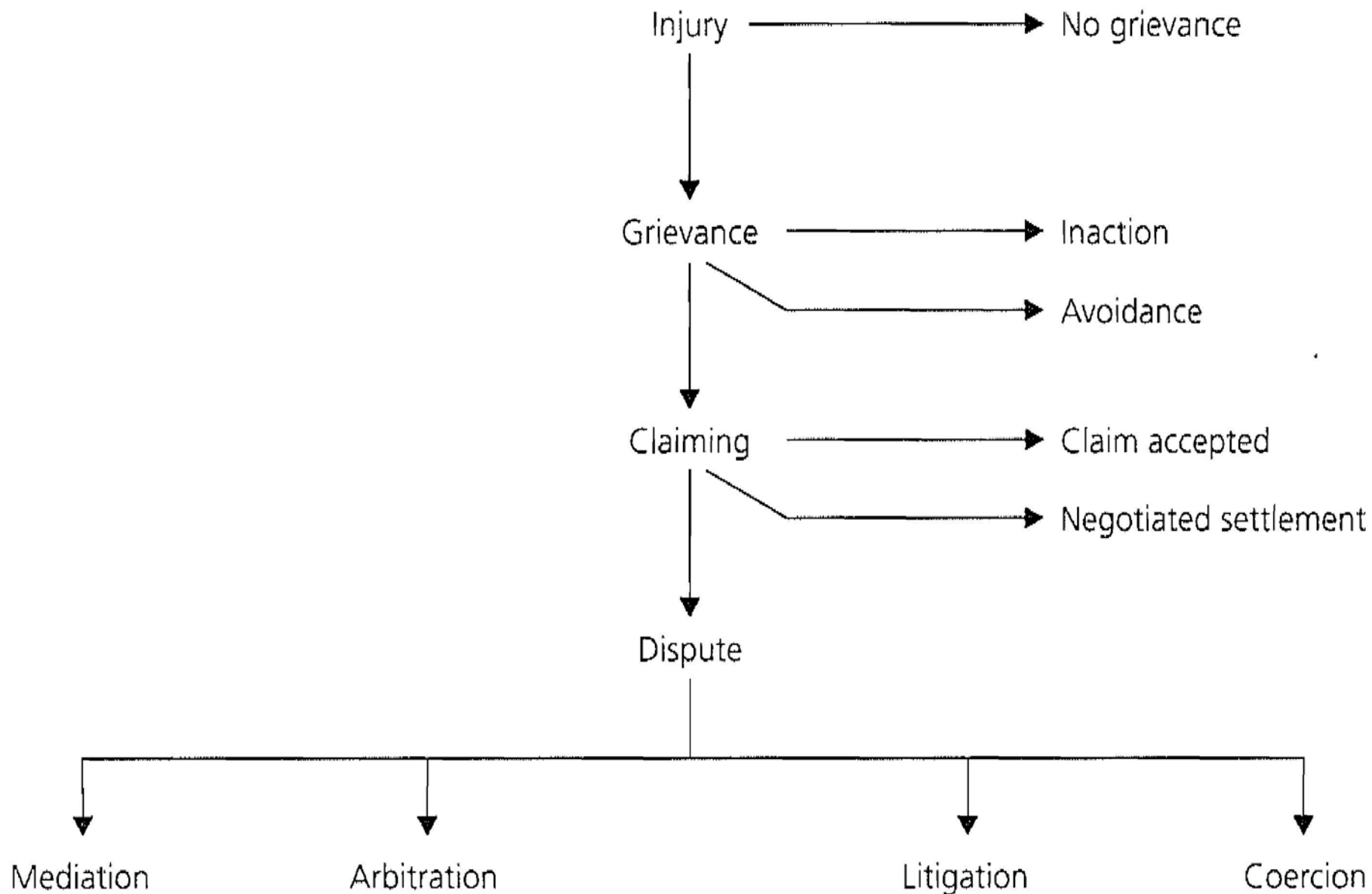


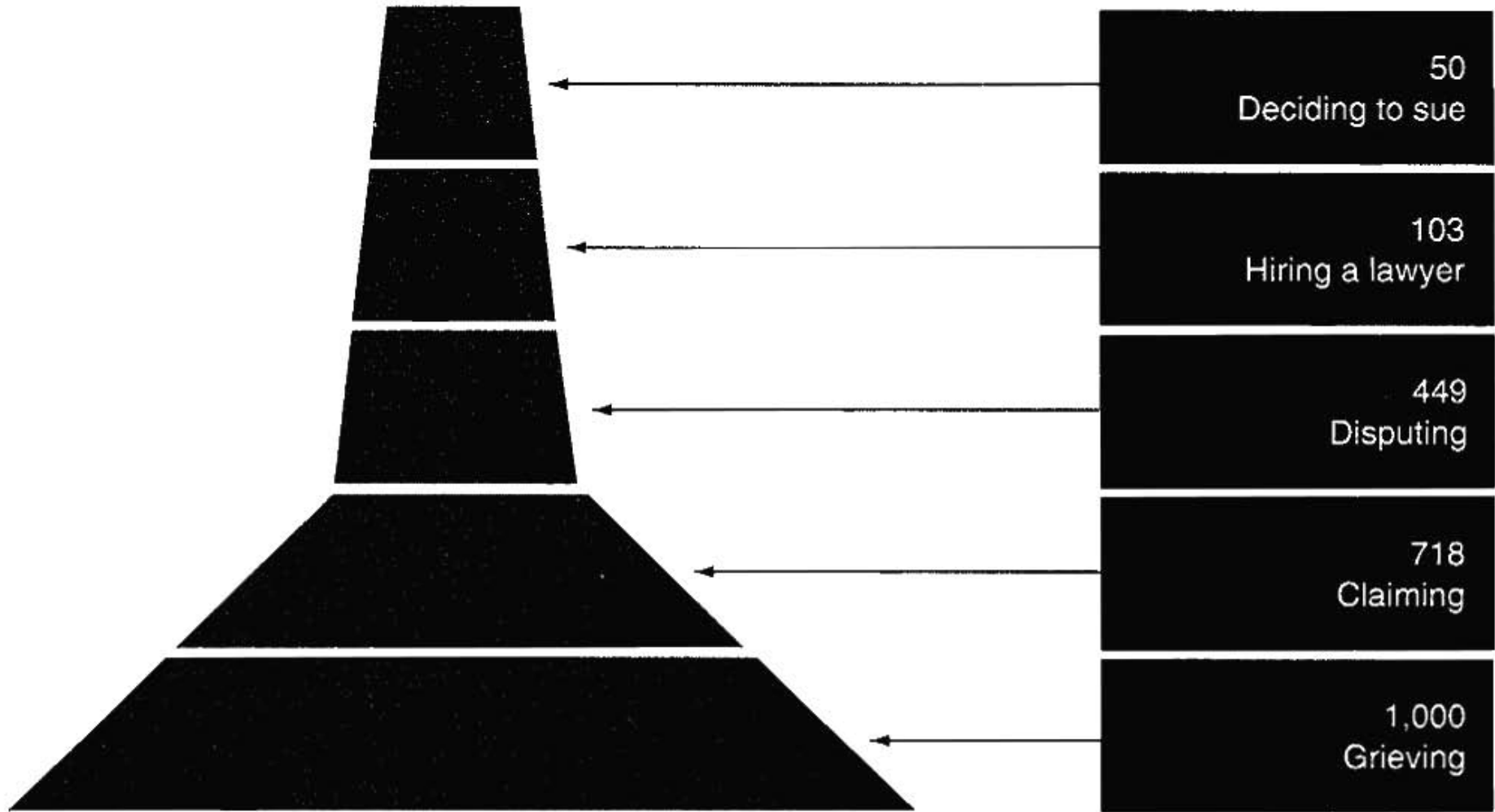
FIGURE 7.1 The Development and Resolution of Disputes

SOURCE: Richard E. Miller and Austin Sarat, "Grievances, Claims, and Disputes: Assessing the Adversary Culture," *Law and Society Review* 15 (1980-1981): 524-565.

Disputing Pyramid

FIGURE 10.1

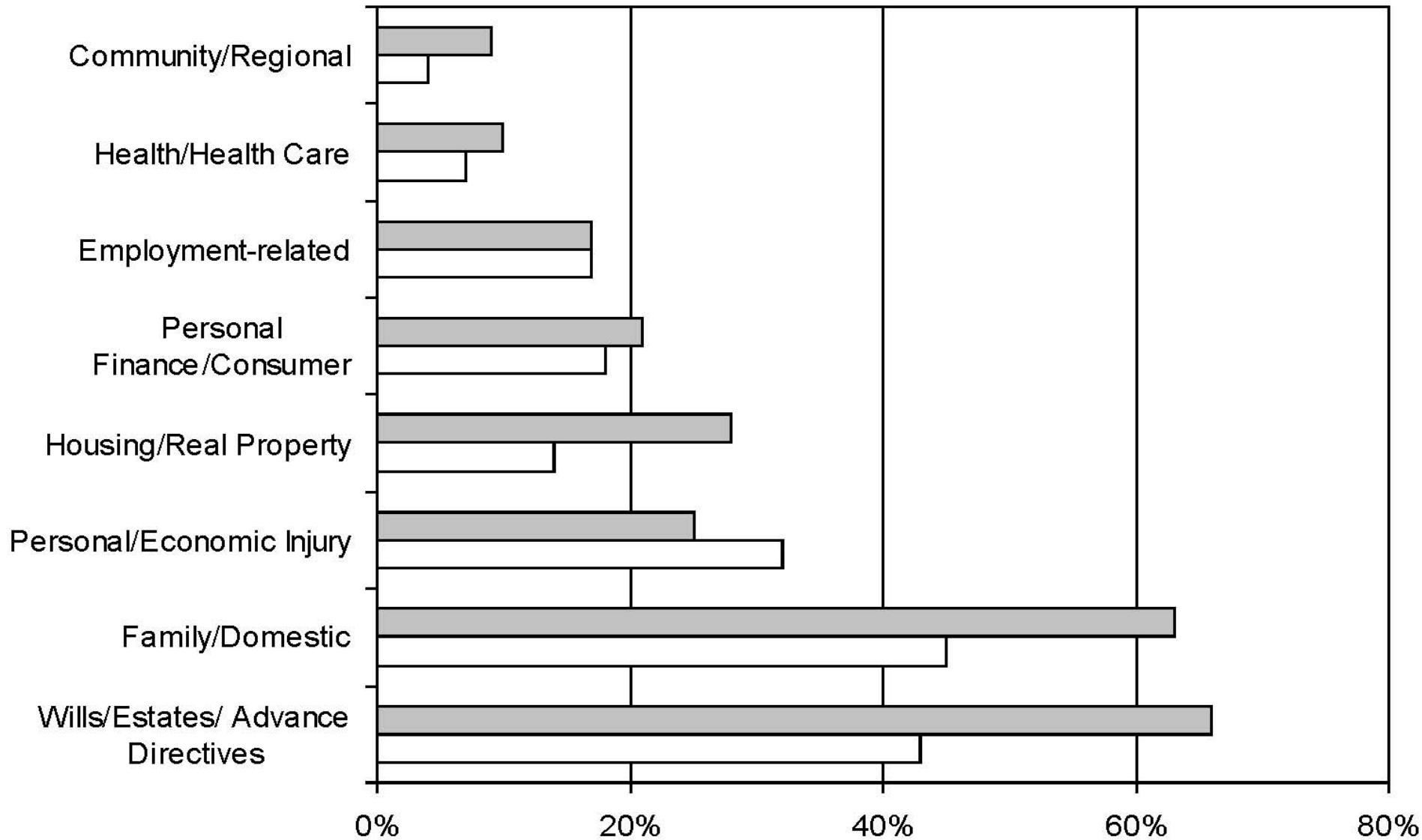
The Disputing Pyramid for Civil Cases

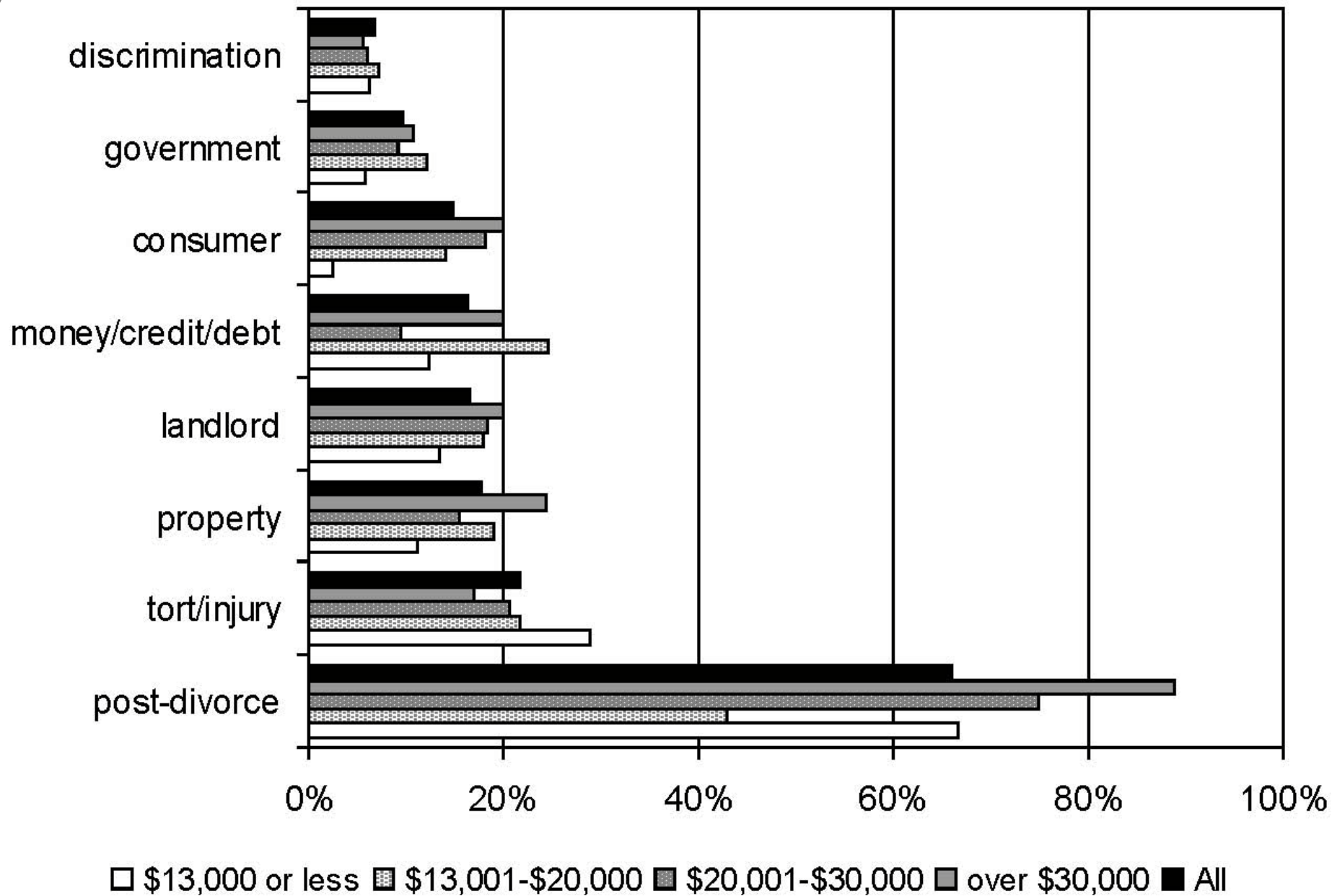


Source: Richard Miller and Austin Sarat. "Grievances, Claims and Disputes: Assessing the Adversary Culture." *Law and Society Review* 15 (1981), 544. Reprinted by permission of the Law and Society Association, Blackwell Publishing.

Gray Bars = Moderate Income/ White Bars are Low Income

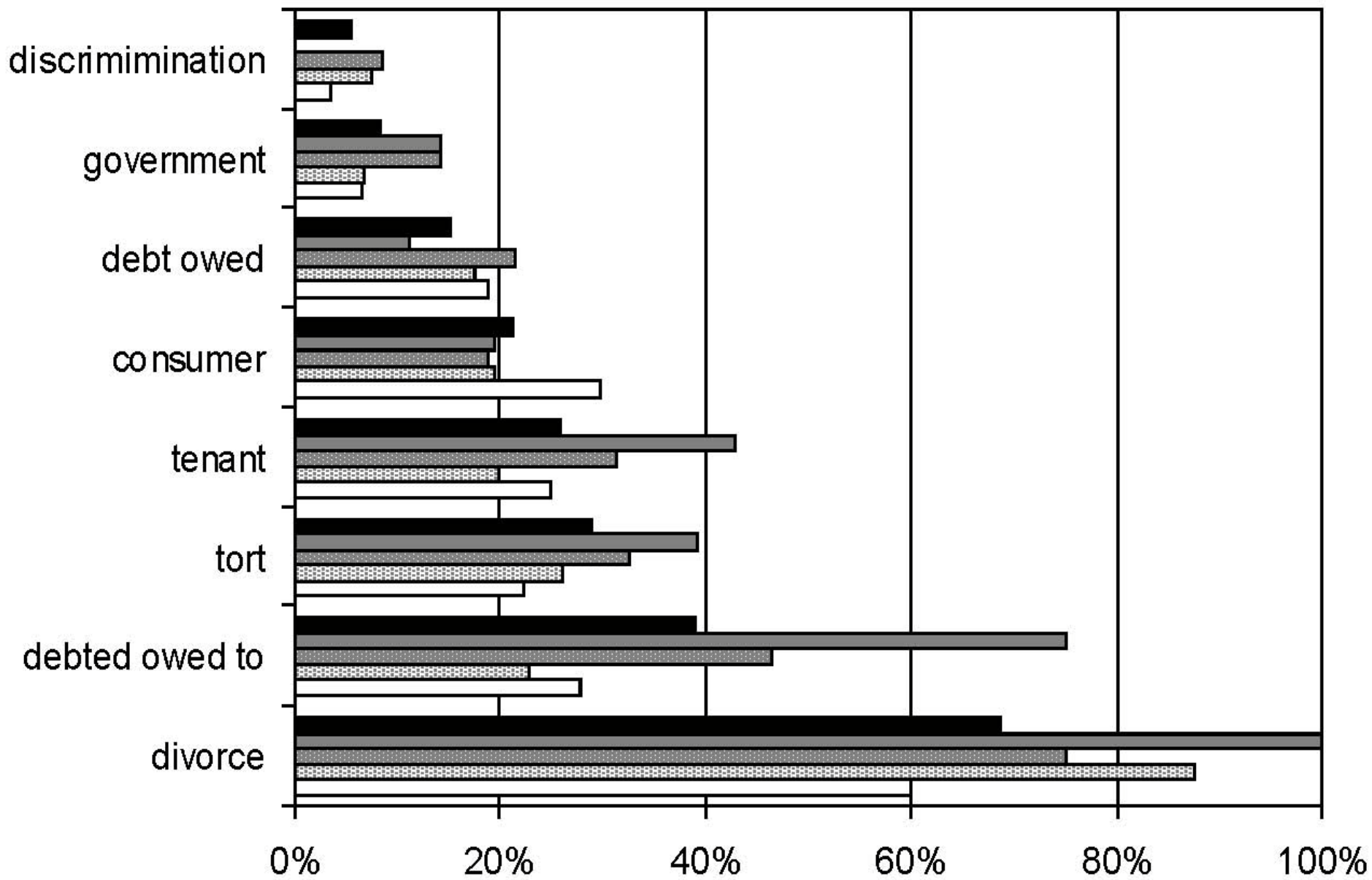
FIGURE 5: LAWYER USE, ABA LEGAL NEEDS STUDY (1993)



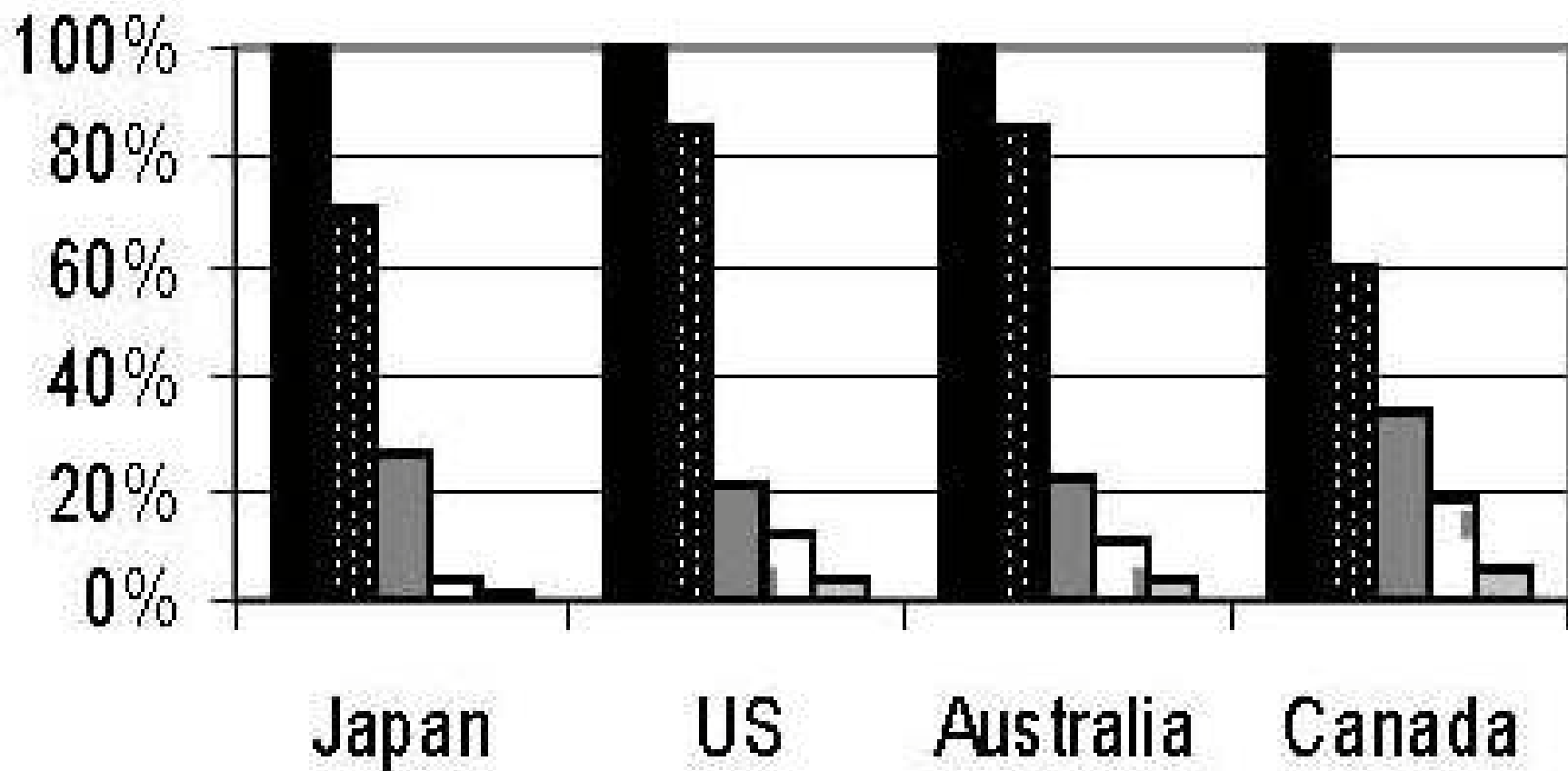


Source: Author's analysis of the CLRP data.

ONTARIO DISPUTE STUDY (1988)

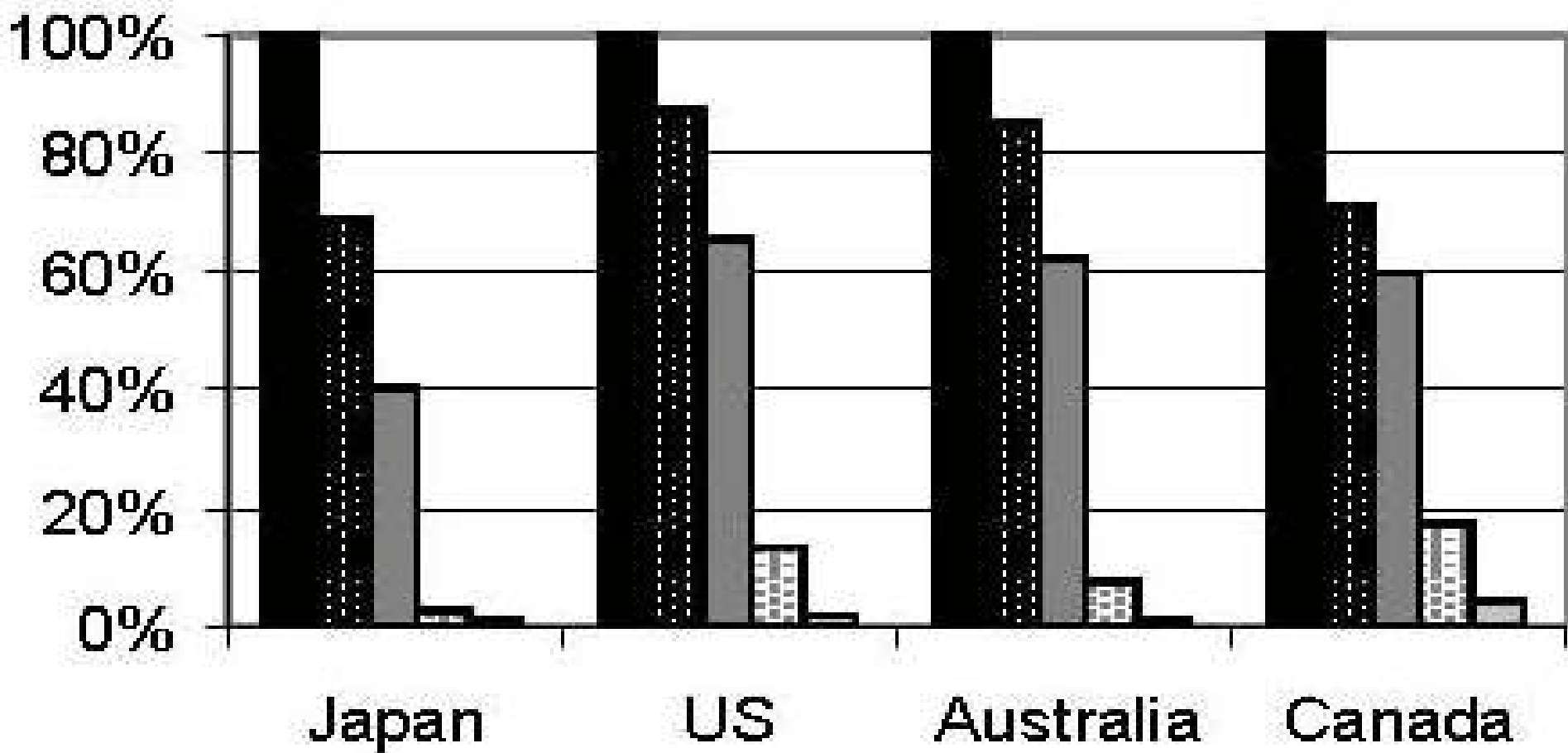


Torts/Injuries



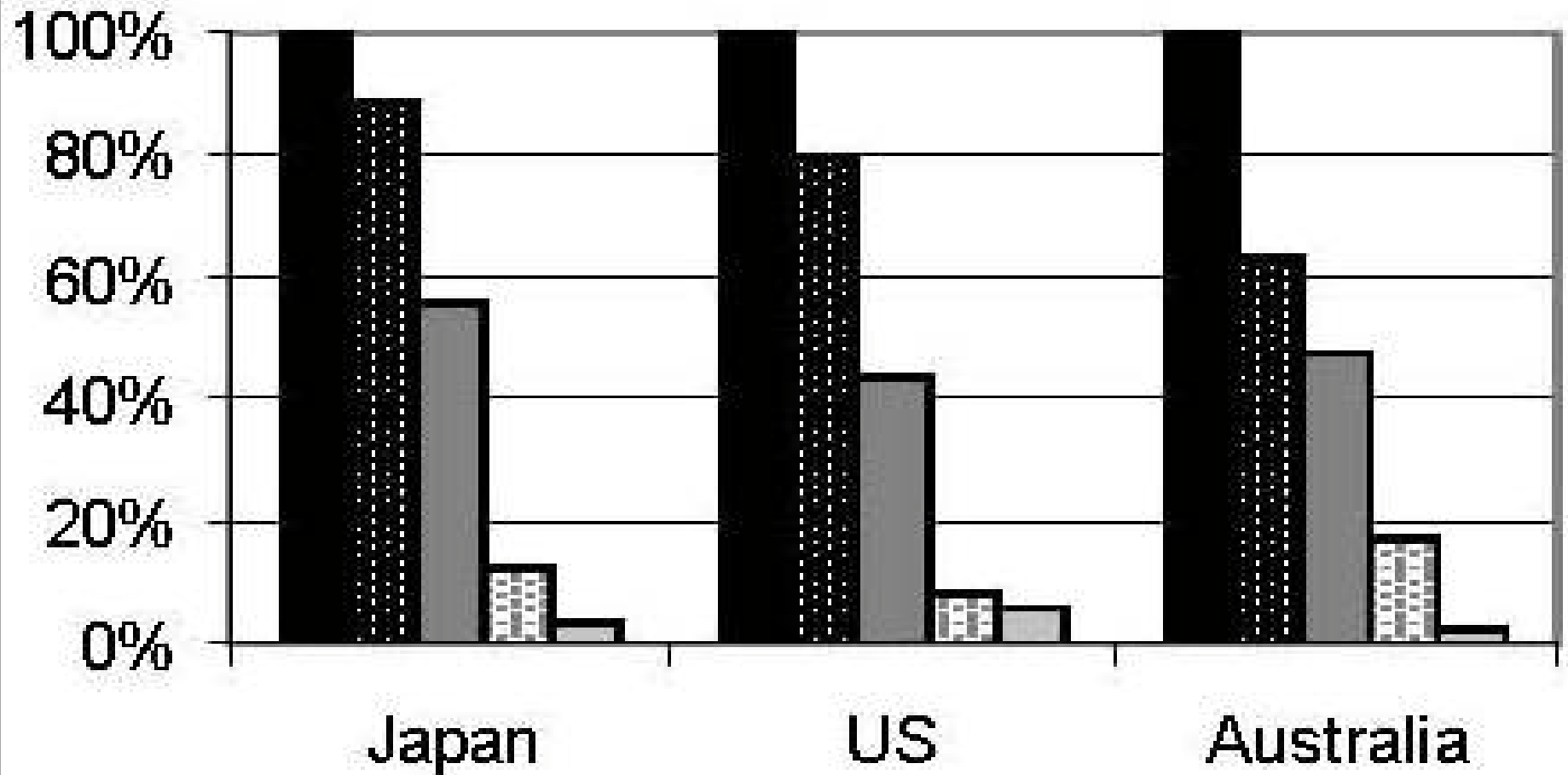
■ Grievances ■ Claims ■ Disputes □ Lawyer ■ Court

Consumer



■ Grievances ■ Claims ■ Disputes ■ Lawyer ■ Court

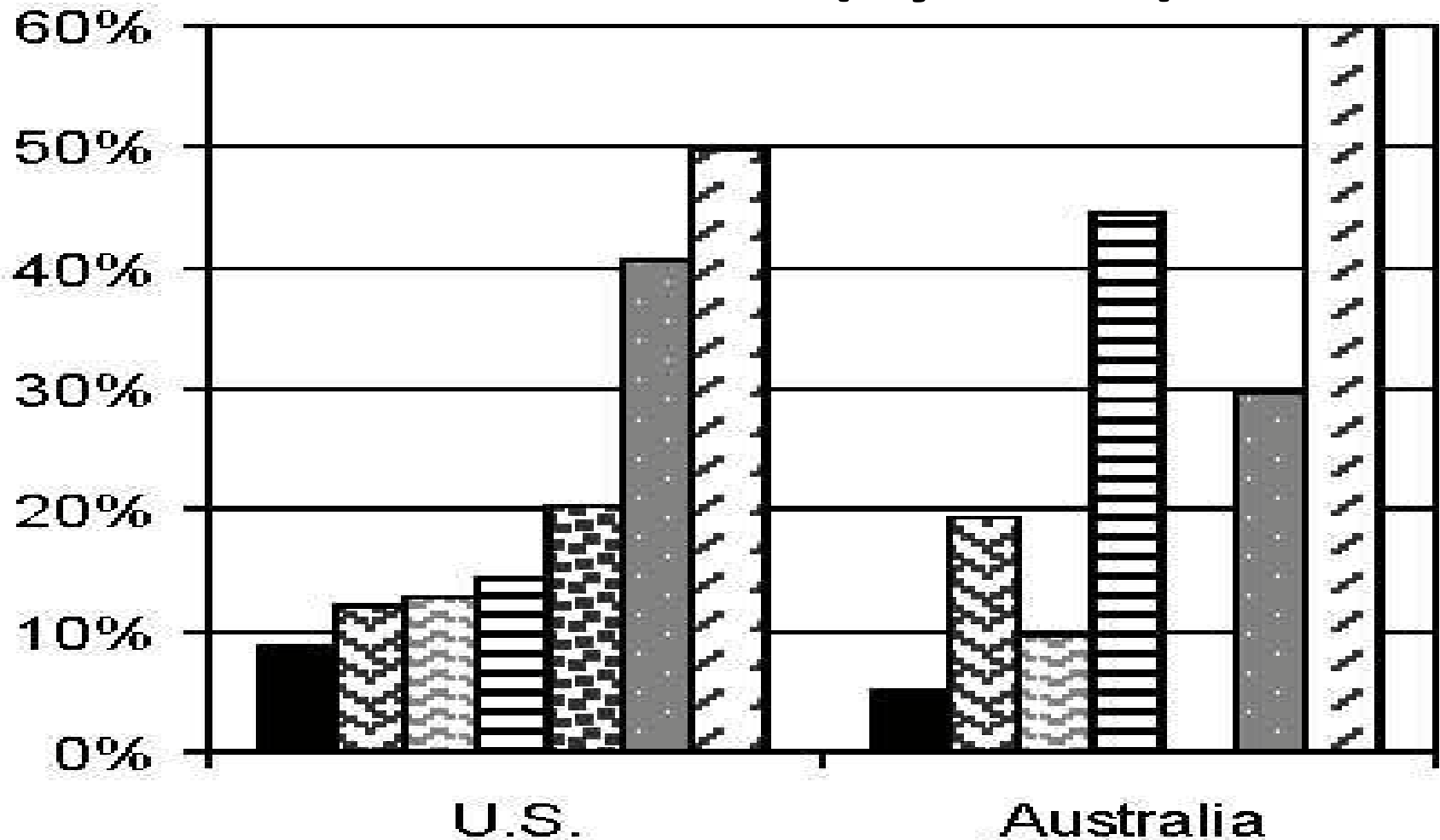
Property



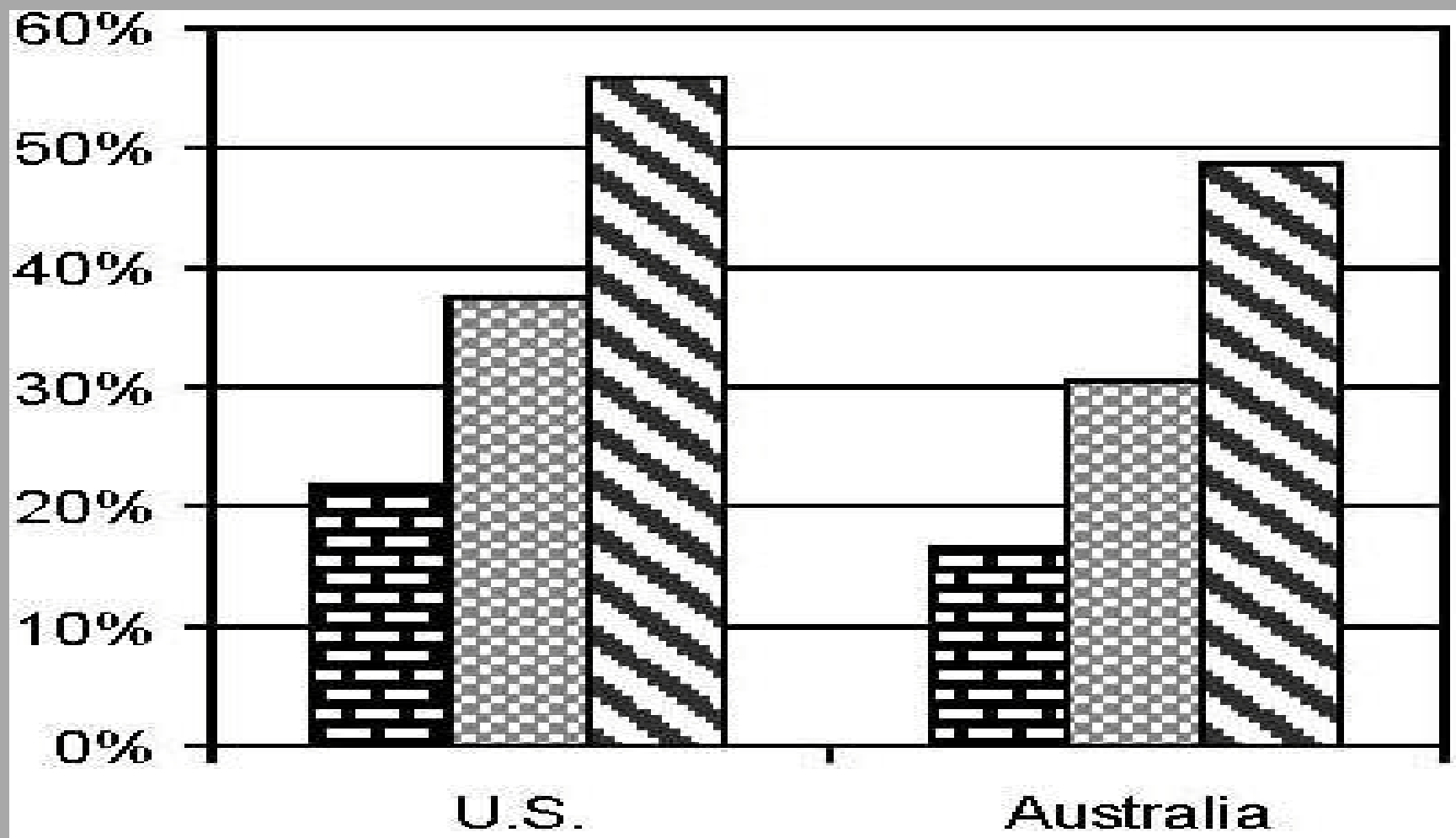
■ Grievances ■ Claims ■ Disputes ■ Lawyer ■ Court

Who uses lawyers?

US v. Australia (by issue)



Who uses lawyers? US v. Australia (by stakes)



■ \$1,000-\$2,500 ■ \$5,000-\$7,500 ■ Over \$10,000