

SOC350H1S – Sociology of Legal Careers
Professor Ronit Dinovitzer
Department of Sociology
Winter 2023
Monday 12:10-15:00, SS 1088

Instructor Information

Instructor: Dinovitzer, Ronit
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Office hours: Zoom TBA
Course web site: Quercus

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Course Description:

This course examines the sociology of legal careers. Law represents one of our most elite and influential professions; lawyers are responsible not only for the administration of justice, but also are key players in the country's economic and political life. Understanding who lawyers are, the process of legal education, how lawyers build their careers, which lawyers can (and choose to) attain elite positions, and the clients that lawyers serve are all key issues for understanding access to justice, and for understanding lawyering as a profession devoted to democratic values. This course will rely on empirical research to cover sociological topics related to law school, where lawyers work and the work that lawyers do.

Prerequisites:

This is a program-only course and is restricted to sociology majors and specialists. Completion of SOC201H1, SOC202H1, SOC204H1 plus two of the following (1.0 FCE): SOC251H1, SOC252H1, SOC254H1. Students without this prerequisite will be removed from the course without notice.

Goals and Learning Objectives

The goal of this course is to study legal careers as a window into understanding the power of law in contemporary society.

At the end of the course, students will be able:

- to critically read, analyze and write about sociological (both theoretical and empirical) literature on the legal profession
- to apply course material to real world and daily life examples

- to synthesize course materials from various weeks and demonstrate an understanding of the issue across various contexts

Textbooks and Other Materials

The course relies on a collection of readings compiled by the instructor and available on Quercus.

Evaluation Components:

Type	Date Due	Weight
1. Reading submissions	Weekly (as of week 2, 10 submissions total)	10%
2. Engagement	Ongoing (5 submissions total; as of week 2)	5%
3. Assignment #1 (Movie analysis)	Feb 20 (movie screening Feb 6)	30%
4. Empirical assignment	March 13	18%
5. Empirical assignment presentation	April 3	2%
6. Essay	April 3	35%

Handing in Assignments

All assignments must be handed to the instructor electronically via Quercus. Do not use the Quercus mobile app to submit your assignments. You are responsible for ensuring your essay was successfully submitted to Quercus; if it is not there, we cannot grade it. This link explains how to double check that you submitted your assignment successfully: <https://qstudents.utoronto.ca/submitting-assignments-to-your-course/>

Students must always keep an extra hard copy of their assignment for their own records.

Reading Submissions (10%)

This is an upper year course. It is assumed that you already possess good study habits and organizational skills and that you also possess strong critical thinking, research and writing skills.

Each week you are required to submit on Quercus a 400 word (approximately) analysis of the main themes and arguments of the assigned articles for that week. Submissions are due before the start of class. Include the word count at the end of your entry. **Please paste your text DIRECTLY into the textbox in Quercus, no attachments, please.**

Your FIRST submission will be due for the readings of week 2 of the course. You will submit a total of 10 reading submissions. Each submission is worth 1%: You will be automatically

assigned 0.5% for submitting the summary unless it is of such dubious quality that it does not deserve a grade and 1% if it is excellent.

This should NOT be a simple description of the content of the article but rather an analysis of the author's argument and findings. As a general guideline the word limit is about 400 words; we will not read more than that. Please use proper referencing and bibliography (not included in the word count).

The analysis should include the following:

- What is this article about? (No more than two sentences)
- What is/are the author's main argument(s) or central claims?
- What is the author's evidence?
- What are the shortcomings of the evidence?
- What did you learn? What does this article tell you about society, not just lawyers?
- Are there any flaws in the argument? Are there any flaws in the evidence? Did the author overlook anything?

You have one get out free ticket, which you may submit once in lieu of the reading summaries. For your "free ticket," instead of the summary, please simply write your name, student number and indicate this is your "free" week. Any other failure to submit the reading summary will result in a mark of zero for that week. The free ticket applies only to your reading submission, and not to any other course component.

The TA will give you feedback on your first two reading submissions. Please consult with your TA after that if you would like further feedback or guidance.

If there is more than one reading, you are required to only discuss one of them.

Engagement (5%)

Our class readings and discussions do not live purely in the realm of the theoretical. Every week's lecture and readings can be connected to current events. In order to encourage you to make these connections, you will have 5 opportunities to post a link to a current event that connects to the week's readings. In addition to posting the link, you need to write a short comment about how they are related (50-70 words). These short writing exercises will be graded on a pass/fail basis, 1% per submission. There are no make-up opportunities for these assignments.

Posts are due by the start of each class and can be submitted starting with Class #2. The post is meant to help you prepare for each upcoming lecture, so you will be posting based on the material we are covering that day before the class lecture for that topic. You may only submit one post per week, and all posts must be completed/submitted by the last class.

Assignment (30%)

An analysis of the movie “The Genuine Article”, connecting course material to the movie. Details TBA.

Empirical research assignment (18%)

You will be assigned a short empirical research project (details TBA). This will involve doing minor data collection: for example, you may be assigned a law firm and asked to collect data on the law schools the partners graduated from. You are then expected to summarize your major findings

Empirical research presentation (2%)

Each student will prepare a 3-5 minute presentation using PowerPoint to share your results with the class.

Essay: The law firm of the future (35%)

This essay will rely mainly on course material with additional library research (details TBA). The key is to integrate as much course material as possible and as many specifics as possible. You will also be required to integrate the data collected by yourself and the class in your empirical assignments. Detailed instructions TBA.

Procedures and Rules

1. Missed tests

Students who miss a test will receive a mark of zero; UNLESS within 48 hours (two days) of the missed test, students who wish to write the make-up test give the instructor an emailed request for special consideration which explains why the test was missed. A request should be accompanied by contact information (the student's telephone number and email address) so the date and time of the make-up test can be communicated to the student. A student who misses a test and the subsequent make-up test for a valid reason will not have a third chance to take the test. Instead, the grade assigned for the missed test will be the same as the grade the student earns for the other test in this course.

1. If a student misses tests for **medical reasons**, you will need to email me the instructor, not the TA, and also declare your absence on ACORN.
2. If a **personal or family crisis** prevents you from writing a test, have your college registrar email me directly (it is a good idea anyway to advise your college registrar if a crisis is interfering with your studies).

2. Missed/Late Assignments

Time bank: In this course, we will be using time banks. Our time bank is made up of three days. This means that you each have a three-day grace period for one assignment or distributed across different assignments. If you are using your time bank credit for a particular assignment, you must inform us by using the assignment comment box on Quercus when you submit the assignment for which you are applying the time bank. You cannot use the time bank for tests. The time bank will be available to us in 6 hour time blocks.

Late penalties: Late assignments without the required steps in case of delays (see below) and outside of the time bank limits — will be penalized 5% of the assignment marks per day. The penalty will run from the day the assignment was due until the day it is submitted via Quercus.

1. If a student misses tests or submit assignments beyond the time bank for **medical reasons**, you will need to email me the instructor, not the TA, and also declare your absence on ACORN.
2. If a **personal or family crisis** prevents you from meeting a deadline, have your college registrar email me directly (it is a good idea anyway to advise your college registrar if a crisis is interfering with your studies).

Students who have been approved by me to submit a late paper (beyond the time bank) must do so within 2 days after receiving my permission.

- You are expected to keep a back-up, digital copy of your assignment.

Grade appeals

Instructors and teaching assistants take the marking of assignments very seriously, and will work diligently to be fair, consistent, and accurate. Nonetheless, mistakes and oversights occasionally happen. If you believe that to be the case, you must adhere to the following rules:

- If it is a mathematical error simply alert the TA of the error.
- In the case of more substantive appeals, you must:
 1. Wait at least 24 hours after receiving your mark.
 2. Carefully re-read your assignment, all assignment guidelines and marking schemes and the grader's comments.
 3. You have up to one month from the date of return of the item to inquire about the mark beyond the course instructor. In order to meet this deadline, you must inquire about the mark with your instructor no longer than 15 days after receiving your mark. If you are not satisfied with the instructor's re-evaluation, you may appeal to the Associate Chair, if the term work is worth at least 20% of the course mark. If your work is remarked, you must accept the resulting mark.

If you wish to appeal:

- A. You must submit to the instructor a written explanation of why you think your mark should be altered. Please note statements such as "I need a higher grade to apply to X" are not compelling. Also, please note that upon re-grade your mark may go down, stay the same, or go up.
- B. Attach to your written explanation your original assignment, including all of the original comments. Scan all documents and submit via email to your TA.

Communication

Email communication is rapid, convenient, and efficient—and you are encouraged to use it to enhance your learning and experience in the course. With that said, it is essential that you follow a few rules:

- All course communication should be conducted through Quercus or your utoronto account.
- All emails must include the course code (e.g., SOC 305) in the subject line.
- All emails should be signed with the student's full name and student number.
- Emails from students will generally be answered within 72 hours of receipt.
- Treat emails as you would any other professional communication.
- Emails that ask questions that are answered in the course syllabus or website (e.g., "how much is assignment X worth") will not receive a response.

Emails that do not follow these guidelines will not receive a response.

Academic integrity

Cheating and misrepresentation will not be tolerated. Students who commit an academic offence face serious penalties. Avoid plagiarism by citing properly: practices acceptable in high school may prove unacceptable in university. Know where you stand by reading the “Code of Behaviour on Academic Matters” in the Calendar of the Faculty of Arts and Science.

Normally, students will be required to submit their course essays to the University’s plagiarism detection tool for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the tool’s reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University’s use of this tool are described on the Centre for Teaching Support & Innovation web site (<https://uoft.me/pdt-faq>).

Assignments not submitted through Ouriginal will receive a grade of zero (0 %), unless a student instead provides, along with their position paper, sufficient secondary material (e.g., reading notes, outlines of the paper, rough drafts of the final draft, etc.) to establish that the paper they submit is truly their own. The alternative (not submitting via Ouriginal) is in place because, strictly speaking, using Ouriginal is voluntary for students at the University of Toronto.

Attendance

Students are responsible for all material covered in class and in the assignment readings.

Student resources

Accessibility. If you require accommodations or have any accessibility concerns, please visit <http://studentlife.utoronto.ca/accessibility> as soon as possible.

If required, the link for the Accommodated Testing Services (ATS):

<https://lsm.utoronto.ca/ats/>

The University of Toronto is committed to equity and respect for diversity. All members of the learning environment in this course should strive to create an atmosphere of mutual respect. As a course instructor, I will neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual in this course and wish to be alerted to any attempt to create an intimidating or hostile environment. It is our collective responsibility to create a space that is inclusive and welcomes discussion. Discrimination, harassment and hate speech will not be tolerated.

Weekly Schedule

Every attempt will be made to follow this schedule, but it is subject to change at the discretion of the instructor.

1. Jan 9: Introduction

- Sutton, John. (2001) "Law as a Profession," pp. 223-252 in *Law/Society: Origins, Interactions and Change* Thousand Oaks, CA: Pine Forge Press.
 - <http://knowledge.sagepub.com.myaccess.library.utoronto.ca/view/law-society/n8.xml>
- Dinovitzer, Ronit and Meghan Dawe. (2020) "Lawyers in Canada." To appear in the volume *Lawyers in the 21st Century*. Edited by Richard Abel, Ole Hammerslev, Ulrike Schultz, and Hilary Sommerlad.
 - [http://individual.utoronto.ca/dinovitzer/Publications/Dinovitzer and Dawe Lawyers%20in%20the%2021st-Century%20Societies.pdf](http://individual.utoronto.ca/dinovitzer/Publications/Dinovitzer%20and%20Dawe%20in%20the%2021st-Century%20Societies.pdf)

Important background reading:

- <http://individual.utoronto.ca/dinovitzer/images/LABReport.pdf>

Discussion theme: Introductions and goals

2. Jan 16: Legal Education I -- The Institution: Entry and Rankings

- Malcolm Gladwell. (2019). "Puzzle Rush" & "The Tortoise and the Hare"
 - <http://revisionisthistory.com/episodes/31-puzzle-rush>
 - <https://reason.com/2019/07/10/malcom-gladwell-took-the-lsat-but-what-did-we-learn/>
- Sauder, Michael and Wendy Espeland. (2009) "Rankings and Diversity." *The Southern California Review of Law and Social Justice* 18:587-610.
 - <http://simplelink.library.utoronto.ca/url.cfm/222432>
- Short media articles:
 - <https://www.law.utoronto.ca/news/heres-look-class-2021>
 - Before the JD: <https://www.aals.org/wp-content/uploads/2018/09/BJDReportsHghlights.pdf>

Discussion theme: The admissions game – design your admissions system (<https://lsutil.azurewebsites.net/>, <https://7sage.com/predictor/>)

3. Jan 23: Legal Education II -- What happens in law school and beyond

- Granfield, Robert & Koenig, Thomas (1992) "Learning Collective Eminence: Harvard Law School and the Social Production of Elite Lawyers." *The Sociological Quarterly* 33:503-520.
 - [http://www.jstor.org.myaccess.library.utoronto.ca/stable/4121393?seq=1#page scan tab contents](http://www.jstor.org.myaccess.library.utoronto.ca/stable/4121393?seq=1#page_scan_tab_contents)

- Pan, Yung-Yi Diana. (2016) "Typecast Socialization: Race, Gender, and Competing Expectations in Law School." Pp. 141-172 in *Diversity in Practice: Race, Gender, and Class in Legal and Professional Careers* (edited by Robert Nelson, Ronit Dinovitzer, David Wilkins, and Spencer Headworth), Cambridge University Press.
 - <https://www-cambridge-org.myaccess.library.utoronto.ca/core/books/diversity-in-practice/typecast-socialization/355DC7735208B63244872C5B792016C8/core-reader>
- Manderson, D. & Turner, S. (2006) 'Coffee House: Habitus and Performance Among Law Students', *Law and Social Inquiry*, vol. 31, no. 3, pp. 649-676.
 - <http://onlinelibrary.wiley.com.myaccess.library.utoronto.ca/doi/10.1111/j.1747-4469.2006.00025.x/full>

Discussion theme: What is the purpose of education?

4. Jan 30: Private Practice and the Large Law Firm

- Henderson, William D. and Galanter, Marc, "The Elastic Tournament: The Second Transformation of the Big Law Firm" (2008). Articles by Maurer Faculty. 117. <https://www.repository.law.indiana.edu/facpub/117>
- Dinovitzer, Ronit and Bryant G. Garth. 2020. "The new place of corporate law firms in the structuring of elite legal careers." *Law and Social Inquiry*.
 - [http://individual.utoronto.ca/dinovitzer/Publications/Dinovitzer and Garth LSI 2019 Proofs.pdf](http://individual.utoronto.ca/dinovitzer/Publications/Dinovitzer%20and%20Garth%20LSI%202019%20Proofs.pdf)
- *Recommended:* Dinovitzer, Ronit, and Meghan Dawe. "Early legal careers in comparative context: evidence from Canada and the United States." *International Journal of the Legal Profession* 23, no. 1 (2016): 83-107.
- University of Toronto Fall Recruitment Special 2019
 - <http://ultravires.ca/wp/wp-content/uploads/2018/03/UV-February-2018-Recruitment-Special.pdf>
 - *Recommended:* <http://precedentjd.com/news/cover-story-the-ocis-are-broken/>

Discussion Theme: Who/how should law firms hire? Exploring an audit study (e.g. Tilcsik and Rivera, and Moneyball for law firms:

<https://www.legalevolution.org/2021/08/moneyball-for-law-firms-associates-a-15-year-retrospective-257/>)

5. Feb 6: Working in Large Law Firms

Regan M. C., Jr, & Rohrer, L. H. (2020). *BigLaw: money and meaning in the modern law firm*. The University of Chicago Press. Chapter 6.

- <https://books-scholarsportal-info.myaccess.library.utoronto.ca/uri/ebooks/ebooks6/ucpbooks6/2020-12-07/1/9780226742274>
- ****Movie:** The Genuine Article (TBA)

6. Feb 13: Small Private Practice and Temporary Lawyers

- Nelson et al 2022. “Chapter 7: Rethinking the Solo Practitioner” in *The Making of Lawyer Careers*. University of Chicago Press. (Available on Quercus)
- **Discussion Theme:** Assignment Check in

Feb 20 – Reading week, no class

***Assignment #1 due

7. Feb 27: Cause Lawyers, Pro Bono and Public Interest Law

- Marshall, Anna-Maria and Hale, Daniel Crocker, (2014) “Cause Lawyering” (November 2014). *Annual Review of Law and Social Science*, 10:301-320.
 - <http://simplelink.library.utoronto.ca/url.cfm/458677>
- Bliss, John (2018). “From Idealists to Hired Guns? An Empirical Analysis of “Public Interest Drift” in Law School,” 51 U.C. Davis Law Review 1973-2032.
 - https://lawreview.law.ucdavis.edu/issues/51/5/Articles/51-5_Bliss.pdf
- **Discussion theme:** Essay Check in and “identity mapping” exercise

8. March 6: Week Nine: Gender

- Kay, Fiona M. and Elizabeth Gorman. (2008). “Women in the Legal Profession.” *Annual Review of Law and Social Sciences* 4: 299-332.
 - <http://simplelink.library.utoronto.ca/url.cfm/470178>
- Melaku, Tsedale M. (2019). You don't look like a lawyer: Black women and systemic gendered racism. Rowman & Littlefield. Chapter 2.
 - https://www.fordham.edu/download/downloads/id/13764/reading_race_look_like_a_lawyer_cle_materials.pdf
 - Recommended
 - Choroszewicz, Marta, and Fiona Kay. (2022). "Understanding gender inequality in the legal profession."
 - <https://erepo.uef.fi/bitstream/handle/123456789/28507/16672121471697339236.pdf?sequence=-1>
- **Discussion theme:** Implicit Bias IAT Exercise/Essay Check in

9. March 13: Class, Race & Ethnicity

EMPIRICAL ASSIGNMENT DUE

- Garth, Bryant and Sterling, Joyce S., (2018). “Diversity, Hierarchy, and Fit in Legal Careers: Insights from Fifteen Years of Qualitative Interviews” *Georgetown Journal of Legal Ethics*
 - <https://heinonline.org/HOL/P?h=hein.journals/geojlege31&i=128&a=dXRvcu9udG8uZWR1>

- Kay, Fiona M. (2019). "Social Capital, Relational Inequality Theory and Earnings of Racial Minority Lawyers." *Research in the Sociology of Work* 32:63-90.
 - <https://www-emerald-com.myaccess.library.utoronto.ca/insight/content/doi/10.1108/S0277-283320180000032007/full/pdf?title=social-capital-relational-inequality-theory-and-earnings-of-racial-minority-lawyers>
- Hadiya Roderique. (2017). "Black on Bay Street". *The Globe and Mail*.
 - <https://beta.theglobeandmail.com/news/toronto/hadiya-roderique-black-on-bay-street/article36823806/?ref=http://www.theglobeandmail.com&>

Recommended:

- Rivera, Lauren A., and András Tilcsik. "Class advantage, commitment penalty: The gendered effect of social class signals in an elite labor market." *American Sociological Review* 81, no. 6 (2016): 1097-1131. <https://journals-sagepub-com.myaccess.library.utoronto.ca/doi/full/10.1177/0003122416668154>
- **Discussion theme:** Race/Class/Gender Inequalities

10. March 20: The practice of law

- Dinovitzer, Ronit, Hugh Gunz, and Sally Gunz. "The Changing Landscape of Corporate Legal Practice: An Empirical Study of Lawyers in Large Corporate Law Firms." *Can. B. Rev.* 93 (2015): 343.
 - <https://login.library.utoronto.ca/index.php?url=https://heinonline.org/HOL/P?h=hein.journals/canbarev93&i=343>
 - Austin Sarat and William L. F. Felstiner "Law and Strategy in the Divorce Lawyer's Office" *Law & Society Review* Vol. 20, No. 1 (1986), pp. 93-134
 - <https://www-jstor-org.myaccess.library.utoronto.ca/stable/3053414>
 - **Discussion Theme:** Essay Check in/Drop in hours

11. March 27: Week Eleven: The Future of Lawyering

- Armour, John and Sako, Mari, *Lawtech: Levelling the Playing Field in Legal Services?* (April 21, 2021). Available at SSRN: <https://ssrn.com/abstract=3831481>
- Alarie, Benjamin and Niblett, Anthony and Yoon, Albert, *How Artificial Intelligence Will Affect the Practice of Law* (November 7, 2017). *Journal* 68, no. supplement 1 (2018): 106-124. <https://www.utpjournals.press/doi/abs/10.3138/utlj.2017-0052>
- **Discussion Theme:** Final Essay Check in/Drop in hours/ The future of lawyering <https://donotpay.com/> (AKA "The World's First Robot Lawyer.")

12. Apr 3: FINAL PAPERS DUE & Empirical Assignment Presentations

Presentations, discussion, Q&A