

# NAVIGATOR

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## Change of Status Research 2013-2015

### Report of Key Findings

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## Background and Research Methodology

### A. Background

In 2008, the Retention of Women in Private Practice Working Group of The Law Society of Upper Canada (“the Law Society”) conducted a series of consultations to better understand movements within the legal profession in Ontario among women.

The Final Consultation Report of the Working Group put forth a series of recommendations to promote the advancement of women in the private practice of law.

In order to better understand and begin benchmarking movements and changes within the legal profession among women, The Law Society commissioned an annual study among lawyers who file a change of status.

In 2013, three waves of research data (2010-2012) were combined in order to inform the Society about gender-related trends in the profession in addition to informing the development of initiatives to support and retain women and men in the profession. In 2015, Navigator Limited was commissioned to continue this research using three new waves of research data (2013-2015).

### B. Research Methodology

This report presents results from a survey conducted online among a sample of members who changed status in 2013, 2014, and 2015. Where appropriate, results are compared to those of 2010-2012.

Members are required to inform the Law Society immediately when their work or practice status changes. Navigator received a file of those who provided The Law Society with a change of status notification. Navigator then “cleaned” the file, removing duplicate records and those records for which an email address was not supplied. Once the cleaning process was complete, Navigator sent out email invitations requesting participation in the Change of Status Survey to those individuals. Between 2010 and 2012 invitations were sent out on a monthly basis. In this most recent period of data collection (2013-2015) invitations were sent out annually.

In 2015, 5518 lawyer members filed a change of status request with the Law Society. In 2014, the number filed was 6082. This was the highest number of records filed since the beginning of this research. In 2013, 5340 were filed.

Among the members who filed a change of status, 4272 had provided the Law Society with an active email address in 2015, 4868 in 2014 and 3656 in 2013.

A total of 1499 lawyers completed the online survey in 2015. In 2013 and 2014, the numbers were 972 and 1221, respectively.

The response rates for the three waves of this study have been strong – 26% in 2013, 25% in 2014 and 35% in 2015.

### Overview of Survey Population, Survey Sample and Response Rates

	2010	2011	2012	2013	2014	2015
<b>Change of Status Population:</b> Number of records sent by The Law Society	5179	5535	5666	5340	6082	5518
<b>Survey Population:</b> Number of email invitations sent after removing duplicate email addresses and those with no email addresses	4126	4657	4733	3656	4868	4272
<b>Survey Sample:</b> Number of members who completed the questionnaire	1214	1389	1236	972	1221	1499
<b>Response rate:</b> Survey Sample ÷ Survey Population	29%	30%	26%	26%	25%	35%

## C. Areas of Investigation

The survey instrument was designed to obtain information from each change of status survey respondent about:

- Their previous status (i.e., their status prior to filing a change of status); and
- Their current status (i.e., their status after filing a change of status).

Respondents were asked a number of detailed questions related to their previous and current positions including:

- Practice setting;
- Main areas of practice;
- Benefits and policies provided in the workplace;
- The importance of specific reasons in driving a change of status; and,
- Attitudes concerning their workplace environment.

## D. Key to Reading Statistical Significance

In order to show significant differences between groups, the following symbols and indicators are used. Unless otherwise noted, all differences reported are significant at the 95% confidence interval.

- ↑ = Significantly greater proportion relative to the previous status or position results.
- ↓ = Significantly lower proportion relative to the previous status or position.
-  (Square) = A significantly smaller proportion relative to the specified comparison group.
-  (Circle) = A significantly greater proportion relative to the specified comparison group.
- **Green number** = significant increase from previous tracking wave (2010-2012)
- **Red number** = significant decrease from previous tracking wave (2010-2012)

## E. Caution Regarding Sample Sizes

The sample sizes for some of the groups examined in this research are quite small. When this is the case, it is noted in the report. While only significant changes are reported, these results should nonetheless be considered directional.

# Executive Summary

## A. Background

Over the three year period from 2013 to 2015, 16940 change of status notifications were submitted to the Law Society by lawyer members. The average each year was 5647 submissions. Based solely on 2015 membership data from the Law Society, the number of change of status submissions made (5518 in total) represents about 11% of members.

## B. Focus of Analysis in 2013-2015 Report

Much of the analysis presented in this report focuses on a subgroup of those who filed a change of status.

Among the total sample of members who responded to the Change of Status survey from 2013-2015, 18% filed a change of status notice because they were leaving for or returning from parental leave. As the primary objective of this research is to examine changes of status related to practice setting, the data for members whose change of status relates to parental leave has been excluded from most of the analysis in this report. This approach was also taken in 2010-2012.

In addition 9% of respondents in 2013-2015 reported that they had transitioned into retirement. As was the case in 2010-2012, this group has also been excluded from much of the analysis as they show a very weak tendency (less than 1%) of returning to practice, let alone private practice.

The report is divided into six broad areas of exploration:

- Overall trends among all Change of Status Survey respondents;
- Characteristics of a status change among a subsample of respondents which excludes those whose change is related to maternity/parental leave or retirement;
- Characteristics of a status change among those whose change began from a position in private practice;
- Gender differences in the characteristics of a status change;
- Gender differences in a change of status which began from a position in private practice; and
- Likely return to private practice among those who have left private practice.

## C. Key Findings – Among the Total Survey Sample

### Composition of Those Changing Status Compared to the Law Society's Membership

Overall, Change of Status survey respondents are younger and more likely to be women compared to the Law Society's lawyer members overall.

The Change of Status Survey respondent group in 2013-2015 comprises a higher proportion of women (60%) relative to the Law Society's membership (41% in 2015). The representation of women among Change of Status Survey respondents has remained consistent year over year since 2010.

The proportion of lawyer members under 40 years of age has hovered at approximately one-third from 2013 to 2015 while the proportion among survey respondents has consistently been over 50% during the same period.

There is an increase over the two tracking waves in those who report moving into retirement. In 2010-2012, 6% of those changing status reported having moved into retirement. In 2013-2015, the proportion has increased significantly to 9%.

The proportion of those who are categorized as members of an “equity-seeking community”, according to the Law Society’s definition, has not risen significantly from 2010 to 2015 (from 31% to 34%). In 2015, those who are members of an equity-seeking community are divided evenly between those who self-describe as being members of a racialized group (17%), and those who are members of a non-racialized group (17%).

The Law Society’s member statistics indicate that 35% of those in private practice are women. However, among change of status respondents, fully 53% of those whose originating position was in private practice are women.

The remainder of the analysis completed for this research report excludes those whose change of status relates to a move into retirement or a move in or out of maternity/parental leave. This approach was determined in consultation with the Law Society Equity Advisory Group.

## **D. Key Findings – Among Those Who Whose Change Was Not Related To Maternity/Parental Leave Or Retirement**

Women are more likely than men to be submitting a change of status that is not related to maternity or parental leave.

Fully 55% of those who changed status unrelated to retirement or maternity/parental leave are women.

Across the two tracking waves, both women and men submitting a change of status are increasingly starting out from a position in private practice.

In 2013-2015, 57% of women and men combined started out in private practice, a significant four-point increase from 2010-2012.

Nonetheless, after a change of status, both women and men are less likely to be in private practice. However, the decline is greater among women.

Those holding a private practice position after a change of status in 2013-2015 (50%) is lower than the proportion who started out in private practice (57%).

The decline is evident among both men and women, although for women the decline is significantly greater (-7 points from 52% to 45%) than it is for men (-5 points from 62% to 57%).

This means that the private practice retention rate (i.e., the proportion who are in private practice after a change of status divided by the proportion in private practice prior a change of status) is lower for women than it is for men (0.87 and 0.92, respectively).

Women who are changing status tend to be younger, and at the life stage period in which there are no dependent children in the household.

Close to six-in-ten women who are changing status<sup>1</sup> were called to the bar within the past 10 years (57%). Further, almost half of women changing status are under 45 years of age with no dependents in the household (49%).

Comparatively, 51% of men were called within the past 10 years and 41% are under 45 years of age with no dependents.

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<sup>1</sup> Excluding those whose change of status related to retirement or maternity/parental leave.

### Women are leaving private practice early in their careers – at a significantly greater rate than men.

Women called to the bar less than 5 years ago, although almost as likely as men to be in private practice when they started their change of status (58% and 61%, respectively), are less likely to be in private practice after their change than men (52% and 57%, respectively). The private practice rate of retention<sup>2</sup> among women in this group is 0.90, compared to a somewhat higher rate among men 0.93.

The retention rate gap widens for those called to the bar 5-9 years ago. The private practice retention rate for women is only 0.84 compared to 0.94% for men. This trend was also evident in 2010-2012, but the retention rate among both women and men in private practice positions was even lower at 0.67 and 0.82, respectively.

### The private practice retention rate of women under 45 years of age with no dependents is low. This is of concern in that they represent almost half of all women who have filed a change of status<sup>3</sup>.

Women and men who are under 45 years of age with no dependents represent the greatest proportion across lifestage groups of those filing a change of status (49% of all women requesting a change and 41% of men).

The private practice retention rate among women in this group stands at 0.84. Among men, the rate is significantly higher at 0.95. So it is among this large group of those submitting change of status requests that the decline in private practice is most prevalent for women.

The rate for women declines to 0.81 among those with dependents in the household under the age of 6 years. Among men, the rate remains higher at 0.88.

The private practice retention rate begins to increase for women with dependents in the household once the youngest dependent is 6 -12 years of age. In fact, at the stage of life when the youngest dependent in the household is 13 years of age or older, the retention rate becomes positive (1.35). However, at these stages, smaller proportions are coming to a change of status from a private practice position. Based on these results, it could be hypothesized that the lower representation of women filing a change of status from a private practice position at these stages in their life is simply because there are fewer of them, relative to men, who hold private practice positions.

### Women are more likely than men to identify work-life balance as a reason for a change of status on an unaided basis.

Asked to identify the key factors influencing their change of status, the set of reasons most frequently cited on an unaided basis relate to better opportunities at a new position (e.g., quality of work, use of skills, security, work environment) or that circumstances required a change (e.g., termination, end of contract, leave of absence, change in ownership of firm). Over one-third of both men and women cite these as key factors in their change. Women (24%), however, are significantly more likely than men (13%) to report that their decision to change status was influenced by the need to address work-life balance issues<sup>4</sup>.

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<sup>2</sup> The proportion in private practice after a change of status **divided by** the proportion in private practice prior to the change

<sup>3</sup> Excluding those whose change of status related to retirement or maternity/parental leave.

<sup>4</sup> i.e., work-family balance; better hours/ control over hours/ better control of schedule/ flexible work schedule; reduction in stress/ burn out at job; Child care/ child care requirements/ want to spend more time with children or family; Reduction in workload/ workload; Spousal requirements/ spouse's career needs

Focusing specifically on women who were in private practice prior to their change, the single greatest unaided set of reasons for moving out of private practice into a non-private practice position or out of the practice of law are related to work-life balance (43% and 42%, respectively). Among women who remain in private practice, only 22% cite this set of reasons.

An examination of the two groups of women who have the lowest private practice retention rates, and represent over two-thirds of change of status filers, suggests that the reasons for their change are less likely to be professional opportunity-related, but to stem from other factors.

- Among those under 45 years of age with no dependents in the household, the set of reasons most often cited for their change was the end of a position or requirement to leave their position (32%).
- Work-life balance issues dominate the reasons provided by those who have a dependent in the household under 6 years of age (38%).

The results suggest that women are more likely than men to seek positions in which a basket of benefits/policies that support work-life balance and child-care are available.

Holding constant the type of change of status (i.e., those who stayed in private practice and those who moved from private practice to non-private practice), the research suggests the availability of flexible work options and of parental leave are key factors in a change of status among women – to a significantly greater degree than among men.

## E. Conclusions

Women lawyers who are changing status tend to be disproportionately younger and to have no dependents in their households. The rate of private practice retention among women in this cohort is lower than men in the same cohort. This means that at an early stage in their career women are leaving private practice, and there is evidence to suggest they may not be returning as they progress through their career.

The 2013-2015 results also confirm that women are leaving private practice to a greater extent than men in order to find work environments that provide flexible work arrangements and child care benefits and allow them a better work-life balance and balance between family and profession.

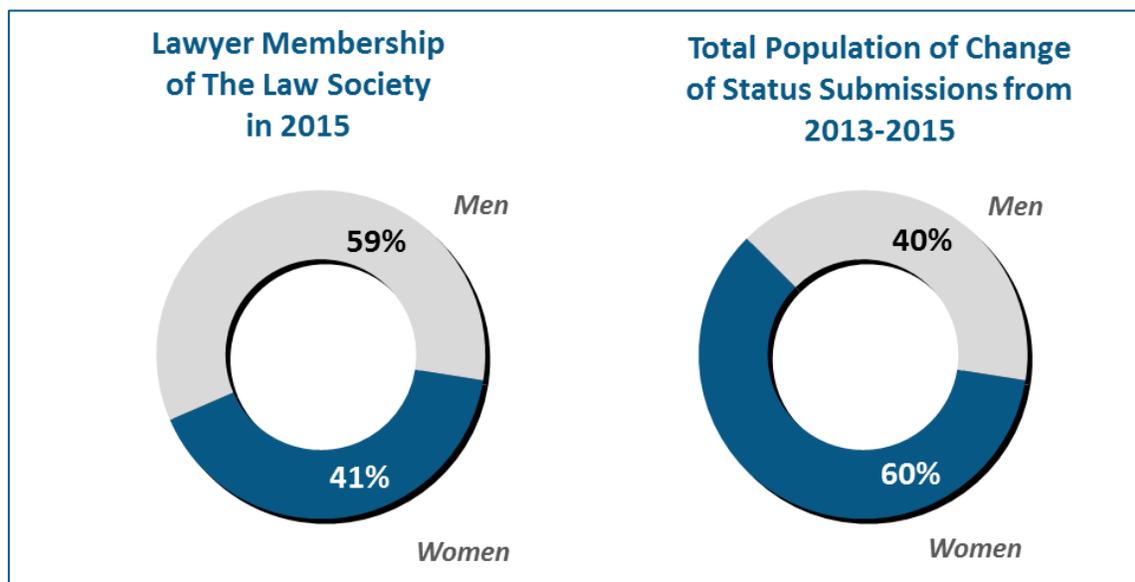
## **I. Demographic Characteristics of All Survey Respondents**

The section illustrates the demographic characteristics of those who have participated in the Change of Status survey in the past three years. These respondent characteristics are contrasted with the characteristics of the lawyer member base as determined by the Law Society.

### A. Gender of Law Society Members Compared with All Survey Respondents

- The membership of Law Society comprised 41% women and 59% men at the end of 2015.
- By comparison, women are much more strongly represented among 2013 to 2015 change of status survey respondents. Fully 60% are women. This was also the case in the 2010-2012 wave of research (women comprised 59% of all respondents).

**Gender of Law Society Members  
Compared to Change of Status Survey Respondents**



Source: Law Society of Upper Canada – Annual Report 2015

- The incidence of women within the LSUC membership has increased slightly from 39% in 2010 to 41% in 2015. The representation of women among Change of Status survey respondents has remained consistent year over year since 2010.

**Gender of Law Society Members  
Compared to Change of Status Survey Respondents**

	CHANGE OF STATUS SURVEY RESPONDENTS						LAW SOCIETY MEMBERSHIP STATISTICS					
	2010	2011	2012	2013	2014	2015	2010	2011	2012	2013	2014	2015
n=	1,214	1,389	1,236	972	1,211	1,499	42,169	43,213	44,642	46,054	47,428	49,040
	%	%	%	%	%	%	%	%	%	%	%	%
Women	60	58	58	62	60	60	39	40	41	40	41	41
Men	40	42	42	38	40	40	61	60	59	60	59	59

## B. Age of Law Society Members Compared with All Survey Respondents

The proportion of Law Society members over the age of 65 has been increasing incrementally over the past 6 years, from 10% to 14%. There has been no significant change in the representation of this age group among change of status respondents. However, the representation of those <30 years of age has been increasing – from 8% in 2010 to 13% in 2015.

In 2015, 53% of those who have made a change of status request are under the age of 40. By comparison, only 33% of the membership are under 40 years of age.

**Age of Law Society Members  
Compared to Change of Status Survey Respondents**

	ALL CHANGE OF STATUS SURVEY RESPONDENTS						LAW SOCIETY MEMBERSHIP STATISTICS					
	2010	2011	2012	2013	2014	2015	2010	2011	2012	2013	2014	2015
n=	1,214	1,389	1,236	972	1,211	1,499	42,169	43,213	44,642	46,054	47,428	49,040
	%	%	%	%	%	%	%	%	%	%	%	%
<30 years	8	5	6	10	13	13	6	6	6	7	7	7
30-39 years	49	42	42	44	41	40	27	26	26	26	26	26
40 to 49 yrs	20	25	21	19	18	18	25	25	25	24	23	23
50 to 65 yrs	20	22	24	20	22	24	32	32	31	31	31	30
Over 65 yrs	3	6	7	7	6	5	10	11	12	12	14	14

## C. Year of Call to the Bar

Law Society membership data from 2010 to 2015 indicate that over four-in-ten were called to the bar 20 years ago or more. A much smaller proportion of change of status respondents (about one-quarter on average) were called to the bar 20 years ago or more.

In each of the past six years, at least one-half of the Change of Status group were called less than 10 years ago. On average, about one-third of the membership were called less than 10 years ago.

**Year of Call – Change of Status Respondents Compared to Overall Law Society Membership**

	ALL CHANGE OF STATUS SURVEY RESPONDENTS*						LAW SOCIETY MEMBERSHIP STATISTICS+					
	2010	2011	2012	2013	2014	2015	2010	2011	2012	2013	2014	2015
n=	1,214	1,389	1,236	972	1,211	1,499	42,169	43,213	44,642	46,054	47,428	49,040
	%	%	%	%	%	%	%	%	%	%	%	%
< 5 years ago	30	24	25	31	31	33	17	Not provided	Not provided	15	16	16
5 to 9 years ago	29	25	24	22	23	20	17	Not provided	Not provided	15	15	15
10 to 19 years ago	22	25	24	24	21	21	24	Not provided	Not provided	26	26	25
20 or more years ago	19	26	27	23	25	26	41	Not provided	Not provided	44	44	44

\*Change of Status Survey Question - Q.3: In what year were you called to the bar in Ontario?

+ Law Society of Upper Canada Membership Statistics.

## D. Equity-Seeking Community Among All Survey Respondents

The Law Society does not release data about lawyer membership in equity-seeking communities. However, the Change of Status survey allows respondents to self-identify membership in an equity-seeking community if they wish to do so.

In each of the years examined, over one-in-ten respondents self-identify as a member of a racialized equity-seeking community [i.e., “*racialized/person of colour (visible minority)*”]. There has been incremental increase in the proportion who self-identify as members of this category since 2013 (from 13% to 17% over three years). However, there has been no significant change in the proportion who self-identify with a non-racialized equity-seeking community (17% in 2015).

### Membership in an Equity-Seeking Community

	ALL CHANGE OF STATUS SURVEY RESPONDENTS					
	2010	2011	2012	2013	2014+	2015+
n=	1,214	1,389	1,236	970	1,145	1,317
	%	%	%	%	%	%
<b>RACIALIZED EQUITY-SEEKING</b> Racialized/person of colour (visible minority)	<b>16</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>14</b>	<b>17</b>
<b>NON-RACIALIZED EQUITY-SEEKING (NET)</b>	<b>15</b>	<b>16</b>	<b>18</b>	<b>16</b>	<b>18</b>	<b>17</b>
Francophone	5	7	6	6	8	7
Gay/Lesbian/Bisexual	3	3	3	3	3	4
Person with disabilities	3	3	3	4	4	5
Indigenous / First Nations	2	1	2	2	1	2
Jewish	2	2	2	2	2	2
Other*	4	4	1	3	5	4
<b>DO NOT IDENTIFY WITH AN EQUITY-SEEKING COMMUNITY</b>	<b>69</b>	<b>71</b>	<b>69</b>	<b>71</b>	<b>68</b>	<b>66</b>

+ Percentage calculations on completed on the base minus those who preferred not to answer the question. A “prefer not to answer” category was added to the survey in 2014 in response to a request by lawyer members of the Law Society.

Survey Q.4: Please check any of the following characteristics with which you self-identify.

Survey Q.5: If you have self-identified as being Aboriginal or racialized/person of colour, please specify how you identify yourself.

\* Christian; immigrant; foreign-trained; non-visible ethnic or religious minority; woman/ mother/ pregnant; elderly person; Arab; Sikh

## **II. Change of Status - Overall Trends**

## A. Previous Position versus Current Position – A Decline in Private Practice

The Change of Status research results provide an overview of the type of position held by respondents prior to their change of status and the type of position they currently hold. Results are presented to illustrate the degree to which there has been movement away from private practice to the practice of law outside of private practice (“non-private practice”) and to a setting or situation in which an individual is not currently practising law (“not practising law”). This last category includes retirement, maternity/parental leave and other types of leave.

Results of the research reveal that there continues to be movement away from private practice among those who have submitted a change of status.

As the following table illustrates, in each of 2010, 2011 and 2012, there was an overall decline in the proportion of those in private practice following a change of status. This trend persists in each of 2013, 2014 and 2015. Across the last three years combined, 50% of those who submitted a change of status started out in private practice. However, only 43% hold a private practice position after their change, a 7-point decline. In the previous three year period (2010-2012), the decline was 8 points.

**Incidence of those in Private Practice  
Total Sample of Change of Status Respondents**

	Private practice in previous position	Private practice in current position	GAP
2010 (n=1214)	45	38	- 7
2011 (n=1389)	50	40	-10
2012 (n=1236)	48	42	- 6
<b>COMBINED 2010-2012 (n=3839)</b>	<b>48</b>	<b>40</b>	<b>- 8</b>
2013 (n=972)	48	43	-5
2014 (n=1211)	50	43	-7
2015 (n=1499)	52	44	-8
<b>COMBINED 2013-2015 (n=3682)</b>	<b>50</b>	<b>43</b>	<b>-7</b>

While some Change of Status survey respondents have left private practice, there are also some who held positions in non-private practice or who were not practising law who have moved into private practice. This means that the incidence of those in private practice among survey respondents has been replenished to some degree.

The 43% who report that they are in private practice after a change of status comprises:

- 27% who began in a private practice position and stayed in a private practice position. This group is more than two-and a-half times the size of the other groups;
- 11% who were not practising law and transitioned to a private practice position; and
- 5% who moved from a non-private practice position to private practice.

## B. The Decline in Private Practice Based on Size of Firm

In 2013-2015, the 50% of respondents who were in private practice in their previous position is composed of 10% who were in sole practice, 27% who were in a firm of 2-50 lawyers and 13% who practised in a firm with more than 50 lawyers.

Analysis of respondents in private practice following their change in status finds a decline in the proportion practicing in law firms:

- 13% practised in a firm with more than 50 lawyers prior to changing status compared to only 7% after their change. This 6-point decrease is consistent with the 2010-2012 results.
- 27% practised in a firm of 2-50 lawyers compared to 22% after a change in status. Again, this decline is consistent with the decline evident in 2010-2012.

While the overall trend is movement away from private practice, there has nonetheless been a small increase in both waves of research in the proportion of respondents who are in sole practice after their change of status (2010-2012 – 3 points, 2013-2015 – 4 points).

**Incidence of those in Private Practice  
Total Sample of Change of Status Respondents**

	ALL SURVEY RESPONDENTS			
	Combined 2010-2012		Combined 2013-2015	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT
	n=3839		n=3682	
	%	%	%	%
<b>NET: In private practice</b>	<b>48</b>	<b>40↓</b>	<b>50</b>	<b>43↓</b>
In sole practice	10	13↑	10	14↑
Private firm – 2 to 50 lawyers	24	19↓	27	<b>22↓</b>
Private firm – more than 50 lawyers	14	8↓	13	7↓

Q.6 *Your previous status or position means the position you were in immediately prior to notifying the Law Society. Your current status or position means the position you are in now. From among the following, please indicate your practice or work setting while you were in your previous status category or position as well as your current practice or work setting.*

## C. Smaller Proportions are Moving into Practice in Government/Public Agencies

There are a number of other broad trends.

The first is a small but statistically significant decline in the incidence of those who report holding a non-private practice position following their change of status. In 2010-2012, 29% of those who changed status went to a non-private practice position. In 2013-2015, the proportion is 25%, a decrease of 4 points.

Consistent with 2010-2012 results, the greatest proportion of those who report holding a non-private practice position, either prior to or following their change of status, work for the government or a public agency.

In 2010-2012, there was a small net gain in the proportion who reported holding a government/public agency position after a change of status. In the 2013-2015 wave, this is not the case – the proportion remains statistically unchanged (15% and 16%, respectively).

**Incidence of those in Non-Private Practice  
Total Sample of Change of Status**

	ALL SURVEY RESPONDENTS			
	Combined 2010-2012		Combined 2013-2015	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT
	n=3839		n=3682	
	%	%	%	%
<b>NET: In non-private practice</b>	<b>26</b>	<b>29↑</b>	<b>25</b>	<b>25</b>
Government or a public agency	14	17↑	15	16
In-house counsel for a private corporation	5	4	3	2
Education	2	2	2	2
Other (includes: judge, crown, legal clinic, NGO, and other work settings)	5	6	5	5

Q.6 *Your previous status or position means the position you were in immediately prior to notifying the Law Society. Your current status or position means the position you are in now. From among the following, please indicate your practice or work setting while you were in your previous status category or position as well as your current practice or work setting.*

## D. Increasing Proportions are Moving into Retirement

There is evidence of an increasing segment among Change of Status respondents who are moving into retirement, likely a reflection of the increasing numbers of baby boomers who are retiring.

- The proportion of respondents reporting that their current status is “retired” increases from 6% in 2010-2012 to 9% in 2013-2015.
- Men are significantly more likely than women to report a transition into retirement (13% over the past three years among men compared with only 5% among women). This is likely due to the profile of Law Society lawyer members overall. Among those members 65 years of age or older, the proportion of men is significantly greater than the proportion of women.
- The probability is high that this group will not return to practice (private or otherwise). Across both waves of research, only 1% of respondents indicate that they have come out of retirement.

### Incidence of Those Not Practising Law Among Total Sample of Change of Status Respondents

	ALL SURVEY RESPONDENTS			
	Combined 2010-2012		Combined 2013-2015	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT
	n=3839		n=3682	
	%	%	%	%
<b>NET: Not practising law</b>	<b>26</b>	<b>31↑</b>	<b>25</b>	<b>32↑</b>
Maternity/parental leave	9	5↓	9	4↓
Not working in law (non-law position)	6	8	6	9
Not working for pay	6	7	5	5
Retired	1	6↑	1	9↑
Unemployed	2	2	2	2
Other	2	3	2	3

Q.6 *Your previous status or position means the position you were in immediately prior to notifying the Law Society. Your current status or position means the position you are in now. From among the following, please indicate your practice or work setting while you were in your previous status category or position as well as your current practice or work setting.*

## E. Significant Proportions of Those Changing Status are Moving into or Returning from Maternity/Parental Leave

As shown in the previous table, 13% of respondents over three years (2013- 2015) report that they were either returning from (9%) or going into parental leave (4%).

Women comprise the vast majority of the group whose change of status involves moving into or returning from maternity/parental leave - 13% of all survey respondents. Men moving into or returning from parental leave account for less than 1% of survey respondents.

### Change of Status Related to Parental Leave

	All SURVEY RESPONDENTS	
	2010-2012	2013-2015
	n=3839	n=3682
	%	%
Women who changed status and parental leave was a factor	13 (9% returning from parental leave) (4% moving into parental leave)	13 (9% returning from parental leave) (4% moving into parental leave)
Men who changed status and parental leave was a factor	1	<1
Women who changed status and parental leave was not a factor	45	47
Men who changed status and parental leave was not a factor	41	39

The question set that probed the type of position respondents held prior to and after their change of status (Q6) was developed to assist in identifying those who move into or return from maternity or parental leave. However, in the analytical process, the results from an open-ended question that probed the main reason for a change of status suggested that a group who did not record their previous position as maternity or parental leave in Q.6 had nonetheless recently returned from maternity or parental leave. This group represents another 5% of respondents.

Those who indicated they are returning from a parental/maternity leave were asked whether they returned to the position they held before going on leave.

Among women returning from a maternity leave (n=320), most but not all returned to the position they held prior to their maternity leave (81% in 2013-2015). Statistically, this is consistent with the 2010-2012 results (76%).

Women in this group are similar to other women in terms of their likelihood of being in private practice. Four-in-ten are in private practice upon their return from a maternity leave.

The sample of women who have changed their position after returning from maternity leave is small (2010-2012 n=78 / 2013-2015 n=63), and therefore any analysis of this group should be considered directional only. However, it appears that they are more likely to report being in private practice after their change of status than women who returned to the same position.

Based on the results for this limited group, they seem slightly more likely (56%) than the average (41%) to have been in private practice before their change of status, and to have remained in private practice.

**Current Position of Those Who Have Returned from a Maternity Leave  
Compared to Those Whose Change Does not Involve Maternity Leave or Retirement**

	WOMEN Those who returned to the <u>same position</u> they had prior to their maternity leave		2013-2015 WOMEN Those who returned to a <u>different position</u> to the one they held prior to their maternity leave		WOMEN: Those whose change of status does not involve maternity leave or retirement	
	2010-2012	2013-2015	PREVIOUS	CURRENT	2010-2012	2013-2015
n=	349	258	63*	63*	1661	1901
	%	%	%	%	%	%
<b>NET: In private practice</b>	40	45	53	52	41	45
<b>NET: In non-private practice</b>	49	46	36	30	34	30
<b>NET: Not practising law</b>	11	9	11	18	25	25

*\* Caution: Small base size. Results should be considered thematic and not generalizable to the population.*

In addition to the close to one-in-ten (9%) who have returned from maternity/parental leave, approximately one-in-twenty (4%) respondents indicate that they are currently on maternity/parental leave.

### **III. Characteristics of Status Change (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

## A. Comparison of Change of Status Characteristics of Total Sample Versus Sample Excluding Parental Leave and Retirement

The remainder of the analysis provided in this report is undertaken excluding those who have changed status for maternity/parental leave or retirement. This approach has been used in order to focus on partice-related factors that may be driving a change of status (e.g., work-life balance, health benefits, pension availability).

The base of lawyers who were in private practice prior to their change in status has increased by a significant 4 points - 53% (2010-2012) to 57% (2013-2015).

While the base in private practice prior to their change of status has increased, the proportion in a private practice setting following a change declines (7-point decline from 57% to 50%). Despite this decline, the 50% who are currently in private practice in 2013-2015 is a more robust group than was the case in 2010-2013 (46%).

### Incidence of Those in Private Practice in Previous and Current Positions

	2010-2012		2013-2015		GAP	
	Was in private practice in <u>previous</u> position	In private practice in <u>current</u> position	Was in private practice in <u>previous</u> position	In private practice in <u>current</u> position	2010-2012	2013-2015
	%	%	%	%	GAP	GAP
<b>EXCLUDING THOSE WHOSE LEAVE IS DUE TO MATERNITY/ PARENTAL LEAVE OR RETIREMENT</b>	53	46↓	57	50↓	- 7	-6

Q.6 Your previous status or position means the position you were in immediately prior to notifying the Law Society. Your current status or position means the position you are in now. From among the following, please indicate your practice or work setting while you were in your previous status category or position as well as your current practice or work setting.

The table on the following page provides a detailed overview of the position held by these respondents prior to their change of status and the type of position they currently hold.

It illustrates the same trends that were found among the total sample of respondents:

- The proportion who practise at a large law firm (over 50 lawyers) decreases after a change of status (from 15% to 8%);
- There has been an increase in the proportion who are no longer practising law after a change (5-point increase to reach 24% in the 2013-2015 wave). This is consistent with the trend in 2010-2012; and
- While the overall trend away from private practice still holds, there is an increase in the proportion who are in sole practice after their change (from 11% to 18%).

**Practice Type or Work Setting – Previous Versus Current Position**  
**2010-2012 and 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	2010-2012		2013-2015	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
n=	3057	3057	2701	2701
	%	%	%	%
<b>NET: PRIVATE PRACTICE (BOTH OUTSIDE AND IN TORONTO)</b>	<b>53</b>	<b>46↓</b>	<b>57</b>	<b>50↓</b>
<b>NET: PRIVATE PRACTICE OUTSIDE TORONTO</b>	<b>25</b>	<b>23↓</b>	<b>27</b>	<b>25</b>
Sole practice outside of Toronto	6	8↑	6	10↑
Private law firm outside Toronto with 5 lawyers or less	7	6	9	7
Private law firm outside of Toronto with 6 to 10 lawyers	3	2	4	2
Private law firm outside Toronto with 11 to 50 lawyers	5	4	5	4
Private law firm outside Toronto with > 50 lawyers	4	3	4	2
<b>NET: PRIVATE PRACTICE IN TORONTO</b>	<b>28</b>	<b>23↓</b>	<b>30</b>	<b>25↓</b>
Sole practice in Toronto	4	7↑	5	8↑
Private law firm in Toronto with 5 lawyers or less	5	3	5	5
Private law firm in Toronto with 6 to 10 lawyers	2	3	3	2
Private law firm in Toronto with 11 to 50 lawyers	5	3	6	4
Private law firm in Toronto with > 50 lawyers	12	7↓	11	6↓
<b>NET: NON-PRIVATE PRACTICE</b>	<b>28</b>	<b>30</b>	<b>24</b>	<b>26</b>
In-house counsel for a private corporation	5	5	4	3
Government or a public agency	14	17↑	13	15↑
Education	2	2	2	3
Crown	2	2	2	2
Judge	<1	<1	0	<1
Legal clinic	1	<1	1	<1
Non-governmental organization (NGO)	1	1	<	1
Some other setting	3	3	2	2
<b>NET: NOT PRACTISING LAW</b>	<b>19</b>	<b>24↑</b>	<b>19</b>	<b>24↑</b>
Not working in law (working outside law)	6	10↑	7	11↑
Retired	<1	0	0	0
Unemployed	2	2	2	2
On leave	1	1	1	2
Not working for pay	8	9	7	7
Other – legal related	2	2	2	1

Q.6 Your previous status or position means the position you were in immediately prior to notifying the Law Society. Your current status or position means the position you are in now. From among the following, please indicate your practice or work setting while you were in your previous status category or position as well as your current practice or work setting.

Base: All respondents excluding those whose change is due to maternity/parental leave or those who have retired

- The proportion of those who are currently in a government/public agency position has increased only slightly from 2010-2012 to 2013-2015 (from 14% to 16%, respectively).
  - A government/public agency position remains a key destination for those changing status, with 16% of those who have changed status currently working for a government or a public agency.

## B. Area of Practice (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

In seeking to better understand what is driving lawyers to leave private practice, principal area of law practised is examined. If there is one practice area in which there is significant change from previous position to current position, it may suggest that something about that area may play a role in a change of status.

The table below illustrates that there are two significant changes in the principal areas of law practised between previous position and current position in both tracking periods. In 2013-2015 there has been a decline in the proportion reporting practice in Civil Litigation – Plaintiff/Defendant in previous position (21%) compared to current position (17%). There is a commensurate increase in practice within “other”<sup>\*</sup> areas of law. The same trend was evident during the 2010-2012 tracking period.

These results suggest there may be something inherent in the area of civil litigation that underlies a decision to change status.

**Principal Area of Practice: Previous versus Current Position**  
**2010-2012 and 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

Principal Area Of Law Practised	2010-2012		2013-2015	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
n=	2487	2373	2234	2099
	%	%	%	%
Aboriginal Law	1	1	1	1
Administrative Law	4	4	5	5
Bankruptcy & Insolvency Law	1	1	1	1
Construction Law	1	1	1	1
Criminal/Quasi Criminal	10	10	10	10
Environmental Law	1	1	1	1
Family/Matrimonial Law	8	8	10	10
Immigration Law	2	2	2	2
Intellectual Property Law	4	3	3	3
International Law	1	1	1	1
Language Rights Law	-	<1	<1	<1
Poverty Law	1	<1	1	<1
Real Estate Law	7	6	7	8
Tax Law	3	2	3	3
Civil Litigation - Plaintiff/ Defendant	18	15↓	21	17↓
Corporate/Commercial Law (corporate/ wills, estates, trusts/ securities)	18	17	16	16
Employment/Labour Law (employment/ labour/ workplace safety)	6	6	7	6
ADR/Mediation Services	<1	1	<1	1
Human Rights/Social Justice	2	2	1	1
Other*	7	11↑	7	11↑

Q.7: Please indicate the three principal areas of law you practised or in which you worked while you were in your previous status category or position and also the principal areas of law in which you are practising or working in your current status category or position

\*Other: Includes: Teaching/training; research; regulatory; public inquiries; privacy/access to information; national security; municipal/provincial/ federal law; insurance; health; financial services; entertainment; energy/mining; document review; disability law; constitutional law; competition law; communications; charity or not-for-profit; legislative drafting; pension; IT/technology; child welfare/protection; policy; crown.

### **C. Unaided Reasons for Change of Status – Across Tracking Waves (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

One of the key objectives of the research has been to explore what factors may be leading lawyers to change their status. In each wave of data collection the research has explored this issue through both unaided and aided questions.

To obtain an unaided perspective, respondents were asked to describe, in their own words, the key factors that influenced their decision to change their status or position.

The reasons cited most frequently for a change of status – by almost three-in-ten respondents (28%) - are opportunity-related factors provided in a new position. These include better opportunities and challenges, the ability to better use one's skills, and opportunity for advancement. The proportion that identified these reasons in 2013-2015 is lower than the proportion in 2010-2012 (36%).

The set of reasons mentioned second most frequently relate to a position ending (e.g., being laid off or a contract ending), or to a situation that precludes a lawyer from practising (e.g., leave of absence due to health reason, inability to find a position). This set of reasons play a more important role in a change of status in 2013-2015 (28%) than was the case in 2010-2012 (26%).

Worklife balance factors register among just under one-in-five respondents in 2013-2015 (19%) as a main reason for a change of status. This is consistent with the proportion of respondents who noted this reason in 2010-2012 (21%).

Remuneration plays a relatively less important role as a factor in changing status. Just over one-in-ten cite this reason (11% in 2013-2015 and 13% in 2010-2012).

**Main Reasons for a Change of Status – 2010-2012 Compared to 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	2010-2012	2013-2015
	n=3057	n=2697
	%	%
<b>OPPORTUNITIES IN NEW POSITION (NET)</b>	<b>36</b>	<b>28</b>
Better opportunities/new challenges/ better quality of work	9	5
Better able to use my skills/ subject matter for work/ Change in practice area/ different type of work	7	5
Better opportunity for advancement/ opportunity for advancement/ promotion	5	3
Independence/ greater control in work	5	4
Job security / stability	4	4
Better work environment	4	3
Better location	3	3
Better position/ position I wanted/ more job satisfaction	4	7
Better mentorship	2	1
To give back to community/ greater public service opportunity	1	1
Better support at new position (e.g., colleagues or staff)/ more of a team environment	2	1
Fewer responsibilities/less responsibility	<1	1
<b>POSITION/CONTRACT ENDED OR REQUIREMENT TO LEAVE POSITION (NET)</b>	<b>26</b>	<b>28</b>
Laid off/ termination of employment/ previous structure terminated	5	5
Contract ended / Contract not renewed	3	4
Age/ Practiced long enough/ semi-retired	3	4
Health problems/ health problems of family members	3	3
Went back to original position from secondment/ back to original position	2	<1
Was previously unemployed	2	1
Change in ownership/ change in firm structure	2	7
Relocation	2	2
Parental leave/ returned after parental leave	1	0
End of articling/Unemployed after articling/ could not find job after articling	1	1
Back to school/continuing education	1	1
Returning from clerkship	<1	-
Found job after articling	<1	1
<b>WORKLIFE BALANCE (NET)</b>	<b>21</b>	<b>19</b>
Work/life balance - work/family balance	8	7
Better hours/ control over hours/ better control of schedule/ flexible work schedule	6	6
Reduction in stress/ burn out at job	6	6
Child care/ child care requirements/ want to spend more time with children or family	5	4
Reduction in workload/ workload	2	3
Spousal requirements/ spouse's career needs	<1	1
<b>REMUNERATION/BENEFITS (NET)</b>	<b>13</b>	<b>11</b>
Better remuneration/ pay/ stable income/needed income/income/financial reasons	12	10
Benefits/ better benefits/pension	3	3
<b>STARTING NEW FIRM OR PROMOTION (NET)</b>	<b>8</b>	<b>10</b>
Starting new firm/ started new sole practice	3	4
Starting new partnership/ became partner	3	4
Promotion/ progressing legal career	2	3
<b>NEGATIVE ASPECTS OF PREVIOUS JOB (NET)</b>	<b>9</b>	<b>10</b>
Didn't like job/didn't like firm/ bad fit	4	5
Too much pressure to bill hours/ pressure to bring in clients	2	1
Time to leave type of practice/ didn't like type of practice	1	1
Type of work/ did not like type of work	1	2
Dispute at previous job/ conflict at previous job	2	2
<b>DISCRIMINATION/HARASSMENT (NET)</b>	<b>2</b>	<b>2</b>
Discrimination/ harassment	2	2
Equity issues/ treatment of women/ treatment of women with children	1	1

Continued...

**Main Reasons for a Change of Status – 2010-2012 Compared to 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement (CON'T)**

	<b>2010-2012</b>	<b>2010-2012</b>
	n=3057	n=2842
	%	%
<b>OTHER REASONS</b>	<b>21</b>	<b>18</b>
Found a job/ needed a job/ received offer of employment	3	6
Did not want to work in law/ no longer want to work in law/ not working in law /don't want to pay fees	2	3
Return to law/ desire to return to law/ return to law part time from retirement	2	3
Practising outside Ontario/ not residing in Ontario	2	2
Economy	1	1
Came out of retirement	<1	-
Other	7	2
<b>NO CHANGE/NOT APPLICABLE (NET)</b>	<b>5</b>	<b>3</b>
No perceived change in status (e.g. name change only, error, change of address)	3	2
Not applicable	1	1
Not stated	1	1

## D. Benefits and Policies as Potential Factors in a Change of Status

Employers often offer a variety of benefits and employment policies in order to attract employees. Examples of these benefits and policies include:

- Health-related (e.g., medical, dental, long-term disability, sick leave);
- Financial benefits (e.g., pension plans);
- Flexible work arrangements (e.g., job sharing, part-time work, flexible work hours);
- Parental benefits (e.g., paid or unpaid parental leave, childcare benefits);
- Career advancement options (e.g., part-time partnerships, continuing legal education, formal mentoring policy); and,
- Harassment or equity policies (e.g., harassment and discrimination policy, accommodation for special needs policy).

Respondents were asked to indicate whether the benefits or employment policies noted above were offered by their previous employer/firm and whether their current position offers them.

*For both your previous position and your current position, please indicate whether each of the following was/is offered to you. If you don't know or if it was/is not applicable to your situation you may indicate that.*

	PREVIOUS POSITION			CURRENT POSITION		
	It was offered	It was not offered	Don't know/ Not applicable	It is offered	It is not offered	Don't know/ Not applicable
A pension plan	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>9</sup>	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>9</sup>
Medical insurance	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>9</sup>	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>9</sup>

An increase in the incidence of these benefits/policies from previous to current position may suggest that they, in some measure, play a role in the decision to change positions. While it cannot be determined whether they “drive” the decision to change, these incidences do provide a perspective as to the types of workplace benefits/policies that are valued by lawyers.

### 1. Health-Related Benefits

Health-related benefits are amongst the most likely to be offered in both previous and current positions. But rather than an increase in incidence from previous to current position – suggesting that they may be driving a change in status – the incidence of having these health-related benefits declines in both tracking waves (i.e., 2010-2012 and 2013-2015). For each of these benefits, the decline is at least 5 points in 2013-2015.

- Medical insurance (65% report this benefit in their previous position, 56% their current position);
- A dental plan (63% in previous position, 55% in current position);
- Long-term disability (48% in previous position, 44% in current position).

In addition to having the decrease in those holding these benefits after their change in status in this tracking wave (2013-2015), there has also been a decrease in the proportion who hold these benefits in their current status when compared to 2010-2012 results. While the decreases are not large (i.e., between 3 points and 5 points over the two waves of tracking), it does suggest that there may be wider systemic factors that are leading to employers being less likely to offer these benefits.

## **2. Pension**

A pension plan is one of the few benefits where the availability is more prevalent in the current position of those who have changed status, compared to previous position. This has been the trend in both waves of tracking. Close to one-third of respondent's indicate that they hold a pension plan in their current position, up 4 points from previous position in 2013-2015 and up 5 points in 2010-2012.

Again, however, when comparing the likelihood of a having a pension plan in one's current position in 2010-2012 with the likelihood in 2013-2015, there has been a decline (down from 34% in 2010-2012 to 30% in 2013-2015). This reinforces the conclusion that there may be a more systemic change occurring in the marketplace in the provision of some benefits.

## **3. Flexible Work Benefits**

By contrast to health-related benefits and pension, the incidence of which declines from previous to current status, the incidence of flexible work options has increased between previous and current status.

- Flexible full-time work hours (29% report this benefit in their previous position, 44% in current position);
- Part-time work (13% in previous position; 22% in current position)
- Job sharing (4% in previous position; 6% in current position)

This trend was also evident in 2012-2014 suggesting that these benefits may be factors driving a change of status.

## **4. Parental Benefits**

There are no significant changes from previous to current position, nor from one wave of tracking to the next, in the proportions indicating that they have maternity/parental leave or other child-care related benefits.

In both waves, there is a higher incidence of having paid leave in one's current position (25% paid maternity leave in 2013-2015; 22% paid parental leave in 2013-2015) compared to other types of parental benefits (6% have child-care benefits; 5% have access to child care facilities).

## **5. Partnership Options**

Similar to parental benefits, there have been no significant changes in this area from previous to current status, nor across the two waves. Close to one-in-seven report that income partnership are available to them while only 2% identify the availability of part-time partnerships.

## **6. Leave Options**

Just under one-half (46%) report that sick leave was offered in their previous position. A similar proportion reports its availability in their current position (45%).

One of the few benefits the incidence of which has increased from previous to current position in both tracking waves is that of leave of absence/sabbatical (up 5 points from 19% to 24%).

## **7. Other Policies/Benefits**

The incidence of continuing legal education has decreased in both research waves, but is more pronounced in 2013-2015 (down 7 points to 58% in current position) than in 2010-2012 (down 3 points to 61% in current position).

## 8. Overview of Benefits that May be Drivers of a Change of Status

Examining these benefits and policies overall, some appear to have more influence on a change of status because respondents are significantly more likely to report that these benefits/policies are offered in their current position relative to their previous position. Many of these relate specifically to more flexible work arrangements:

- Flexible full-time work hours (15-point increase).
- Part-time work (9-point increase).
- Leave of absence or sabbatical (4-point increase).
- Job sharing (2-point increase).

In addition to these work arrangement benefits, there has been an increase in availability of a pension plan (4-point increase).

It is noteworthy that there are a number of benefits/policies for which the incidence is found to be low in both previous (5% or less) and current position (6% or less):

- Child care benefits;
- Day care facilities;
- Job sharing; and,
- Part-time partnerships.

Further, high proportions of respondents do not know whether either their previous position or their current position offers these benefits. This finding suggests that they are not actively sought out by many in their decision to change status.

**Incidence of Benefit or Policy Availability in Previous Versus Current Position  
2010-2012 and 2013-2015  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	2010-2012 BENEFIT OR POLICY IS AVAILABLE		2013-2015 BENEFIT OR POLICY IS AVAILABLE	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
n=	2621	2621	2474	2474
	%	%	%	%
<b>Health-Related Benefits/Plans</b>				
Medical Insurance	66	60↓	65	56↓
A dental plan	64	59↓	63	55↓
Long-term disability	52	49↓	48	44↓
<b>Pension</b>				
A pension plan	29	34↑	26	30↑
<b>Flexible Work Options</b>				
Flexible full-time work hours	29	42↑	29	44↑
Part-time work	17	21↑	13	22↑
Job sharing	4	6↑	4	6↑
<b>Parental Benefits</b>				
Paid maternity leave	26	26	26	25
Paid parental leave	20	21	20	22
Unpaid maternity leave	18	18	18	18
Unpaid parental leave	17	18	18	19
Child care benefits	4	5	4	6↑
Day care facilities	2	3	2	5↑
<b>Partnership Options</b>				
Income partnerships	15	14	15	13
Part-time partnerships	3	3	3	3
<b>Leave Options</b>				
Sick leave	49	47	46	45
Leave of absence or sabbatical	22	25↑	19	24↑
<b>Other Offerings/Policies</b>				
Continuing legal education	64	61↓	65	58↓
Harassment and discrimination policy	54	54	53	51
Accommodation for special needs policy	33	36	34	37
Formal mentoring policy	28	29	26	26

Q.14: For both your previous position and your current position, please indicate whether each of the following was/is offered to you. If you don't know or if it was/is not applicable to your situation you may indicate that.

**Incidence of Benefit or Policy Availability in Previous Versus Current Position  
2010-2012 and 2013-2015  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	2010-2012		2013-2015	
	DO NOT KNOW IF BENEFIT OR POLICY IS AVAILABLE OR NOT APPLICABLE		DO NOT KNOW IF BENEFIT OR POLICY IS AVAILABLE OR NOT APPLICABLE	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
n=	2795	2782	2617	2617
	%	%	%	%
<b>Financial and Health-Related Benefits/Plans</b>				
Medical Insurance	14	18	13	18
A dental plan	14	18	13	18
Long-term disability	25	32	26	32
<b>Pension</b>				
A pension plan	17	22	16	21
<b>Flexible Work Options</b>				
Flexible full-time work hours	25	32	23	29
Part-time work	31	40	28	39
Job sharing	40	51	38	50
<b>Parental Benefits</b>				
Paid maternity leave	51	55	49	52
Paid parental leave	53	57	52	55
Unpaid maternity leave	60	63	57	61
Unpaid parental leave	60	63	58	60
Child care benefits	48	57	47	54
Day care facilities	42	51	40	47
<b>Partnership Options</b>				
Income partnerships	52	61	50	60
Part-time partnerships	57	67	54	66
<b>Leave Options</b>				
Sick leave	28	34	28	24
Leave of absence or sabbatical	40	51	39	47
<b>Other Offerings/Policies</b>				
Continuing legal education	19	26	17	25
Harassment and discrimination policy	28	36	27	34
Accommodation for special needs policy	47	50	44	47
Formal mentoring policy	31	45	31	42

Q.14: For both your previous position and your current position, please indicate whether each of the following was/is offered to you. If you don't know or if it was/is not applicable to your situation you may indicate that.

## E. Importance of Specific Issues in Driving Change of Status (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

Another means of determining what drives a change of status is to ask respondents directly the extent to which a number of factors were important reasons for their recent change. Respondents were asked to rate the importance of 18 factors in their decision to move from their previous status to their current status on a scale from 1 to 5. The question is cited below.

*Please indicate how important each of the following were in your decision to move from your previous status or position to your current status or position. Please do this using a scale from 1 to 5, where “1” means that it was not important at all and a “5” means that it was very important. If you don’t know or you do not feel the statement is applicable to you, you may indicate that.*

	Not at all important					Very important	Don't know	Not Applicable
	1	2	3	4	5			
The pay is better	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>3</sup>	<input type="checkbox"/> <sup>4</sup>	<input type="checkbox"/> <sup>5</sup>	<input type="checkbox"/> <sup>8</sup>	<input type="checkbox"/> <sup>9</sup>	
I have the freedom to decide what I do in my job	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>3</sup>	<input type="checkbox"/> <sup>4</sup>	<input type="checkbox"/> <sup>5</sup>	<input type="checkbox"/> <sup>8</sup>	<input type="checkbox"/> <sup>9</sup>	
I control the scheduling	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>3</sup>	<input type="checkbox"/> <sup>4</sup>	<input type="checkbox"/> <sup>5</sup>	<input type="checkbox"/> <sup>8</sup>	<input type="checkbox"/> <sup>9</sup>	
The benefits are better	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>3</sup>	<input type="checkbox"/> <sup>4</sup>	<input type="checkbox"/> <sup>5</sup>	<input type="checkbox"/> <sup>8</sup>	<input type="checkbox"/> <sup>9</sup>	
The job allows me to use my talents and legal skills	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>3</sup>	<input type="checkbox"/> <sup>4</sup>	<input type="checkbox"/> <sup>5</sup>	<input type="checkbox"/> <sup>8</sup>	<input type="checkbox"/> <sup>9</sup>	

Just over three-quarters of those who have changed status were shown these questions (2013-2015 n=2474 and in 2010-2012 n=2623). The remainder of respondents were ineligible to answer these questions because they have moved to or within a non-paid position, have gone on leave, or have become unemployed.

The reason most often identified as driving a change of status is that a new position allows the use of talents and skills. Almost one-half (47%) cite “using my talents and legal skills” as an important reason for their change of status, providing a rating of “4” or “5” on the importance scale.

Second in importance is the ability “to balance career and family”, mentioned by 42% of respondents.

A third tier of reasons relates to measures of control within the workplace. Just over one-third identify the “freedom to decide what I do in my job” (36%) and “I control the scheduling” (36%) as important factors driving a change of status.

A fourth tier comprises the following attributes:

- My job is less stressful (32%);
- Job security is good (30%).
- The pay is better (30%); and
- My current position offers flexible full-time work hours (29%).

The remaining factors explored are identified as important by less than one-quarter of respondents.

**Importance of Specific Issues in Driving a Change of Status**  
**Excluding Those Whose Change in Status is Not Related to Maternity/Parental Leave or Retirement**  
**% Important (4 or 5 on 5-point importance scale where “5” is “very important”**

	2013-2015	2010-2012
The job allows me to use my talents and legal skills	47	46
The job allows me to balance career and family	42	41
I have the freedom to decide what I do in my job	36	37
I control the scheduling	36	36
My job is less stressful	32	33
Job security is good	30	29
The pay is better	30	31
My current position offers flexible full-time work hours	29	26
My workload has decreased	24	23
The opportunities for promotion are excellent	23	27
The benefits are better	19	20
There is a pension plan in my current position	15	16
My current position offers part-time work	13	10
There is a formal mentoring policy in my current position	11	12
My current position offers a leave of absence or sabbatical	10	10
There is paid maternity or parental leave	9	10
Accommodation for special needs policy at current position	5	5
There is job sharing in my current position	3	3

Q.13aa Please indicate how important each of the following were in your decision to move from your previous status or position to your current status or position. Please do this using a scale from 1 to 5, where “1” means that it was not important at all and a “5” means that it was very important. If you don’t know or you do not feel the statement is applicable to you, you may indicate that.

Base: Those who made a change of status excluding those whose change was due to maternity/ parental leave or retirement (2013-2015 n=2623)

The table below illustrates that over half of respondents indicate that a number of attributes listed are not applicable in their current position (i.e., their current status does not provide these benefits). As such, they clearly did not play an important role in the decision to change status.

Also notable is the fact that these results have remained largely consistent from 2010-2012 to 2013-2015.

**Importance of Specific Issues in Driving a Change of Status**  
**Excluding Those Whose Change in Status is Not Related to Maternity/Parental Leave or Retirement**

	IMPORTANT (4 OR 5 ON SCALE)		NEUTRAL (3 ON SCALE)		NOT IMPORTANT (1 OR 2 ON SCALE)		NOT APPLICABLE OR DON'T KNOW	
	2010-2012	2013-2015	2010-2012	2013-2015	2010-2012	2013-2015	2010-2012	2013-2015
	%	%	%	%	%	%	%	%
There is a pension plan in my current position	16	15	5	6	16	16	63	63
There is a formal mentoring policy in my current position	12	11	7	7	19	20	62	62
My current position offers part-time work	10	13	4	5	21	21	65	61
There is paid maternity or parental leave	10	9	5	5	24	25	62	61
My current position offers a leave of absence or sabbatical	10	10	5	5	20	21	65	64
There is accommodation for special needs policy at my current position	5	5	4	5	21	21	70	69
There is job sharing in my current position	3	3	3	3	21	21	73	73

Q.13aa Please indicate how important each of the following were in your decision to move from your previous status or position to your current status or position. Please do this using a scale from 1 to 5, where "1" means that it was not important at all and a "5" means that it was very important. If you don't know or you do not feel the statement is applicable to you, you may indicate that.

Base: Those who made a change of status excluding those whose change was due to maternity/ parental leave or retirement

**IV. Characteristics of Those Whose  
Change of Status Originated in  
Private Practice (Excluding Those Whose  
Change is Due to Maternity/Parental Leave or  
Retirement)**

## A. Destination of Those Who Change Status from a Position in Private Practice

A majority of those who started out in private practice when they changed positions remained in private practice after the change. This has been the case across both waves of tracking.

In 2010-2012, 57% remained in private practice, while in 2013-2015 that proportion has gone up significantly to 62%.

In 2013-2015, the remainder are closely divided between those who have moved into non-private practice (17%) and those who are have stopped practising (21%).

### Destination of a Change of Status Among Those Whose Previous Status Was Private Practice Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement

	TOTAL SAMPLE OF THOSE WHO PREVIOUS STATUS WAS IN PRIVATE PRACTICE	
	2010-2012	2013-2015
	1633	1541
	%	%
<b>NET: STAYED IN PRIVATE PRACTICE</b>	<b>57</b>	<b>62</b>
Sole practice	18	20
Private law firm with 2 - 50 lawyers	26	32
Private law firm with > 50 lawyers	13	11
<b>NET: NON-PRIVATE PRACTICE</b>	<b>22</b>	<b>17</b>
In-house counsel for a private corporation	5	4
Government or a public agency	10	8
Education	2	2
Some other setting (e.g., crown, judge, legal clinic, non-governmental organization)	5	6
<b>NET: NOT PRACTISING LAW</b>	<b>21</b>	<b>21</b>
Not working in law (working outside law)	7	9
Unemployed or on leave	3	2
Not working for pay	8	6
Other – legal-related	2	3

## B. Demographic Profiles of Those Who Remained in Private Practice Compared to Those Who Have Moved Out of Private Practice

A demographic comparison of those who have remained in private practice with those who have moved to a non-private practice position finds notable differences.

In 2013-2015, among those who moved to a non-private practice position, women (58%) and those under 40 years of age (67%) are more strongly represented.

Among those who remained in private practice, women (50%) are equally represented with men (50%), and the representation of those under 40 years of age is just over one-half (55%).

These same trends were evident in the 2010-2012 wave of research.

The composition of those who moved into a non-private practice position is heavily skewed to those who have been practising less than 5 years (48%). This stands in contrast to those who remained in private practice, where only one-third (34%) have been practising less than 5 years.

**Profile of Those Whose Originating Status was in Private Practice  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	Remained in Private Practice (Private practice both in previous and current position)		Moved from Private Practice to Non-Private Practice		Moved from Private Practice to Not-in-Law	
	2010-2012	2013-2015	2010-2012	2013-2015	2010-2012	2013-2015
n=	936	953	356	263	341	325
	%	%	%	%	%	%
<b>GENDER</b>						
Women	45	<b>50</b>	59	57	57	58
Men	55	<b>50</b>	41	43	43	42
<b>AGE</b>						
<b>NET: UNDER 40 YEARS</b>	<b>50</b>	<b>55</b>	<b>61</b>	<b>67</b>	<b>52</b>	<b>58</b>
<30 years of age	6	<b>12</b>	8	<b>19</b>	6	<b>19</b>
30-39 years	44	41	53	48	46	49
40 to 49 years	23	20	19	17	15	16
50 to 65 years	21	<b>25</b>	17	14	20	23
Over 65 years	5	2	3	1	14	<b>3</b>
<b>YEAR CALLED TO THE BAR</b>						
Less than 5 years ago	27	<b>34</b>	35	<b>47</b>	29	<b>48</b>
5 to 9 years ago	25	<b>21</b>	32	<b>19</b>	26	<b>13</b>
10 to 19 years ago	25	24	17	19	13	17
20 or more years ago	23	21	16	16	32	<b>22</b>

## C. Principal Area of Law in Previous and Current Position Among Those Who Started Out in Private Practice

Those who remained in private practice differ from those who moved from private practice to non-private practice in the primary area of law they practise.

First, those remaining in private practice are less likely, both in their previous and current status, to be focusing on corporate commercial law (15%, respectively) than are those who moved from private to non-private practice (21%, respectively).

By contrast, those remaining in private practice are more likely to report their principal area of law to be civil litigation in both previous and current positions (30% and 25%, respectively) than are those who went into non-private practice (23% and 9%, respectively).

It is noteworthy that for both groups, there has been a decline from previous to current position in those practicing civil litigation, although the gap for those who remained in private practice (-5 points) is smaller than that of the group who moved into non-private practice (-14 points).

Among those who have moved to non-private practice there has also been a decline in the proportion practicing in family/matrimonial law (down 7 points from previous to current status).

Among those who moved into non-private practice, there has been a jump in the proportion who report that they are practising some “other”<sup>5</sup> type law than was the case when they were in private practice (up 18 points to 22%).

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<sup>5</sup> Other includes: Teaching/Training; research; regulatory; public inquiries; privacy/access to information; national security; municipal/provincial/ federal law; insurance; health; financial services; entertainment; energy/mining; document review; disability law; constitutional law; competition law; communications; charity or not-for-profit; legislative drafting; pension; IT/technology; child welfare/protection; policy; crown.

**Principal Area of Practice Among Those with Originating Position in Private Practice: 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	REMAINED IN PRIVATE PRACTICE		MOVED FROM PRIVATE TO NON-PRIVATE PRACTICE		MOVED FROM PRIVATE PRACTICE TO NOT-IN-LAW	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
	1014	1014	264	256	328	
	%	%	%	%	%	%
Aboriginal Law	<1	<1	1	3	1	N/A
Administrative Law	2	2	2	6↑	1	N/A
Bankruptcy & Insolvency Law	1	1	1	<1	1	N/A
Construction Law	1	1	1	2	<1	N/A
Criminal/Quasi Criminal	7	7	13	14	6	N/A
Environmental Law	1	1	2	1	1	N/A
Family/Matrimonial Law	14	14	10	4↓	11	N/A
Immigration Law	2	2	1	1	1	N/A
Intellectual Property Law	3	3	3	1	4	N/A
International Law	<1	1	<1	1	1	N/A
Language Rights Law	-	<1	-	-	<1	N/A
Poverty Law	<1	<1	-	-	1	N/A
Real Estate Law	10	12	6	4	6	N/A
Tax Law	3	3	3	3	4	N/A
Civil Litigation - Plaintiff/ Defendant	30	25↓	23	9↓	27	N/A
Corporate/Commercial Law (corporate/ wills, estates, trusts/ securities)	15	15	21	21	20	N/A
Employment/Labour Law (employment/ labour/ workplace safety)	6	7	7	4	8	N/A
ADR/Mediation Services	<1	1	-	1	-	N/A
Human Rights/Social Justice	-	<1	1	2	1	N/A
Other*	1	1	4	22↑	4	N/A

Q.7: Please indicate the three principal areas of law you practised or in which you worked while you were in your previous status category or position and also the principal areas of law in which you are practising or working in your current status category or position.

\*Other: Includes: Teaching/Training; research; regulatory; public inquiries; privacy/access to information; national security; municipal/provincial/ federal law; insurance; health; financial services; entertainment; energy/mining; document review; disability law; constitutional law; competition law; communications; charity or not-for-profit; legislative drafting; pension; Technology/ Internet technology; child welfare/protection; policy; crown.

**Principal Area of Practice Among Those with Originating Position in Private Practice: 2010-2012**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	REMAINED IN PRIVATE PRACTICE		MOVED FROM PRIVATE TO NON-PRIVATE PRACTICE		MOVED FROM PRIVATE PRACTICE TO NOT-IN-LAW	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
n=	936	935	356	351	341	
	%	%	%	%	%	
Aboriginal Law	<1	1	<1	1	<1	N/A
Administrative Law	1	1	1	5↑	2	N/A
Bankruptcy & Insolvency Law	1	1	1	1	2	N/A
Construction Law	1	1	1	1	<1	N/A
Criminal/Quasi Criminal	9	9	9	9	3	N/A
Environmental Law	1	1	1	2	1	N/A
Family/Matrimonial Law	12	12	9	5↓	11	N/A
Immigration Law	2	2	1	2	2	N/A
Intellectual Property Law	5	5	4	2	4	N/A
International Law	<1	<1	<1	1	1	N/A
Language Rights Law	-	<1	-	-	-	N/A
Poverty Law	-	<1	1	1	-	N/A
Real Estate Law	10	11	7	3	8	N/A
Tax Law	2	2	3	3	3	N/A
Civil Litigation - Plaintiff/Defendant	25	23	23	9	23	N/A
Corporate/Commercial Law (corporate/ wills, estates, trusts/ securities)	17	17	21	19	23	N/A
Employment/Labour Law (employment/ labour/ workplace safety)	6	6	8	6	7	N/A
ADR/Mediation Services	-	<1	1	1	1	N/A
Human Rights/Social Justice	1	1	-	1	2	N/A
Other	7	8	8	30	9	N/A

Q.7 Please indicate the three principal areas of law you practised or in which you worked while you were in your previous status category or position and also the principal areas of law in which you are practising or working in your current status category or position.

## D. Unaided Reasons for a Change of Status Among Those Who Moved From Private Practice

Overall, the two main sets of reasons for a change cited by those who have remained in private practice relate to the opportunities afforded them in a new position (34%) or a need to move on from a previous position (e.g., end of contract or change in ownership of firm) or other requirements to leave a position (e.g., health problems, relocation) (32%).

Among those who have moved from a private to non-private practice position, opportunities in a new position dominate the reasons given for a change (55%). Second most frequently cited are reasons related to work-life balance (38%). This latter set of reasons has diminished in importance compared to the 2010-2012 tracking wave, where fully half (50%) mentioned work-life balance considerations as a driver to change.

Among those who have left the practice of law, the end of a position or requirement to leave a position (33%) and work-life balance issues (33%) are the main reasons provided for changing status.

There are a number of issues that differentiate those who moved from private practice to non-private practice from those who remained in private practice.

One is the importance of work-life balance issues in driving a change of status. Among those who have remained in private practice, only 17% mention work-life balance considerations as a reason for their change. By contrast, among those who moved into non-private practice, more than double the proportion (38%) mention this issue. It is important to note, however, that the proportion of those who moved to a non-private practice position and who mention work-life balance is significantly lower than it was in the previous wave, when fully half of this group (50%) mentioned work-life balance.

Remuneration is stronger driver for a change of status among those moving from private to non-private practice (19%) than it is among those who moved within private practice positions (12%). This has been the case in both tracking periods.

A greater factor in a change of status among those who have remained in private practice is career advancement in the form of a promotion (including partnership) or the opportunity to start up a new practice. Among those who have remained in private practice, 20% identify this reason. Among the other groups, the proportion who provide these reasons is very small (2% or less). The proportions citing these reasons are consistent over the two tracking waves.

Among those who have left the practice of law, the single most frequently noted reasons for a change of status (in both tracking waves) relate to the end of a contract or requirement to leave a position (37% in 2010-12 and 33% in 2013-2015). While not cited to the same extent as those who have changed to a non-private practice position, the importance of work-life balance is mentioned by one-third (33% in 2013-15) of those who have left practice as the main reason for their change.

**Main UNAIDED Reasons for a Change of Status Based on Type of Change  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement  
MULTIPLE MENTIONS ALLOWED**

	2010-2012			2013-2015		
	Private to private	Private to non-private	Private to not-in law	Private to private	Private to non-private	Private to not-in law
Sample size n=	936	356	341	1014	264	328
	%	%	%	%	%	%
<b>OPPORTUNITIES IN NEW POSITION (NET)</b>	<b>40</b>	<b>46</b>	<b>26</b>	<b>34</b>	<b>55</b>	<b>26</b>
Better opportunities/new challenges/ better quality of work	7	13	4	4	7	4
Better able to use my skills/ subject matter for work/ Change in practice area/ different type of work	5	10	7	4	10	3
Better opportunity for advancement/ opportunity for advancement/ promotion	7	5	3	2	4	2
Independence/ greater control in work	9	3	3	6	2	1
Job security / stability	4	9	2	3	11	2
Better work environment	6	4	3	2	6	3
Better location	3	4	1	5	2	2
Better position/ position I wanted/ more job satisfaction	3	4	3	4	9	8
Better mentorship	3	4	3	2	3	2
To give back to community/ greater public service opportunity	<1	3	1	<1	<1	<1
Better support at new position (e.g., colleagues or staff)/ more of a team environment	3	2	4	2	1	1
<b>POSITION/CONTRACT ENDED OR REQUIREMENT TO LEAVE POSITION (NET)</b>	<b>19</b>	<b>8</b>	<b>37</b>	<b>32</b>	<b>14</b>	<b>33</b>
Laid off/ termination of employment/ previous structure terminated	4	1	13	4	3	7
Contract ended / Contract not renewed	1	6	5	1	-	2
Age/ Practiced long enough/ semi-retired	4	1	4	5	5	6
Health problems/ health problems of family members	1	1	10	1	1	9
Went back to original position from secondment/ back to original position	1	-	1	-	-	-
Was previously unemployed	<1	1	<1	-	-	<1
Change in ownership/ change in firm structure	4	<1	1	14	2	4
Relocation	3	1	1	2	3	2
Parental leave/ returned after parental leave	2	<1	<1	6	<1	1
End of articling/Unemployed after articling/ could not find job after articling	<1	1	<1	<1	-	1
Back to school/continuing education	<1	1	3	<1	1	1
Returning from clerkship	-	1	-	-	-	-
Found job after articling	<1	-	-	1	-	-
<b>WORK LIFE BALANCE (NET)</b>	<b>16</b>	<b>50</b>	<b>24</b>	<b>17</b>	<b>38</b>	<b>33</b>
Work/life balance – work/family balance	5	28	9	5	19	13
Better hours/ control over hours/ better control of schedule/ flexible work schedule	5	15	3	7	11	6
Reduction in stress/ burn out at job	3	14	10	3	17	14
Child care/ child care requirements/ want to spend more time with children or family	4	9	5	3	2	9
Reduction in workload/ workload	2	5	4	3	7	3
Spousal requirements/ spouse's career needs	1	<1	<1	1	1	<1

Continued...

	2010-2012			2013-2015		
	Private to private	Private to non-private	Private to not-in law	Private to private	Private to non-private	Private to not-in law
Sample size n=	936	356	341	1014	264	328
	%	%	%	%	%	%
<b>REMUNERATION/BENEFITS (NET)</b>	<b>15</b>	<b>22</b>	<b>6</b>	<b>12</b>	<b>19</b>	<b>10</b>
Better remuneration/ pay/ stable income/ needed income	14	15	6	12	14	9
Benefits/ better benefits/pension	1	14	1	1	10	2
<b>STARTING NEW FIRM OR PROMOTION (NET)</b>	<b>19</b>	<b>2</b>	<b>3</b>	<b>20</b>	<b>2</b>	<b>2</b>
Starting new firm/ started new sole practice	7	1	2	7	1	2
Starting new partnership/ became partner	11	-	-	9	-	-
Promotion/ progressing legal career	2	1	1	4	1	1
<b>NEGATIVE ASPECTS OF PREVIOUS JOB (NET)</b>	<b>9</b>	<b>14</b>	<b>19</b>	<b>9</b>	<b>16</b>	<b>18</b>
Didn't like job/didn't like firm/ bad fit	5	5	11	5	7	10
Too much pressure to bill hours/ pressure to bring in clients	1	5	4	1	3	2
Time to leave type of practice/ didn't like type of practice	<1	4	3	<1	3	3
Type of work/ did not like type of work	1	3	2	1	5	5
Dispute at previous job/ conflict at previous job	3	1	3	2	1	2
<b>DISCRIMINATION/HARASSMENT (NET)</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>2</b>	<b>4</b>	<b>3</b>
Discrimination/ harassment	2	2	1	2	3	3
Equity issues/ treatment of women/ treatment of women with children	1	1	<1	1	1	1
<b>OTHER REASONS</b>	<b>11</b>	<b>10</b>	<b>15</b>	<b>8</b>	<b>13</b>	<b>14</b>
Found a job/ needed a job/ received offer of employment	1	1	<1	2	4	2
Did not want to work in law/ no longer want to work in law/ not working in law /don't want to pay fees	1	2	5	1	2	6
Return to law/ desire to return to law/ return to law part time from retirement	<1	<1	1	1	3	2
Practising outside Ontario/ not residing in Ontario	2	1	1	1	2	1
Economy	1	<1	1	1	<1	2
Came out of retirement	-	-	-	-	-	-
Other	6	5	6	2	1	1
<b>NO CHANGE/NOT APPLICABLE (NET)</b>	<b>5</b>	<b>-</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>&lt;1</b>
No perceived change in status (e.g. name change only, error, change of address)	3	-	-	2	-	-
Not applicable	1	-	1	1	2	<1
Few less responsibility	<1	<1	<1	1	2	<1
Company went down/firm closure	<1	<1	1			
Financial reasons/ income	2	2	2			
Not stated	1	1	<1			

Q.15 What were the key factors that influenced your decision to change your status or position?

## E. Benefits and Operating Policies Available in Previous and Current Position Among Those Who Started Out in Private Practice

An examination of those who moved from a position in private practice suggests that the provision of certain benefits and policies are at least, in some measure, drivers of a change.

Among those who have made a change in which they have remained in a private practice setting, there may be trade-offs being made in order to secure a more flexible work environment. This is evident in the results that show that more of those who have stayed in private practice have moved to positions where flexible full-time or part time work are available. For example, there is a 14-point increase in the proportion reporting that they have flexible full-time work hours in their new private practice position compared to their previous position (43% and 29%, respectively in the 2013-2015 tracking wave).

While there are gains in flexibility, the trade-off appears to be that there are declines in the availability of health-related and child-care benefits among those who have remained in private practice:

- Medical insurance (down 13 points from previous to current position);
- A dental plan (down 13 points);
- Long-term disability (down 8 points); and
- Paid maternity leave (down 6 points).

By contrast, those moving from private practice to non-private practice appear to be gaining a basket of benefits/policies unavailable to them in their previous position. This suggests that the breadth of benefits offered, particularly in the public sector positions to which almost half (47%) of this group have moved, are what make these non-private practice positions appealing, and have an influence on the decision to move into these positions.

Those that appear to have an effect on a change from private to non-private practice (i.e., those particular to this group because they are significantly more likely to have these benefits offered in their new position than the other two groups) are:

- All the health-related benefits (medical insurance, dental insurance and long-term disability – an increase of at least 12 points from previous to current position. At least two-thirds have these benefits in their current position compared to one-half or less of those who remained in private practice);
- Pension (an increase of 66 points from previous to current position to reach 71%);
- Accommodation for special needs policies (up 39 points from previous to current position to reach 66%);
- Harassment and discrimination policies (up 32 points from previous to current position to reach 83%);
- Paid parental leave (up 31 points reach 42%);
- Sick leave (up 29 points from previous to current position to reach 75%);
- Paid maternity leave (up 25 points from previous to current position to reach 47%);
- Part-time work (up 11 points to reach 26%);
- Day care facilities (up 10 points to reach 11%);
- Child care benefits (up 8 points to reach 11%); and
- Job sharing (up 7 points to reach 10%).

**Incidence of Benefits/Policies Offerings in Previous Compared to Current Position  
Among Those Whose Original Position Was in Private Practice - 2013-2015  
Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement**

	PRIVATE TO PRIVATE 2013-2015		PRIVATE TO NON-PRIVATE 2013-2015		PRIVATE TO NOT IN LAW 2013-2015	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
	Offers benefit or operating policy					
n=	1014	1014	264	264	235	235
	%	%	%	%	%	%
<b>Health-Related Benefits/Plans</b>						
Medical Insurance	64	51↓	67	78↑	56	40↓
A dental plan	61	48↓	65	77↑	55	40↓
Long-term disability	43	35↓	46	66↑	35	31↓
<b>Pension</b>						
A pension plan	4	5	5	71↑	7	30↑
<b>Flexible Work Options</b>						
Flexible full-time work hours	29	43↑	25	48↑	25	39↑
Part-time work	9	17↑	15	26↑	15	27↑
Job sharing	3	6	3	10↑	2	5
<b>Parental Benefits</b>						
Paid maternity leave	20	14↓	22	47↑	18	20
Paid parental leave	13	10↓	11	42↑	9	18
Unpaid maternity leave	19	16	31	27	17	14↓
Unpaid parental leave	16	15	25	30	12	14
Child care benefits	3	4	3	11↑	4	7
Day care facilities	1	2	1	11↑	1	6
<b>Partnership Options</b>						
Income partnerships	24	23	24	3↓	18	3↓
Part-time partnerships	3	4	3	4	3	3
<b>Leave Options</b>						
Sick leave	34	30	46	75↑	34	34
Leave of absence or sabbatical	11	13	11	41↑	12	19
<b>Other Offerings/Policies</b>						
Continuing legal education	71	62↓	73	71	61	21↓
Harassment and discrimination policy	45	39↓	51	83↑	40	40
Accommodation for special needs policy	23	22	27	66↑	18	31↑
Formal mentoring policy	28	23	35	35	23	20

**Incidence of Benefits/Policies Offerings in Previous Compared to Current Position  
Among Those Whose Original Position Was in Private Practice - 2010-2012  
Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement**

	PRIVATE TO PRIVATE 2010-2012		PRIVATE TO NON-PRIVATE 2010-2012		PRIVATE TO NOT IN LAW 2010-2012	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
	Offers benefit or operating policy					
n=	936	936	356	356	341	205
	%	%	%	%	%	%
<b>Health-Related Benefits/Plans</b>						
Medical Insurance	65	55↓	65	80↑	60	38↓
A dental plan	63	53↓	60	79↑	58	37↓
Long-term disability	47	41↓	46	71↑	41	30↓
<b>Pension</b>						
A pension plan	5	5	6	73↑	7	29↑
<b>Flexible Work Options</b>						
Flexible full-time work hours	29	41↑	26	47↑	25	30
Part-time work	11	17↑	15	24↑	16	18
Job sharing	3	4	3	10↑	3	6
<b>Parental Benefits</b>						
Paid maternity leave	11	15↑	16	44↑	11	16
Paid parental leave	19	9↓	28	38↑	20	16
Unpaid maternity leave	17	15	26	25	17	11↓
Unpaid parental leave	14	13	21	29↑	13	12
Child care benefits	3	2	3	11↑	3	4
Day care facilities	1	1	1	7↑	1	3
<b>Partnership Options</b>						
Income partnerships	27	28	27	2↓	19	5↓
Part-time partnerships	4	5	4	2	3	2
<b>Leave Options</b>						
Sick leave	37	32↓	40	72↑	35	30
Leave of absence or sabbatical	11	13	13	44↑	18	15
<b>Other Offerings/Policies</b>						
Continuing legal education	71	66↓	72	76	62	23↓
Harassment and discrimination policy	46	43	49	84↑	37	35
Accommodation for special needs policy	19	21	20	58↑	18	21
Formal mentoring policy	31	30	37	38	26	17↓

## F. Importance of Specific Factors in Driving a Change of Status among Those Who Started out In Private Practice

One of the key objectives of the research is to better understand the factors that may be leading lawyers to leave private practice and the factors that encourage lawyers to stay in private practice. One means of assessing this issue is by exploring on an aided basis, some of the perceived benefits and values of their current versus their previous position among those who have changed status.

Respondents were asked a series of questions in order to assess this:

*Please indicate how strongly you agree or disagree with the following statements as they relate to your previous status or position and your current status or position. Please do this using a scale from 1 to 5, where “1” means that you agree strongly and “5” means that you disagree strongly. If you don’t know or you do not feel the statement is applicable to you, you may indicate that.*

Previous Position	Strongly Agree					Strongly Disagree	Don't know	Not Applicable
	1	2	3	4	5			
The pay is good								
I have the freedom to decide what I do in my job								
I control the scheduling								

Comparing those who have stayed in private practice with those who have moved out of private practice or out of law suggests that those who have moved from private to non-private practice are more likely than the other groups to cite a number of issues as important drivers of their change of status.

Overall, those who have changed from private practice to non-private practice tend to identify issues related to work-life balance and benefits to a greater extent than other groups as important factors in driving their change of status. This is consistent with the results noted in the previous section that suggest that this group sees a basket of benefits as an appealing consideration in a change of status.

Balancing career and family tops their list as important in driving a change of status (68% rate it as a 4 or 5 on a 5-point importance scale). By contrast, those who have remained in private practice are least likely to view this as an important factor in their change of status (40%).

Among the other reasons in the top three list for those who have moved to a non-private practice position are:

- *My job is less stressful* (61% consider it an important factor in their decision to change status versus the average of 38%);
- *The job allows me to use my talents and legal skills* (61% versus the average of 45%).

A further three reasons are identified as important by at least half of those who have moved into non-private practice:

- *Job security is good* (53% versus the average of 32%);
- *My workload has decreased* (52% versus the average of 30%); and
- *There is a pension plan in my current position* (50% versus the average of 13%).

The most important drivers among those who have remained in private practice tend to be related to practice opportunities. The top three important drivers amongst this group are:

- Their new position allows “*the freedom to decide what I do in my job*” (46% versus 41% average).
- *The job allows me to use my talents and legal skills* (44% versus the average of 45%); and
- *I control the scheduling* (42% versus the average of 40%).

All other factors receive less than one-third of mentions as an important factor in a move to another private practice position.

Among those who moved from private practice to not practising law, the factors most likely to be cited as important in driving a change are:

- *The job allows me to balance career and family* (52% consider it important);
- *My job is less stressful* (45%);
- *My workload has decreased* (37%);
- *I control the scheduling* (37%); and
- *I have the freedom to decide what I do in my job* (36%).

It is noteworthy that a greater proportion of those who have moved out of law have evaluated three of the five above issues as important in this wave of research than was the case in the previous wave (2010-2012).

**Importance of Specific Issues in Driving a Change of Status – Based on Originating Position in Private Practice  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

% who rate issue as a 4 or 5 on 5-point scale where 5 means “very important”

	TOTAL of those whose change of status originated in a private practice position		Moved from private to private practice		Moved from private to non-private practice		Moved from private practice to out of law	
	2010-2012	2013-2015	2010-2012	2013-2015	2010-2012	2013-2015	2010-2012	2013-2015
n=	1440	1513	906	1014	336	264	198	235
	%	%	%	%	%	%	%	%
The job allows me to balance career and family	45	47	37	40	71 ①	68 ①	42 ①	52 ①
The job allows me to use my talents and legal skills	44	45	46 ②	44 ②	57 ②	61 ②	32	29
I have the freedom to decide what I do in my job	41	41	47 ①	46 ①	30	27	29	36
I control the scheduling	39	40	42 ⑤	42 ⑤	38	33	28	37 ⑤
My job is less stressful	40	38	31	31	64 ③	61 ③	42 ②	45 ②
Job security is good	34	32	31	28	48	53	24	25
My current position offers flexible full-time work hours	28	31	29	31	32	31	19	29
The pay is better	30	29	34	31	29	30	17	17
My workload has decreased	29	30	19	23	52	52	34 ⑤	37 ⑤
The opportunities for promotion are excellent	29	25	29	23	31	35	25	22
The benefits are better	22	20	16	14	42	44	16	18
There is a pension plan in my current position	16	13	3	2	50	50	16	18
My current position offers part-time work	9	13	9	12	10	14	7	17
There is a formal mentoring policy in my current position	12	11	11	9	19	16	7	12
My current position offers a leave of absence or sabbatical	10	10	7	7	19	20	10	12
There is paid maternity or parental leave	9	9	6	5	21	23	6	11
There is accommodation for special needs policy at my current position	4	5	3	4	9	9	2	6
There is job sharing in my current position	4	3	3	3	5	4	4	3

Q.13aa Please indicate how important each of the following were in your decision to move from your previous status or position to your current status or position. Please do this using a scale from 1 to 5, where “1” means that it was not important at all and a “5” means that it was very important. If you don’t know or you do not feel the statement is applicable to you, you may indicate that.

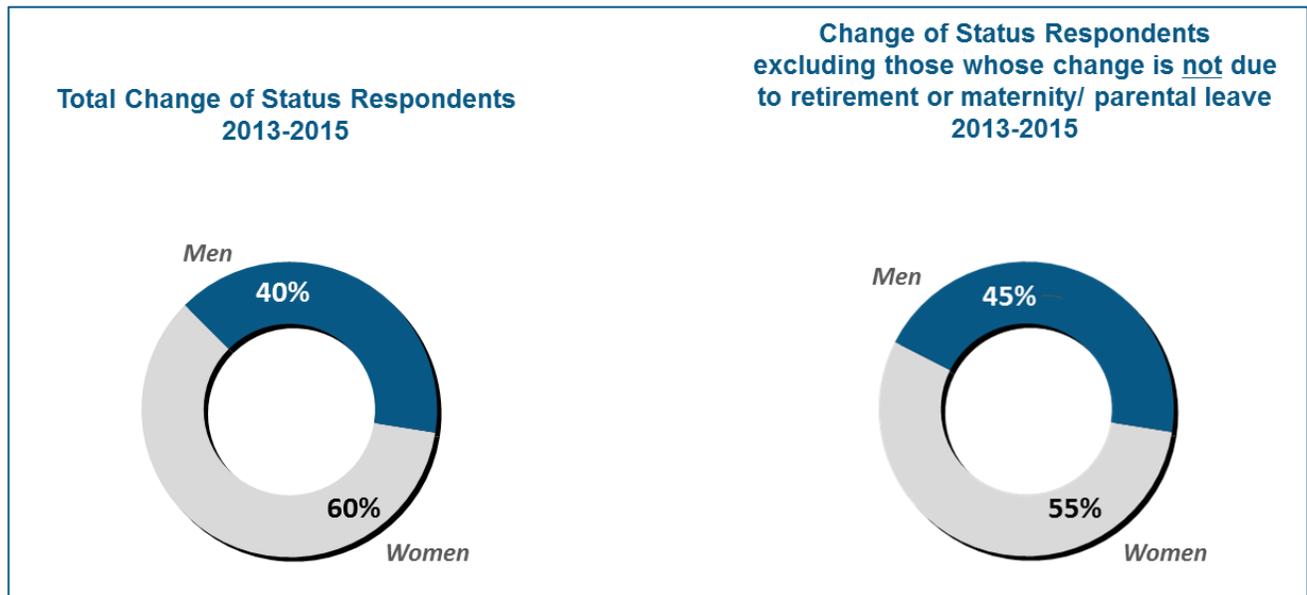
Note: %’s are determined with don’t know/not stated responses included

**V. Gender Differences in Change of Status (Excluding those whose change involved maternity/parental leave or retirement)**

## A. Gender Profile of Change of Status Respondents (Excluding those whose change was related to maternity/parental leave or retirement)

Women are as strongly represented among those whose change of status is not due to retirement or maternity or parental leave (55%) as they are among the total sample of change of status respondents (60%).

Representation of Women among Change of Status Respondent Groups



Women whose change of status was not due to maternity/parental leave or retirement are significantly more likely to be recent calls to the bar – within the past 10 years (57%) compared to men within the same group (51%).

The group of women who are changing status<sup>6</sup> is skewed in its composition to those called to the bar within the past 10 years (57%). Further, almost half (49%) of women changing status under 45 years of age with no dependents in the household.

**Profile of Men and Women**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	2010-2012		2013-2015	
	WOMEN	MEN	WOMEN	MEN
n=			1482	1231
	%	%	%	%
<b>YEAR OF CALL</b>				
<5 years ago	33	27	<b>39</b>	<b>35</b>
5-9 years ago	26	20	18	16
10-20 years ago	26	20	26	20
20+ years ago	15	33	17	29
<b>DEPENDENTS IN THE HOME*</b>				
n=			1369	1291
	%	%	%	%
<45 years of age, no dependents in home	Not available	Not available	49	41
Youngest dependent <6 years	18	16	16	17
Youngest dependent 6-12 years	13	9	11	7
Youngest dependent 13+ years	11	20	8	10
45 years or older, no dependents in home	Not available	Not available	16	25
<b>NET: No Dependents</b>	<b>58</b>	<b>55</b>	<b>65</b>	<b>66</b>

\* Note: Those who had dependents in the home but preferred not to provide the age of their youngest dependent were excluded from the calculation (n=113 among women and 150 among men).

<sup>6</sup> Excluding those whose change of status related to retirement or maternity/parental leave.

## B. Incidence in Private Versus Non-Private Practice Year Over Year – Based on Gender

The base of lawyers who are submitting change of status notices is increasingly composed of those who started their change of status from a position in private practice. This is the case for both men and women.

- Among women in 2010, 45% started in a private practice position compared to 52% in 2015.
- Among men, the proportions are 57% and 65%, respectively.

The proportions of both genders holding a private practice position following their change of status has also been increasing:

- In 2010, 37% of women ended up in private practice. In 2015, the proportion is 46%.
- In 2010, 48% of men ended up in private practice. In 2015, the proportion is 59%.

In other words, those filing a change of status are increasingly likely to be doing so starting out in a private practice position. Further, compared to the last wave of research, the proportion in private practice following a change is also increasing.

**Previous and Current Positions - Women Compared to Men**  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement

	PREVIOUS POSITION						CURRENT POSITION					
	2010	2011	2012	2013	2014	2015	2010	2011	2012	2013	2014	2015
n=				614	795	958				369	502	611
	%	%	%	%	%	%	%	%	%	%	%	%
<b>WOMEN</b>												
In private practice	45	53	50	54	51	52	37↓	42↓	42↓	46↓	44↓	46↓
In non-private practice	34	28	26	26	28	28	40↑	32	31	28	30	27
Not in law	21	19	24	20	21	24	23	26↑	27↑	26↑	26↑	27↑
<b>MEN</b>												
In private practice	57	58	59	57	64	65	48↓	53↓	57	55	55↓	59↓
In non-private practice	28	25	23	28	21	20	32	24	18↓	27	27↑	19
Not in law	15	17	18	15	15	16	20↑	23↑	23↑	18	19	22↑

Women who have changed status are less likely than men to have been in private practice prior to their change of status (52% and 62%, respectively). While both groups are less likely to be in a private practice position after their change, for women the decline is slightly greater than is found for men (7 points and 5 points, respectively).

The following table brings this into relief and shows that in the combined tracking period from 2013-2015, only 45% of women report holding a private practice position following a change of status compared with fully 57% of men.

**Previous and Current Positions – Based on Gender**  
**Excluding Those Whose Change Related to Retirement or Maternity/Paternal Leave**

	2010-2012				2013-2015			
	WOMEN		MEN		WOMEN		MEN	
	Previous	Current	Previous	Current	Previous	Current	Previous	Current
n=	1661 %	1661 %	1393 %	1393 %	1492 %	1492 %	1219 %	1219 %
<b>In private practice</b>	50	41↓	58	52↓	52	45↓	62	57↓
<b>In non-private practice</b>	29	34↑	25	25	26	28	23	23
<b>Not in law</b>	21	25↑	17	23↑	22	27↑	15	20↑

The private practice retention rate (i.e., the proportion who are in private practice after a change of status divided by the proportion in private practice prior a change of status) is lower for women 0.87 compared to men 0.92.

In 2010-2012, the private practice retention rates were somewhat lower at 0.82 versus 0.90, respectively.

### C. Practice Type Transitioned To – Based on Gender

Based on a more detailed examination of practice type, women who have made a change of status are slightly less likely than are men to have practised in or to be currently practising in a sole proprietorship.

- In their previous position, 10% of women were in sole practice compared to 12% of men. This gap widens when current position is examined (15% and 21%, respectively).
- These results do underscore, however, that the incidence of those in sole practice following a change of status, regardless of gender, is increasing.

Women are as likely to hold government/public agency positions both prior to, and after their change of status in 2013-2015. This stands in contrast to the previous tracking wave when women were more likely to hold these positions than men.

Finally, while the gap is not large, a significantly greater proportion of women report holding a position in which they are not working for pay.

- Among women, the proportions are 8% in previous and 8% in current position. Among men, the proportions are 5% and 6%, respectively.

**Previous Versus Current Position Among Women and Men in 2010-2012 and in 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	2010-2012				2013-2015			
	WOMEN		MEN		WOMEN		MEN	
	Previous Status	Current Status						
	1661 %	1661 %	1393 %	1393 %	1482 %	1482 %	1219 %	1219 %
<b>NET: PRIVATE PRACTICE</b>	<b>50</b>	<b>41↓</b>	<b>58</b>	<b>52</b>	<b>52</b>	<b>45↓</b>	<b>62</b>	<b>57↓</b>
Sole practice	8	12↑	13	19↑	10	15↑	12	21↑
Private law firm with 2 - 50 lawyers	27	19↓	29	23↓	29	23↓	33	26↓
Private law firm with > 50 lawyers	15	10↓	17	10↓	13	7↓	17	10↓
<b>NET: NON-PRIVATE PRACTICE</b>	<b>29</b>	<b>34↑</b>	<b>25</b>	<b>25</b>	<b>26</b>	<b>28</b>	<b>23</b>	<b>23</b>
In-house counsel for a private corporation	5	5	6	5	3	3	4	3
Government or a public agency	16	20↑	12	13	14	16	12	14
Education	2	3	2	2	2	3	2	2
Crown	2	2	2	2	3	2	3	2
Some other setting (e.g., judge, legal clinic, non-governmental organization)	4	4	3	3	4	4	1	3
<b>NET: NOT PRACTISING LAW</b>	<b>21</b>	<b>25↑</b>	<b>17</b>	<b>23↑</b>	<b>22</b>	<b>27↑</b>	<b>15</b>	<b>20↑</b>
Not working in law (working outside law)	6	9↑	7	11↑	8	12↑	6	10↑
Retired	<1	-	1	-	-	-	-	-
Unemployed	2	2	1	2	2	2	2	2
On leave	1	1	1	1	2	2	<1	2
Not working for pay	9	10	6	7	8	8	5	6
Other – legal related	2	3	1	2	2	3	<1	1

Q.6 Your previous status or position means the position you were in immediately prior to notifying the Law Society. Your current status or position means the position you are in now. From among the following, please indicate your practice or work setting while you were in your previous status category or position as well as your current practice or work setting.

Base - Women: Those who have changed status, excluding those whose change was due to parental leave and those who have retired (2010 n=543, 2011 n=605; 2012 n=513; 2010-2012 n=1661, 2013 n=418, 2014 n=543, 2015 n=654, 2013-2015 n=1615)

Base - Men: Those who have changed status, excluding those whose change was due to parental leave and those who have retired (2010 n=453, 2011 n=498; 2012 n=442; 2010-2012 n=1393, 2013 n=321, 2014 n=400, 2015 n=510, 2013-2015 n=1213)

## D. Unaided Reasons for a Change of Status – Based on Gender

Women (24%) are more likely than men (13%) to identify work-life balance (e.g., work/family balance; better hours/ control over hours/ better control of schedule/ flexible work schedule/ reduction in stress/ burn out at job) as a main reason for their change of status. This same gap was evident in the 2010-2012 wave of research.

Women in 2013-2015 (28%) are less likely than men (36%) to indicate that opportunities presented in a new position influenced their change of status. This gap was not evident in 2010-2012.

There are no further significant differences by gender in the reasons cited for a change.

### Unaided Reasons for a Change of Status – Women Compared to Men Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement

	2010-2012		2013-2015	
	WOMEN	MEN	WOMEN	MEN
n=	1661	1393	1481	1216
	%	%	%	%
<b>OPPORTUNITIES IN NEW POSITION (NET)</b>	<b>37</b>	<b>35</b>	<b>28</b>	<b>36</b>
Better opportunities/new challenges/ better quality of work	9	9	4	5
Better able to use my skills/ subject matter for work/ Change in practice area/ different type of work	7	6	6	5
Better opportunity for advancement/ opportunity for advancement/ promotion	5	6	3	3
Independence/ greater control in work	4	6	3	5
Job security / stability	5	4	4	3
Better work environment	4	3	2	2
Better location	3	2	3	3
Better position/ position I wanted/ more job satisfaction	3	4	7	7
Better mentorship	3	1	2	1
To give back to community/ greater public service opportunity	1	1	<1	1
Better support at new position (e.g., colleagues or staff)/ more of a team environment	2	2	1	1
<b>POSITION/CONTRACT ENDED OR REQUIREMENT TO LEAVE POSITION (NET)</b>	<b>26</b>	<b>26</b>	<b>32</b>	<b>32</b>
Laid off/ termination of employment/ previous structure terminated	5	6	4	5
Contract ended / Contract not renewed	4	3	4	3
Age/ Practiced long enough/ semi-retired	1	6	2	7
Health problems/ health problems of family members	4	3	4	2
Went back to original position from secondment/ back to original position	2	1	<1	<1
Was previously unemployed	3	2	1	1
Change in ownership/ change in firm structure	2	2	5	8
Relocation	3	2	2	2
Parental leave/ returned after parental leave	3	<1	8	1
End of articling/Unemployed after articling/ could not find job after articling	<1	1	1	1
Back to school/continuing education	2	1	1	<1
Returning from clerkship	<1	<1	-	-
Found job after articling	<1	<1	1	2
Company went down/firm closure	<1	<1		

Continued...

	2010-2012		2013-2015	
	WOMEN	MEN	WOMEN	MEN
n=	1661	1393	1481	1216
	%	%	%	%
<b>WORK-LIFE BALANCE (NET)</b>	<b>26</b>	<b>14</b>	<b>24</b>	<b>13</b>
Work-life balance - work/family balance	11	6	8	5
Better hours/ control over hours/ better control of schedule/ flexible work schedule	8	4	8	4
Reduction in stress/ burn out at job	7	3	8	3
Child care/ child care requirements/ want to spend more time with children or family	6	2	4	2
Reduction in workload/ workload	3	2	4	2
Spousal requirements/ spouse's career needs	<1	<1	1	1
<b>REMUNERATION/BENEFITS (NET)</b>	<b>14</b>	<b>13</b>	<b>11</b>	<b>11</b>
Better remuneration/ pay/ stable income/ needed income	12	11	10	10
Benefits/ better benefits/pension	4	3	3	2
<b>STARTING NEW FIRM OR PROMOTION (NET)</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>
Starting new firm/ started new sole practice	3	4	4	5
Starting new partnership/ became partner	3	3	3	4
Promotion/ progressing legal career	1	2	2	3
<b>NEGATIVE ASPECTS OF PREVIOUS JOB (NET)</b>	<b>10</b>	<b>8</b>	<b>11</b>	<b>9</b>
Didn't like job/didn't like firm/ bad fit	5	3	5	6
Too much pressure to bill hours/ pressure to bring in clients	2	2	1	1
Time to leave type of practice/ didn't like type of practice	1	1	1	1
Type of work/ did not like type of work	1	1	3	2
Dispute at previous job/ conflict at previous job	1	2	2	1
<b>DISCRIMINATION/HARASSMENT (NET)</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>1</b>
Discrimination/ harassment	1	1	2	1
Equity issues/ treatment of women/ treatment of women with children	1	<1	1	<1
<b>OTHER REASONS</b>	<b>15</b>	<b>18</b>	<b>18</b>	<b>17</b>
Found a job/ needed a job/ received offer of employment	3	2	7	6
Did not want to work in law/ no longer want to work in law/ not working in law /don't want to pay fees	2	3	4	3
Return to law/ desire to return to law/ return to law part time from retirement	2	2	4	3
Practising outside Ontario/ not residing in Ontario	2	2	2	2
Economy	1	1	1	1
Came out of retirement	<1	-	<1	-
Other	5	8	1	2
<b>NO CHANGE/NOT APPLICABLE (NET)</b>	<b>3</b>	<b>4</b>	<b>3</b>	<b>4</b>
No perceived change in status (e.g. name change only, error, change of address)	2	3	2	2
Not applicable	1	1	1	2
Not stated	<1	1	1	1

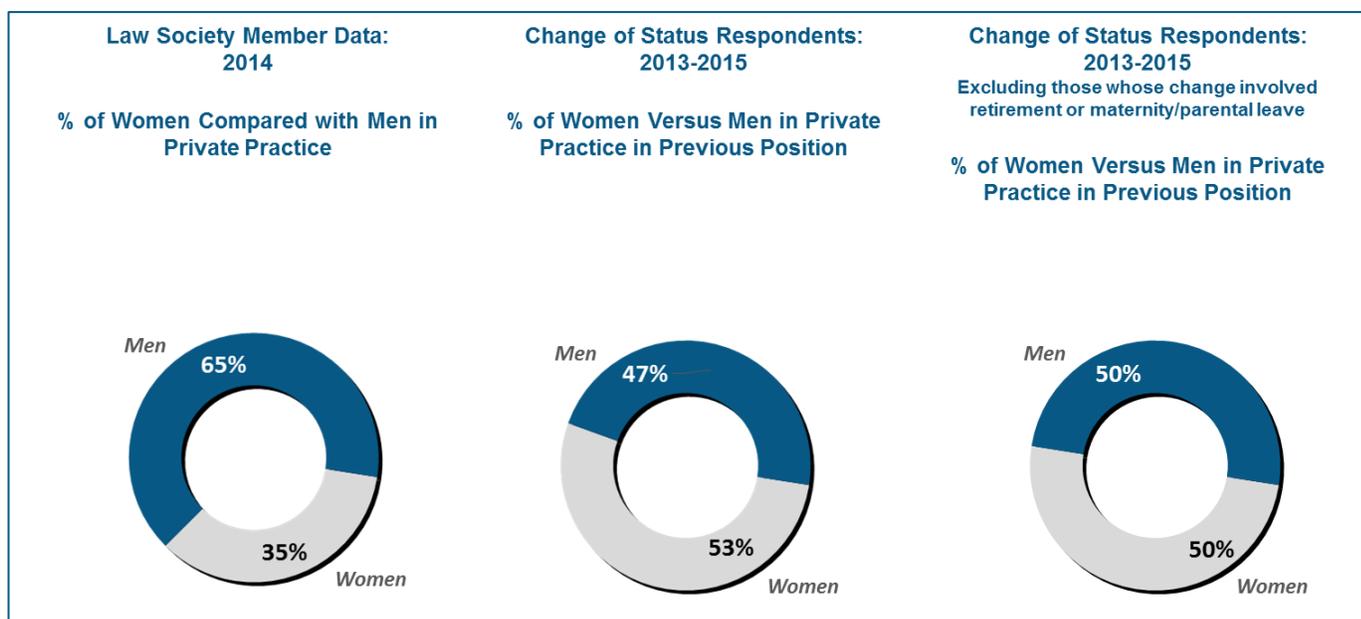
Q.15 What were the key factors that influenced your decision to change your status or position?

## E. Gender Composition of Those Whose Change of Status Originated in Private Practice

The Law Society's member data for 2014 indicates that women comprise just over one-third of members in private practice (35%). Among members who held a private practice position prior to filing a change of status, women are more highly represented (53%). This is also the case among women whose change of status notification did not involve retirement or maternity/parental leave and who started out their change in a private practice position (50%). In 2010-2012, the proportion was 50%.

These results clearly illustrate that women in private practice are more likely to be changing status than are men in private practice.

**Gender Composition of Those in Private Practice  
Law Society Member and Change of Status Data**



## F. Position after a Change of Status among Those Who Started out in Private Practice – Women Compared to Men

The following table illustrates that of those members who began their change of status in a private practice position in 2013-2015, women are less likely to have remained in private practice (56%) than are men (67%). These results are consistent with findings from 2010-2012.

What further distinguishes women from men who began in a private practice position is their work setting after their change of status.

- Women (17%) are less likely than men (24%) to have moved into sole practice.
- Women continue to leave the practice of law to a greater degree than men (24% and 18%, respectively).

Both of these findings are consistent with findings from 2010-2012.

There is one significant shift from the 2010-2012 results, which showed that women were more apt than men to move to a government/public agency position (12% and 8%, respectively). This is no longer the case, with fewer than one-in-ten among both women (9%) and men (7%) in the 2013-2015 tracking period reporting a move to a government/public agency position.

### Current Status Among Those Whose Previous Status Was Private Practice Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement

	2010-2012		2013-2015	
	WOMEN	MEN	WOMEN	MEN
	824	807	776	766
	%	%	%	%
<b>REMAINED IN PRIVATE PRACTICE</b>	<b>51</b>	<b>64</b>	<b>56</b>	<b>67</b>
Sole practice	13	22	17	24
Private law firm with 2 - 50 lawyers	25	28	30	31
Private law firm with > 50 lawyers	13	13	9	12
<b>MOVED TO NON-PRIVATE PRACTICE</b>	<b>25</b>	<b>18</b>	<b>20</b>	<b>15</b>
In-house counsel for a private corporation	5	5	4	3
Government or a public agency	12	8	9	7
Education	3	1	2	1
Some other setting (e.g., crown, judge, legal clinic, non-governmental organization)	5	4	5	4
<b>MOVED TO A POSITION NOT PRACTISING LAW</b>	<b>24</b>	<b>18</b>	<b>24</b>	<b>18</b>
Not working in law (working outside law)	7	7	10	8
Unemployed or on leave	4	3	3	1
Not working for pay	10	6	7	5
Other – legal-related	2	4	4	4

With one exception, the reasons respondents who filed a change of status from a position in private practice do not differ significantly by gender. The exception is work-life balance.

Regardless of the destination position, women are significantly more likely than men to cite work-life balance as a key factor that influenced their decision to change status.

In particular, women who have moved out of law from a private practice position are more than twice as likely as men (42% and 19%, respectively) to identify work-life balance as a key factor – a gap of 23 points.

While women who have stayed in private practice (22%) and those who have moved to a non-private practice position (43%) are more likely than men to point to work-life balance as a driver, the gaps are smaller (10 points and 13 points, respectively).

**Main UNAIDED Reasons for a Change of Status**  
**(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**  
**MULTIPLE MENTIONS ALLOWED**

	WOMEN 2013-2015			MEN - 2013-2015		
	Private to private	Private to non-private	Private to not-in law	Private to private	Private to non-private	Private to not-in law
n=	497	152	191	517	112	137
	%	%	%	%	%	%
<b>OPPORTUNITIES IN NEW POSITION (NET)</b>	<b>26</b>	<b>44</b>	<b>22</b>	<b>28</b>	<b>39</b>	<b>22</b>
Better opportunities/new challenges/ better quality of work	3	5	3	4	10	5
Better able to use my skills/ subject matter for work/ Change in practice area/ different type of work	4	9	4	4	12	2
Better opportunity for advancement/ opportunity for advancement/ promotion	2	6	2	3	1	2
Independence/ greater control in work	6	1	1	7	3	1
Job security / stability	2	13	4	3	7	-
Better work environment	2	7	3	2	5	3
Better location	5	1	1	5	4	3
Better position/ position I wanted/ more job satisfaction	4	8	7	4	11	10
Better mentorship	2	5	3	1	-	-
To give back to community/ greater public service opportunity	<1	-	1	1	1	-
Better support at new position (e.g., colleagues or staff)/ more of a team environment	2	2	1	2	-	-
<b>POSITION/CONTRACT ENDED OR REQUIREMENT TO LEAVE POSITION (NET)</b>	<b>32</b>	<b>15</b>	<b>30</b>	<b>33</b>	<b>13</b>	<b>37</b>
Laid off/ termination of employment/ previous structure terminated	4	3	8	3	5	6
Contract ended / Contract not renewed	<1	-	3	1	-	2
Age/ Practiced long enough/ semi-retired	2	3	2	8	7	12
Health problems/ health problems of family members	1	1	9	1	-	9
Was previously unemployed	-	-	-	-	-	1
Change in ownership/ change in firm structure	11	2	4	16	2	4
Relocation	1	4	2	2	1	2
Parental leave/ returned after parental leave	12	1	2	<1	-	-
End of articling/Unemployed after articling/ could not find job after articling	<1	-	1	<1	-	2
Back to school/continuing education	<1	1	2	<1	1	-
Found job after articling	<1	-	-	1	-	-
<b>WORKLIFE BALANCE (NET)</b>	<b>22</b>	<b>43</b>	<b>42</b>	<b>12</b>	<b>30</b>	<b>19</b>
Work/life balance - work/family balance	7	22	17	3	15	7
Better hours/ control over hours/ better control of schedule/ flexible work schedule	11	14	8	3	6	2
Reduction in stress/ burn out at job	4	18	22	2	17	16
Child care/ child care requirements/ want to spend more time with children or family	3	3	13	3	1	4
Reduction in workload/ workload	4	8	4	1	5	1
Spousal requirements/ spouse's career needs	1	1	1	1	1	1

Continued...

	WOMEN 2013-2015			MEN - 2013-2015		
	Private to private	Private to non-private	Private to not-in law	Private to private	Private to non-private	Private to not-in law
n=	497	152	191	517	112	137
	%	%	%	%	%	%
<b>REMUNERATION/BENEFITS (NET)</b>	<b>12</b>	<b>21</b>	<b>9</b>	<b>11</b>	<b>14</b>	<b>10</b>
Better remuneration/ pay/ stable income/ needed income	12	16	8	11	11	10
Benefits/ better benefits/pension	1	11	3	1	9	2
<b>STARTING NEW FIRM OR PROMOTION (NET)</b>	<b>20</b>	<b>1</b>	<b>2</b>	<b>20</b>	<b>5</b>	<b>4</b>
Starting new firm/ started new sole practice	8	-	1	7	3	2
Starting new partnership/ became partner	10	-	-	9	-	-
Promotion/ progressing legal career	3	1	1	4	2	2
<b>NEGATIVE ASPECTS OF PREVIOUS JOB (NET)</b>	<b>10</b>	<b>15</b>	<b>18</b>	<b>8</b>	<b>17</b>	<b>18</b>
Didn't like job/didn't like firm/ bad fit	5	5	10	6	9	9
Too much pressure to bill hours/ pressure to bring in clients	1	3	3	2	2	-
Time to leave type of practice/ didn't like type of practice	<1	1	3	<1	5	4
Type of work/ did not like type of work	2	5	5	1	5	4
Dispute at previous job/ conflict at previous job	3	1	1	2	2	3
<b>DISCRIMINATION/HARASSMENT (NET)</b>	<b>3</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>1</b>
Discrimination/ harassment	2	3	5	1	2	1
Equity issues/ treatment of women/ treatment of women with children	1	2	2	<1	-	-
<b>OTHER REASONS</b>	<b>7</b>	<b>13</b>	<b>14</b>	<b>11</b>	<b>13</b>	<b>16</b>
Found a job/ needed a job/ received offer of employment	3	5	2	2	3	2
Did not want to work in law/ no longer want to work in law/ not working in law /don't want to pay fees	<1	1	6	2	2	7
Return to law/ desire to return to law/ return to law part time from retirement	<1	3	2	1	3	1
Practising outside Ontario/ not residing in Ontario	<1	2	2	1	1	1
Economy	1	-	1	1	1	1
Other	1	1	1	3	2	2
<b>NO CHANGE/NOT APPLICABLE (NET)</b>	<b>3</b>	<b>-</b>	<b>&lt;1</b>	<b>4</b>	<b>4</b>	<b>-</b>
No perceived change in status (e.g. name change only, error, change of address)	2	-	-	2	-	-
Not applicable	1	-	1	2	4	-
Not stated	1	1	-	1	3	1

Q.15 What were the key factors that influenced your decision to change your status or position?

## G. Gender-Based Differences in Benefits/Policies at Previous and Current Positions

An examination by gender of the types of benefits offered both prior to, and after a change of status suggests that women are seeking positions that offer them a basket of benefits, which include medical and dental plans, flexible work options and parental benefits.

While there has been a decrease in the proportions of both women and men reporting that they are offered medical or dental plans in their current position versus previous position, women are nonetheless more likely to hold these benefits after their change of status than are men in both tracking waves. This suggests that these benefits may factor into the decision by women to change status.

Flexible full-time work is another such benefit. In both tracking waves, there is a rise in the proportion of both men and women who report they have this benefit after a change. However, women are more likely to have a flexible work option after their change than are men, again suggesting that this plays a greater role in a woman's decision to change status than it does for men.

There are a number of benefits that women are more likely than men to hold not only in their current position, but also in their previous position. This suggests that women are more pre-disposed to find positions that offer these benefits than are men, regardless of a change of status.

As the chart on the following page illustrates, women are considerably more likely to have a pension plan in both previous and current positions. This is also the case for both child-care related benefits and the availability of part-time work.

- Prior to a change of status, 28% of women held a pension plan compared to 23% among men. A similar gap is evident after a change of status, with 34% of women holding a plan compared to 26% among men.
- Women are one-and-one-half to two times more likely to hold positions that offer paid or unpaid maternity or parental leave than are men. In both previous and current positions, over one-third of women had paid maternity leave as a benefit (37% and 32%, respectively, in 2013-2015). For men, the incidence is much lower (15% previous position and 17% current position).
- In their previous position, women (16%) are more likely than men (10%) to report the availability of part-time work. This is also the case for current position (25% and 17%, respectively).

**Incidence of Benefits/ Policies Available in Previous Versus Current Position  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

*% who report that their previous/current position offered or offers the benefit/operating policy*

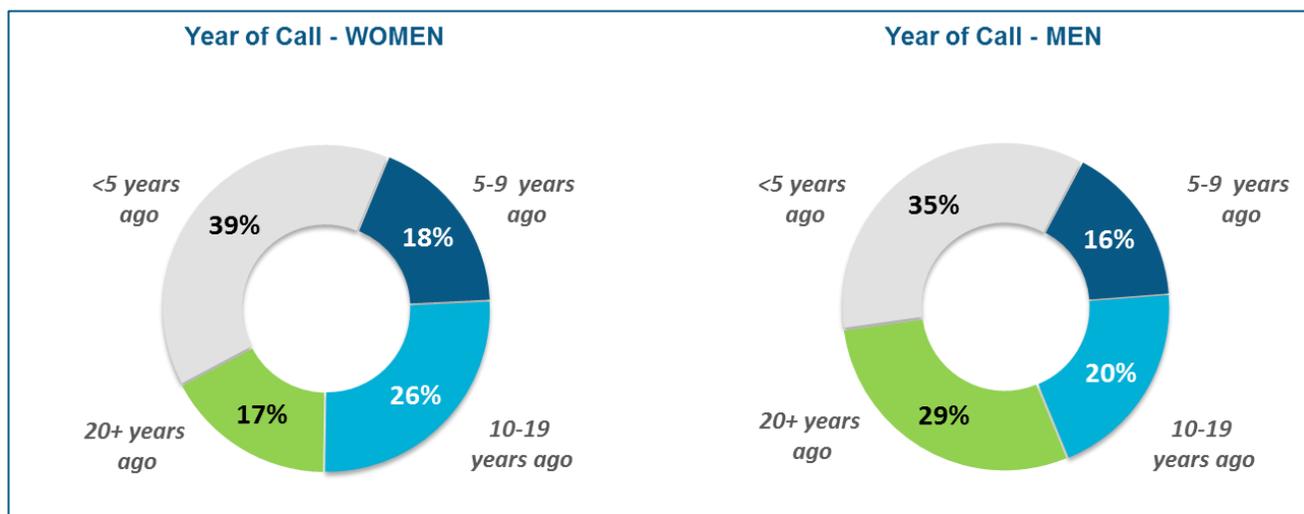
	2010-2012				2013-2015			
	WOMEN		MEN		WOMEN		MEN	
	PREV POSITION	CURRENT POSITION						
n=	1393		1226		1339		1135	
	%	%	%	%	%	%	%	%
<b>Financial and Health-Related Benefits/Plans</b>								
Medical Insurance	67	64	64	56↓	66	59↓	64	54↓
A dental plan	65	63	63	55↓	64	58↓	62	53↓
Long-term disability	54	52	50	45	50	46	45	40
<b>Pension</b>								
A pension plan	32	39↑	27	28	28	34↑	23	26
<b>Flexible Work Options</b>								
Flexible full-time work hours	31	45↑	28	38↑	28	47↑	29	41↑
Part-time work	19	24↑	14	18↑	16	25↑	10	17↑
Job sharing	4	7↑	5	5	3	7↑	4	5
<b>Parental Benefits</b>								
Paid maternity leave	36	35	16	15	34	32	15	17
Paid parental leave	23	25	17	17	23	24	17	19
Unpaid maternity leave	26	23	11	11	26	23	10	11
Unpaid parental leave	20	21	14	15	21	21	14	15
Child care benefits	5	6	4	4	4	6	4	6
Day care facilities	3	4	2	3	2	6	2	4
<b>Partnership Options</b>								
Income partnerships	13	12	17	16	14	11	17	16
Part-time partnerships	3	4	3	3	2	3	2	3
<b>Leave Options</b>								
Sick leave	53	53	45	41	50	48	42	44
Leave of absence or sabbatical	24	29↑	21	21	22	28↑	17	20
<b>Other Offerings/Policies</b>								
Continuing legal education	65	64	63	57	66	58↓	64	58
Harassment and discrimination policy	55	59↑	53	50	55	53	52	48
Accommodation for special needs policy	34	40↑	32	32	36	40	31	33
Formal mentoring policy	27	31↑	29	28	25	26	27	25

Q.14: For both your previous position and your current position, please indicate whether each of the following was/is offered to you. If you don't know or if it was/is not applicable to your situation you may indicate that.

## H. Women Compared to Men Based on Year of Call

As previously noted, women who have changed status tend to have been called to the bar more recently (57% within the past 10 years) than is the case among men (51%).

**Year of Call by Gender – 2013-2015**  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement



Examining respondents who were called 9 or fewer years ago finds some differences by gender.

Women called to the bar <5 years ago and 5-9 years ago are only slightly less likely than men to be coming to a change of status from a position in private practice (about six-in-ten among both gender groups).

What distinguishes women from men in these cohorts is the rate at which they are leaving private practice:

- Among women called <5 years ago, 58% were in private practice prior to their change of status and 52% were in private practice following their change of status – a decline of 6 points. There is a commensurate shift to non-private practice (up 7 points).
- Among men called < 5 years ago, the decline in private practice is slightly smaller - from 61% to 57% (a 4-point decline).
- Among women called 6-9 years ago, 62% were in private practice prior to their change of status and 52% were in private practice following their change of status, a decline of 10 points. But rather than a shift to non-private practice, the shift away from private practice among this cohort leads to a greater proportion no longer practising law (up 10 points).
- Again, among men in this cohort, the decline is smaller – from 66% to 62% (a 4-point decline).

The rate of private practice retention among the women called <5 years ago (0.90) is somewhat less than men (0.93). However among those called 6-9 years ago, the gap widens substantially (0.84 for women and 0.94 for men).

Among women called to the bar 10-19 and 20+ years ago, the proportions who are coming to a change of status from a position in private practice (48% and 35%, respectively) are much lower than among the younger cohorts of women. The proportions of men in these cohorts coming to a change of status from private practice is consistent with the proportion found among their more recently called colleagues.

The rate of private practice retention in 2013-2015 does not differ between men and women called 10-19 years ago. However, among those called 20+ years ago, again, the rate for women (0.71) is lower than men (0.88). In 2010-2012, the rate of retention for women was lower than for men in both cohorts.

It is noteworthy that in 2013-2015, across each of the groups based on year of call, women are more likely than men to no longer be practising law after a change.

- 25% of women and 20% of men called to the bar <5 years ago.
- 20% of women and 9% of men called to the bar 6-9 years ago.
- 28% of women and 17% of men called to the bar 10-19 years ago.
- 36% of women and 27% of men called to the bar 20+ years ago.

**% of Women Compared to Men in Private Practice After a Change of Status  
Based on Number of Years Since Called to the Bar - 2013-2015 Results Combined  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	<5 years		5-9 years		10-19 years		20+ years	
	Women	Men	Women	Men	Women	Men	Women	Men
n=	582	433	274	191	382	248	244	359
<b>NET – PRIVATE PRACTICE PRIOR TO A CHANGE IN STATUS</b>	<b>58</b>	<b>61</b>	<b>62</b>	<b>66</b>	<b>48</b>	<b>61</b>	<b>35</b>	<b>64</b>
Stayed in private practice	29	35	39	50	31	46	18	44
Moved into non-private	12	12	12	9	7	9	8	6
Moved out of the practice of law	17	14	11	7	10	6	9	14
<b>NET - NON-PRIVATE PRACTICE PRIOR TO A CHANGE IN STATUS</b>	<b>16</b>	<b>17</b>	<b>28</b>	<b>26</b>	<b>32</b>	<b>28</b>	<b>39</b>	<b>22</b>
Moved into private practice	6	6	9	6	6	6	3	8
Stayed in non-private	6	8	13	19	17	17	24	9
Moved out of the practice of law	4	3	6	1	9	5	12	5
<b>NET - NOT IN LAW PRIOR TO A CHANGE IN STATUS</b>	<b>26</b>	<b>22</b>	<b>10</b>	<b>8</b>	<b>20</b>	<b>11</b>	<b>26</b>	<b>14</b>
Moved into private practice	17	16	4	6	5	2	4	4
Moved into non-private	5	3	3	<1	6	3	7	2
Stayed outside of the practice of law	4	3	3	1	9	6	15	8
<b>NET - IN PRIVATE PRACTICE AFTER CHANGE OF STATUS</b>	<b>52</b> <b>(*rate=</b> <b>0.90)</b>	<b>57</b> <b>(*rate=</b> <b>0.93)</b>	<b>52</b> <b>(rate=</b> <b>0.84)</b>	<b>62</b> <b>(rate=</b> <b>0.94)</b>	<b>42</b> <b>(rate=</b> <b>0.88)</b>	<b>54</b> <b>(rate=</b> <b>0.89)</b>	<b>25</b> <b>(rate=</b> <b>0.71)</b>	<b>56</b> <b>(rate=</b> <b>0.88)</b>
<b>NET - IN NON-PRIVATE PRACTICE AFTER CHANGE OF STATUS</b>	<b>23</b>	<b>23</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>29</b>	<b>39</b>	<b>17</b>
<b>NET NO LONGER IN LAW AFTER CHANGE OF STATUS</b>	<b>25</b>	<b>20</b>	<b>20</b>	<b>9</b>	<b>28</b>	<b>17</b>	<b>36</b>	<b>27</b>

Base : Women excluding those whose change was due to parental leave or retirement

Base : Men excluding those whose change was due to parental leave or retirement

\* Rate of retention = % in private practice after a change of status divided by % in private practice prior to the change

**% of Women Compared to Men in Private Practice After a Change of Status  
Based on Number of Years Since Called to the Bar - 2010-2012 Results Combined  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	<5 years		5-9 years		10-19 years		20+ years	
	Women	Men	Women	Men	Women	Men	Women	Men
n=	551	372	432	272	429	284	249	465
<b>NET – PRIVATE PRACTICE PRIOR TO A CHANGE IN STATUS</b>	<b>52</b>	<b>60</b>	<b>58</b>	<b>66</b>	<b>45</b>	<b>53</b>	<b>38</b>	<b>55</b>
Stayed in private practice	23	33	29	41	28	39	19	36
Moved into non-private	14	12	17	15	9	9	8	8
Moved out of the practice of law	15	15	12	10	8	5	11	11
<b>NET - NON-PRIVATE PRACTICE PRIOR TO A CHANGE IN STATUS</b>	<b>22</b>	<b>18</b>	<b>27</b>	<b>24</b>	<b>37</b>	<b>32</b>	<b>36</b>	<b>27</b>
Moved into private practice	8	8	5	9	5	6	6	7
Stayed in non-private	9	6	16	12	23	18	15	11
Moved out of the practice of law	5	4	6	3	9	8	15	9
<b>NET - NOT IN LAW PRIOR TO A CHANGE IN STATUS</b>	<b>26</b>	<b>22</b>	<b>15</b>	<b>10</b>	<b>18</b>	<b>15</b>	<b>26</b>	<b>18</b>
Moved into private practice	15	14	5	4	6	4	7	8
Moved into non-private	7	5	5	3	5	4	9	2
Stayed outside of the practice of law	4	3	5	3	7	7	10	8
<b>NET - IN PRIVATE PRACTICE AFTER CHANGE OF STATUS</b>	<b>46</b> <i>(*rate= 0.88)</i>	<b>55</b> <i>(*rate= 0.92)</i>	<b>39</b> <i>(*rate= 0.67)</i>	<b>54</b> <i>(*rate= 0.82)</i>	<b>39</b> <i>(*rate= 0.87)</i>	<b>49</b> <i>(*rate= 0.92)</i>	<b>32</b> <i>(*rate= 0.84)</i>	<b>51</b> <i>(*rate= 0.93)</i>
<b>NET - IN NON-PRIVATE PRACTICE AFTER CHANGE OF STATUS</b>	<b>30</b>	<b>23</b>	<b>38</b>	<b>30</b>	<b>37</b>	<b>31</b>	<b>32</b>	<b>21</b>
<b>NET NO LONGER IN LAW AFTER CHANGE OF STATUS</b>	<b>24</b>	<b>22</b>	<b>23</b>	<b>16</b>	<b>24</b>	<b>20</b>	<b>36</b>	<b>28</b>

Base : Women excluding those whose change was due to parental leave or retirement

Base : Men excluding those whose change was due to parental leave or retirement

\* Rate of retention = % in private practice after a change of status divided by % in private practice prior to the change

Women called to the bar 5-9 years ago have the lowest private practice retention rate. An examination of the unaided reasons for a change based on year of call indicates that this group is significantly more likely than the other groups to indicate that work-life balance issues are a key factor that influenced their change. In fact, it is the single most frequently mentioned set of reasons for this group (34%).

Among men within this year of call group, work-life balance is a relatively weaker influencer (13%). By contrast, starting a new firm or a promotion is cited by fully one-quarter (26%) of men in this cohorts a key factor influencing their change. This proportion is nearly twice that of women in the same cohort (14%).

**Main UNAIDED Reasons for a Change of Status among WOMEN – Based on Year of Call**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**  
**MULTIPLE MENTIONS ALLOWED**

	<b>TOTAL: WOMEN who have changed status</b>	<b>&lt;5 years</b>	<b>5-9 years</b>	<b>10-19 years</b>	<b>20+ years</b>
n=	1481	582	274	382	243
	%	%	%	%	%
NET: Opportunities in new position	28	31	29	26	23
NET: Position/contract ended or requirement to leave position	26	26	21	22	40
NET: Work-life balance	24	23	34	26	13
NET: Remuneration	10	11	13	10	4
NET: Starting new firm or promotion	10	6	14	15	5
NET: Negative aspects of previous job	11	14	8	10	8
NET: Discrimination/harassment	3	4	4	3	2
NET: Found a job/ needed a job/ received offer of employment	7	11	3	4	6
Other	11	7	10	15	17
No change of status/not applicable	3	3	3	3	3

**Main UNAIDED Reasons for a Change of Status among MEN – Based on Year of Call**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**  
**MULTIPLE MENTIONS ALLOWED**

	<b>TOTAL: MEN who have changed status</b>	<b>&lt;5 years</b>	<b>5-9 years</b>	<b>10-19 years</b>	<b>20+ years</b>
n=	1216	428	186	246	356
	%	%	%	%	%
NET: Opportunities in new position	28	32	30	36	19
NET: Position/contract ended or requirement to leave position	32	26	19	20	50
NET: Work-life balance	13	16	13	17	8
NET: Remuneration	10	12	11	11	6
NET: Starting new firm or promotion	11	9	26	13	5
NET: Negative aspects of previous job	9	10	12	12	4
NET: Discrimination/harassment	1	1	1	1	1
NET: Found a job/ needed a job/ received offer of employment	6	11	2	3	3
Other	11	10	9	7	17
No change of status/not applicable	4	4	4	6	3

Q.15 What were the key factors that influenced your decision to change your status or position?

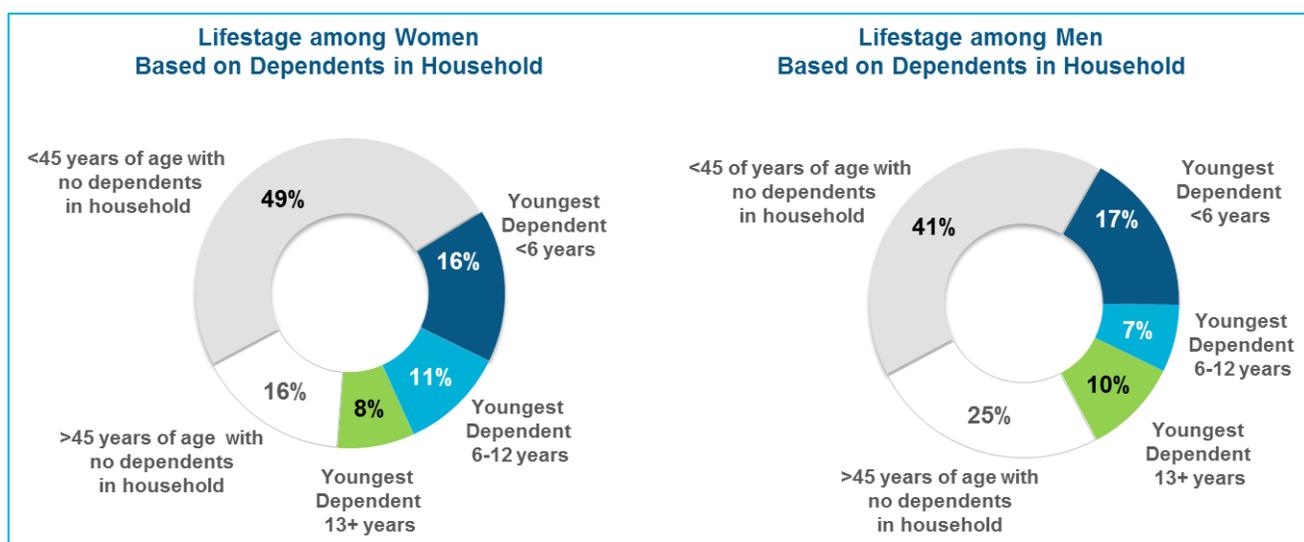
## I. Previous Position Based on Dependents in the Household

An examination of life stage – based on the presence of children in the household – suggests that it is young female lawyers with no dependents who are leaving private practice at a greater rate than other life-stage groups.

A deeper analysis of the results based on the existence of dependents in the household has been undertaken in order to examine its effect on private practice.

Almost half (49%) of women who have submitted a change of status are younger than 45 years of age and have no dependents in the household. The proportion among men is 41%.

**Life Stage (Age and Dependents in Household)  
Based on Gender – 2014-2015**  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement



Additional analysis finds that women under 45 years of age with no dependents are more likely to be leaving private practice than their male counterparts. Over half of women in this cohort (56%) start in private practice but less than half (47%) are in private practice after their change – a 9-point decline. Among men, the gap is much smaller (58% to 55% - a 3-point decline).

The private practice retention rate among this cohort is 0.84 among women compared to fully 0.95 among men.

Nearly two-thirds (64%) of women with young dependents in the household (under 6 years of age) change status from a private practice position. Among men, the proportion is similar at 67%. There is a significant drop in the proportion of both groups who are in private practice after their change, but again, the decline is greater among women (decline of 12 points) than among men (decline of 8 points). At this juncture, the private practice retention rate remains lower for women (0.81) than for men (0.88).

Among women whose youngest dependent is 6-12 years of age, the proportion who begin from a position in private practice is smaller than the previous two lifestage groups (49%). However, the private practice retention rate for these women (0.94) and is somewhat higher than for men in this group (0.89).

Among those over 45 years with no dependents, the rate among women (1.21) indicates that a greater proportion are in private practice after their change of status than prior to their change. However, only 38% of women in this cohort held a private practice position prior to the change in status.

Regardless of which lifestage cohort is being examined, women are more likely than men to have moved to a position where they are not practising law.

- 26% of women and 21% of men among those under 45 years with no dependents.
- 22% of women and 11% of men among those with youngest dependent under 6 years.
- 29% of women and 22% of men among those with youngest dependent 6-12 years.
- 23% of women and 19% of men among those with youngest dependent 13+ years.
- 33% of women and 28% of men among those 45 years or older with no dependents.

**% of Women Compared to Men in Private Practice After a Change of Status  
Based on Dependents in the Household - 2013-2015 Results Combined  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	YOUNGEST DEPENDENT IN HOUSEHOLD									
	No dependents and under 45 years of age		Dependents <6years		6-12 years		13+ years		No dependents and 45 years of age+	
	Women	Men								
n=	666	449	216	185	156	74	111	107	220	272
<b>NET – PRIVATE PRACTICE PRIOR TO A CHANGE IN STATUS</b>	<b>56</b>	<b>58</b>	<b>64</b>	<b>67</b>	<b>49</b>	<b>70</b>	<b>38</b>	<b>65</b>	<b>46</b>	<b>63</b>
Stayed in private practice	27	34	44	50	31	57	28	51	29	41
Moved into non-private	14	10	9	12	6	5	5	7	7	6
Moved out of practice of law	15	14	11	5	12	8	5	7	10	16
<b>NET - NON-PRIVATE PRACTICE PRIOR TO A CHANGE IN STATUS</b>	<b>21</b>	<b>20</b>	<b>22</b>	<b>24</b>	<b>29</b>	<b>20</b>	<b>36</b>	<b>20</b>	<b>31</b>	<b>26</b>
Moved into private practice	6	5	5	6	9	5	8	5	5	9
Stayed in non-private	9	11	13	16	11	11	19	11	15	10
Moved out of practice of law	5	4	4	2	9	4	9	4	11	7
<b>NET - NOT IN LAW PRIOR TO A CHANGE IN STATUS</b>	<b>23</b>	<b>22</b>	<b>13</b>	<b>9</b>	<b>22</b>	<b>10</b>	<b>26</b>	<b>15</b>	<b>23</b>	<b>12</b>
Moved into private practice	14	16	3	3	6	-	10	5	5	5
Moved into non-private	4	3	4	2	7	-	7	2	6	1
Stayed outside of practice of law	5	3	7	4	8	10	9	8	12	5
<b>NET - IN PRIVATE PRACTICE AFTER CHANGE OF STATUS</b>	<b>47</b> <b>(*rate=</b> <b>0.84)</b>	<b>55</b> <b>(*rate=</b> <b>0.95)</b>	<b>52</b> <b>(*rate=</b> <b>0.81)</b>	<b>59</b> <b>(*rate=</b> <b>0.88)</b>	<b>46</b> <b>(*rate=</b> <b>0.94)</b>	<b>62</b> <b>(*rate=</b> <b>0.89)</b>	<b>46</b> <b>(*rate=</b> <b>1.21)</b>	<b>61</b> <b>(*rate=</b> <b>0.94)</b>	<b>39</b> <b>(*rate=</b> <b>0.85)</b>	<b>55</b> <b>(*rate=</b> <b>0.87)</b>
<b>NET - IN NON-PRIVATE PRACTICE AFTER CHANGE OF STATUS</b>	<b>27</b>	<b>24</b>	<b>26</b>	<b>30</b>	<b>25</b>	<b>16</b>	<b>31</b>	<b>21</b>	<b>28</b>	<b>17</b>
<b>NET NO LONGER IN LAW AFTER CHANGE OF STATUS</b>	<b>26</b>	<b>21</b>	<b>22</b>	<b>11</b>	<b>29</b>	<b>22</b>	<b>23</b>	<b>19</b>	<b>33</b>	<b>28</b>

Base : Women excluding those whose change was due to parental leave or retirement (2013-2015 combined – no dependents n=893, youngest <6 years n=269, youngest 6-12 years n=185; youngest 13+ years n=65)

Base : Men excluding those whose change was due to parental leave or retirement (2013-2015 combined – no dependents n=721, youngest <6 years n=185, youngest 6-12 years n=74 youngest 13+ years n=107)

\* Rate of retention = % in private practice after a change of status divided by % in private practice prior to the change

An examination of the two groups of women who have the lowest private practice retention rates, and who represent two-thirds of change of status filers, suggests that the reasons for their change are less likely to be professional opportunity-related, but stem from other issues.

Among women under 45 years of age with no dependents in the household, the set of reasons most often cited for their change was the end of a position or requirement to leave their position (32%).

Work-life balance issues dominate the reasons provided by those who have a dependent in the household under 6 years of age (38%).

**Main UNAIDED Reasons for a Change of Status among WOMEN**  
**Based on Lifestage (Age and Dependents in the Household)**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**  
**MULTIPLE MENTIONS ALLOWED**

	TOTAL: WOMEN who have changed status	No dependents and under 45 years of age					No dependents and 45 years of age+
			Dependents <6years	6-12 years	13+ years		
n=	1481	666	216	156	111	220	
	%	%	%	%	%	%	
NET: Opportunities in new position	28	25	16	21	29	42	
NET: Position/contract ended or requirement to leave position	26	32	24	29	27	22	
NET: Work-life balance	24	23	38	28	24	16	
NET: Remuneration	10	13	12	13	12	7	
NET: Starting new firm or promotion	10	8	17	10	9	10	
NET: Negative aspects of previous job	11	13	7	11	11	8	
NET: Discrimination/harassment	3	4	2	7	2	1	
NET: Found a job/ needed a job/ received offer of employment	7	10	2	2	6	5	
Other	11	9	11	16	10	14	
No change of status/not applicable	3	3	3	1	2	2	

**vi. Benefits and Operating Policies as Factors in a Change of Status Based on Characteristics of Change of Status (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

## A. Benefits and Operating Policies Available in Previous and Current Position – A Comparison of Women and Men Who Started Out in Private Practice

When reviewing the benefits offered in previous versus current positions among men and women who have stayed in private practice versus those who have moved to a non-private practice position, the sample sizes become relatively small. As such, significant differences are less likely to be detected. However, some important themes do emerge.

While health-care related benefits appear to hold greater sway in the consideration to move to a non-private practice position compared to a private practice position, women and men do not differ in the extent to which their positions (both previous and current) offer these benefits. Similar proportions of women and men had each of the three health-related benefits (i.e., medical, dental and disability) in their private practice position prior to their change of status.

Among both women and men who have stayed in private practice, the likelihood of having these benefits available to them decreased.

The table below illustrates that for both women and men, those who have moved to a non-private practice position are more likely to report the availability of long-term disability in their current position compared to the previous position. Further, while there have been no statistically significant changes in the proportions who hold medical and dental benefits, the trend over two tracking periods does appear to suggest that, after a change, higher proportions may hold these benefits in their current non-private practice position. This finding suggests that all three of these benefits may be a contributing factor in considering a change to non-private practice for both genders.

**Women Compared to Men – 2013-2015  
Incidence of Health-Related Benefits**  
(Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)

	WOMEN WHO STAYED IN PRIVATE PRACTICE			MEN WHO STAYED IN PRIVATE PRACTICE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
	n=	437	437		516	516
	%	%		%	%	
Medical Insurance	67	54↓	-13	62	48↓	-14
A dental plan	65	51↓	-14	60	46↓	-14
Long-term disability	47	40	NS	40	32↓	-8

	WOMEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE			MEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
	n=	151	151		112	112
	%	%		%	%	
Medical Insurance	66	76	NS	68	80	NS
A dental plan	64	76	NS	67	80	NS
Long-term disability	44	62↑	+18	49	70↑	+21

Note: NS= Change is not significant

Among those who remained in private practice, the likelihood of having a pension remains unchanged from previous position and does not differ by gender.

The incidence of holding a pension plan jumps dramatically for both women and men who have moved from private to non-private practice. In their current position, however, the incidence of those who have a pension but does not differ by gender.

These findings suggest that pension plans are not a differentiating factor between women and men in their consideration of a change in status.

**Women Compared to Men – 2013-2015**  
**Incidence of a Pension Plan**  
 (Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)

	WOMEN WHO STAYED IN PRIVATE PRACTICE			MEN WHO STAYED IN PRIVATE PRACTICE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	437	437		516	516	
	%	%		%	%	
A pension plan	6	5	NS	4	5	NS

	WOMEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE			MEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	151	151		112	112	
	%	%		%	%	
A pension plan	4	72↑	+68	6	69↑	+63

Note: NS= Change is not significant

The research suggests that the availability of flexible work options is a significant factor in a change of status among both women and men, but particularly among women.

- Among women who have stayed in private practice, the availability of flexible full-time work hours and part-time work both increase significantly, by 20 and 10 points, respectively, from previous to current status. While the incidence rises for men as well, the increases are smaller (11 points and 6 points, respectively).
- Further, among women who have stayed in private practice, the availability of job sharing triples from previous to current status (3% and 9%, respectively). The incidence among men who have stayed in private practice remains unchanged from previous to current status.

These results are consistent with findings from the 2010-2012 wave of research.

Similar findings emerge when respondents who moved from private to non-private practice are examined.

- Among women, the availability of flexible full-time work hours more than doubles from previous to current status (24% and 55%, respectively). The difference in availability among men is statistically non-significant.
- However, for the two remaining flexible work options, there are significant increases in availability from previous to current status among both women and men.
- The incidence of availability of part-time work increases by 10 points among women (from 18% to 28%) and by 12 points among men (from 11% to 23%).
- The incidence of the availability of job sharing triples among both women and men (from 3% to 9%, and 3% to 11%, respectively).

### Women Compared to Men – 2013-2015

#### Flexible Work Options

(Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)

	WOMEN WHO STAYED IN PRIVATE PRACTICE			MEN WHO STAYED IN PRIVATE PRACTICE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	437	437		516	516	
	%	%		%	%	
Flexible full-time work hours	30	50↑	+20	27	38↑	+11
Part-time work	12	22↑	+10	6	12↑	+6
Job sharing	2	7↑	+5	3	4	NS

	WOMEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE			MEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	152	152		112	112	
	%	%		%	%	
Flexible full-time work hours	24	55↑	+31	27	38	NS
Part-time work	18	28↑	+10	11	23↑	+12
Job sharing	3	9↑	+6	3	11↑	+8

Note: NS= Change is not significant

The availability of child care benefits appears to be a much stronger factor for women than it is for men.

Women remaining in private practice are about four times more likely than men to report that maternity leave was offered in their previous position. This is also the case for their current position. Further, they are also significantly more likely than men to report the availability of paid parental leave, unpaid maternity leave, and unpaid parental leave in both the previous and current position.

Women who have transitioned from private to non-private practice are more than twice as likely as men who have done so to report that they had both paid maternity leave and unpaid maternity leave in their previous position in private practice. They are also significantly more likely to report they have these options available to them in their current non-private practice position.

### Women Compared to Men – 2013-2015 Child-Care Benefits

(Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)

	WOMEN WHO STAYED IN PRIVATE PRACTICE			MEN WHO STAYED IN PRIVATE PRACTICE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	437	437		516	516	
	%	%		%	%	
Paid maternity leave	30	19	NS	10	8	NS
Paid parental leave	16	11	NS	10	9	NS
Unpaid maternity leave	29	24	NS	6	7	NS
Unpaid parental leave	21	19	NS	9	10	NS
Child care benefits	3	4	NS	3	4	NS
Day care facilities	2	2	NS	2	2	NS

	WOMEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE			MEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	152	152		112	112	
	%	%		%	%	
Paid maternity leave	30	56↑	+16	11	35↑	+24
Paid parental leave	13	42↑	+29	10	43↑	+33
Unpaid maternity leave	42	33	NS	16	20	NS
Unpaid parental leave	29	30	NS	20	30	+10
Child care benefits	3	11↑	NS	3	12↑	+9
Day care facilities	1	10↑	+9	1	12↑	+11

Note: NS= Change is not significant

Women and men in private practice do not differ in the extent to which their positions (both previous and current) offer either income or part-time partnerships. Nor do partnerships appear to be a driving factor in the decision to change status, as the incidence of partnerships does not differ significantly from previous to current status among either women or men.

**Women Compared to Men – 2013-2015**  
**Partnership Opportunities**  
 (Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)

	WOMEN WHO STAYED IN PRIVATE PRACTICE			MEN WHO STAYED IN PRIVATE PRACTICE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	437	437		516	516	
	%	%		%	%	
Income partnerships	26	24	NS	23	23	NS
Part-time partnerships	3	5	NS	3	4	NS

	WOMEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE			MEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	152	152		112	112	
	%	%		%	%	
Income partnerships	21	2	-19	27	4	-23
Part-time partnerships	5	3	NS	2	5	NS

Note: NS= Change is not significant

There are no significant differences between women and men in the availability of sick leave or leaves of absence.

About one-third of both men and women remaining in private practice report that sick leave was available to them in their previous position. The proportion who report availability in their current position does not change significantly. The trend is similar for leave of absence, although the incidence in both previous and current status is considerably lower at just over one-in-ten.

Among both women and men who have transitioned from private to non-private practice, the reported incidence of the availability of both sick leave and leaves of absence is significantly higher for the current position.

**Women Compared to Men – 2013-2015**  
**Sick Leave and Other Leave Availability**  
 (Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)

	WOMEN WHO STAYED IN PRIVATE PRACTICE			MEN WHO STAYED IN PRIVATE PRACTICE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
	n=	437	437		516	516
	%	%		%	%	
Sick leave	37	32	NS	32	27	NS
Leave of absence or sabbatical	11	17↑	+6	11	11	NS

	WOMEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE			MEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
	n=	152	152		112	112
	%	%		%	%	
Sick leave	48	75↑	+27	43	75↑	+32
Leave of absence or sabbatical	13	42↑	+29	10	38↑	+28

Note: NS= Change is not significant

For the most part, there are no significant differences between women and men in the availability of other types of benefits or policies such as continuing legal education, harassment and discrimination policies, accommodation for special needs or formal mentoring.

However, among both women and men who have moved from private practice to non-private practice, there are significant increases in the proportions reporting the availability of both harassment and discrimination policies as well as accommodation for special needs policies in the current non-private practice position.

### Women Compared to Men – 2013-2015

#### Other Benefits/Policies

Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement

	WOMEN WHO STAYED IN PRIVATE PRACTICE			MEN WHO STAYED IN PRIVATE PRACTICE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	437	437		516	516	
	%	%		%	%	
Continuing legal education	75	64↓	-11	68	61	NS
Harassment and discrimination policy	48	41	NS	43	37	NS
Accommodation for special needs policy	23	25	NS	23	20	NS
Formal mentoring policy	28	22	NS	28	24	NS

	WOMEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE			MEN HAVE MOVED FROM PRIVATE TO NON-PRIVATE		
	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP	PREVIOUS POSITION Offers benefit or operating policy	CURRENT POSITION Offers benefit or operating policy	GAP
n=	517	517		112	112	
	%	%		%	%	
Continuing legal education	72	69	NS	73	74	NS
Harassment and discrimination policy	46	84↑	+37	56	80↑	+24
Accommodation for special needs policy	26	68↑	+42	27	63↑	+36
Formal mentoring policy	34	39	NS	36	30	NS

Note: NS= Change is not significant

**VII. Importance of Factors Influencing a Change of Status – A Comparison of Women and Men Who Started Out in Private Practice**

## B. A Comparison of Those who Remained in Private Practice and Those Who Moved to Non-Private Practice

### 1. Practice Opportunities

For both women and men who have remained in private practice positions, the change has generally been accompanied by a perception that practice opportunities have improved with the change:

- *Allows me to use my talents/ legal skills* (18-point increase from previous to current position among women and 10-point increase among men);
- *Freedom to decide what I do on the job* (28-point increase among women and 22-point increase among men); and
- *The opportunities for promotion are excellent* (14-point increase among women and 11-point increase among men).

Analysis of those who have moved from a private practice to non-private practice finds that there are both consistent and inconsistent perceptions among women and men. Greater proportions agree that their new position offers opportunity for promotion than agreed that their previous position offered these opportunities. However, unlike in the previous wave of research, in which there was more consistency, there is now a difference between men and women on the following:

- *Allows me to use my talents/legal skills* (no difference from previous to current position among women but a 17-point increase among men);
- *Allows me the freedom to decide what they do on the job* (no difference from previous to current position among women but a 8-point increase among men).

The only significant change among men from the 2010-2012 wave is that there was a decline in *the freedom to decide what I do on the job* (from previous to current position), whereas now there is an increase of 8 points.

### 2. Remuneration, Benefits and Job Security

Among those who have stayed in a private practice setting, perceived improvements are less pronounced when it comes to remuneration and job benefits. Women and men are once again similar in their perceptions:

- *The pay is good* (5 point increase from previous to current position among women and 2-point increase among men. In the previous wave of research men reported a 10-point increase from the previous to current position, whereas now this gap is essentially closed);
- *The benefits are good* (no significant increase among either women or men).

These results suggest that both men and women who are moving within private practice settings are benefiting more in the area of job skills and opportunities than they are from changes in salaries and benefits.

However, on the issue of *job security is good*, there is a stronger increase (13-point increase among both women and men).

Among those who have moved from a private to non-private practice setting, there continue to be large increases in the proportions of both women and men who agree that their current position offers good benefits and job security compared to the proportions who agreed that the previous position had these characteristics.

- *The benefits are good* (24 point increase from previous to current position among women and 36 point increase among men);
- *The job security is good* (35 point increase from previous to current position among women and 40 point increase among men). It is important to note that job security in the previous position, among both men and

women, has declined from the previous wave of research (down 7 points for women and down 9 points for men); and

- The *pay is good* (3 point increase from previous to current position among women and 9 point increase among men).

### 3. Work Life Balance and Stress

When it comes to work-life balance and stress management, women and men who have remained in private practice are again very similar in their attitudes. Greater proportions of both women and men believe that their current position affords them control of scheduling, balance between career and family, a more manageable workload and a less stressful work situation:

- *I control the scheduling* (26 point increase from previous to current position among women and 19 point increase among men);
- *The job allows me to balance career and family* (20 point increase among women and 15 point increase among men);
- *My workload is too heavy* (12 point decrease among women and 5 point decrease among men); and
- *My job is very stressful* (10 point decrease among women and 12 point decrease among men).

While there are significant increases for both genders, it appears that women who have stayed in a private practice setting report greater increases on these issues than men. This suggests that women may place greater emphasis on finding positions that address these issues.

Again, there are similar trends on issues related to work-life balance and job stress among both women and men who have moved into non-private practice. However, the degree of the increase for *the job allows me to balance career and family* is much stronger among this group (65-point increase among women and 55-point increase among men) than among those who remained in private practice.

Further, both genders are much less likely to agree either that their workload is too heavy or their new position *is very stressful* in their current position.

- *My workload is too heavy* (42-point decrease among women and a 39-point decrease among men);
- *My job is very stressful* (54-point decrease among women and 43-point decrease among men).

On one issue related to work-life balance, the improvements from previous to current position are relatively weaker:

- *I control the scheduling* (5-point increase among women and 9-point increase among men).

A comparison of solely women who have stayed in private practice versus with those who have moved to non-private practice finds some noteworthy distinctions.

Women who have stayed in private practice are more likely than are women who have moved into a non-private practice setting to agree that their current position provides them with the following practice opportunities:

- *Allows me to use my talents/legal skills* (up 18 points versus no significant change among those who moved from private to non-private practice);
- *The freedom to decide what I do in my job* (up 25 points versus no significant change); and
- *Control the scheduling* (up 26 points versus no significant change).

By contrast, women who have moved to a non-private practice setting are much more likely than those who stayed in private practice to agree that their current position offers the following characteristics:

- *The benefits are good* (up 34 points versus no significant change);
- *Job security is good* (up 35 points versus 13-point increase among those who stayed in a private practice setting); and
- *Job allows me to balance career and family* (up fully 65 points versus 20-point increase).

Further, women who have moved to a non-private practice setting are much less likely to believe that their current position has the following job characteristics than was the case in their previous position:

- *Workload is too heavy* (a drop of 42 points). This compares to a non-significant decrease of 12 points among women who remained in private practice;
- *Job is very stressful* (a drop of 54 points). This compares to a non-significant decrease of 10 points among women who remained in private practice.



**Attributes of Previous and Current Position Among MEN**  
 % who agree (4 or 5 on 5-point agreement scale) that position had the following attributes  
 (Excludes Those Whose Change In Status is Related to Maternity/Parental Leave or Retirement)

	2013-2015			2013-2015		
	MEN remaining in private practice setting			MEN who moved from private practice to non-private practice		
	Previous Status	Current Status	GAP	Previous Status	Current Status	GAP
n=	517	517		112	112	
	%	%	(+/-)	%	%	(+/-)
<b>PRACTICE OPPORTUNITIES</b>						
The job allows me to use my talents and legal skills	72	82	NS	62	80	NS
I have the freedom to decide what I do in my job	52	75↑	+23	34	42	NS
The opportunities for promotion are excellent	26	37↑	+11	21	38	+17
<b>PAY AND BENEFITS</b>						
The pay is good	53	55	NS	52	61	NS
The benefits are good	41	39	NS	34	67↑	+33
Job security is good	37	50↑	+13	22	62↑	+40
<b>WORK-LIFE BALANCE AND STRESS</b>						
I control the scheduling	53	71↑	+18	35	44	NS
The job allows me to balance career and family	33	52↑	+19	20	75↑	+55
My workload is too heavy	38	33	NS	59	20↓	-39
My job is very stressful	62	50↓	-12	67	24↓	-43
	2010-2012			2010-2012		
	MEN remaining in private practice setting			MEN who moved from private practice to non-private practice		
	Previous Status	Current Status	GAP	Previous Status	Current Status	GAP
	%	%	(+/-)	%	%	(+/-)
<b>PRACTICE OPPORTUNITIES</b>						
The job allows me to use my talents and legal skills	66	84	+18	69	84	15
I have the freedom to decide what I do in my job	50	73	+23	42	36	-6
The opportunities for promotion are excellent	21	39	+18	25	41	16
<b>PAY AND BENEFITS</b>						
The pay is good	48	58	+10	55	52	NS
The benefits are good	39	41	NS	36	65	29
Job security is good	37	47	+10	31	59	28
<b>WORK-LIFE BALANCE AND STRESS</b>						
I control the scheduling	53	72	+19	41	53	12
The job allows me to balance career and family	40	55	+15	27	80	53
My workload is too heavy	37	29	-8	60	10	-50
My job is very stressful	60	53	-7	68	18	-50

Q12: Please indicate how strongly you agree or disagree with the following statements as they relate to your previous status or position and your current status or position. Please do this using a scale from 1 to 5, where "1" means that you agree strongly and "5" means that you disagree strongly. If you don't know or you do not feel the statement is applicable to you, you may indicate that.

## C. Importance of Specific Factors in Driving a Change of Status Among Those Who Started out In Private Practice

Women and men are consistent in their top three most important reasons for remaining in a private practice position:

- *I have the freedom to decide what I do in my job;*
- *I control the scheduling; and*
- *The job allows me to use my talents and legal skills.*

However, in both the 2010-2012 and 2013-2015 tracking waves, women who remained in private practice are significantly more likely than men to identify five issues as important in their decision to change status and remain in private practice. Two of these five issues are rated as important by over one-third of women:

- *The job allows me to balance career and family* (45% of women identify this as an important driver compared to 35% among men);
- *The current position offers flexible full-time work hours* (37% among women, 25% among men).

The other three issues upon which women place greater importance tend to be mentioned by much smaller numbers:

- *My current position offers part-time work* (15% compared to 8% among men);
- *There is a formal mentoring policy in my current position* (11% compared to 7% among men); and
- *There is paid maternity or parental leave* (8% compared to 3% among men).

**Importance of Specific Issues in Driving a Change of Status – Women Compared to Men  
Who Have Remained in Private Practice After a Change of Status  
Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

(% who rate issue as a 4 or 5 on 5-point scale where 5 means “very important”)

Top 3 most important reasons for change

	WOMEN Who have remained in private practice		MEN Who have remained in private practice	
	2010-2012	2013-2015	2010-2012	2013-2015
n=	421	437	500	516
	%	%	%	%
<b>I have the freedom to decide what I do in my job</b>	<b>48</b> <small>1</small>	<b>56</b> <small>1</small>	<b>46</b> <small>1</small>	<b>41</b> <small>2</small>
<b>I control the scheduling</b>	<b>45</b> <small>3</small>	<b>52</b> <small>2</small>	<b>40</b> <small>3</small>	<b>36</b> <small>3</small>
<b>The job allows me to use my talents and legal skills</b>	<b>47</b> <small>2</small>	<b>52</b> <small>3</small>	<b>44</b> <small>2</small>	<b>42</b> <small>1</small>
The job allows me to balance career and family	41	49	33	35
My job is less stressful	36	35	26	29
Job security is good	34	35	29	24
The pay is better	30	38	37	28
My current position offers flexible full-time work hours	36	39	23	25
My workload has decreased	22	25	17	22
The opportunities for promotion are excellent	31	28	27	20
The benefits are better	16	17	15	13
There is a pension plan in my current position	3	2	3	2
There is a formal mentoring policy in my current position	14	11	8	7
My current position offers part-time work	12	16	6	8
There is paid maternity or parental leave	10	8	2	3
My current position offers a leave of absence or sabbatical	8	10	5	6
There is accommodation for special needs policy at my current position	3	5	4	3
There is job sharing in my current position	4	3	3	3

For both men and women who have changed to a non-private practice position, the reasons for change differ substantially (based on the proportion who consider the issue to be an important driver of change) from those who have remained in private practice.

The reason cited by the greatest proportion of both men and women for a change to non-private practice is that *“the job allows me to balance career and family”* (74% and 60%, respectively). While a leading reason for both women and men, it is significantly more likely to be mentioned by women.

Among the top three reasons for a change to non-private practice for both men and women is the issue of finding a less stressful position. It is women, however, who again are more likely to consider this to be an important factor.

Among both women and men who have remained in private practice and those who have moved to non-private practice, the ability to *“use my talents and legal skills”* is one of the top reasons a change in status. It should be noted, however, that those moving into non-private practice are significantly more likely than are those who remained in private practice to view this as an important reason for their change.

- 59% among women moving to non-private practice compared to 47% among women remaining in private practice.
- 63% among men moving to non-private practice compared to 42% among men remaining in private practice.

On most of the other issues examined among the group that has moved to non-private practice there are no significant differences between men and women, suggesting that they are seeking similar things from their new position.

The common thread among women, whether they have remained in private practice or have moved to a non-private practice position, is the greater likelihood compared to men to consider accommodation for family and scheduling issues to be important considerations in the change of status.

Top 3 most important reasons for change

	WOMEN		MEN	
	Who have moved from private practice to non-private practice		Who have moved from private practice to non-private practice	
	2010-2012	2013-2015	2010-2012	2013-2015
n=	209	151	138	112
	%	%	%	%
<b>The job allows me to balance career and family</b>	<b>75</b> 1	<b>74</b> 1	<b>64</b> 1	<b>60</b> 2
<b>My job is less stressful</b>	<b>71</b> 2	<b>67</b> 2	<b>54</b> 2	<b>54</b> 3
<b>The job allows me to use my talents and legal skills</b>	<b>60</b> 3	<b>59</b> 3	<b>53</b> 2	<b>63</b> 1
My workload has decreased	56	58	48	43
Job security is good	51	56	43	50
There is a pension plan in my current position	58	55	40	44
The benefits are better	46	49	37	37
I control the scheduling	39	36	38	30
I have the freedom to decide what I do in my job	34	28	26	26
The pay is better	32	33	25	25
The opportunities for promotion are excellent	37	38	24	31
My current position offers flexible full-time work hours	36	36	26	25
There is paid maternity or parental leave	27	31	13	12
My current position offers a leave of absence or sabbatical	21	24	15	15
There is a formal mentoring policy in my current position	22	18	15	13
My current position offers part-time work	13	18	7	8
There is accommodation for special needs policy at my current position	10	12	7	4
There is job sharing in my current position	7	5	3	3

## **VIII. Change of Status Based on Equity Status**

## Change of Status Characteristics Based on Equity Status (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

### A. Definition of Equity-Seeking Communities

In this report, those defined as members of a “racialized” equity-seeking community are those who selected the “racialized/person of colour (visible minority)” response option to the following question or who specifically referred to their race in the description they provided to the “Other – please specify” response category.

*Please check any of the following characteristics with which you self-identify. (Please select all that apply)*

- Aboriginal
- Francophone
- Transgender/Transsexual
- Gay/Lesbian/Bisexual
- Racialized/person of colour (visible minority)
- Person with disabilities
- A creed or religion that you believe is subject to prejudice or disadvantage
- Other (Please specify) \_\_\_\_\_
- I do not self-identify with any of these personal characteristics
- Decline to answer

Those referred to as members of a non-racialized equity-seeking community selected one of the categories on the above list other than “racialized/person of colour (visible minority)” or “I do not self-identify with any of these personal characteristics”.

In the first five years, slightly more than two-thirds of respondents did not self-identify with an equity-seeking community. In 2014, due to member requests, a “prefer not to respond” response category was added to this question. Respondents who selected this option are excluded from the percentage calculations. After adding this category, the proportion who do not self-identify as part of an equity-seeking community has decreased somewhat from 69% in 2013 to 63% in 2015.

**Self-Identified Membership in Equity-Seeking Communities  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	2010	2011	2012	2013	2014*	2015*
	n=998	n=1104	n=955	n=739	n=943	n=1164
	%	%	%	%	%	%
Do not self-identify with an equity-seeking community	68	70	67	69	65	63
Self-identify as member of a “racialized” equity-seeking community	16	15	14	15	17	20
Self-identify as member of a non-racialized equity-seeking community	16	15	19	16	18	17
*Decline to answer – number of respondents (not included in 2010-2012)	N/A	N/A	N/A	N/A	n=66 (7% of sample)	n=182 (15% of sample)

*\*Due to member requests, a “prefer to not respond” category was added to the response options for this question. Respondents who selected this option are excluded from the percentage calculations.*

As outlined earlier in this report, there is an overall decline in the representation of those in private practice after a change of status. An examination of the representation of those who are categorized as belonging to an equity-seeking community compared to those who are not suggests that there are few significant differences between these groups in their change of status activity.

Both in the 2010-2012 and 2013-2015 tracking waves, there is a decline in the representation of lawyers in private practice after a change of status among all three groups.

In 2013-2015, there is a commensurate increase in the proportions of each group who report that they are no longer practicing law after their change of status.

The non-racialized equity-seeking group distinguishes itself in that members of this group were less likely to be in a private practice position prior to their change of status. Since all three groups have consistent declines in the proportions in private practice after a change of status, this means members of a non-racialized equity-seeking group are less likely to currently be practising in a private setting (44%) compared to the other two groups (52% among the non-equity-seeking group and 49% among the racialized equity-seeking group).

**Practice Type or Work Setting – Previous Versus Current Position  
Based on Equity-Seeking Status – 2013-2015  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	PREVIOUS POSITION			CURRENT POSITION		
	Non-Equity Seeking	Racialized Equity	Non-Racialized Equity	Non-Equity Seeking	Racialized Equity	Non-Racialized Equity
n=	1741	439	471	1741	439	471
	%	%	%	%	%	%
Private Practice	58	57	51	52↓	49↓	44↓
Non-Private Practice	24	22	32	26	24	33
Not Practising Law	18	21	17	22↑	27↑	23↑

Q.6 *Your previous status or position means the position you were in immediately prior to notifying the Law Society. Your current status or position means the position you are in now. From among the following, please indicate your practice or work setting while you were in your previous status category or position as well as your current practice or work setting.*

**Practice Type or Work Setting – Previous Versus Current Position  
Based on Equity-Seeking Status – 2010-2012  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	PREVIOUS POSITION			CURRENT POSITION		
	Non-Equity Seeking	Racialized Equity	Non-Racialized Equity	Non-Equity Seeking	Racialized Equity	Non-Racialized Equity
n=	2085	460	512	2085	460	512
	%	%	%	%	%	%
Private Practice	55	53	47	48↓	46↓	40
Non-Private Practice	26	28	31	28	32	34
Not Practising Law	19	19	22	24↑	22	26

Q.6 *Your previous status or position means the position you were in immediately prior to notifying the Law Society. Your current status or position means the position you are in now. From among the following, please indicate your practice or work setting while you were in your previous status category or position as well as your current practice or work setting.*

A more detailed examination of members of equity-seeking groups again suggests that the characteristics of their change of status do not differ significantly from those who are in the non-equity-seeking group. Across all three groups, there is a decline in the proportion who hold private practice positions in large firms (> 50 lawyers) in Toronto after a change of status.

**Practice Type or Work Setting – Previous Versus Current Position**  
**Based on Equity Seeking Status - 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	PREVIOUS POSITION			CURRENT POSITION		
	Non-Equity Seeking	Racialized Equity Seeking	Non-Racialized Equity Seeking	Non-Equity Seeking	Racialized Equity Seeking	Non-Racialized Equity Seeking
<b>Sample size n=</b>	1741	439	471	1741	439	471
	%	%	%	%	%	%
<b>NET: PRIVATE PRACTICE (BOTH OUTSIDE AND IN TORONTO)</b>	<b>58</b>	<b>57</b>	<b>51</b>	<b>52↓</b>	<b>49↓</b>	<b>44↓</b>
<b>NET: PRIVATE PRACTICE OUTSIDE TORONTO</b>	<b>27</b>	<b>25</b>	<b>31</b>	<b>25</b>	<b>23</b>	<b>31</b>
Sole practice outside of Toronto	6	5	8	9	9	10
Private law firm outside Toronto with 5 lawyers or less	8	11	10	7	7	9
Private law firm outside of Toronto with 6 to 10 lawyers	4	3	2	3	3	3
Private law firm outside Toronto with 11 to 50 lawyers	6	4	5	4	2	4
Private law firm outside Toronto with > 50 lawyers	3	2	6	2	2	5
<b>NET: PRIVATE PRACTICE IN TORONTO</b>	<b>32</b>	<b>33</b>	<b>20</b>	<b>28↓</b>	<b>26↓</b>	<b>14↓</b>
Sole practice in Toronto	5	7	5	8	9	5
Private law firm in Toronto with 5 lawyers or less	5	8	4	5	6	2
Private law firm in Toronto with 6 to 10 lawyers	3	4	2	3	3	2
Private law firm in Toronto with 11 to 50 lawyers	6	5	3	5	3	2
Private law firm in Toronto with > 50 lawyers	13	9	6	7↓	5↓	3↓
<b>NET: NON-PRIVATE PRACTICE</b>	<b>24</b>	<b>22</b>	<b>32</b>	<b>26</b>	<b>24</b>	<b>33</b>
In-house counsel for a private corporation	4	3	3	3	4	2
Government or a public agency	13	12	20	15	15	21
Education	2	2	4	2	2	4
Crown	3	2	3	3	2	2
Legal clinic	1	1	<1	1	1	-
Non-governmental organization (NGO)	<1	1	1	1	1	1
Some other setting	2	1	1	2	1	2
<b>NET: NOT PRACTISING LAW</b>	<b>18</b>	<b>21</b>	<b>17</b>	<b>22↑</b>	<b>27</b>	<b>23</b>
Not working in law (working outside law)	7	6	7	11	11	8
Unemployed	2	3	2	2	3	1
On leave	1	1	1	1	2	3
Not working for pay	6	9	6	6	8	8
Other – legal related	<1	-	<1	1	1	2

Analysis by gender finds that women in non-equity seeking communities are less likely to hold private practice positions after their change of status than they were in their previous positions. By contrast, there is no significant difference in the proportion of men holding private practice positions prior to and after a change in status among this non-equity seeking group. This has been consistent across both tracking waves.

Comparing the results from 2010-2012 to 2013-2015 illustrates that the gap between women and men within racialized equity-seeking groups in the likelihood of being in private practice after a change has closed. In 2010-2012, racialized women were significantly less likely to hold a private practice position after their change of status (39%) than were men (58%). In 2013-2015, the difference by gender is not significant (48% among women and 52% among men).

Among those who are categorized as members of the non-racialized equity-seeking group, there are no significant differences by gender.

**Change of Status Characteristics Based on Equity Seeking Status: Women Compared with Men – 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	Those Who Do Not Self-Identify as a Members of an Equity-Seeking Community		Those Who Self-Identify as a Member of a Racialized Equity-Seeking Community		Those Who Self-Identify as a Member of a Non-Racialized Equity-Seeking Community	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT
	%	%	%	%	%	%
<b>Women</b>						
n=	991	991	280	280	261	261
Private practice	54	46↓	53	48	48	41
Non-private practice	27	30	23	23	34	35
Not-in-law	19	24	24	29	18	24
<b>Men</b>						
n=	750	750	159	159	210	210
Private practice	64	60	63	52	55	48
Non-private practice	20	21	23	26	30	32
Not-in-law	16	19	14	22	16	20

**Change of Status Characteristics Based on Equity Seeking Status: Women Compared with Men – 2013-2015**  
**Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement**

	Those Who Do Not Self-Identify as a Members of an Equity-Seeking Community		Those Who Self-Identify as a Member of a Racialized Equity-Seeking Community		Those Who Self-Identify as a Member of a Non-Racialized Equity-Seeking Community	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT
	%	%	%	%	%	%
<b>Women</b>						
n=	1102	1102	294	294	265	265
Private practice	51	42↓	50	39↓	42	37
Non-private practice	28	33	28	35	36	38
Not-in-law	21	25	22	26	22	25
<b>Men</b>						
n=	982	982	166	166	245	245
Private practice	60	54	57	58	51	43
Non-private practice	24	23	28	27	27	29
Not-in-law	16	23↑	15	15	22	28

**IX. Likely Return to Private Practice**  
**(Excluding Those Whose Change is Due to**  
**Maternity/Parental Leave or Retirement)**

## B. Likelihood of Returning to Private Practice

Less than one-third (27%) of those who have left private practice after a filing in 2013-2015 indicate that they are likely to return.

Over one-half of this group report that they will be unlikely to return (58%). Just over one-in-ten are unsure.

In the previous wave of research, those who had moved out of private practice position and were not practising law in their current position were more likely than those who had moved to a non-private practice position to anticipate a return to private practice (36% and 25%, respectively). In the current wave (2013-2015), however, the difference between these two groups is no longer statistically significant.

There are no significant differences between women and men in likelihood of returning to private practice, regardless of whether they have moved into non-private practice positions or settings not in the practice of law.

### Likelihood of Returning to Private Practice – Among Those who Have Moved to Other Practice Settings Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement

	All those who have moved out of private practice		Moved from private practice to non-private practice		Moved from private practice to not-in-law	
	2010-2012	2013-2015	2010-2012	2013-2015	2010-2012	2013-2015
n=	695	454	354	262	198	325
			%	%	%	%
<b>NET: LIKELY (Very or Somewhat)</b>	30	27	25	24	36	30
Very likely	11	10	6	5	16	14
Somewhat likely	19	17	19	19	20	16
Not very likely	28	31	21	34	25	29
Not at all likely	29	27	20	28	27	26
<b>NET: NOT LIKELY (Not very or at all)</b>	57	58	61	62	52	55
Don't know/not applicable	13	15	14	14	12	15

Q.16 *If your change of status or position involved a departure from private practice, how likely do you believe it is that you will return at some point to private practice? Would you say that it is very likely, somewhat likely, not very likely or not at all likely that you will at some point return to private practice?*

## C. Timing of Likely Return to Private Practice

The numbers of survey respondents indicating they will return to private practice are relatively small, and so the results noted below should be considered with caution as to their generalizability.

Among those reporting that they will likely return to private practice (i.e., 27% of those who have left private practice), just over one-third (35%) believe they will return to private practice within a year.

Those who moved from a private practice to a setting not in law are more likely to anticipate a quick return (within a year) than are those who have left private practice for a non-private practice position (51% and 10%, respectively).

**Timing of Likely Return to Private Practice**  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

	Moved from private practice to non-private practice		Moved from private practice to not-in-law	
	Among the 25% who believe they will be likely to return to private practice	Among the 24% who believe they will be likely to return to private practice	Among the 36% who believe they will be likely to return to private practice	Among the 30% who believe they will be likely to return to private practice
	2010-2012	2013-2015	2010-2012	2013-2015
n=	85	63	124	97
	%	%	%	%
Less than 1 year	17	9	50	51
1-2 years	14	21	15	16
3-4 years	15	22	4	7
More than 4 years	24	11	1	4
Don't know	31	37	31	21

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