

**Change of Status Research  
2010-2012**

**Report of Key Findings Submitted to  
The Law Society of Upper Canada**

May 2013

## Table of Contents

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<b>I. Background and Research Methodology.....</b>	<b>1</b>
A. Background .....	2
B. Research Methodology .....	2
C. Areas of Investigation .....	3
D. Key to Reading Statistical Significance .....	4
E. Caution Regarding Sample Sizes .....	4
<b>II. Executive Summary.....</b>	<b>5</b>
A. Background .....	6
B. Focus of Analysis in 2010-2012 Report.....	6
C. Respondent Characteristics.....	6
D. Work Setting – Previous Versus Current Status Among the Total Sample .....	7
E. Benefits and Employment Policies as Potential Influencers in a Change of Status .....	13
F. Perceptions of Previous Versus Current Position .....	14
G. Reasons for a Change of Status – Unaided .....	15
H. Factors Considered Important in the Decision to Make a Change of Status (Aided) .....	17
I. Conclusions.....	19
<b>III. Demographic Characteristics of Survey Respondents.....</b>	<b>20</b>
<b>IV. Change of Status - Overall Trends .....</b>	<b>25</b>
A. Previous Position versus Current Position – A Decline in Private Practice .....	26
B. The Decline in Private Practice Based on Size of Private Firm.....	28
C. Smaller Proportions are Moving into Practice in Government/Public Agencies .....	29
D. Increasing Proportions are Moving Into Retirement .....	30
E. Significant Proportions of Those Changing Status are Moving into or Returning from Maternity/Parental Leave .....	31
<b>V. Characteristics Status Change – (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>34</b>
A. Comparison of Change of Status Characteristics of Total Sample Versus Sample in Which Parental Leave and Retirement are Not Factors.....	35
B. Overall Change of Status Characteristics Based on Gender .....	38
C. Gender Differences Year over Year.....	39
D. Practice Type into Which Women and Men Have Transitioned .....	40
<b>VI. Characteristics of Those Whose Change of Status Originated In Private Practice (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>42</b>
<b>VII. Area of Practice (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>47</b>
<b>VIII. Unaided Reasons for a Change in Status (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>50</b>
E. Unaided Reasons for Change of Status .....	51

## Table of Contents

---

<b>IX. Change of Status Characteristics Based on Year of Call (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>56</b>
A. Women Compared to Men – Practice Type Prior to a Change of Status .....	57
B. Women Compared to Men – Incidence of Being in Private Practice Prior to and After Change of Status	59
<b>X. Change of Status Characteristics Based on Youngest Dependent in the Home (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)61</b>	
A. Women Compared to Men – Practice Type Based On Youngest Dependent in Home .....	62
B. Women Compared to Men – Incidence of Being in Private Practice Prior to and After Change of Status	64
<b>XI. Change of Status Characteristics Based on Equity Status (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>66</b>
A. Definition of Equity-Seeking Communities .....	67
<b>XII. Benefits and Operating Policies Available in Previous and Current Position (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>71</b>
<b>XIII. Attributes of Previous and Current Position (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>82</b>
A. Practice Opportunities – Those Who Have Stayed in Private Practice .....	84
B. Benefits and Job Security - Those Who Have Stayed in Private Practice.....	85
C. Work Life Balance and Stress - Those Who Have Stayed in Private Practice .....	86
D. Practice Opportunities - Those Who Have Moved From Private Practice to Non-Private Practice	87
E. Benefits and Job Security - Those Who Have Moved From Private Practice to Non-Private Practice	88
F. Work-Life Balance and Stress - Those Who Have Transitioned From Private Practice to Non-Private Practice .....	89
<b>XIV. Importance of Specific Issues in Driving Change of Status (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>91</b>
A. Approach to Exploring Drivers of Change of Status .....	92
<b>XV. Likely Return to Private Practice (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement).....</b>	<b>102</b>
A. Likelihood of Returning .....	103
B. Timing of Likely Return to Private Practice .....	104

## **I. Background and Research Methodology**

## Background and Research Methodology

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### 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 *The Strategic Counsel* (“TSC”) to undertake an annual study among lawyers who file a change of status.

In 2013, three waves of research data (2010-2012) have been 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.

### B. Research Methodology

This report presents results from a survey conducted online among a sample of members who changed status in 2010, 2011 and 2012. Although data was collected in 2009, it is not presented here due to the differences in questions asked in 2009 and those asked in 2010-2012.

Members are required to inform the Law Society immediately when their work or practice status changes. At the end of each month, *The Strategic Counsel* receives a file of those who provided The Law Society with a change of status notification. TSC then “cleans” the file, removing duplicate records and those records for which an email address was not supplied. Once the cleaning process is complete, TSC sends out email invitations requesting participation in the Change of Status Survey to those individuals.

In 2012, 5666 lawyer members filed a change of status with the Law Society. This is higher than the previous two years: 5535 filed a change of status in 2011 and 5179 did so in 2010.

Over the past three years, the number of lawyer members of the Law Society has grown: 2010 – 42,189 lawyers; 2011 – 43,393; 2012 - 44,642. Thus, approximately 12%-13% of lawyer members submitted a change of status in each of the three years.

## Background and Research Methodology

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Among the members who filed a change of status in 2012, 4,733 had provided the Law Society with an active email address. This represents a slight increase over 2011 (4,657) and 2009 (4,126).

A total of 1236 lawyers completed the online survey in 2012. In 2011 and 2010, the numbers were 1289 and 1214, respectively.

The response rates for the three waves of this study have been strong – 26% in 2012, 30% in 2011 and 29% in 2010.

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

	2010	2011	2012
<b>Change of Status Population:</b> Number of records sent by The Law Society to The Strategic Counsel	5179	5535	5666
<b>Survey Population:</b> Number of email invitations sent after removing duplicate email addresses and those with no email addresses	4126	4657	4733
<b>Survey Sample:</b> Number of members who completed the questionnaire	1214	1389	1236
<b>Response rate:</b> Survey Sample ÷ Survey Population	29%	30%	26%

### 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.

## Background and Research Methodology

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### D. Key to Reading Statistical Significance

In order to show significant differences between groups, the following symbols 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.
-  (Yellow highlighting) = A significant smaller proportion relative to the specified comparison group.
-  (Green highlighting) = A significant greater proportion relative to the specified comparison group.

### 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.

## **II. Executive Summary**

## Executive Summary

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### A. Background

Over the three year period from 2010 to 2012, 16377 change of status notifications were submitted to the Law Society by lawyer members. The average each year is 5,459 submissions. Based solely on 2012 membership data from the Law Society, the number of change of status submissions made (5666 in total) represents about 12.5% of members.

### B. Focus of Analysis in 2010-2012 Report

Among the total sample of members who responded, 10% and 4%, respectively, 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.

Year over year, an increasing proportion of respondents to the change of status survey report that they are moving into retirement (3% in 2010, 6% in 2011 and 9% in 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.

### C. Respondent Characteristics

**Overall, those changing status are disproportionately women.**

Among all respondents, the representation of women compared to men remains fairly consistent for each of the three years:

- In 2010, women represented 60% of the change of status sample. That proportion decreased only slightly in both 2011 and 2012 to 58%.
- These proportions stand in contrast to the Law Society's lawyer member base in which women represented 39% in 2010, 40% in 2011, and 41% in 2012.

**Survey respondents are younger.**

Almost half or a greater proportion of survey respondents in 2010, 2011 and 2012 were under 40 years of age compared to 32% of Law Society members overall in each of the three years.

While the respondent group is relatively younger, an increasing proportion of the sample is over 50 years of age (23% in 2010, 28% in 2011 and 31% in 2012).

## Executive Summary

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### **D. Work Setting – Previous Versus Current Status Among the Total Sample**

**There is a decline in those holding a private practice position after their change of status.**

A high level overview of the characteristics of those who have changed status shows that:

- Almost one-half (48%) were in a private practice position prior to changing status;
- 26% were in a non-private practice position;
- 26% were not in the practice of law.

After the change of status, the proportion in private practice is 8 points lower at 40%. There are commensurate increases in those practising in non-private positions (29%) and in those who report that they are not practising law (31%).

Among the total sample of respondents, a number of key trends are evident:

**Year over year, the proportion holding government/public agency positions after a change of status is on the decline.**

In 2010, over one-third of those who changed status moved to a position in non-private practice. This proportion drops fully 12 points to 24% in 2012. This drop is mainly attributable to a decline in the proportions moving into a government or a public agency position over the three years.

- In 2010, almost one-quarter (24%) of those who made a change of status reported that their change led them to a government/public agency position. That proportion decreased in 2011 to 15%, and again in 2012 to 13%.

While there is a smaller group moving into government work year over year, the government/public agency category still has a net gain in terms of the proportion of change of status respondents who moved to this practice setting (14% were in a government/public agency in their previous position compared to 17% in their current position).

**There is a decline in those holding positions in larger and small to medium-sized private practice firms. By contrast, the incidence of sole practitioners has risen.**

Overall, the greatest proportion of those who have changed status report that they originally practised in a small to medium-sized firm (24% were in a firm of 5 to 50 lawyers in their previous position). Another 14% were practising in a large firm (more than 50 lawyers). Only 10% report having been sole practitioners.

While the trend is away from private practice, there has nonetheless been a small increase over the past three years in the proportion of respondents who are in sole practice after their change of status (10% were in sole practice prior to their change while 13% were in sole practice following their change).

## Executive Summary

The loss of private practitioners is occurring within large firms as well as smaller to medium-sized firms:

- There has been a 6-point drop in the proportion of individuals in private practice in a large firm (50+ lawyers) (from 14% prior to a change in status to 8% in their current position).
- There is a 5-point drop in the proportion practising in a small to medium-sized firm (from 24% prior to a change in status to 19% in their current position).

**There is an overall decline in the proportion of both women and men who hold a private practice position after a change of status compared to their position prior to that change.**

Prior to the change in status, 42% of women were in private practice compared with 57% of men.

After the change in status, only 36% of women report holding a position in private practice (a decline of 6 points). Among men, the proportion is 46% (a decline of 11 points).

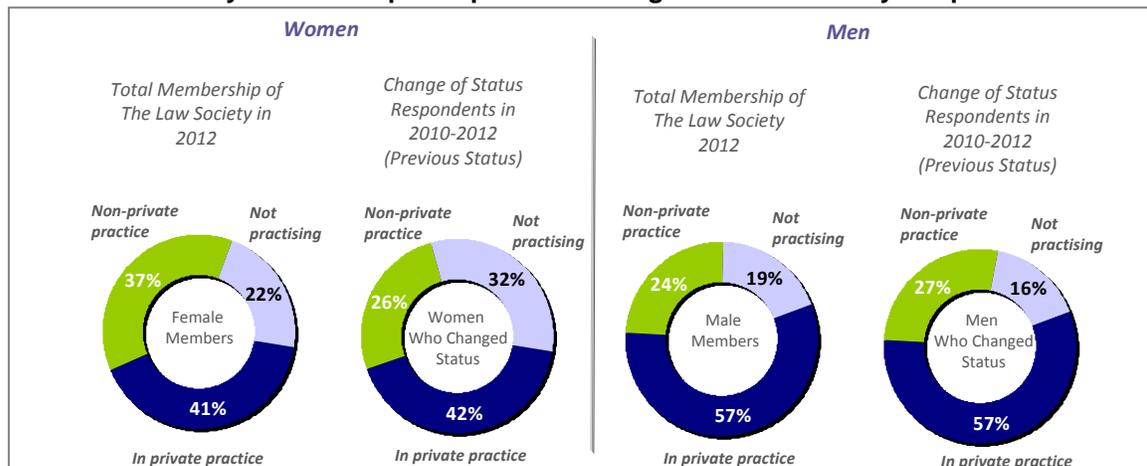
These declines among both women and men mask the impact of maternity/parental leave and retirement on the incidence of private practice.

**Those moving into and returning from parental leave represent a large group of change of status submissions. Yet, for most, maternity/parental leave does not appear to be a trigger for a change of practice position.**

First, we address the issue of maternity/parental leave. Fully 14% of all respondents report that they are either returning from maternity/parental leave (10%) or moving into maternity/parental leave (4%). The vast majority of these respondents are women (98%).

An examination of the women returning from maternity leave reveals that the majority (75%) return to their original position. Among this group, 42% were in private practice. This proportion in private practice is consistent with the incidence of women in private practice among the Law Society's membership (41%).

**Incidence of Women and Men in Private Practice  
Law Society Membership Compared to Change of Status Survey Respondents**



## Executive Summary

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Among those returning to practice from maternity leave, 25% report that the position they are returning to is different from the one they held when they went on maternity leave. This group represents a small number of respondents (n=79). Accordingly, this finding should be considered directional. A majority of these women (56%) report that they are currently in private practice.

Because three-quarters of those returning from maternity leave are returning to their original practice position, and on the assumption that a similar proportion of those who are currently on maternity leave will return to their private practice position, these two groups are excluded from the remainder of the analysis.

### **Increasing numbers of lawyers are moving into retirement.**

There is evidence that an increasing number of Ontario lawyers are moving into retirement.

- The proportion of respondents who report that they have transitioned into retirement has tripled, increasing from 3% in 2010, to 7% in 2011 and again to 9% in 2012.
- Further, these lawyers are disproportionately male (fully 70% of those who have moved into retirement in the past three years).

The data suggest that only a very small proportion of retirees will return to practice (1% of change of status submissions). Therefore, these respondents have also been excluded from the remainder of the analysis.

### **In real numbers, there are more women leaving private practice than men (excluding those whose change is due to maternity/parental leave or retirement)**

Analysis of the remaining group of respondents reveals that the incidence of women in private practice prior to a change of status is 50% (8 points higher than the 42% of the total sample represented by women who are in private practice), whereas the proportion of men in private practice prior to a change remains statistically unchanged at 58% (57% of the total sample are in private practice). After a change of status, however, the proportion of both women and men in private practice settings declines, although the drop for women is greater (-9 points to 41%) than it is for men (-6 points to 52%).

(2010-2012 results combined)	Women in Private Practice		Men in Private Practice	
	Previous Position	Current Position	Previous Position	Current Position
<b>SAMPLE EXCLUDING THOSE WHOSE CHANGE OF STATUS RELATED TO MATERNITY/PARENTAL LEAVE OR RETIREMENT</b>	50%	41%	58%	52%

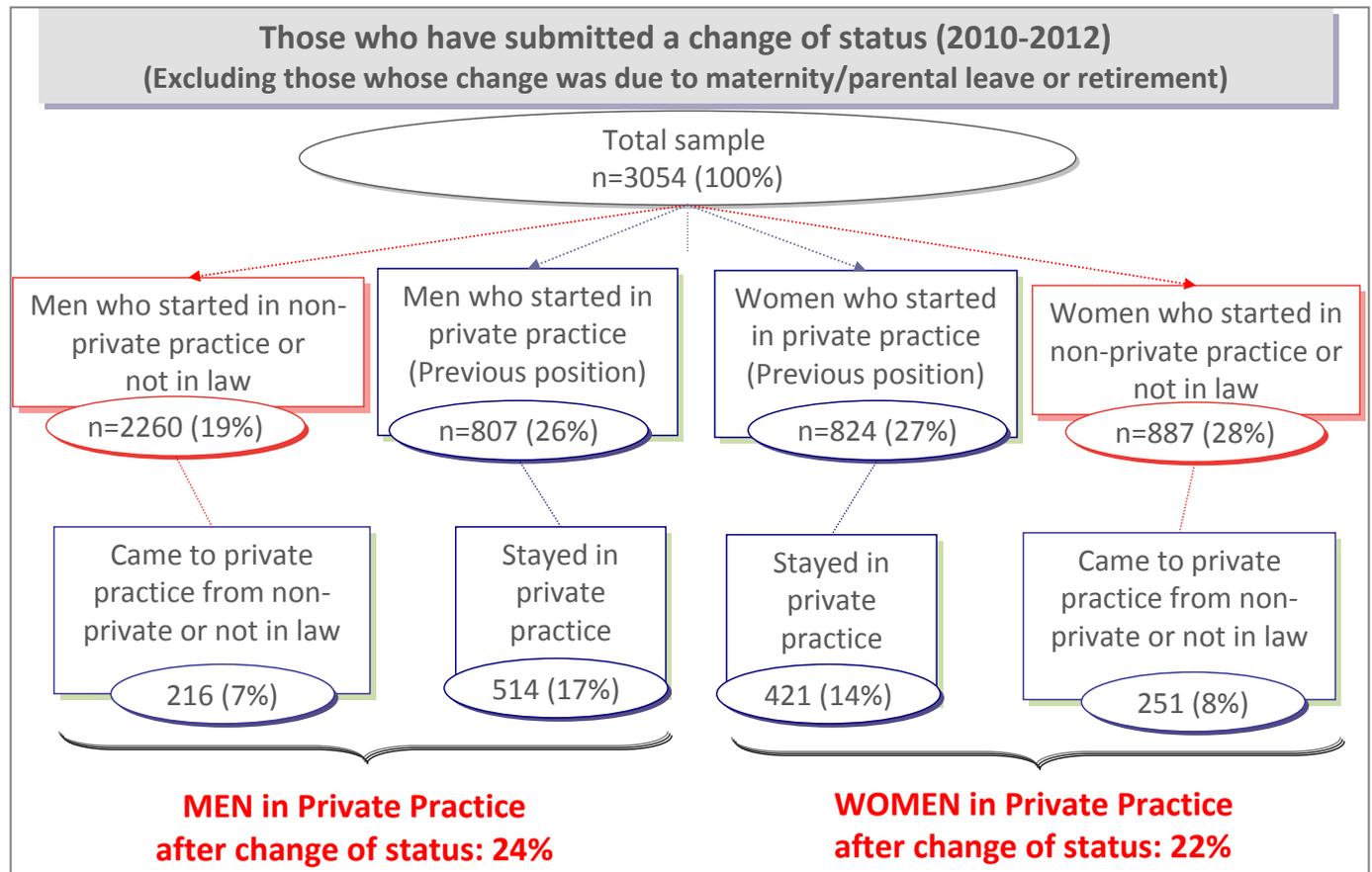
## Executive Summary

So what do these proportions mean in real numbers of lawyers leaving private practice?

The chart below illustrates that women in private practice prior to a change in status represent 27% of all those who submitted a change of status notification (824 women). Men who were in private practice represent 26% (807 men).

After the change in status, 14% of women stayed in private practice, and a further 8% entered private practice from a non-private practice position or from a setting in which they were not practising law. Combined, this means that 22% of women are in private practice after a change of status (672 women), a drop of 5 points.

Among men, 17% remained in private practice and another 7% entered private practice from another setting. Combined, this means that 24% of men are in private practice following a change in status (730 men), a 2-point decline.



An analysis has been undertaken to explore whether there are certain periods during the career of a lawyer in which there is a greater tendency for women to be leaving private practice and whether there are any particular factors which influence women to leave private practice.

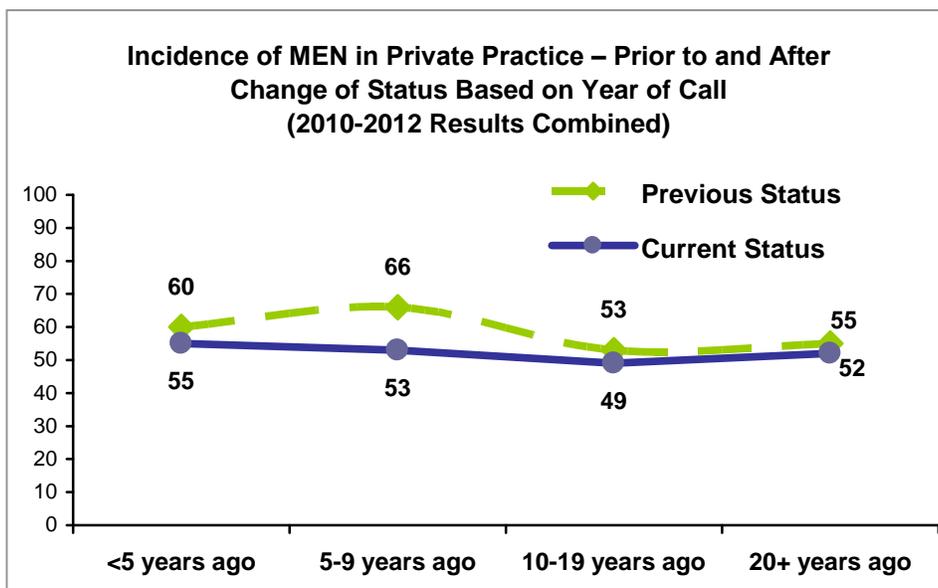
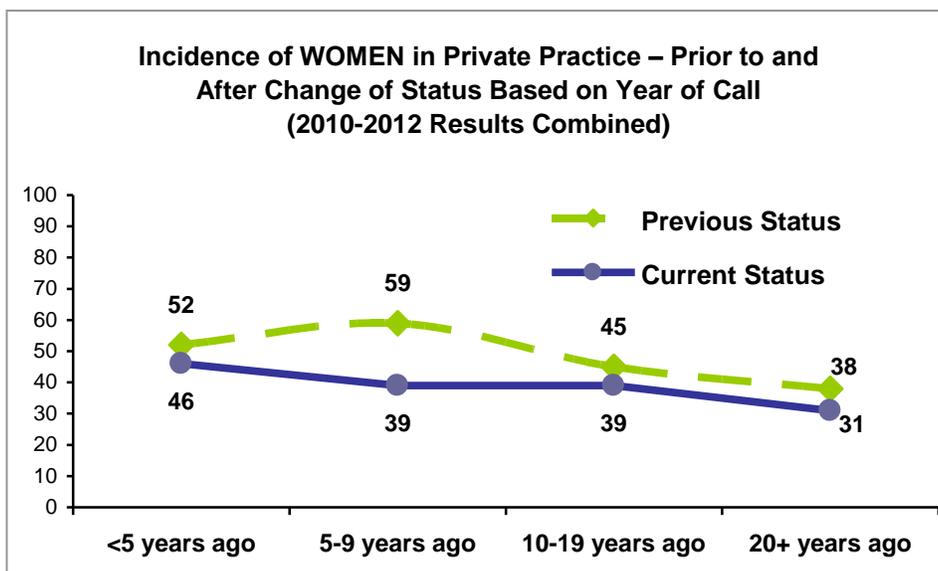
## Executive Summary

**Women are particularly likely to be leaving private practice 5 to 9 years after being called to the bar (excluding those whose change is due to maternity/parental leave or retirement).**

An examination of the incidence of women and men in private practice based on year of call discloses that, regardless of length of time at the bar, women are less likely than men to have been in a private practice position both prior to and after their change of status. Further, as women progress in their careers, they are increasingly less likely than men to be in private practice.

The incidence of women being in private practice after a change in status drops when they have been called for 5 to 9 years. Close to 6-in-10 women whose year of call was 5-9 years ago (59%) report that they were in a private practice position prior to their change, but only four-in-ten of this group (39%) report being in private practice after their change – a 20-point drop. For the remaining groups of women based on year of call, the gap in the proportions in private practice prior to and after a change are much smaller (maximum of 7-points).

By contrast, the incidence of men in private practice after a change of status varies little based on year of call. Further, the drop in the proportion of men in private practice both prior to and following a change of status is less pronounced than it is among women.



## Executive Summary

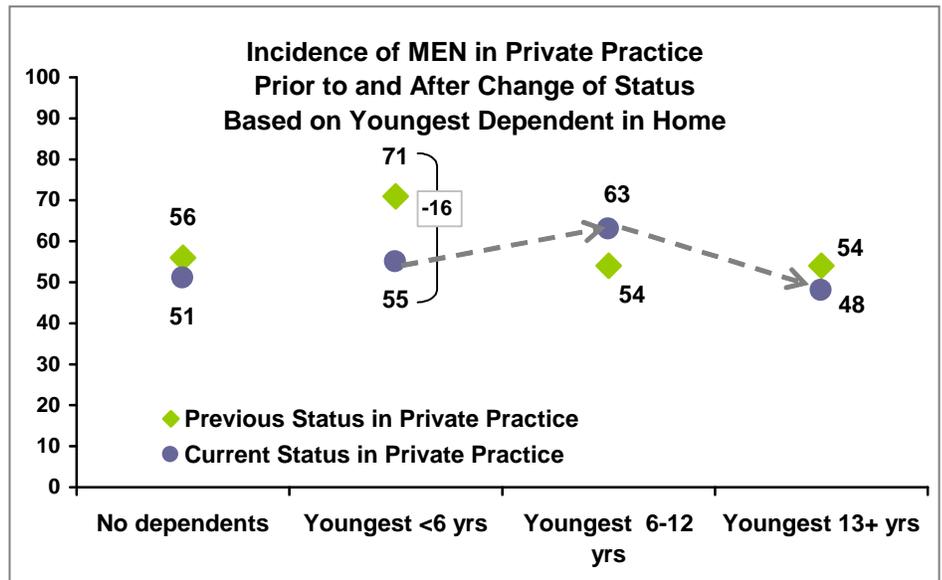
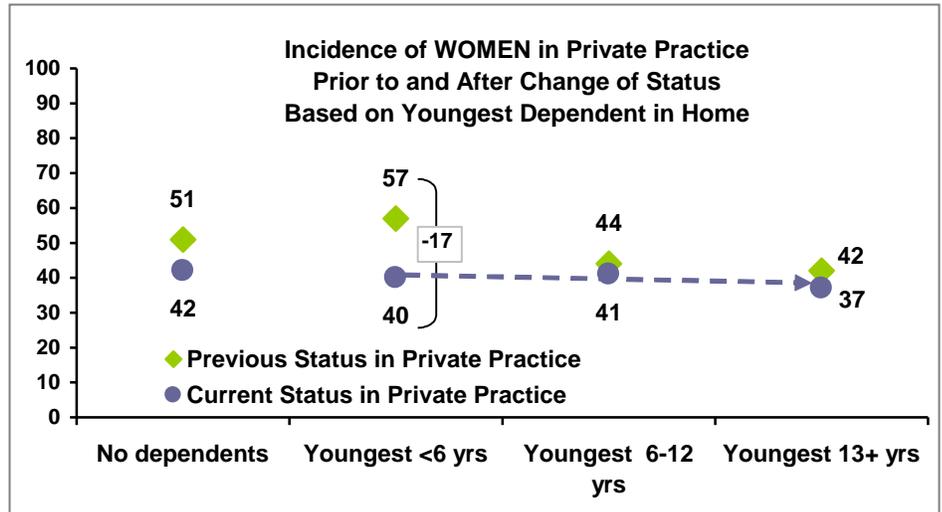
The research suggests that significant proportions of both men and women leave private practice when they have a child under 6 years of age at home. However, men appear to return to private practice after this life stage whereas women do not.

It is when there is a child under 6 years of age at home that the greatest movement out of private practice occurs for both men and women (a 17-point drop for women and 16-point drop for men).

The results suggest that as children in the household grow older (up to 12 years of age), there is actually an increase in the proportion of men who are practising in a private setting after a change of status (from 55% when there are dependents under 6 years of age in the household to 63% when the youngest dependent is 6-12 years of age).

By contrast, there is no such increase among women. The proportion in private practice following the change of status remains statistically unchanged at 41% when the youngest dependent in the home is 6-12 years of age compared to the 40% when the youngest dependent is under 6 years of age.

In fact, it is when the youngest dependent in the home is 6-12 years of age that the gap in the incidence of women and men in private practice after a change of status is the widest (22 points). The gaps at the other stages are smaller (15 points or less).



## Executive Summary

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### E. Benefits and Employment Policies as Potential Influencers in a Change of Status

**There are significant increases in the proportions of those who have moved from private practice to non-private practice reporting that their new position offers a variety of benefits/employment policies that their previous position did not. By contrast, those who have stayed in private practice identify only a few benefits/policies that are available to them in their new position.**

An investigation into which benefits or employment policies were available to respondents in their previous position compared with those that are available in their new position has been undertaken to explore whether these benefits/policies are potential drivers of a change of status. An increase in the incidence of these benefits/policies from previous to current position may suggest that they, in some measure, played a role in the decision to change positions. While an analysis of this nature cannot determine a direct relationship, these incidences do provide a perspective as to the types of workplace benefits/policies that are valued by lawyers.

Examining those who started out in a private practice position, the results suggest there are differences in the availability of specific benefits/policies for those who remained in a private practice position compared with those who moved to a non-private practice setting:

- First, when moving from one private practice position to another private practice position, there are only a few benefits/policies that are more likely to be available in the current position than they were in the previous position.
  - For both men and women, the incidence of flexible full-time work hours being offered has increased.
  - Among women, part-time work is also more likely to be available in the current position than it was in the previous position. There is no significant difference among men.
  - For the remainder of the benefits/policies explored, either the availability decreased in the current job or there is no significant change in the incidence of availability.

Among those who moved from a private practice position to a non-private practice setting, the results differ dramatically. There are increases in the incidence of many benefits/policies tested in the current position compared to the previous position:

- Four pension and insurance offerings were explored in the research (medical insurance, a dental plan, long-term disability and a pension plan). The availability of all four increased among both men and women from their previous position to the current position.
- Flexible work options (flexible full-time work hours and job sharing) have also increased significantly for both men and women from previous to current position. Women are also more likely to have part-time work available to them in their current position.
- Both women and men are more likely to report that a number of parental benefits are offered in their new position that were not offered in their previous position (paid maternity leave, paid parental leave, child care benefits and day care facilities). While not the case among women, there is also an increase in the availability of unpaid parental leave for men in their new position.
- Finally, there is an increase in availability of sick leave and leave of absence or sabbatical offerings among both men and women in their current position compared to their previous position.

## Executive Summary

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Do any of these play a significant role in driving a change of status? The fact that many are now available to both women and men who have moved into a non-private position (from a private practice position) suggests that practice settings that offer these benefits are of greater appeal to a sub group of those who moved to a non-private practice setting from private practice.

### F. Perceptions of Previous Versus Current Position

**The advantages associated with a move from one private practice setting to another are distinct from those associated with a move from private to non-private practice. Those remaining in private practice are more likely to believe that their new setting offers them better practice opportunities. Those who have moved into non-private practice believe that their new position offers better job security, benefits and work-life balance.**

The research explores attributes that respondents associate with their previous position versus their current position. The results reinforce previous findings that those who remain in a private practice setting believe that they have gained different types of advantages in their new position than those who have moved from private practice to a non-private practice setting. Particularly when trying to understand why women are leaving private practice, this area of investigation provides some key insights.

Respondents were asked to indicate the extent to which they agree with statements about what their previous position offered them in terms of practice opportunities, benefits and work-life balance. They were then asked to indicate the extent to which they agree that their current position offers these same things.

Women who have remained in private practice are more likely than are women who have moved into a non-private practice setting to associate a number of things with their current position to a greater extent than they associated them with their previous position:

- The pay is good (up 7 points – no significant change among those who moved into non-private practice);
- Allows me to use my talents/legal skills (up 19 points compared to a 9-point increase);
- Freedom to decide what I do in my job (up 25 points compared to no significant change); and,
- Control the scheduling (up 24 points compared to an 8-point increase).

The perceived advantages of moving to into a new private practice setting identified by men do not differ significantly.

## Executive Summary

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Women who have moved from private practice 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 compared with their previous position:

- Job security is good (up 28 points compared with 10 points among those who stayed in private practice);
- The benefits are good (up 29 points - no significant change among those who stayed in private practice);
- My workload is too heavy (drop of 50 points compared with an 11-point decline);
- My job is very stressful (drop of 58 points compared with a 14-point decline); and,
- Job allows me to balance career and family (up fully 67 points compared to a 22-point increase).

There is only one significant difference between women and men who have moved from private to non-private practice. It is the gap in the proportion who believe that their previous position “allows me to balance career and family” compared to the proportion who believe this of their current position (a 67 point gain for women, compared with a 53 point gain for men). This difference suggests that the need to find work-life balance is a greater potential driver of a change of status among women than it is among men. As reported below, when asked on an unaided basis why respondents are moving out of private practice, this issue comes to the fore.

### G. Reasons for a Change of Status – Unaided

**Unaided reasons for a change in status are varied. Those who have moved from private practice to a non-private practice setting are much more likely to identify greater work-life balance as an influencing factor in their change of status than are those who have remained in private practice**

One of the key objectives of the research is to explore what factors may be leading lawyers to change their status. The research explored this issue through both unaided and aided questions.

Respondents were asked to describe, in their own words, the key factors that influenced their change of status. The reasons given are varied, and no single issue or set of issues dominates. Yet, there are significant differences between those moving within private practice and those moving from private to non-private practice, as well as by gender, in the factors cited.

Mentioned most frequently are practice opportunity-related factors (41% mentioned issues such as the opportunity to take on new challenges, better quality of work, better opportunity for advancement, greater independence, better work environment, better location, better mentorship).

Mentioned second most frequently is that the position from which the respondent moved ended or changed in some manner (mentioned by one-quarter of respondents). However, this is less of a driver to change among those who have moved within private practice (19%) or those who moved from private to non-private practice (8%). It is the main reason cited by those who moved from private practice to a position not in law (37%).

## Executive Summary

Mentioned third most frequently is work-life balance. This is the issue on which those who have remained in private practice and those who have moved from private practice to a non-private practice setting differ most starkly. Among those who have remained in private practice, only 16% mention work-life balance considerations as a reason for their change. Among the private to non-private practice group, the proportion who cite work-life balance is more than three times greater (50%).

For the first two factors discussed, there are no significant differences by gender. For the work-life balance issue, however, a difference does emerge:

- One-in-five women (22%) who remained in private practice identified work-life balance as a factor in their change. The proportion among men who remained in private practice is less than half of that (10%).
- Among those who moved from private to non-private practice, women (54%) are again more likely to mention this issue than are men (44%).

Remuneration is mentioned by 13% of respondents overall, although this is a stronger driver among those moving from private to non-private practice (22%) than it is among those who moved within private practice positions (15%) and those no longer practising law (6%).

**Factors Influencing a Change of Status - Unaided**  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

	All respondents	Remained in private practice	Moved from private practice to non-private practice	Moved from private practice to not in law
Positive characteristics of new position (e.g., better opportunities, quality of work, better opportunities for advancement, better able to use skills, better work environment; better mentorship)	41	40	46	26
Position/contract ended or requirement to leave position (e.g., laid off, contract ended, age issues, relocation, end of articling, sent back to original position after secondment, health problems, changer in ownership of firm structure, found job articling)	26	19	8	37
Work-life balance	21	16	50	24
Remuneration	13	15	22	6
Starting new firm or promotion	8	19	2	6
Negative characteristics of current position	9	9	14	19
Discrimination/ Harassment	2	3	2	2

## Executive Summary

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### H. Factors Considered Important in the Decision to Make a Change of Status (Aided)

Respondents were also asked directly to indicate the extent to which certain factors are important to a decision to change status. In total, 19 factors were explored, including practice opportunity-related factors (e.g., use of skills, availability of mentorship programs), culture or work-management options that contribute to work-life balance (e.g., flexible hours, availability of part-time hours or leaves), and benefits-related offerings (e.g., pensions).

These questions were asked only of those whose change of status involved either a move into a paid position or from one paid position to another. Those who moved to or from maternity/parental leave, to or within non-paid positions, unemployment or retirement were not asked.

On a prompted basis, the top two factors most likely to be driving a change in status are that the new position allows respondents to use their talents and legal skills and that the new position allows balance between career and family. Over four-in-ten identify each of these as important reasons for their change in status (46% and 41%, respectively).

About one-third of respondents consider the freedom to decide what they do in their jobs, control over scheduling, less stress, better pay and good job security as important factors in a decision to make a change. These issues represent the second tier of factors based on relative importance.

Those who remained in private practice differ completely from those who moved into non-private practice in the two reasons most likely to be perceived as important.

Among those who remained in private practice, job opportunity-related factors are most likely to be identified as important: “The job allows me to use my talents and legal skills” and “I have the freedom to decide what I do in my job” (46% and 47%, respectively rate these factors as important as a reason for their change of status).

By contrast, the issue most likely to be considered a driver of change among those who have moved from a private to non-private position is that “the job allows me to balance career and family” (71%). It is the top ranked driver by a considerable margin among this group. By comparison, only 37% of those who remained in a private practice setting consider career/family balance as an important reason for their change, making it their third ranked factor overall. The second most important driver among those moving from private to non-private status is that the new position is “less stressful” (mentioned by 64%).

The driver common to the top three list for both those who have moved from private to non-private practice and those who have remained in private practice is “use of my talents and legal skills”. However, the proportion who identify this as an important factor is greater among the former group (57%) than it is among those who have remained in private practice (37%).

## Executive Summary

As the table below illustrates, other strong reasons for change among those moving into non-private practice focus on benefits and workload. They are viewed as important drivers of change by significantly greater proportions of those who moved into non-private practice than those who remained in private practice.

### Top Five Reasons Influencing a Change of Status – Aided Based On a Move From A Previous Setting of Private Practice

Those who stayed within a private practice setting			Those who have moved from a private practice position to a non-private position		
Ranking		% who rate issue as important	Ranking		% who rate issue as important
1	I have the freedom to decide what I do in my job. <i>Shared with...</i> The job allows me to use my talents and legal skills	47%	1	The job allows me to balance career and family	71%
2	I control the scheduling	42%	2	The job is less stressful	64%
3	The job allows me to balance career and family	37%	3	The job allows me to use my talents and legal skills	57%
4	The pay is better	34%	4	My workload has decreased <i>Shared with...</i> There is a pension plan in my current position	52%
5	The job is less stressful <i>Shared with...</i> Job security is good	31%	5	The job security is good	48%

Of the 19 drivers examined, there are four upon which women place greater importance, regardless of whether they moved from one private practice position to another or from private to non-private practice:

- The job allows me to balance career and family;
- The job is less stressful;
- My current position offers flexible full-time work hours; and,
- There is paid maternity or parental leave.

## Executive Summary

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### I. Conclusions

Women are leaving private practice in greater numbers than men, despite the fact that they represent a smaller proportion of lawyers in private practice.

The results suggest that the stage at which women are most likely to be leaving private practice is when there are dependents in the home and the youngest dependent is under 6 years of age. This is also the case for men. What distinguishes men from women, however, is their behaviour after this stage of child rearing. Men are more likely to go back into private practice after their youngest dependent moves out of the pre-school stage, whereas women do not.

Women and men appear to be moving within private practice and out of private practice into non-private positions for many of the same reasons. Further, for the most part, those reasons appear to be similar in influence as drivers of change. However, there are several exceptions. Women are leaving private practice to a greater extent than men are in order to find work environments that allow them to balance their career and family, that allow flexible work arrangements, that do not require a workload which is too heavy, that are less stressful, and provide that paid maternity/parental leave as well as other benefits.

### **III. Demographic Characteristics of Survey Respondents**

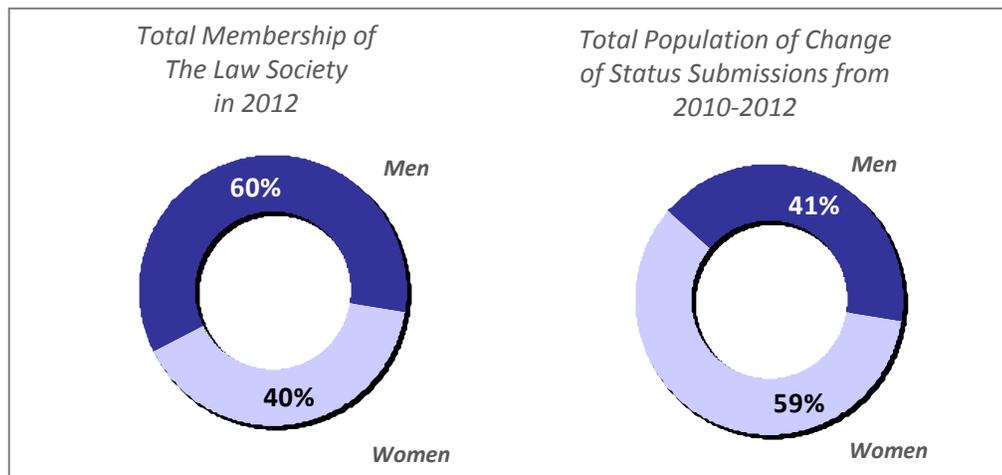
## Demographic Characteristics of Survey Respondents

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.

### Gender of Members Compared with Survey Respondents

- The membership of Law Society was composed of 40% women and 60% men at the end of 2012.
- By comparison, women are much more strongly represented among those who have made a change of status submission from 2010 to 2012. Among this group, fully 59% are women.

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



- While the incidence of women within the LSUC membership has been increasing incrementally year over year (from 39% in 2010 to 41% in 2012), their representation among change of status respondents has declined very slightly (from 60% in 2010 to 58% in 2012).

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

		2010		2011		2012	
		Law Society Membership Statistics	Survey Respondents	Law Society Membership Statistics	Survey Respondents	Law Society Membership Statistics	Survey Respondents
n=		42,169	1,214	43,213	1,389	44,642	1,236
		%	%	%	%	%	%
	Women	39	60	40	58	41	58
	Men	61	40	60	42	59	42

## Demographic Characteristics of Survey Respondents

### *Age of Members Compared with Survey Respondents*

The population of Law Society members over the age of 65 years has been increasing over the past 3 years, from 10.2% to 11.8%. The incidence of those over the age of 65 among Change of Status survey respondents has more than doubled (from 3% in 2010 to 7% in 2012).

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

n=	2010		2011		2012	
	Law Society Membership Statistics	Survey Respondents	Law Society Membership Statistics	Survey Respondents	Law Society Membership Statistics	Survey Respondents
	42,169	1,214	43,213	1,389	44,642	1,236
	%	%	%	%	%	%
<30 years of age	5.8	8	6.1	5	6.5	6
30-39 years	26.7	49	26.2	42	25.7	42
40 to 49 years	25.2	20	24.7	25	24.6	21
50 to 65 years	32.0	20	32.1	22	31.4	24
Over 65 years	10.2	3	11.0	6	11.8	7
TOTAL	100	100	100	100	100	100

## Demographic Characteristics of Survey Respondents

### *Year of Call*

The higher incidence of more mature lawyers in the Law Society's membership is also evident when examining year of call. There has been an increase in the proportion of those called to the bar 20 years ago or more over the past three years. This is also the case among Change of Status survey respondents.

In 2010, 19% of survey respondents were called to the bar 20+ years ago. That proportion has increased to 27% in 2012. The increasing group of more mature lawyers in Ontario is having an effect on the Change of Status survey findings. This is discussed in the next section of the report.

**Year of Call of Law Society Members  
Compared to Change of Status Survey Respondents**

	2010		2011		2012	
	Law Society Membership Statistics	Survey Respondents	Law Society Membership Statistics	Survey Respondents	Law Society Membership Statistics	Survey Respondents
	n=					
	42,169	1,214	43,213	1,389	44,642	1,236
	%	%	%	%	%	%
< 5 years ago	17	30	To be provided by Law Society	24	To be provided by Law Society	25
5 to 9 years ago	17	29	To be provided by Law Society	25	To be provided by Law Society	24
10 to 19 years ago	24	22	To be provided by Law Society	25	To be provided by Law Society	24
20 or more years ago	41	19	To be provided by Law Society	26	To be provided by Law Society	27

## Demographic Characteristics of Survey Respondents

### Self-Ascribed Racial Characteristics

The Law Society does not release data about lawyer membership in equity-seeking communities. However, the Change of Status survey did explore whether respondents identify as members of an equity-seeking community.

In each of the three years examined, over one-in-ten respondents self-identify as a member of a racialized equity-seeking community. Similar proportions self-identify with a non-racialized equity-seeking community.

### Membership in an Equity-Seeking Community

	2010	2011	2012
	Survey Respondents	Survey Respondents	Survey Respondents
n=	1,214	1,389	1,236
	%	%	%
<b>RACIALIZED EQUITY-SEEKING</b>	<b>16</b>	<b>13</b>	<b>13</b>
<b>NON-RACIALIZED EQUITY-SEEKING</b>	<b>15</b>	<b>16</b>	<b>18</b>
Francophone	5	7	6
Gay/Lesbian/Bisexual	3	3	3
Person with disabilities	3	3	3
Aboriginal/ First Nations	2	1	2
Jewish	2	2	2
Other*	4	4	1
<b>DO NOT IDENTIFY WITH AN EQUITY-SEEKING COMMUNITY</b>	<b>69</b>	<b>71</b>	<b>69</b>

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

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

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

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

## Change of Status – Overall Trends

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

Overall, the Change of Status survey results suggest that there is a movement away from private practice among those who have submitted a change of status in the past three years.

The analysis provides 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 latter category includes retirement, maternity/parental leave and other types of leave.

As the following table illustrates, in each of 2010, 2011 and 2012, there has been an overall decline in the proportion of those in private practice after a change of status. Across the three years, 48% of those who submitted a change of status started out in private practice. After the change in status, a smaller 40% were in private practice, an 8-point decline.

**Incidence of Those in Private Practice in Previous and Current Positions  
Among Total Sample of Change of Status Respondents**

	Private practice in <u>previous</u> position	Private practice in <u>current</u> position	GAP
<b>2010</b> (n=1214)	45	38	- 7
<b>2011</b> (n=1389)	50	40	-10
<b>2012</b> (n=1236)	48	42	- 6
<b>COMBINED 2010-2012</b> (n=3839)	48	40	- 8

## Change of Status – Overall Trends

These results do not provide a clear picture of the movement to and from private practice positions. While significant proportions of Change of Status survey respondents have left private practice, there are also segments of lawyers who have held positions in non-private practice or who were not practising law who have moved into private practice after their change of status. This has ensured that the incidence of those in private practice has been replenished to a certain degree.

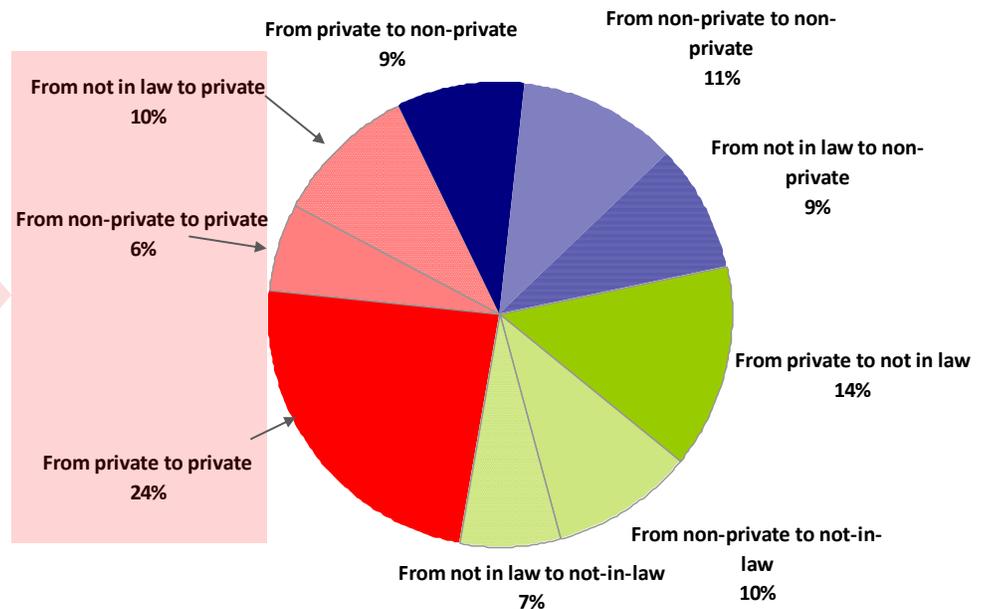
The 40% who report that they are in private practice after a change of status is composed of:

- 24% who began in a private practice position and stayed in a private practice position;
- 6% who began in a non-private practice position and moved to private practice; and,
- 10% who were not practising law and transitioned to a private practice position.

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

#### 2010-2012 Overview of Change of Status Activity

	Was in private practice in previous position	In private practice in current position
2010	45	38
2011	50	40
2012	48	42
<b>COMBINED 2010-2012 (N=3839)</b>	<b>48</b>	<b>40</b>



## Change of Status – Overall Trends

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

Overall, the greatest proportion of those who have submitted a change of status report that they originally practiced in a small to medium-sized firm (24% were in a firm of 5 to just under 50 lawyers in their previous position). Another 14% were practising in a large firm (more than 50 lawyers). Only 10% report having been sole practitioners.

While the overall trend is away from private practice, there has nonetheless been a small increase over the past three years in the proportion of respondents who are in sole practice after their change of status.

- While 10% of respondents over the three years of the survey report that their previous position was in sole practice, 13% are currently in sole practice.

The loss of private practitioners is occurring within large firms and smaller to medium-sized firms.

- There is a 6-point drop in the proportion of individuals in private practice in a large firm (50 lawyers or more) after a change of status (from 14% in their previous position to 8% in their current position).
- There is a 5-point decrease in the proportion practising in a small to medium-sized firm (5 to 40 lawyers) (from 24% in their previous position to 19% in their current position).

#### Incidence of Those in Private Practice in Previous and Current Positions Among Total Sample of Change of Status Respondents

	TOTAL SAMPLE OF RESPONDENTS							
	2010 (n=1214)		2011 (n=1389)		2012 (n=1236)		Combined 2010-2012 (n=3839)	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT
	%	%	%	%	%	%	%	%
<b>In private practice</b>	45	38↓	50	40↓	48	42↓	<b>48</b>	<b>40↓</b>
<b>In sole practice</b>	10	12	10	11	10	15↑	<b>10</b>	<b>13↑</b>
<b>Private firm – 5 to 50 lawyers</b>	20	18	25	20↓	25	19↓	<b>24</b>	<b>19↓</b>
<b>Private firm – more than 50 lawyers</b>	15	8↓	15	9↓	13	8↓	<b>14</b>	<b>8↓</b>

## Change of Status – Overall Trends

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

There are a number of other trends noted in the overall Change of Status results.

The first is a decline in the incidence of those whose change of status has led them to a current position in non-private practice. In 2010, over one-third of those who had changed status went to a position in non-private practice. This proportion drops fully 12 points to 24% in 2012. This drop is mainly attributable to a decline in the proportion who have moved into a government or a public agency position over the three years.

- In 2010, almost one-quarter (24%) of those who made a change of status reported that their change led them to a government/public agency position. That proportion decreased in 2011 to 15%, and again in 2012 to 13%.

While there is a smaller group moving into government work year over year, the government/public agency category still has a net gain in terms of the proportion of change of status respondents who ended up in this type of work settings (from 14% who were in a government/public agency in their previous position compared to 17% in their current position).

**Incidence of Those in Non-Private Practice in Previous and Current Positions  
Among Total Sample of Change of Status Respondents**

	TOTAL SAMPLE OF RESPONDENTS							
	2010 (n=1214)		2011 (n=1389)		2012 (n=1236)		Combined 2010-2012 (n=3839)	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT
	%	%	%	%	%	%	%	%
<b>In non-private practice</b>	28	36↑	26	27	25	24	26	29↑
Government or a public agency	17	24↑	13	15↑	14	13	14	17↑
In-house counsel for a private Corporation	5	6	6	4↓	4	3	5	4
Education	2	2	2	2	2	3	2	2
Other (includes: judge, crown, legal clinic, NGO, and other work settings)	3	2	1	3	3	3	5	6

## Change of Status – Overall Trends

### D. Increasing Proportions are Moving Into Retirement

As noted previously, there is evidence of an increasing segment among Change of Status respondents who are moving into retirement.

- The proportion of those submitting a Change of Status notification indicating that they have transitioned into retirement increases from 3% in 2010 to 7% in 2011, and again to 9% in 2012.
- The probability is high that this group will not return from retirement to move into practice (private or otherwise) in the future. On average, only 1% of Change of Status respondents indicate that they came out of retirement.

#### Incidence of Those Not in Law In Previous and Current Positions Among Total Sample of Change of Status Respondents

n=	TOTAL SAMPLE OF RESPONDENTS							
	2010 (n=1214)		2011 (n=1389)		2012 (n=1236)		Combined 2010-2012 (n=3839)	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT
<b>Not practising law</b>	27	26	24	33↑	27	34↑	26	31↑
Maternity/parental leave	11	4	8	6	10	4	9	5
Not working in law (non-law position)	5	9↑	6	7	6	10↑	6	8↑
Not working for pay	6	6	6	8↑	7	7	6	7
Retired	1	3↑	<1	7↑	1	9↑	1	6↑
Unemployed	1	2	2	1	2	2	2	2
Other	3	2	2	4	3	2	2	3

It is noteworthy that men are significantly more likely than women to report a transition into retirement (11% over the past three years among men compared with only 3% among women).

## Change of Status – Overall Trends

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

As shown in the previous table, an average of 14% of respondents over three years (2010, 2011 or 2012) report that they were either returning from or going into a period of parental leave:

- 10% report that their change of status involves a return from maternity/parental leave;
- 4% report that they are moving into maternity/parental leave.

Women comprise the vast majority of the group whose change of status involves moving into or returning from maternity/parental leave (95% of those where parental leave is a factor or 13% of all Change of Status survey respondents).

#### Change of Status Related to Parental Leave

	All Survey Respondents 2010-2012
	n=3839
	%
Women who changed status and parental leave was a factor	13
Men who changed status and parental leave was a factor	1
Women who changed status and parental leave was not a factor	45
Men who changed status and parental leave was not a factor	41

Those who indicated they are returning from a parental/maternity leave [11% in 2012 (n=128); 8% in 2011 (n=112); 10% in 2012 (n=118)] were asked a set of detailed questions to determine if they had returned to their previous position after their leave or whether they had changed their position upon their return from leave.

## Change of Status – Overall Trends

Among the group of women returning from a maternity leave (n=349), most but not all returned to their previous position (76%) after their maternity/parental leave. 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 (n=78). Thus, any analysis of this group should be considered directional only. Based on the results for this limited group, they seem slightly more likely (56%) than the average (41%) to have moved into a position in private practice.

### Change of Status Characteristics Among Women Who Have Returned From a Maternity Leave Compared to Those Whose Change Does not Involve Maternity/Parental Leave or Retirement

	WOMEN Those who returned to the <u>same position</u> they had prior to their maternity leave (n=349)	WOMEN Those who returned to a <u>different position</u> to the one they held prior to their maternity leave (n=78)	WOMEN: Those whose change of status does not involve maternity leave or retirement (n=1661)
	%	%	%
<b>In private practice</b>	<b>40</b>	<b>56</b>	<b>41</b>
In sole practice	8	1	12
Private firm – 5 to 50 lawyers	23	37	19
Private firm – More than 50 lawyers	9	18	10
<b>In non-private practice</b>	<b>49</b>	<b>33</b>	<b>34</b>
Government or a public agency	34	17	20
In-house counsel for a private corporation	6	6	5
Education	3	3	3
Other (includes: judge, crown, legal Clinic, NGO, and other practice types)	6	8	6
<b>Not practising law</b>	<b>11</b>	<b>11</b>	<b>25</b>
Not working in law (non-law position)	7	11	9
Not working for pay	1	-	10
Other	3	-	6

## Change of Status – Overall Trends

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In addition to the one-in-ten who have returned from maternity/parental leave, approximately one-in-twenty Change of Status respondents indicate that they are currently on maternity/parental leave.

This proportion is likely underestimated. In 2012, The Strategic Counsel examined all of the email “bounce backs”<sup>1</sup> received in response to the emails inviting participation in this study sent to those who submitted a Change of Status notification. Approximately 130 bounce backs (3% of those who were sent an email invitation) indicated that the email recipient was on parental leave.

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<sup>1</sup> “Bounce backs” refers to emails for which Strategic Counsel received an automated response from the originating email address, which were not delivered to the intended recipient. A number of

**V. Characteristics Status Change –  
(Excluding Those Whose Change is Due to  
Maternity/Parental Leave or Retirement)**

## Characteristics of Status Change – Excluding Parental Leave and Retirement

### A. Comparison of Change of Status Characteristics of Total Sample Versus Sample in Which Parental Leave and Retirement are Not Factors

In both the total sample of Change of Status survey respondents and the sample excluding those whose change is due to maternity/parental leave or retirement, there is a decline in the proportions in private practice after a change of status:

- A decline of 8-points among the total sample (from 48% previous position to 40% current position)
- A decline of 7-points among the group excluding retirees and those whose change involved maternity/parental leave.

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

TOTAL SAMPLE	Was in private practice in <u>previous</u> position	In private practice in <u>current</u> position	GAP
2010	45	38	- 7
2011	50	40	-10
2012	48	42	- 6
<b>COMBINED 2010-2012</b> (N=3839)	48	40	- 8
EXCLUDING THOSE WHOSE LEAVE IS DUE TO MATERNITY/PARENTAL LEAVE OR RETIREMENT	Was in private practice in <u>previous</u> position	In private practice in <u>current</u> position	GAP
2010	51	42	- 9
2011	55	47	- 8
2012	54	49	- 5
<b>COMBINED 2010-2012</b> (N=3839)	53	46	- 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.

## **Characteristics of Status Change – Excluding Parental Leave and Retirement**

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**The remainder of the analysis provided in this report is undertaken excluding those who have changed status for maternity/parental leave or retirement.**

The table on the following page provides a detailed overview of the type of 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 first evident among the total sample of respondents:

- While the overall trend away from private practice still holds, there is an increase in the proportion who are currently in sole practice;
- The proportion who practice at a large law firm (over 50 lawyers) decreases after a change of status (from 16% who held a position in a large firm in their previous position to 10% who do so in their current position);
- The proportion of those who are currently in a government/public agency position has declined from 2010 to 2012 (from 23% in 2010 to 13% in 2012).
  - Yes a government/public agency position remains a key destination for those changing status. Almost one-in-five who have changed status are currently working for government or a public agency (17%).

## Characteristics of Status Change – Excluding Parental Leave and Retirement

### Practice Type or Work Setting – Previous Versus Current Position in 2010, 2011 and 2012 (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

	PREVIOUS POSITION				CURRENT POSITION			
	2010	2011	2012	2010-2012	2010	2011	2012	2010-2012
	998	1104	955	3057	998	1104	955	3057
	%	%	%	%	%	%	%	%
NET: PRIVATE PRACTICE (BOTH OUTSIDE AND IN TORONTO)	51	55	54	53	42	47↓	49	46
NET: PRIVATE PRACTICE OUTSIDE TORONTO	24	27	27	25	19↓	24↓	27	23
Sole practice outside of Toronto	6	6	7	6	7	7	11↑	8
Private law firm outside Toronto with 5 lawyers or less	7	8	7	7	5	7	6	6
Private law firm outside of Toronto with 6 to 10 lawyers	2	3	5	3	2	2	3	2
Private law firm outside Toronto with 11 to 50 lawyers	4	6	5	5	3	4↓	4	4
Private law firm outside Toronto with > 50 lawyers	5	4	3	4	2↓	4	3	3
NET: PRIVATE PRACTICE IN TORONTO	27	28	27	28	23↓	23↓	22↓	23↓
Sole practice in Toronto	4	4	4	4	7↑	6↑	7↑	7
Private law firm in Toronto with 5 lawyers or less	5	4	4	5	4	3	3	3
Private law firm in Toronto with 6 to 10 lawyers	2	3	2	2	2	3	2	3
Private law firm in Toronto with 11 to 50 lawyers	4	6	5	5	4	3↓	3	3
Private law firm in Toronto with > 50 lawyers	12	11	12	12	6↓	8↓	7↓	7
NET: NON-PRIVATE PRACTICE	31	27	24	28	37↑	28	25	30
In-house counsel for a private corporation	5	6	4	5	6	5	4	5
Government or a public agency	16	14	13	14	23↑	16↑	13	17↑
Education	2	2	2	2	3	2	3	2
Crown	2	2	2	2	2	1↓	1	2
Judge	<1	<1	<1	<1	-	<1	<1	<1
Legal clinic	1	1	<1	1	<1	<1	<1	<1
Non-governmental organization (NGO)	1	1	1	1	1	1	1	1
Some other setting	4	2	3	3	2↓	3	3	3
NET: NOT PRACTISING LAW	18	18	21	19	22↑	25↑	26	24
Not working in law (working outside law)	6	6	7	6	10↑	8	12↑	10
Retired	<1	<1	1	<1	0	0	0	0
Unemployed	2	2	2	2	2	2	2	2
On leave	1	1	1	1	1	1	1	1
Not working for pay	7	7	9	8	8	10	9	9
Other – legal related	2	1	2	2	1	4↑	2	2

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

## Characteristics of Status Change – Excluding Parental Leave and Retirement

### B. Overall Change of Status Characteristics Based on Gender

Analysis of the group of respondents excluding those whose change was due to maternity/parental leave or retirement reveals that the incidence of women in private practice prior to a change of status is 50% (8 points higher than the 42% of the total sample represented by women who are in private practice), whereas the proportion of men in private practice prior to a change remains statistically unchanged at 58% (57% of the total sample are in private practice). After a change, however, the proportion of both women and men in private practice settings declines, although the drop for women is greater (-9 points to 41%) than it is for men (-6 points to 52%).

#### Previous and Current Positions of Change of Status Respondents

TOTAL SAMPLE (2010-2012 results combined)	Women (n=2252)		Men (n=1584)	
	Previous	Current	Previous	Current
In private practice	42	36↓	57	46↓
In non-private practice	26	33↑	27	22↓
Not in law	32	31	16	32↑
EXCLUDING THOSE WHOSE LEAVE RELATED TO MATERNITY/PARENTAL LEAVE OR RETIREMENT (2010-2012 results combined)	Women (n=1661)		Men (n=1393)	
	Previous	Current	Previous	Current
In private practice	50	41↓	58	52↓
In non-private practice	29	34↑	25	25
Not in law	21	25↑	17	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.

## Characteristics of Status Change – Excluding Parental Leave and Retirement

### C. Gender Differences Year over Year

While overall, there has been a decline in the proportion in private practice after a change of status, the actual proportion of those who are in a private practice setting after their change of status has been increasing among men over the past three years.

- In 2010, 48% of men ended up in a private practice position after their change of status. In 2011, that proportion increased to 53%, and in 2012, the incidence was up to 57%. This represents a 9-point increase over just three years.
- There is a commensurate decline in the proportion of men reporting that they have moved into a non-private (from 32% in 2010 to only 18% in 2012)

The same trend has not been evident among women.

**Change of Status Characteristics Among Women and Men Year Over Year  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	2010		2011		2012	
	PREVIOUS	CURRENT	PREVIOUS	CURRENT	PREVIOUS	CURRENT
	%	%	%	%	%	%
<b>WOMEN</b>						
<b>In private practice</b>	45	37↓	53	42↓	50	42↓
<b>In non-private practice</b>	34	40	28	32	26	31
<b>Not-in-law</b>	21	23	19	26	24	27
<b>MEN</b>						
<b>In private practice</b>	57	48↓	58	53↓	59	57↓
<b>In non-private practice</b>	28	32	25	24	23	18
<b>Not-in-law</b>	15	20↑	17	23↑	18	23↑

Base of Women: Women 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)

Base of Men: Men 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)

## Characteristics of Status Change – Excluding Parental Leave and Retirement

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### D. Practice Type into Which Women and Men Have Transitioned

The research provides other insights into gender differences of those who have made a change of status submission.

The results suggest that women who have made a change of status are less likely to have practised in or to being currently practising in sole proprietorship.

- In their previous position, 8% of women were in sole practice compared to 13% of men. This gap widens slightly when current position is examined. Women are less likely to hold a sole private practice position after their change (12%) than are men (19%)
- These results do underscore, however, that the incidence of those in sole practice increases after a change of status, regardless of gender.

Women are more likely than men to have been in a government/public agency position both prior to their change of status, and in their current position:

- In their previous position, 16% of women held one of these positions compared to 12% of men – a 4-point gap.
- This gap widens slightly when current position is examined. Women are more likely to hold a government/public agency position (20%) than are men (13%) – a 7-point gap.

Finally, while the gap is not large, there is a significantly greater proportion of women than men reporting that they hold a position in which they are not practising law, and are not working for pay in both their previous and current positions.

- About one-in-ten women report that they were not working for pay In their previous position (9%) and in their current position (10%)
- These proportions are small among men (6% for previous position and 7% for current position).

## Characteristics of Status Change – Excluding Parental Leave and Retirement

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

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

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.

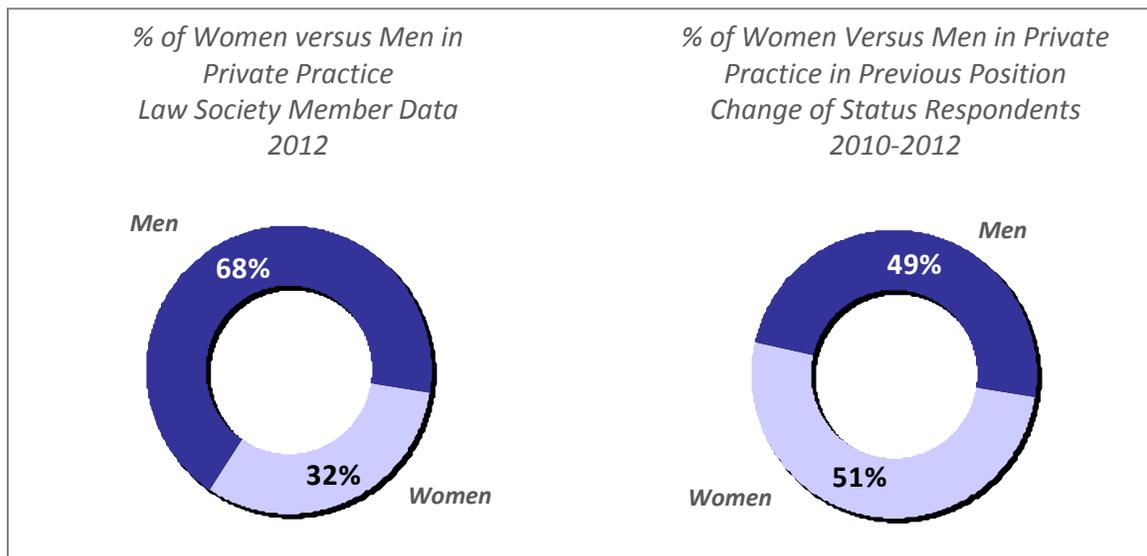
Base: Those who have changed status in 2010-2012, excluding those whose change was due to parental leave

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

## Characteristics of Those Whose Change of Status Originated In Private Practice

What are the characteristics of those who have changed status with an originating position in private practice?

First, they are disproportionately likely to be women compared to the Law Society's current membership statistics. As of the close of 2012, just under of one-third of Law Society members who practise in a private setting were women (32%). Men were twice as likely to be in a private practice setting (68%). Among those submitting a change of status from a position in private practice, however, a much higher proportion (51%) are women.



In actual numbers, among members who are in private practice, more women (n=824) are submitting change of status notifications than are men (n=807). Further, the following table illustrates that of those members, women (51%) are less likely to be in private practice after their change of status than are men (64%).

### 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)

CURRENT POSITION	THOSE WHOSE PREVIOUS POSITION WAS IN PRIVATE PRACTICE		
	ALL RESPONDENTS 2010-2012	WOMEN 2010-2012	MEN 2010-2012
n=	1633	824	807
	%	%	%
<b>Stayed in private practice</b>	57	51	64
<b>Went into non-private practice</b>	22	25	18
<b>No longer practising law</b>	21	24	18

## Characteristics of Those Whose Change of Status Originated In Private Practice

What further distinguishes women from men who began in a private practice position is their work setting in their current position.

- Men are much more likely to go into sole practice (22%) than are women (13%). Men are also more likely than are women to be working in small to mid-sized firms (29% and 25%, respectively).
- Women are more apt to move to a government/public agency position (12% and 8%, respectively).
- Women are also more likely to be leaving the practice of law (24% and 18%), and to describe themselves as not working for pay (10% and 6%).
- There are no other significant differences by gender here.

### 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)

	THOSE WHOSE PREVIOUS POSITION WAS IN PRIVATE PRACTICE		
	ALL RESPONDENTS 2010-2012	WOMEN 2010-2012	MEN 2010-2012
n=	1633	824	807
<b>CURRENT POSITION</b>	%	%	%
<b>Stayed in private practice</b>	<b>57</b>	51	64
Sole practice	18	13	22
Private law firm with 5 - 50 lawyers	13	25	29
Private law firm with > 50 lawyers	26	13	13
<b>NET: NON-PRIVATE PRACTICE</b>	<b>22</b>	<b>25</b>	18
In-house counsel for a private corporation	5	5	5
Government or a public agency	10	12	8
Education	2	3	1
Some other setting (e.g., crown, judge, legal clinic, non-governmental organization)	5	5	4
<b>NET: NOT PRACTISING LAW</b>	<b>21</b>	<b>24</b>	18
Not working in law (working outside law)	7	7	7
Unemployed or on leave	3	4	3
Not working for pay	8	10	6
Other – legal-related	2	2	2

## Characteristics of Those Whose Change of Status Originated In Private Practice

In addition to being disproportionately women, those who filed a change of status notification from a private practice position also appear to be slightly younger:

- Among all respondents, 50% are under 40 years of age compared with 54% of those who were in private practice when they filed their change of status. Similarly 53% of the total sample were called to the bar less than 10 years ago compared to 58% of those who were in private practice at the time they filed their change of status.

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

	TOTAL – ALL RESPONDENTS	TOTAL – THOSE WHOSE PREVIOUS STATUS WAS IN PRIVATE PRACTICE
<b>AGE</b>		
<30 years of age	8	7
30-39 years	42	47
40 to 49 years	23	22
50 to 65 years	23	20
Over 65 years	4	5
<b>CALLED TO THE BAR</b>		
Less than 5 years ago	30	31
5 to 9 years ago	23	27
10 to 19 years ago	23	21
20 or more years ago	24	2

## Characteristics of Those Whose Change of Status Originated In Private Practice

Those who stayed in private practice following their change of status differ demographically from those who moved to a non-private practice position or to a setting in which they are not practising law.

Those who have remained in private practice are more likely to be male (55%) than are those who moved to non-private practice and those who moved out of law (about four-in-ten, respectively).

Those who moved out of private practice into a non-private position are disproportionately likely to be younger. Fully 61% are less than 40 years of age whereas only about half of those who remained in private practice (50%) or who moved out of law (52%) are under 40 years of age.

**Previous Versus Current Position Among Those Whose Originating Position (Previous Position) was Private Practice in 2010-2012 (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	In a Private Practice Position Prior to a Change Of Status and...			
	TOTAL – THOSE WHOSE PREVIOUS STATUS WAS IN PRIVATE PRACTICE (n=1633)	Remained in Private Practice (Private practice both in previous and current position) (n=936)	Went from Private Practice to Non-Private Practice (n=356)	Went from Private Practice to Not-in-Law (n=341)
<b>GENDER</b>				
Women	51	45	59	57
Men	49	55	41	43
<b>AGE</b>				
<30 years of age	7	6	8	6
30-39 years	47	44	53	46
40 to 49 years	22	23	19	15
50 to 65 years	20	21	17	20
Over 65 years	5	5	3	14
<b>CALLED TO THE BAR</b>				
Less than 5 years ago	31	27	35	29
5 to 9 years ago	27	25	32	26
10 to 19 years ago	21	25	17	13
20 or more years ago	2	23	16	32
		50	61	52
		44	36	35
		48	33	45

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

## Areas of Practice

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In seeking to better understand what is driving lawyers, in particular women, to leave private practice, principal area of law practised is examined among those who have moved within private practice in comparison to those who have gone to non-private practice.

The table on the following page clearly illustrates that there are no significant changes in the principal areas of law practised between previous position and current position.

Among those who have moved to non-private practice, however, there are decreases in the proportions who report several areas of law as a principal practice in the new position as compared to the previous position:

- Civil Litigation - Plaintiff/ Defendant (down 14 points from previous to current status)
- Family/Matrimonial law (down 4 points from previous to current status)
- Real estate law (down 4 points from previous to current status)

Conversely, there is an increase in the proportion who report administrative law as a principal area of practice in their current compared to previous position (5% and 2%, respectively).

## Areas of Practice

### Principal Area of Practice: Previous versus Current Position (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

(% who report that the area of law noted is their principal area of law practised)

	PREVIOUS POSITION PRINCIPAL AREA OF LAW				CURRENT POSITION PRINCIPAL AREA OF LAW			
	2010- 2012	Private to private	Private to non- private	Private to not- in-law	2010- 2012	Private to private	Private to non- private	Private to not- in-law
	n=							
	2487	936	356	341	2373	935	351	
	%	%	%	%	%	%	%	
Aboriginal Law	1	<1	<1	<1	1	1	1	Not applicable
Administrative Law	4	1	1	2	4	1	5	Not applicable
Bankruptcy & Insolvency Law	1	1	1	2	1	1	1	Not applicable
Construction Law	1	1	1	<1	1	1	1	Not applicable
Criminal/Quasi Criminal	10	9	9	3	10	9	9	Not applicable
Environmental Law	1	1	1	1	1	1	2	Not applicable
Family/Matrimonial Law	8	12	9	11	8	12	5	Not applicable
Immigration Law	2	2	1	2	2	2	2	Not applicable
Intellectual Property Law	4	5	4	4	3	5	2	Not applicable
International Law	1	<1	<1	1	1	<1	1	Not applicable
Language Rights Law	-	-	-	-	<1	<1	-	Not applicable
Poverty Law	1	-	1	-	<1	<1	1	Not applicable
Real Estate Law	7	10	7	8	6	11	3	Not applicable
Tax Law	3	2	3	3	2	2	3	Not applicable
Civil Litigation - Plaintiff/ Defendant	18	25	23	23	15	23	9	Not applicable
Corporate/Commercial Law (corporate/ wills, estates, trusts/ securities)	18	17	21	23	17	17	19	Not applicable
Employment/Labour Law (employment/ labour/ workplace safety)	6	6	8	7	6	6	6	Not applicable
ADR/Mediation Services	<1	-	1	1	1	<1	1	Not applicable
Human Rights/Social Justice	2	1	-	2	2	1	1	Not applicable
Other	13	7	8	9	18	8	30	Not applicable

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.

**VIII. Unaided Reasons for a Change in Status  
(Excluding Those Whose Change is Due to  
Maternity/Parental Leave or Retirement)**

## Unaided Reasons for a Change in Status

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### E. Unaided Reasons for Change of Status

One of the key objectives of the research is to explore what factors may be leading lawyers to change their status. The research 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.

Overall, the reasons given are varied, and no single issue or set of issues dominate. There are significant differences in the reasons provided by those moving within private practice and those moving from private to non-private practice. There are also differences by gender.

The reasons cited most frequently are related to opportunity-related factors provided in a new position (36%). Among those who have transitioned from one private practice position to another (40%), these reasons are mentioned to a greater degree than the average (36%), and are even more salient among those who have transitioned from a private to a non-private practice position (46%). They play a more limited role among those who moved from private practice to a position outside of law (26%).

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 disallows a lawyer from practising (e.g., leave of absence due to health reason, inability to find a position). This set of reasons is provided by about one-quarter of respondents (26%) but plays less of a role among those who have moved within private practice (19%) and those who moved from private to non-private practice (8%). It is the main reason cited among those who moved from private practice to a position outside law (37%).

What fundamentally distinguishes those who have stayed in private practice from those who have moved from private to non-private practice is the importance of work-life balance issues in driving a change of status. Among those who have stayed in private practice, only 16% mention work-life balance considerations as a reason for their change. Among the private to non-private practice group, by contrast more than three times the proportion (fully 50%) mention this issue.

Up until this point, there have been no significant differences between women and men in the reasons identified as key factors influencing a change of status. For the work-life balance issue, however, a difference does emerge:

- Women are almost twice as likely as men to identify work-balance issues as influencing their decision to change (26% among women compared with 14% among men).
- Taking into account both gender and practice setting, over one-half of women who moved to a non-private practice position (54%) identify work-balance reasons for their move compared to a smaller proportion among men (45%). Among those women who stayed in private practice, 22% identify these issues compared with 9% of men.

## Unaided Reasons for a Change in Status

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Remuneration is mentioned by 13% of respondents, although this issue is a stronger driver among those moving from private to non-private practice (22%) than it is among those who moved within private practice positions (15%).

Starting up a new practice or a promotion are key reasons for a change of status among those who have remained in private practice (19%). Among the other groups, the proportion who provide these reasons is very small (2% or less).

## Unaided Reasons for a Change in Status

### Main Reasons for a Change of Status (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

	Among those whose change of status did not involve a maternity or parental leave – WITH RETIREDS REMOVED			Among those whose change of status did not involve a maternity or parental leave – WITH RETIREDS REMOVED		
	2010-2012	MEN	WOMEN	Private to private	Private to non-private	Private to Not in law
Sample size n=	3057	1393	1661	936	356	341
	%	%	%	%	%	%
<b>OPPORTUNITIES IN NEW POSITION (NET)</b>	<b>36</b>	<b>35</b>	<b>37</b>	<b>40</b>	<b>46</b>	<b>26</b>
Better opportunities/new challenges/ better quality of work	9	9	9	7	13	4
Better able to use my skills/ subject matter for work/ Change in practice area/ different type of work	7	6	7	5	10	7
Better opportunity for advancement/ opportunity for advancement/ promotion	5	6	5	7	5	3
Independence/ greater control in work	5	6	4	9	3	3
Job security / stability	4	4	5	4	9	2
Better work environment	4	3	4	6	4	3
Better location	3	2	3	3	4	1
Better position/ position I wanted/ more job satisfaction	4	4	3	3	4	3
Better mentorship	2	1	3	3	4	3
To give back to community/ greater public service opportunity	1	1	1	<1	3	1
Better support at new position (e.g., colleagues or staff)/ more of a team environment	2	2	2	3	2	4
<b>POSITION/CONTRACT ENDED OR REQUIREMENT TO LEAVE POSITION (NET)</b>	<b>26</b>	<b>26</b>	<b>26</b>	<b>19</b>	<b>8</b>	<b>37</b>
Laid off/ termination of employment/ previous structure terminated	5	6	5	4	1	13
Contract ended / Contract not renewed	3	3	4	1	6	5
Age/ Practiced long enough/ semi-retired	3	6	1	4	1	4
Health problems/ health problems of family members	3	3	4	1	1	10
Went back to original position from secondment/ back to original position	2	1	2	1	-	1
Was previously unemployed	2	2	3	<1	1	<1
Change in ownership/ change in firm structure	2	2	2	4	<1	1
Relocation	2	2	3	3	1	1
Parental leave/ returned after parental leave	1	<1	3	2	<1	<1
End of articling/Unemployed after articling/ could not find job after articling	1	1	<1	<1	1	<1
Back to school/continuing education	1	1	2	<1	1	3
Returning from clerkship	<1	<1	<1	-	1	-
Found job after articling	<1	<1	<1	<1	-	-

Continued...

## Unaided Reasons for a Change in Status

### Main Reasons for a Change of Status (Continued) (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

	2010-2012	MEN	WOMEN	Private to private	Private to non-private	Private to Not in law
Sample size n=	3057	1393	1661	936	356	341
	%	%	%	%	%	%
<b>WORKLIFE BALANCE (NET)</b>	<b>21</b>	<b>14</b>	<b>26</b>	<b>16</b>	<b>50</b>	<b>24</b>
Work/life balance - work/family balance	8	6	11	5	28	9
Better hours/ control over hours/ better control of schedule/ flexible work schedule	6	4	8	5	15	3
Reduction in stress/ burn out at job	6	3	7	3	14	10
Child care/ child care requirements/ want to spend more time with children or family	5	2	6	4	9	5
Reduction in workload/ workload	2	2	3	2	5	4
Spousal requirements/ spouse's career needs	<1	<1	<1	1	<1	<1
<b>REMUNERATION/BENEFITS (NET)</b>	<b>13</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>22</b>	<b>6</b>
Better remuneration/ pay/ stable income/ needed income	11	11	12	14	15	6
Benefits/ better benefits/pension	3	3	4	1	14	1
<b>STARTING NEW FIRM OR PROMOTION (NET)</b>	<b>8</b>	<b>9</b>	<b>8</b>	<b>19</b>	<b>2</b>	<b>3</b>
Starting new firm/ started new sole practice	3	4	3	7	1	2
Starting new partnership/ became partner	3	3	3	11	-	-
Promotion/ progressing legal career	2	2	1	2	1	1
<b>NEGATIVE ASPECTS OF PREVIOUS JOB (NET)</b>	<b>9</b>	<b>8</b>	<b>10</b>	<b>9</b>	<b>14</b>	<b>19</b>
Didn't like job/didn't like firm/ bad fit	4	3	5	5	5	11
Too much pressure to bill hours/ pressure to bring in clients	2	2	2	1	5	4
Time to leave type of practice/ didn't like type of practice	1	1	1	<1	4	3
Type of work/ did not like type of work	1	1	1	1	3	2
Dispute at previous job/ conflict at previous job	2	2	1	3	1	3
<b>DISCRIMINATION/HARASSMENT (NET)</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>4</b>
Discrimination/ harassment	2	1	1	2	2	1
Equity issues/ treatment of women/ treatment of women with children	1	<1	1	1	1	<1

Continued...

## Unaided Reasons for a Change in Status

### Main Reasons for a Change of Status (Continued) (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

	2010-2012	MEN	WOMEN	Private to private	Private to non-private	Private to Not in law
Sample size n=	3057	1393	1661	936	356	341
	%	%	%	%	%	%
<b>OTHER REASONS</b>						
Found a job/ needed a job/ received offer of employment	3	2	3	1	1	<1
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	2	1	2	5
Return to law/ desire to return to law/ return to law part time from retirement	2	2	2	<1	<1	1
Practising outside Ontario/ not residing in Ontario	2	2	2	2	1	1
Economy	1	1	1	1	<1	1
Came out of retirement	<1	-	<1	-	-	-
Other	7	8	5	6	5	6
<b>NO CHANGE/NOT APPLICABLE (NET)</b>						
No perceived change in status (e.g. name change only, error, change of address)	2	3	2	3	-	-
Not applicable	1	1	1	1	-	1
Few less responsibility	<1	<1	<1	<1	<1	<1
Company went down/firm closure	<1	<1	<1	<1	<1	1
Financial reasons/ income	1	2	1	2	2	2
Not stated	1	1	<1	1	1	<1

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

**IX. Change of Status Characteristics Based  
on Year of Call  
(Excluding Those Whose Change is Due to  
Maternity/Parental Leave or Retirement)**

## Change of Status Characteristics Based on Year of Call

### A. Women Compared to Men – Practice Type Prior to a Change of Status

The first thing that becomes evident when looking at women in private practice compared to men based on year of call is that women who have changed status are less likely to have held a previous position in private practice, regardless of year of call.

The largest gap in having been in private practice is among those called to the bar 20 years ago or more. While 54% of men in this group started out in a private practice position prior to their change of status, only 35% of women did so.

#### % Previous Status in PRIVATE PRACTICE among Women and Men Based on Year of Call (2010-2012 Results Combined) (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

Year of Call	WOMEN in PRIVATE PRACTICE in Previous position	MEN in PRIVATE PRACTICE in Previous position	GAP (Between women and men)
<5 Years ago	52	60	-8
5-9 years ago	59	66	-7
10-19 years ago	45	53	-8
20+ years ago	38	55	-17

Base : Women excluding those whose change was due to parental leave or retirement (2010-2012 combined – called to bar <5 years n=551, 5-9 years age n=432, 10-19 years ago n=429; 20+ years n=249)

Base : Men excluding those whose change was due to parental leave or retirement (2010-2012 combined – called to bar <5 years n=551, 5-9 years age n=432, 10-19 years ago n=429; 20+ years n=249)

By contrast, women are more likely than men to have been in a non-private practice position prior to their change.

#### % Previous Status in NON-PRIVATE PRACTICE among Women and Men Based on Year of Call (2010-2012 Results Combined) (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

Year of Call	WOMEN in NON-PRIVATE PRACTICE in Previous position	MEN in NON-PRIVATE PRACTICE in Previous position	GAP (Between women and men)
<5 Years ago	23	18	+5
5-9 years ago	27	24	Not significant
10-19 years ago	37	32	+5
20+ years ago	35	27	+7

## Change of Status Characteristics Based on Year of Call

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Women are also more likely than men, for the most part, to have come to their change of status from outside of the practice of law, regardless of their year of call.

**% Previous Status NOT-IN-LAW among Women and Men Based on Year of Call  
(2010-2012 Results Combined)  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

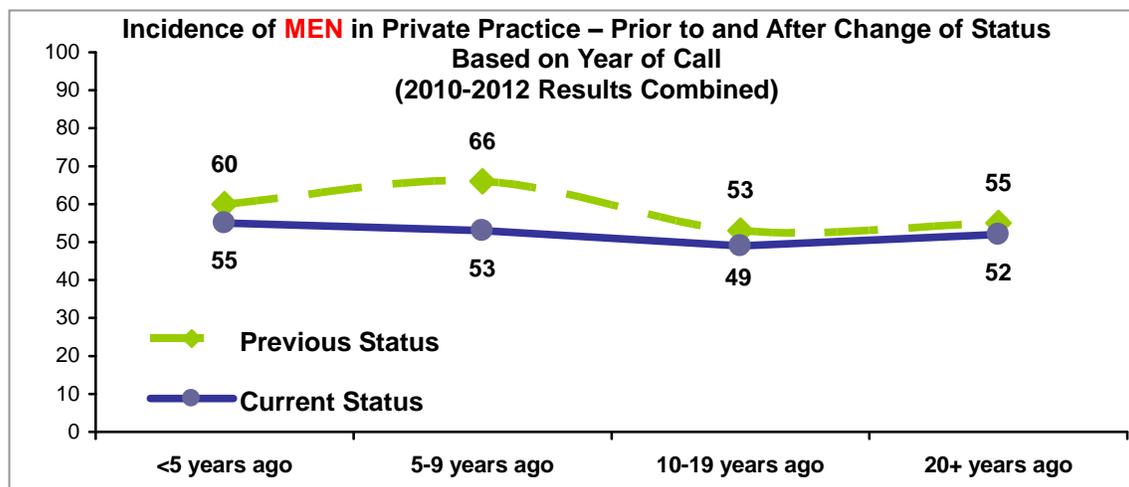
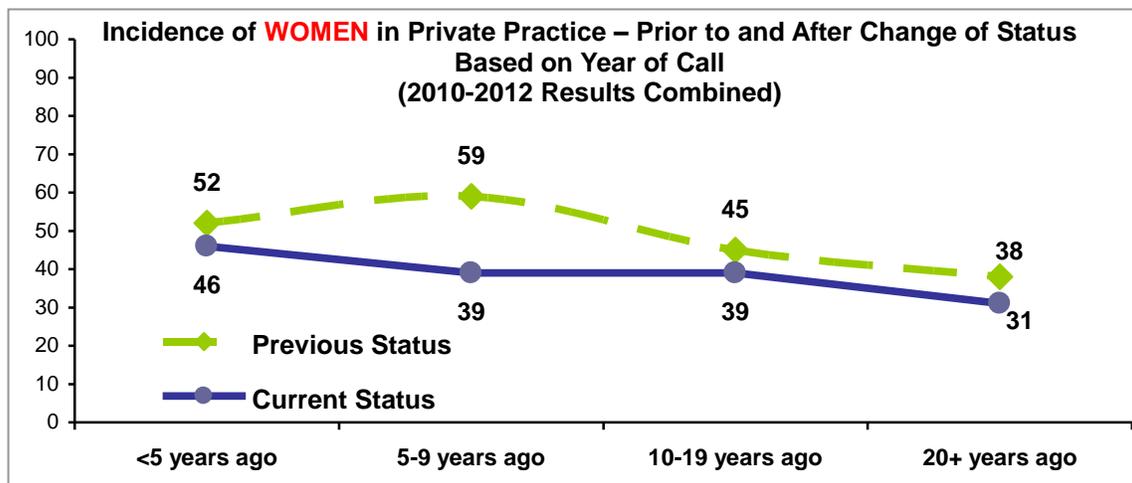
Year of Call	WOMEN Previous position NOT-IN-LAW	MEN Previous position NOT-IN-LAW	GAP (Between women and men)
<5 Years ago	26	22	-4
5-9 years ago	14	10	-4
10-19 years ago	18	16	Not significant
20+ years ago	27	18	-11

## Change of Status Characteristics Based on Year of Call

### B. Women Compared to Men – Incidence of Being in Private Practice Prior to and After Change of Status

After a change in status, women are significantly less likely than men to hold private practice positions, with the gap between women and men in private practice being particularly wide among those called to the bar 5-9 years ago.

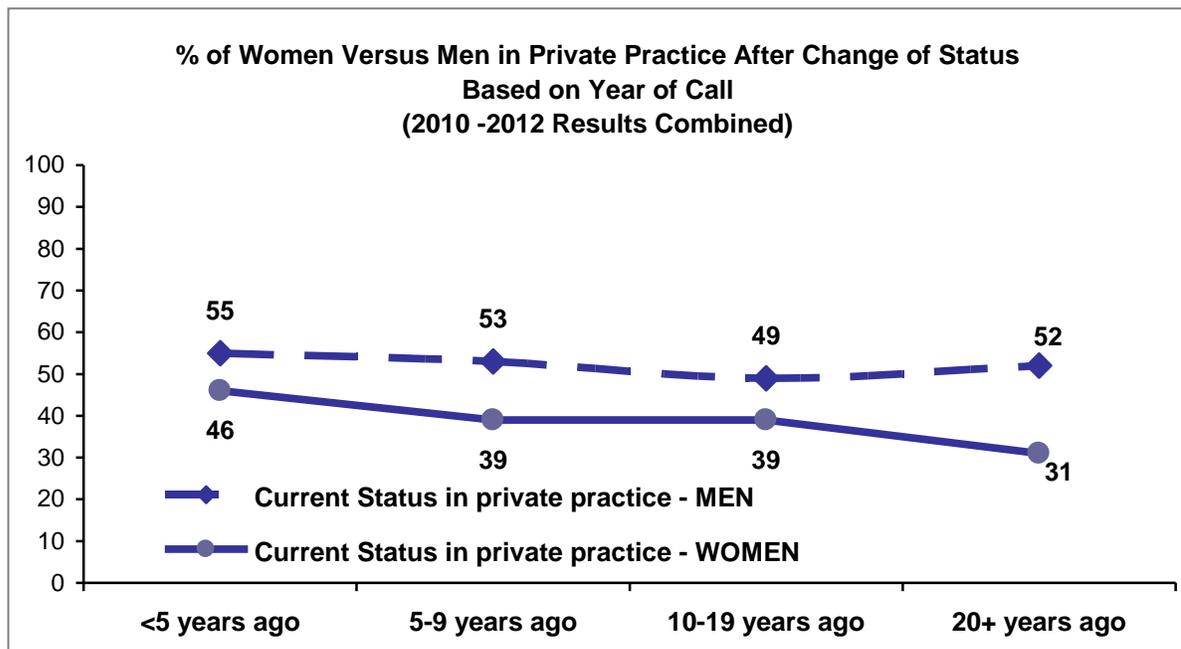
- The proportion of women in private practice among the group most recently called to the bar (<5 years ago) decreases 6 points (from 52% previous position in private practice to 46% current position private practice)
- For those called 5-9 years ago, 39% of women are currently in a private practice position, a drop of 20 points from a prior position. This period of practice strongly coincides with the early child rearing age.
- By contrast, over one-half of men (53%) called to the bar in this period (5-9 years ago) are in private practice after a change of status. This represents a greater proportion than women. Further, the gap for men between previous and current position in private practice is significantly smaller (drop of 13 points compared to the drop of 20 points for women).



## Change of Status Characteristics Based on Year of Call

- Once in the bar for 10-19 years, smaller proportions of men and women are submitting change of status submissions where their previous practice position is one in a private setting (45% and 53%, respectively, compared to the 59% and 66% among those called to the bar 5-9 years ago).
  - Among these lawyers, there is a much smaller decline in the proportions ending up in a private practice position (39% for women, a decline of 6 points and 49% of men, a decline of 4 points).
- At 20 years or more in the bar, women are again dropping out of private practice at a greater rate than men.
  - 38% of women submitting a change of status at this stage report starting from a private practice position, with only 31% practising in a private setting after a change of status – a drop of 7-points.
  - By contrast a majority of men submitting a change of status at this stage are in private practice (55%), and a majority hold a private practice position after their change (52%), a decline of only 3-points.

In summary, at each period based on year of call, greater proportions of men are submitting change of status submissions where their previous position is one in a private practice setting. Yet, at each period, it is women who are exhibiting greater declines in the likelihood of being in private practice after their change of status. In addition, they are significantly less likely to be in a private practice position after their change of status compared to men as the following overview chart illustrates.



**X. Change of Status Characteristics Based on Youngest Dependent in the Home (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

## Change of Status Characteristics Based on Youngest Dependent in Home

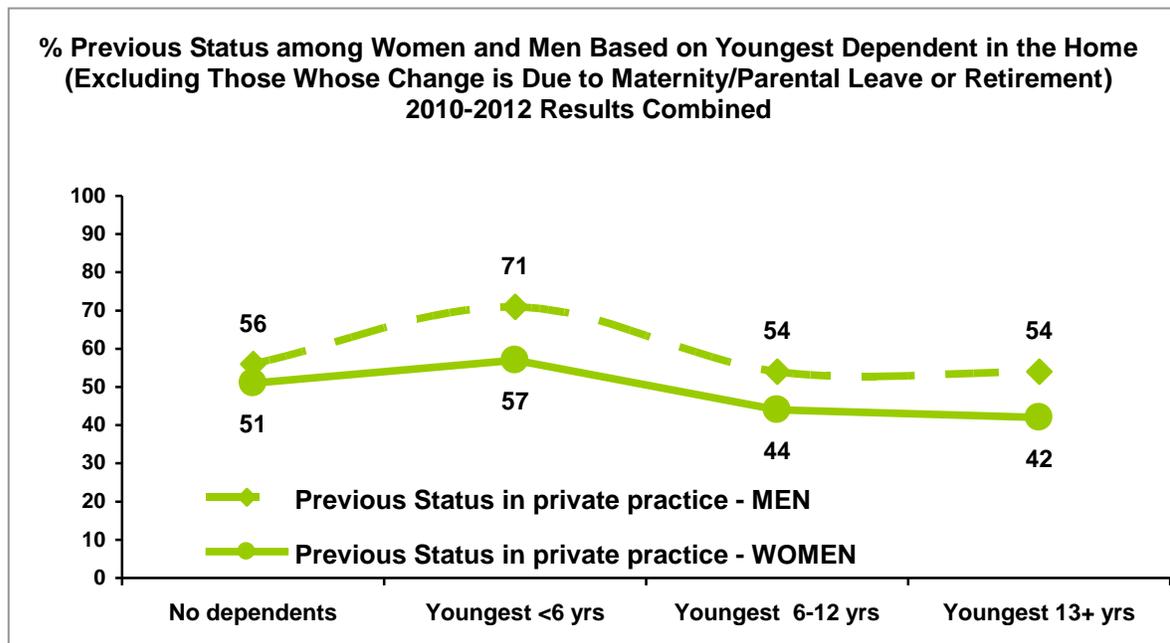
### A. Women Compared to Men – Practice Type Based On Youngest Dependent in Home

As noted in the examination of change in status based on year of call, the gap between the incidence of women and men who are in private practice after their change of status is particularly acute in this period 5-9 years post-call. This period often coincides with a life stage period during which women and men are most likely to have children.

A deeper analysis of the results based on the existence of dependents under the age of 18 in the household has been undertaken in order to examine its effect on movement away from private practice. The results suggest that during the early children rearing years, as well as the period when children are still in elementary school, the incidence of moving to or staying within private practice is much weaker among women than it is among men.

The table below illustrates that as soon as there are young children in the home, women are much less likely than men to be making a change of status that starts from a position of private practice.

- With no dependents in the home, similar proportions of both women and men who made a change of status started out in a private practice position: Half of women (51%) initiate a change of status from a position in private practice. The proportion among men is only slightly greater at 56%.
- In the early child rearing years (youngest dependent <6 years), fully 71% of men who change status start from a position in private practice. Among women, the proportion is much smaller at 57%. So while the proportions of both women and men in private practice at this stage are higher than those with no dependents, the increase among women (up 6 points) is much smaller than that among men (up 15 points).
- Then, the proportion of women starting from a position in private practice continues to decline as the youngest dependent ages (44% of women start from a private practice position when their youngest dependent is 6-12 years compared to 54% of men).



## Change of Status Characteristics Based on Youngest Dependent in Home

### % Previous Status among Women and Men Based on Youngest Dependent in the Home (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement) (2010-2012 Results Combined)

Dependents in the Home	WOMEN – Previous Position in NON-PRIVATE PRACTICE	MEN – Previous Position in NON-PRIVATE PRACTICE	GAP (Between women and men)
No dependents in home	27	25	Not significant
Youngest dependent is <6 years of age	33	19	+13
Youngest dependent is 6-12 years of age	36	35	Not significant
Youngest dependent is 13+ years of age	31	26	Not significant
Dependents in the Home	WOMEN - Previous position NOT-IN-LAW	MEN - Previous position NOT-IN-LAW	GAP (Between women and men)
No dependents in home	23	19	Not significant
Youngest dependent is <6 years of age	11	9	Not significant
Youngest dependent is 6-12 years of age	20	11	+9
Youngest dependent is 13+ years of age	27	20	+7

Base : Women excluding those whose change was due to parental leave or retirement (2010-2012 combined – no dependents n=985, youngest <6 years n=269, youngest 6-12 years n=185; youngest 13+ years n=141)

Base : Men excluding those whose change was due to parental leave or retirement (2010-2012 combined – no dependents n=749, youngest <6 years n=192, youngest 6-12 years n=108; youngest 13+ years n=164)

Women are also more likely than men, for the most part, to have come to their change of status from outside of the practice of law, regardless of their year of call.

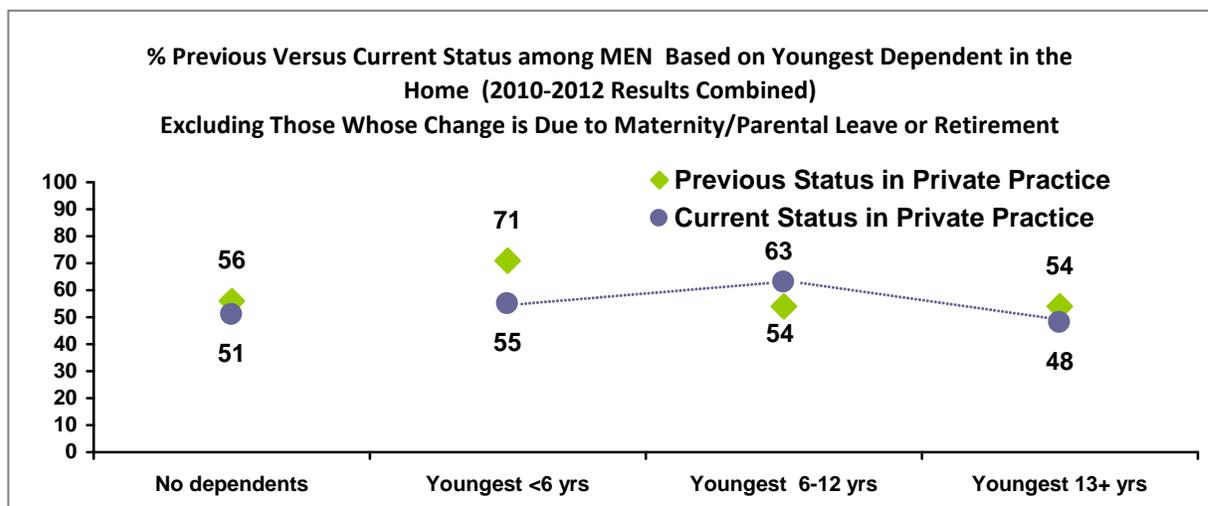
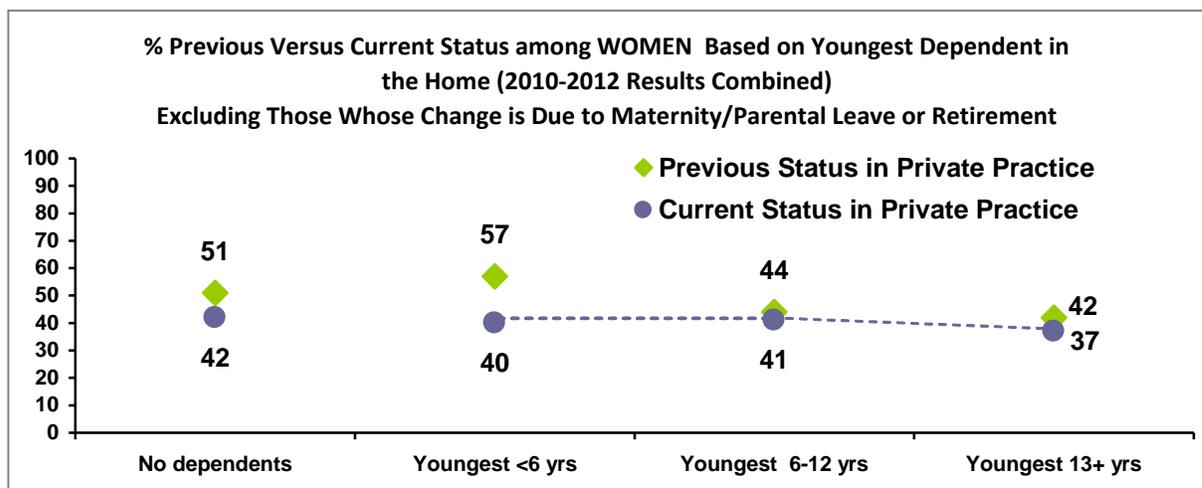
## Change of Status Characteristics Based on Youngest Dependent in Home

### B. Women Compared to Men – Incidence of Being in Private Practice Prior to and After Change of Status

For women, there are significant declines in the proportions reporting they are in private practice after a change of status, regardless of whether there are dependents in the home, or based on the age of dependents. Yet, there is one life-stage period during which the decline greatest: When there are dependent children in the household and the youngest is under 6 years of age.

- For women, the decline is -17 points (from 57% in private practice in a previous position versus 40% in their current position). For men, the decline is not significantly different at -16 points (from 71% in private practice in a previous position versus 55% in their current position).

Among men, the trend is different. While there are declines in the proportions in private practice after a change when there are no dependents in the home and when the youngest dependent is under six years of age, there is actually a significant increase in the proportion reporting they are in private practice after their change when the youngest dependent in the home is 6-12 years of age.



## Change of Status Characteristics Based on Youngest Dependent in Home

These trends lead to stark differences in the incidence of women versus men reporting they are in private practice after a change of status based on youngest dependent in the home.

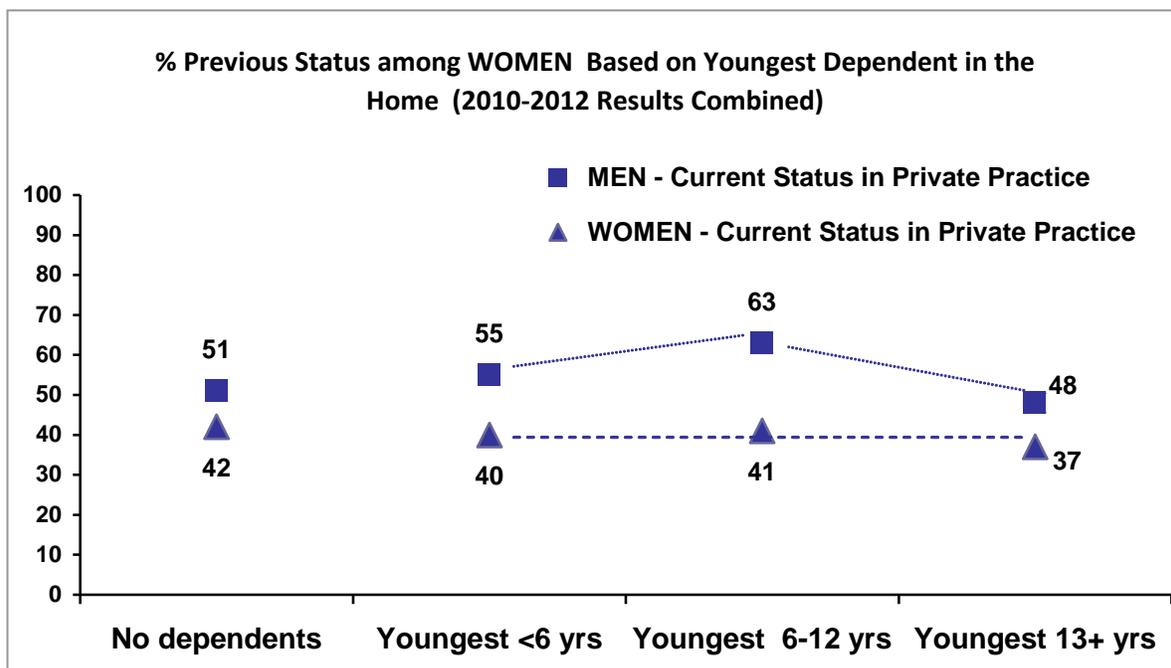
Over one-half of men are in a private practice position after their change of status (i.e., in their current position) if they have no dependents in the home (51%), dependents with the youngest being under 6 years of age (55%) and with the youngest dependent being 6-11 years of age (63%). In fact, the results indicate that as children within the household grow older, men are more likely to end up in private practice. Only among men with the youngest dependent being 13 years of age or older is there is a drop in the proportion in private practice in their current position (down to 48%).

Compare these findings with women, and the differences are stark as the charts on the following page clearly illustrate. About four-in-ten women hold a current position in private practice regardless of age of dependents after a change of status. This means that during the period when the youngest dependent in the home is under the age of 13 years, women are much less likely to hold a position in private practice compared to men.

- 15 point gap for those with youngest dependent under 6 years of age: 40% of women are in private practice versus 55% of men.
- 22 point gap for those with youngest dependent being 6-12 years of age: 41% of women are in private practice versus 63% of men.

When the youngest dependent in the home is 13 years of age and older, the gap tends to close slightly:

- 11 point gap: 37% of women are in private practice versus 48% of men.



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

## Change of Status Characteristics Based on Equity-Seeking Status

### 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

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 each of the three years, slightly more than two-thirds of respondents do not self-identify with an equity-seeking community. Close to one-in-six self-identify as belonging to a racialized equity-seeking community and the same proportion self-identify as belonging to another equity-seeking community.

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

	<b>2010</b>	<b>2011</b>	<b>2012</b>
	n=998	N=1104	n=955
	%	%	%
Do not self-identify with an equity-seeking community	68	70	67
Self-identify as member of a “racialized” equity-seeking community	16	15	14
Self-identify as member of a non-racialized equity-seeking community	16	15	19

## Change of Status Characteristics Based on Equity-Seeking Status

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There is a decline in the incidence of those in private practice among those who do not self-identify as belonging to an equity-seeking community (down 7 points to 48% in current position). A commensurate increase is evident in the proportion who report that they are no longer practising law (up 5 points from 19% to 24%).

The trend among members of an equity-seeking community is similar to that found among those who are not members of such a community. Among both those who identify as members of a racialized equity-seeking community and those who identify as members of a non-racialized equity-seeking community, there are declines in the proportions reporting that they are working in private practice after their change of status:

- 53% to 46% among the racialized equity-seeking group.
- 47% to 40% among the non-racialized equity-seeking group.

The non-racialized equity-seeking group distinguishes itself from the other two in that they were less likely to be in a private practice position prior to their change of status. Since all three groups have equal declines in the proportions in private practice after a change of status, this means members of a non-racialized equity-seeking group are significantly less likely to currently be practising in a private setting (40%) compared to the other two groups (48% among the non-equity-seeking group and 46% among the racialized equity-seeking group).

## Change of Status Characteristics Based on Equity-Seeking Status

### Practice Type or Work Setting – Previous Versus Current Position (2010-2012) Based on Equity Seeking Status (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
<b>Sample size n=</b>	2085	460	512	2085	460	512
	%	%	%	%	%	%
<b>NET: PRIVATE PRACTICE (BOTH OUTSIDE AND IN TORONTO)</b>	55	53	47	48	46	40
<b>NET: PRIVATE PRACTICE OUTSIDE TORONTO</b>	27	20	26	25	17	22
Sole practice outside of Toronto	7	5	7	8	8	7
Private law firm outside Toronto with 5 lawyers or less	7	7	8	6	5	8
Private law firm outside of Toronto with 6 to 10 lawyers	3	2	2	3	2	1
Private law firm outside Toronto with 11 to 50 lawyers	6	4	5	5	1	3
Private law firm outside Toronto with > 50 lawyers	4	2	4	3	1	3
<b>NET: PRIVATE PRACTICE IN TORONTO</b>	28	33	21	23	29	18
Sole practice in Toronto	4	6	3	6	9	7
Private law firm in Toronto with 5 lawyers or less	4	7	4	4	5	3
Private law firm in Toronto with 6 to 10 lawyers	2	3	3	2	5	2
Private law firm in Toronto with 11 to 50 lawyers	5	8	4	3	4	3
Private law firm in Toronto with > 50 lawyers	13	9	7	8	6	3
<b>NET: NON-PRIVATE PRACTICE</b>	26	28	31	28	32	34
In-house counsel for a private corporation	6	4	4	4	5	4
Government or a public agency	14	15	20	15	19	18
Education	1	2	1	2	3	4
Crown	2	1	2	2	1	2
Legal clinic	<1	1	1	1	1	1
Non-governmental organization (NGO)	<1	2	1	1	1	2
Some other setting	3	3	2	3	2	3
<b>NET: NOT PRACTISING LAW</b>	19	19	22	24	22	26
<b>Not working in law (working outside law)</b>	7	4	8	9	9	9
Unemployed	2	3	2	3	3	2
On leave	2	1	2	1	-	3
Not working for pay	7	9	7	8	8	9
Other – legal related	1	2	3	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.

## Change of Status Characteristics Based on Equity-Seeking Status

An examination based on gender does not provide a clear picture as to whether women in specific equity-seeking communities are leaving private practice to a greater degree than women who do not self-identify with any of these communities.

Women who do not self-identify as a member of an equity-seeking community and those who do self-identify with a racialized equity-seeking community do not appear to differ in their likelihood of being in private practice either prior to or after a change of status. Although there is little significant difference in the current position among women who self-identify as a member of a non-racialized equity-seeking community, these women were less likely to have been in private practice in their previous position.

Men who self-identify with a racialized equity-seeking community are no less likely to be in a private practice position after than their change of status than prior to it. By contrast, the proportions of those who are in private practice after their change of status among those who self-identify with a non-racialized equity-seeking group and those who do not self-identify with either of the two-equity seeking communities decreases (-8 points and -6 points) after a change in status.

**Change of Status Characteristics Among Women and Men  
Based on Equity Seeking Status  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	Those Who <u>Do Not</u> 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	n=1102	n=294	n=294	n=265	n=265
<b>In private practice</b>	51	42	50	39	42	37
<b>In non-private practice</b>	28	33	28	35	36	38
<b>Not-in-law</b>	21	25	22	26	22	25
<b>Men</b>	n=982	n=982	n=166	n=166	n=245	n=245
<b>In private practice</b>	60	54	57	58	51	43
<b>In non-private practice</b>	24	23	28	27	27	29
<b>Not-in-law</b>	16	23	15	15	22	28

**XII. Benefits and Operating Policies Available  
in Previous and Current Position  
(Excluding Those Whose Change is Due to  
Maternity/Parental Leave or Retirement)**

## Benefits and Employment Policies Offered in Previous and Current Position

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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.

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 if 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.

Health-related benefits are amongst the most likely to be offered in both previous and current positions:

- Medical insurance (66% report this benefit in their previous position, 60% their current position);
- A dental plan (64% report this benefit in their previous position, 59% in their current position);
- Long-term disability (52% report this benefit in their previous position, 49% in their current position).

Close to one half or more of respondents report that their employer/firm offered three other benefits/policies.

- Continuing legal education (64% have this benefit in their previous position, 61% in their current position).
- Harassment and discrimination policy (54% report this benefit in both their previous position and current positions).
- Sick leave (49% report this benefit in their previous position, 47% in their current position).

Across the six different benefits noted above, there are declines or no significant changes in the proportions of respondents who report that the benefits are offered at their current versus their previous position. The results for both women and men are consistent with the total sample.

- These results suggest that such benefits/policies are not likely to be strong factors in driving a change of status. If they were, it would be expected that there would be an increase in the incidence of those who say that their current position offers the benefit/or policy relative to their previous position.

## Benefits and Employment Policies Offered in Previous and Current Position

There are a number of benefits/policies for which the incidence is low both in previous and current position. Five percent or less of all respondents report that either their current or their previous position offers the following:

- Child care benefits;
- Day care facilities;
- 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, along with the lack of difference in the incidence of those who are aware that their employer offers these benefits, suggests that they are not actively sought out by many in their decision to change status.

### Incidence of Benefit or Policy Offered in Previous Versus Current Position Among Total Sample (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

	PREVIOUS POSITION	CURRENT POSITION
n=	2621	2621
	%	%
<b>Financial and Health-Related Benefits/Plans</b>		
Medical Insurance	66	60↓
A dental plan	64	59↓
Long-term disability	52	49↓
A pension plan	29	34↑
<b>Flexible Work Options</b>		
Flexible full-time work hours	29	42↑
Part-time work	17	21↑
Job sharing	4	6↑
<b>Parental Benefits</b>		
Paid maternity leave	26	26
Paid parental leave	20	21
Unpaid maternity leave	18	18
Unpaid parental leave	17	18
Child care benefits	4	5
Day care facilities	2	3
<b>Partnership Options</b>		
Income partnerships	15	14
Part-time partnerships	3	3
<b>Leave Options</b>		
Sick leave	49	47
Leave of absence or sabbatical	22	25↑
<b>Other Offerings/Policies</b>		
Continuing legal education	64	61↓
Harassment and discrimination policy	54	54
Accommodation for special needs policy	33	36↑
Formal mentoring policy	28	29

## Benefits and Employment Policies Offered in Previous and Current Position

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A number of benefits/policies may have more influence of 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 (29% previous position/42% current position – 13 point increase).
- Leave of absence or sabbatical (22% previous position/25% current position – 3 point increase).
- Part-time work (17% previous position/21% current position – 4 point increase).
- Job sharing (4% previous position/6% current position – 2 point increase).

In addition to these work arrangement-related benefits, there are two other benefits/policies proportions noting that their new position offers these:

- A pension plan (29% previous position/34% current position – 5 point increase).
- Accommodation for special needs policy (33% previous position/36% current position – 3 point increase).

The likelihood that those benefits/policies are factors in a change is most strongly evident among women.

- Flexible full-time work hours (31% previous position/45% current position – 14 point increase).
- Part-time work (19% previous position/24% current position – 5 point increase).
- Job sharing (4% previous position/7% current position – 3 point increase).
- Leave of absence or sabbatical (24% previous position/29% current position – 3 point increase).
- A pension plan (32% previous position/39% current position – 5 point increase).
- Accommodation for special needs policy (34% previous position/40% current position – 5 point increase).

Among men, there are only two benefits where significant increases are evident. For each, the proportion of men indicating that the benefit is available in a current position is significantly lower than it is for women.

- Flexible full-time work hours (28% previous position/38% current position – 10 point increase).
- Part-time work (14% previous position/18% current position – 4 point increase)

For the remainder of benefits/policies, there are no significant differences in the proportions saying they are available at their current position compared with their previous position among either men or women.

## Benefits and Employment Policies Offered in Previous and Current Position

### Incidence of Benefits/ Policies at Previous Versus Current Position Total sample (Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)

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

	TOTAL SAMPLE		WOMEN		MEN	
	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION	PREVIOUS POSITION	CURRENT POSITION
n=	2621	2621	1393	1393	1226	1226
	%	%	%	%	%	%
<b>Financial and Health-Related Benefits/Plans</b>						
Medical Insurance	66	60↓	67	64	64	56↓
A dental plan	64	59↓	65	63	63	55↓
Long-term disability	52	49↓	54	52	50	45↓
A pension plan	29	34↑	32	39↑	27	28
<b>Flexible Work Options</b>						
Flexible full-time work hours	29	42↑	31	45↑	28	38↑
Part-time work	17	21↑	19	24↑	14	18↑
Job sharing	4	6↑	4	7↑	5	5
<b>Parental Benefits</b>						
Paid maternity leave	26	26	36	35	16	15
Paid parental leave	20	21	23	25	17	17
Unpaid maternity leave	18	18	26	23	11	11
Unpaid parental leave	17	18	20	21	14	15
Child care benefits	4	5	5	6	4	4
Day care facilities	2	3	3	4	2	3
<b>Partnership Options</b>						
Income partnerships	15	14	13	12	17	16
Part-time partnerships	3	3	3	4	3	3
<b>Leave Options</b>						
Sick leave	49	47	53	53	45	41
Leave of absence or sabbatical	22	25↑	24	29↑	21	21
<b>Other Offerings/Policies</b>						
Continuing legal education	64	61↓	65	64	63	57
Harassment and discrimination policy	54	54	55	59↑	53	50
Accommodation for special needs policy	33	36↑	34	40↑	32	32
Formal mentoring policy	28	29	27	31↑	29	28

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.

## **Benefits and Employment Policies Offered in Previous and Current Position**

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An examination of the benefits/policies offered solely among those who began their change of status with a position in private practice suggests that if benefits and policies are at least in some measure drivers of a change, those that have an effect on a change from private to non-private practice are:

- Job sharing (up 7 points from previous to current position);
- Paid maternity leave (up 28 points from previous to current position);
- Paid parental leave (up 10 points from previous to current position);
- Unpaid parental leave (up 8 points from previous to current position);
- Sick leave (up 32 points from previous to current position);
- Harassment and discrimination policies (up 35 points from previous to current position); and,
- Accommodation for special needs policies (up 38 points from previous to current position).

These increases are not evident among those who have made a move within private practice.

Among those who have made a change in private practice settings, the only benefits/policies that are more likely to be offered in the new position are:

- Flexible full-time work hours (up 12 points from previous to current position);
- Part-time work (up 6 points from previous to current position); and,
- Paid maternity leave (up 4 points from previous to current position).

# Benefits and Employment Policies Offered in Previous and Current Position

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**Incidence of Benefits/Policies at Previous Versus Current Position  
Among Those Whose Original Position Was in Private Practice  
(Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)**

## Benefits and Employment Policies Offered in Previous and Current Position

**WOMEN COMPARED TO MEN**  
**Status of Benefits/ Policies at Previous Versus Current Position**  
**Among Those Whose Original Position Was in Private Practice**  
 Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement

	PRIVATE TO PRIVATE			PRIVATE TO NON-PRIVATE			PRIVATE TO NOT IN LAW		
	PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP
FINANCIAL AND HEALTH-RELATED BENEFITS/PLANS	Offers benefit or operating policy	Offers benefit or operating policy		Offers benefit or operating policy	Offers benefit or operating policy		Offers benefit or operating policy	Offers benefit or operating policy	
n=	421	421		209	209		194	110	
	%	%		%	%		%	%	
<b>WOMEN</b>									
Medical Insurance	70	59	-11	66	82	+16	59	40	-19
A dental plan	67	57	-10	60	81	+21	57	37	-20
Long-term disability	52	47	-6	44	72	+28	40	29	-11
A pension plan	5	6	NS	8	77	+69	6	32	+26
<b>MEN</b>									
n=	514	514		146	146		147	95	
	%	%		%	%		%	%	
Medical Insurance	62	52	-10	64	77	+13	60	36	-24
A dental plan	59	49	-10	61	76	+15	60	36	-24
Long-term disability	43	37	-6	47	69	+22	42	31	-11
A pension plan	5	4	NS	4	67	+63	8	26	+18

Note: NS= Change is not significant

FLEXIBLE WORK OPTIONS	PRIVATE TO PRIVATE			PRIVATE TO NON-PRIVATE			PRIVATE TO NOT IN LAW		
	PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP
n=	421	421		209	209		194	110	
	%	%		%	%		%	%	
<b>WOMEN</b>									
Flexible full-time work hours	30	47	+13	29	49	+20	25	31	+6
Part-time work	14	24	+10	19	23	NS	18	20	NS
Job sharing	2	5	NS	2	13	+11	2	5	NS
<b>MEN</b>									
n=	514	514		146	146		147	95	
	%	%		%	%		%	%	
Flexible full-time work hours	27	36	+9	21	42	+21	24	28	NS
Part-time work	9	11	NS	10	25	+15	14	16	NS
Job sharing	3	4	NS	3	7	+4	4	6	NS

Note: NS= Change is not significant

# Benefits and Employment Policies Offered in Previous and Current Position

## WOMEN COMPARED TO MEN Status of Benefits/ Policies at Previous Versus Current Position (Continued) Among Those Whose Original Position Was in Private Practice (Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)

PARENTAL BENEFITS	PRIVATE TO PRIVATE			PRIVATE TO NON-PRIVATE			PRIVATE TO NOT IN LAW		
	PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP
n=	421	421		209	209		194	110	
	%	%		%	%		%	%	
<b>WOMEN</b>									
Paid maternity leave	32	26	-6	38	54	+16	23	18	NS
Paid parental leave	15	12	NS	16	39	+23	11	13	NS
Unpaid maternity leave	27	25	NS	35	33	NS	25	13	-12
Unpaid parental leave	19	18	NS	24	30	NS	12	11	NS
Child care benefits	3	2	NS	4	11	+7	3	3	NS
Day care facilities	2	2	NS	0	7	+7	2	2	NS
<b>MEN</b>									
n=	514	514		146	146		147	95	
	%	%		%	%		%	%	
Paid maternity leave	9	6	NS	15	29	+14	16	14	NS
Paid parental leave	8	6	NS	15	36	+21	12	19	NS
Unpaid maternity leave	8	7	NS	13	15	NS	7	9	NS
Unpaid parental leave	10	8	NS	16	29	+13	13	14	NS
Child care benefits	3	2	NS	3	10	+7	3	6	NS
Day care facilities	1	0	NS	1	8	+7	1	5	NS

Note: NS= Change is not significant

PARTNERSHIP AND LEAVE OPTIONS	PRIVATE TO PRIVATE			PRIVATE TO NON-PRIVATE			PRIVATE TO NOT IN LAW		
	PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP
n=	421	421		209	209		194	110	
	%	%		%	%		%	%	
<b>WOMEN</b>									
Income partnerships	27	30	NS	27	1	-26	17	2	-15
Part-time partnerships	5	9	+4	4	2	NS	3	1	NS
Sick leave	42	38	NS	41	75	+34	38	33	NS
Leave of absence or sabbatical	11	15	NS	12	46	+34	18	17	NS
<b>MEN</b>									
n=	514	514		146	146		147	95	
	%	%		%	%		%	%	
Income partnerships	27	27	NS	27	2	-25	22	8	-14
Part-time partnerships	3	3	NS	3	1	NS	3	4	NS
Sick leave	34	27	-7	38	66	+28	31	27	NS
Leave of absence or sabbatical	11	11	NS	15	42	+27	18	12	NS

Note: NS= Change is not significant

## Benefits and Employment Policies Offered in Previous and Current Position

**WOMEN COMPARED TO MEN**  
**Status of Benefits/ Policies at Previous Versus Current Position (Continued)**  
**Among Those Whose Original Position Was in Private Practice**  
**(Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)**

OTHER BENEFITS/ POLICIES	PRIVATE TO PRIVATE			PRIVATE TO NON-PRIVATE			PRIVATE TO NOT IN LAW		
	PREVIOUS POSITION	CURRENT POSITION		PREVIOUS POSITION	CURRENT POSITION	GAP	PREVIOUS POSITION	CURRENT POSITION	GAP
n=	421	421		209	209		194	110	
	%	%		%	%		%	%	
<b>WOMEN</b>									
Continuing legal education	76	71	-5	71	78	+7	62	25	-37
Harassment and discrimination policy	45	44	NS	48	87	+39	39	40	NS
Accommodation for special needs policy	18	21	NS	20	59	+39	15	24	+9
Formal mentoring policy	32	33	NS	33	38	+5	25	18	-7
<b>MEN</b>									
n=	514	514		146	146		147	95	
	%	%		%	%		%	%	
Continuing legal education	67	62	-5	73	73	NS	61	21	-40
Harassment and discrimination policy	46	42	-4	52	79	+27	35	28	-7
Accommodation for special needs policy	19	21	NS	20	55	+35	21	18	-3
Formal mentoring policy	30	27	NS	41	38	NS	27	15	-12

Note: NS= Change is not significant

**XIII. Attributes of Previous and Current  
Position  
(Excluding Those Whose Change is Due to  
Maternity/Parental Leave or Retirement)**

## Attributes of Previous and Current Position

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 was through exploring 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							
The benefits are good							

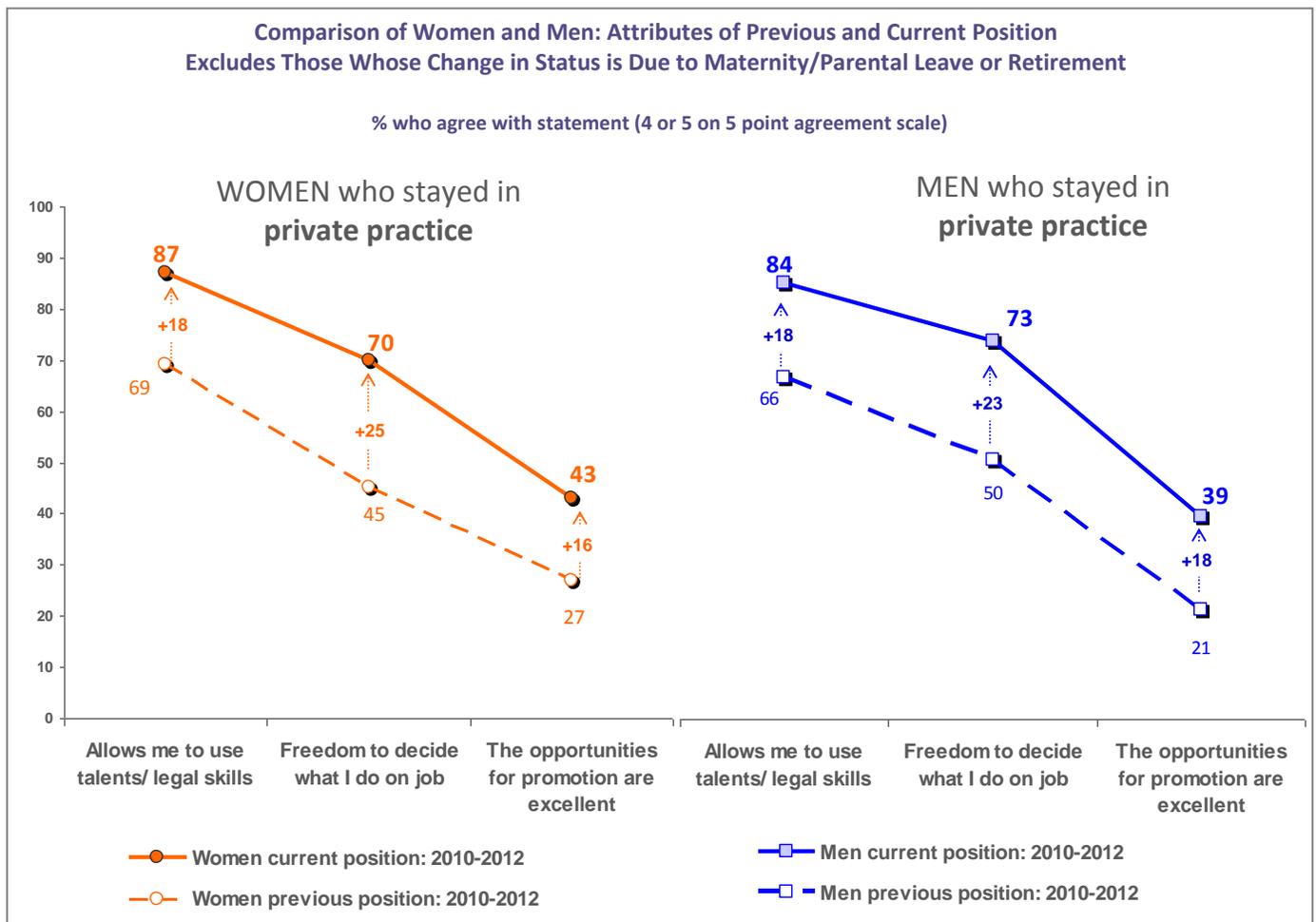
An increase in the incidence of agreement or disagreement that any one of these attributes is associated with the previous or current position may suggest that the attribute played some role in the decision to make a change in status. While it cannot be determined whether these attributes "drive" the decision to change, the comparison provides some perspective as to the types of workplace benefits/conditions that are valued by lawyers.

## Attributes of Previous and Current Position

### A. Practice Opportunities – Those Who Have Stayed in Private Practice

A comparison of women and men who have moved from one private practice position to another finds similar perceptions of practice opportunities in both their prior and current positions. For both women and men, there are significant improvements as a result of a change:

- Allows me to use my talents/ legal skills (18 point increase from previous to current position among both women and men);
- Freedom to decide what I do on the job (25 point increase among women and 23 point increase among men);
- The opportunities for promotion are excellent (16 point increase among women and 18 point increase among men).



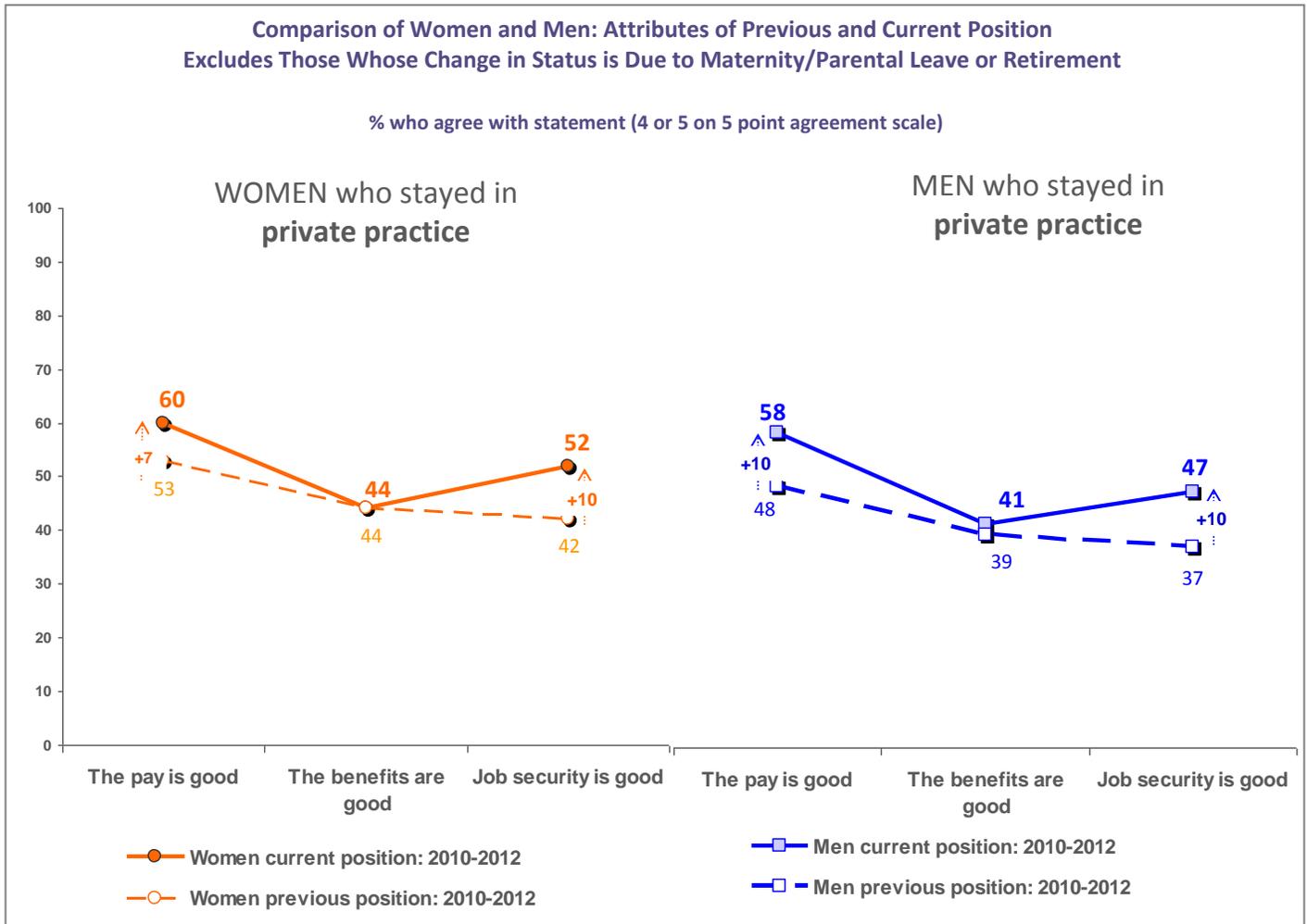
# Attributes of Previous and Current Position

## B. Benefits and Job Security - Those Who Have Stayed in Private Practice

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

- The pay is good (7 point increase from previous to current position among women and 10 point increase among men);
- The benefits are good (no significant increase among either women or men);
- The job security is good (10 point increase among both women and 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.



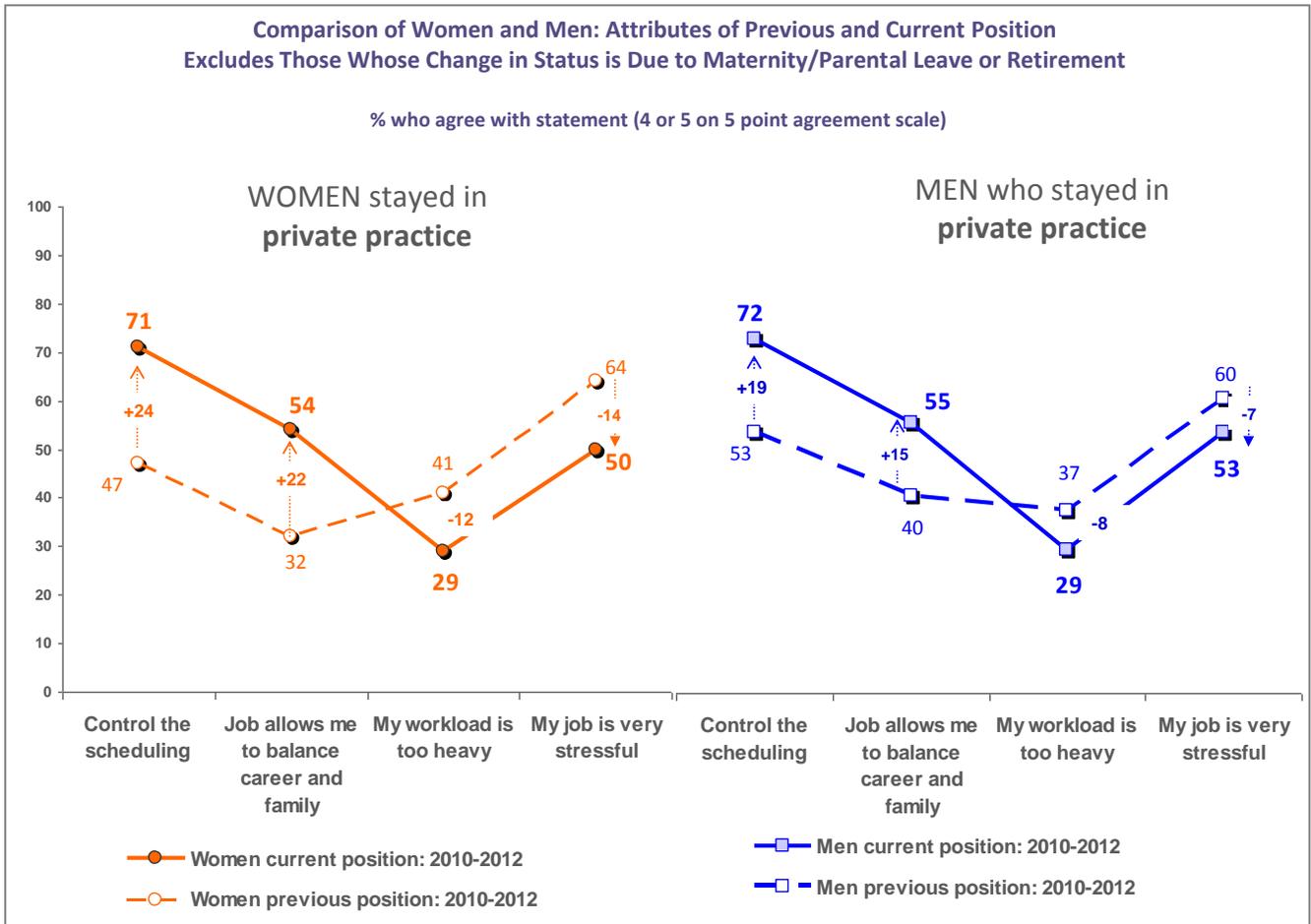
# Attributes of Previous and Current Position

## C. Work Life Balance and Stress - Those Who Have Stayed in Private Practice

When it comes to work-life balance and stress management, women and men who have moved within 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 (24 point increase from previous to current position among women and 19 point increase among men);
- The job allows me to balance career and family (22 point increase among women and 15 point increase among men);
- My workload is too heavy (12 point decrease among women and 8 point decrease among men); and,
- My job is very stressful (14 point decrease among women and 7 point decrease among men).

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

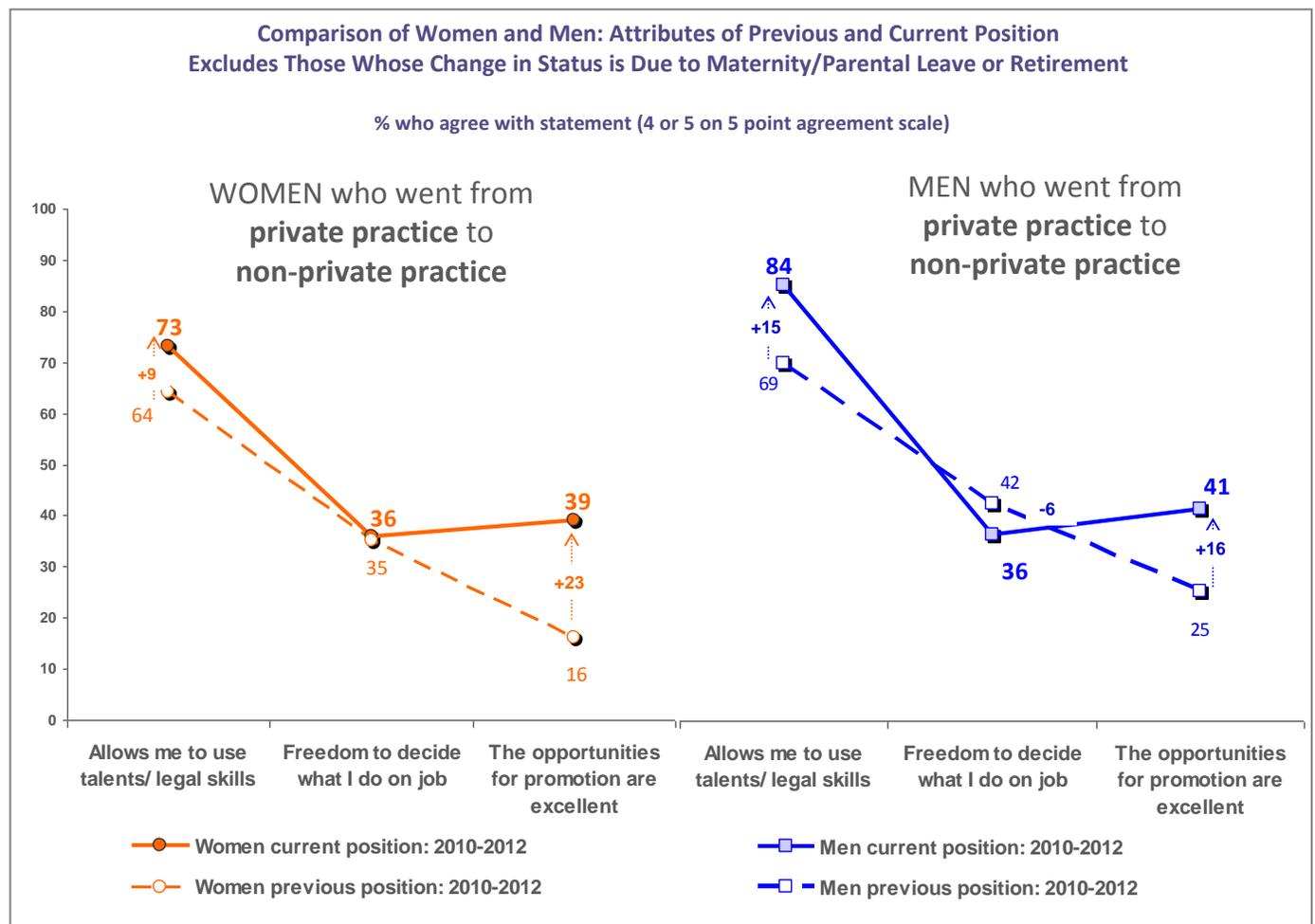


## Attributes of Previous and Current Position

### D. Practice Opportunities - Those Who Have Moved From Private Practice to Non-Private Practice

Analysis of those who have changed their status from a private practice position to a non-private practice position again finds that there are consistent perceptions among women and men. Greater proportions agree that their new position offers opportunity to use their talents and for promotion than agreed that their previous position offered these opportunities. However, there is no strong improvement in the proportions reporting that their new position allows them freedom to decide what they do on the job over their previous position.

The only significant difference between women and men appears to be that men are more likely than are women to agree that their new position “allows me to use my talents and legal skills” (84% and 73%, respectively).



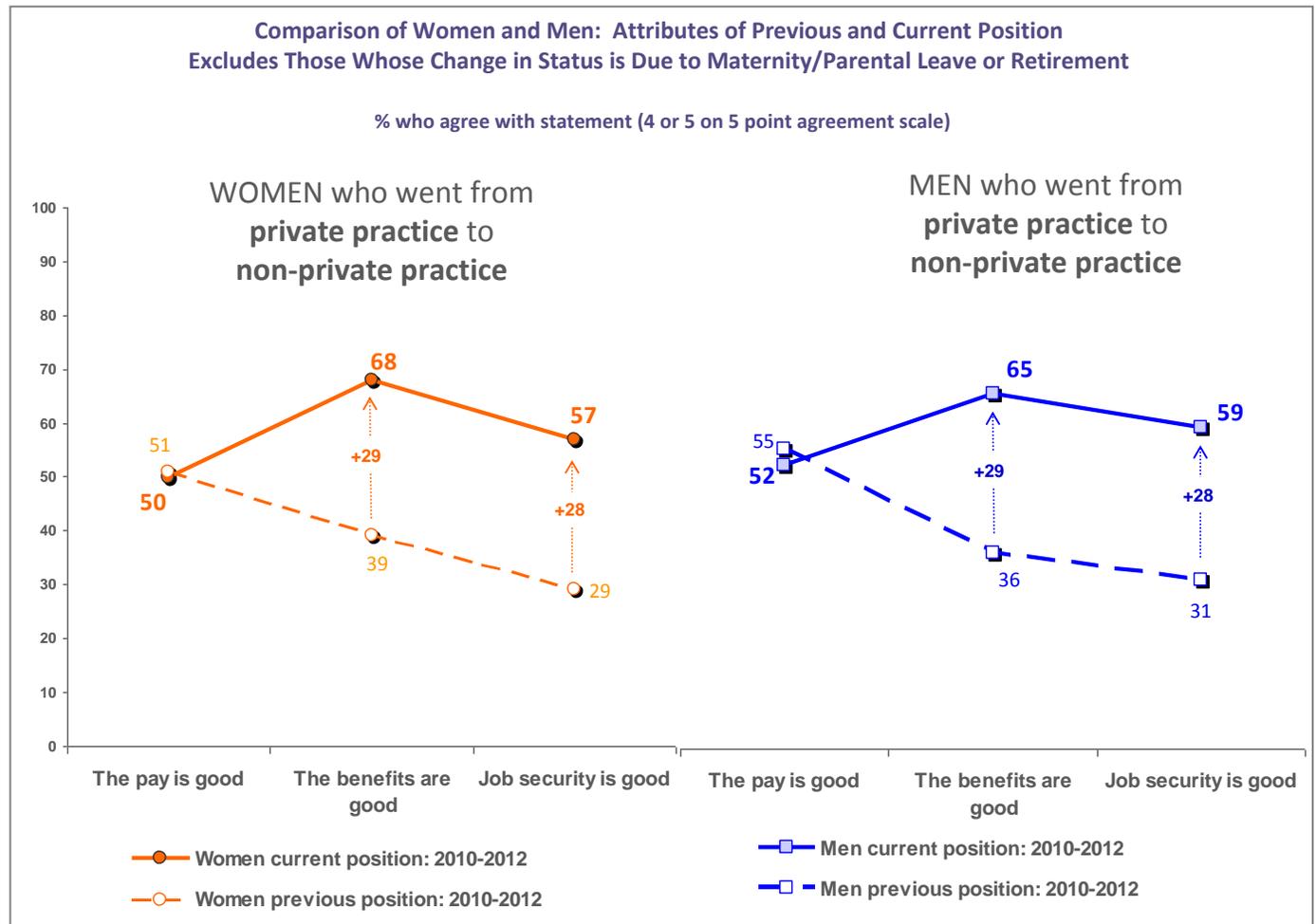
## Attributes of Previous and Current Position

### E. Benefits and Job Security - Those Who Have Moved From Private Practice to Non-Private Practice

There are large improvements 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 (29-point increase from previous to current position among both women and men)
- The job security is good (28-point increase from previous to current position among both women and men)

There is no significant change in the proportions who agree that the “pay is good” for either women or men.



## Attributes of Previous and Current Position

### F. Work-Life Balance and Stress - Those Who Have Transitioned From Private Practice to Non-Private Practice

Again, there are similar trends of improvement for issues related to work-life balance and job stress among both women and men who have moved into non-private practice. There are large increases in the proportions who believe their new position “allows me to balance career and family” compared to their previous position:

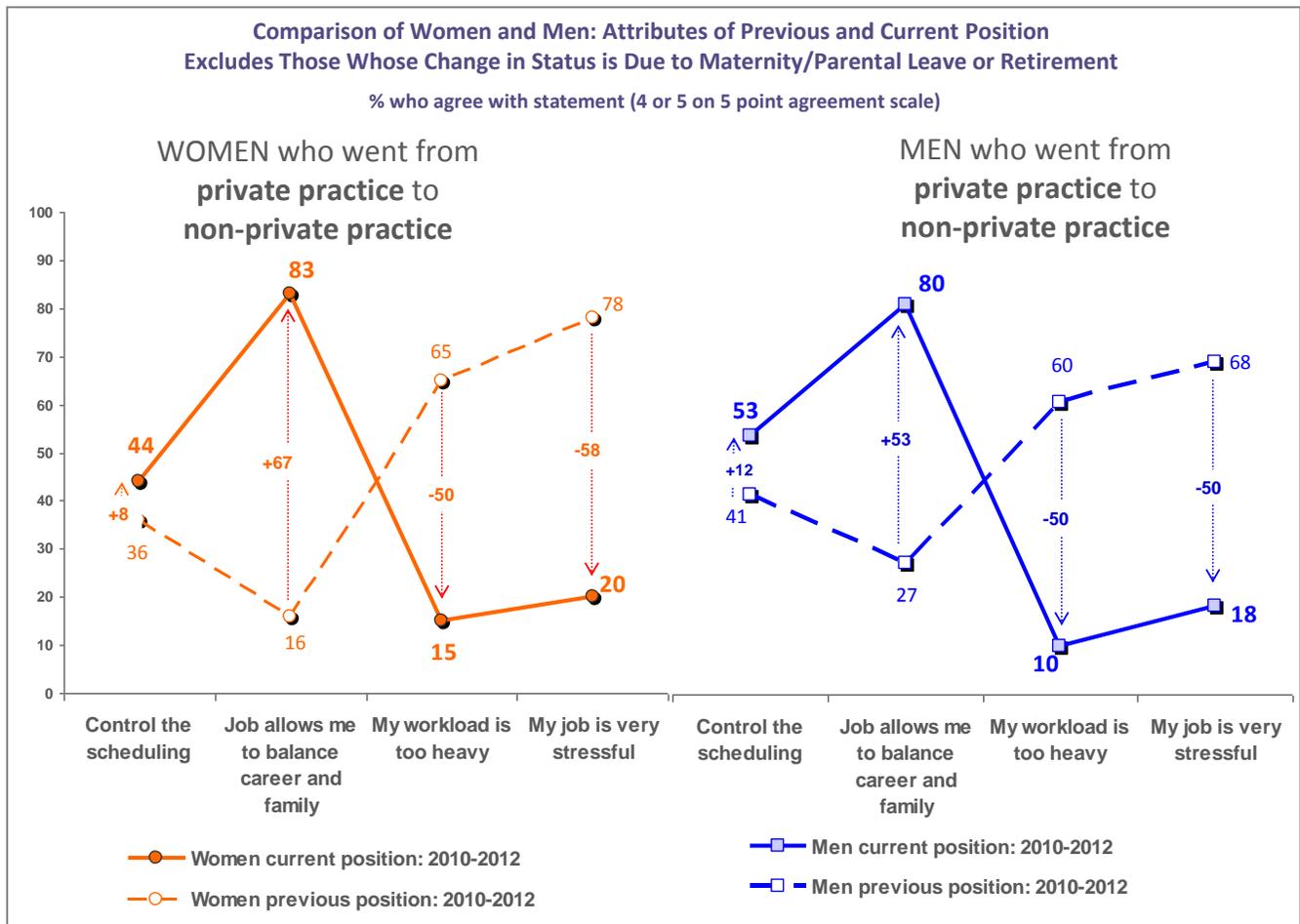
- The job allows me to balance career and family (67-point increase among women and 53-point increase among men).

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

- My workload is too heavy (50 point decrease among both women and men); and,
- My job is very stressful (58-point decrease among women and 50-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 (8-point increase among women and 12-point increase among men).



## Attributes of Previous and Current Position

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 offers the following practice opportunities:

- The pay is good (up 7 points – no significant change among those who moved into non-private practice);
- Allows me to use my talents/legal skills (up 19 points compared to a 9-point increase);
- Freedom to decide what I do in my job (up 25 points compared to no significant change); and,
- Control the scheduling (up 24 points compared to an 8-point increase).

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:

- Job security is good (up 28 points compared with 10 points for those who stayed in a private practice setting);
- The benefits are good (up 29 points - no significant change for those who stayed in a private practice setting);
- My workload is too heavy (drop of 50 points compared with an 11-point decline);
- My job is very stressful (drop of 58 points compared with a 14-point decline); and,
- Job allows me to balance career and family (up fully 67 points compared versus 22 points).

### Attributes of Previous and Current Position Among Women Who Remained in Private Practice and Those Who Have Moved to Non-Private Practice (Excludes Those Whose Change in Status is Related to Maternity/Parental Leave or Retirement)

	WOMEN who remained in a private practice setting			WOMEN who moved from private practice to non-private practice		
	Previous Status	Current Status	GAP	Previous Status	Current Status	GAP
	2010-2012	2010-2012	2010-2012	2010-2012	2010-2012	2010-2012
	%	%	(+/-)	%	%	(+/-)
<b>PRACTICE OPPORTUNITIES</b>						
The job allows me to use my talents and legal skills	69	87	+18	64	73	+9
I have the freedom to decide what I do in my job	45	70	+25	35	36	NOT SIGNIFICANT
The opportunities for promotion are excellent	27	43	+16	16	39	+23
<b>PAY AND BENEFITS</b>						
The pay is good	53	60	+7	50	51	NOT SIGNIFICANT
The benefits are good	44	44	NOT SIGNIFICANT	39	68	+29
Job security is good	42	52	+10	29	57	+28
<b>WORK-LIFE BALANCE AND STRESS</b>						
I control the scheduling	47	71	+24	36	44	+8
The job allows me to balance career and family	32	54	+22	16	83	+67
My workload is too heavy	41	29	-12	65	15	-50
My job is very stressful	64	50	-14	78	20	-58

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

## Importance of Specific Issues in Driving Change of Status

### A. Approach to Exploring Drivers of Change of Status

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 of status. Respondents were asked to rate the importance of 19 factors in their decision to move from their previous status to their current status on a scale from 1 to 5 where a “5” means the issue was “very important” factor and a “1” means the issue was “not at all important”.

*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								
I have the freedom to decide what I do in my job								
I control the scheduling								
The benefits are better								
The job allows me to use my talents and legal skills								

## Importance of Specific Issues in Driving Change of Status

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Just over three-quarters of those who have changed status were shown these questions (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, gone on leave, or have become unemployed.

The reason most often identified as driving a change of status is that a new position allows better use of talents and skills. Almost one-half (46%) cite “using my talents and legal skills” as an important reason for their change of status, providing a rating of “4” or “5”.

Second in importance is that a change has allowed respondents “to balance career and family” (mentioned by 41% of respondents as important).

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” and “I control the scheduling” as an important factor driving a change of status (37% and 36%, respectively).

A fourth tier of issues relates to stress, security of employment and remuneration:

- My job is less stressful (33%);
- The pay is better (31%); and,
- Job security is good (29%).

About one-quarter of respondents identify the following issues as important drivers in their change of status:

- The opportunities for promotion are excellent (27%);
- My current position offers flexible full-time work hours (26%); and,
- My workload has decreased (23%).

The remainder of the factors tested are mentioned by 20% or less of respondents.

The table on the following page illustrates that over half of respondents indicate that a number of benefits 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.

## Importance of Specific Issues in Driving Change of Status

### 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)

	2010-2012 RESULTS COMBINED			
	IMPORTANT (4 OR 5 ON SCALE)	NEUTRAL (3 ON SCALE)	NOT IMPORTANT (1 OR 2 ON SCALE)	NOT APPLICABLE OR DON'T KNOW
	%	%	%	%
The job allows me to use my talents and legal skills	46	15	10	29
The job allows me to balance career and family	41	15	12	33
I have the freedom to decide what I do in my job	37	15	17	32
I control the scheduling	36	16	16	32
My job is less stressful	33	15	17	36
The pay is better	31	11	24	35
Job security is good	29	17	16	39
The opportunities for promotion are excellent	27	16	15	43
My current position offers flexible full-time work hours	26	10	16	48
My workload has decreased	23	15	23	40
The benefits are better	20	13	23	44
There is a pension plan in my current position	16	5	16	63
There is a formal mentoring policy in my current position	12	7	19	62
My current position offers part-time work	10	4	21	65
There is paid maternity or parental leave	10	5	24	62
My current position offers a leave of absence or sabbatical	10	5	20	65
There is accommodation for special needs policy at my current position	5	4	21	70
There is job sharing in my current position	3	3	21	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 and retirement (n=2621)

## Importance of Specific Issues in Driving Change of Status

A comparison of those who have made a move originating in a position in private practice with the total sample suggests that there are certain issues that play a greater role among those in private practice as drivers of change. There are five factors that those who started in private practice deem to be important relative to the total sample.

- The job allows me to balance career and family (45% versus average of 41%);
- I have the freedom to decide what I do in my job (41% versus 37% average);
- My job is less stressful (40% versus average of 32%);
- Job security is good (34% versus average of 29%); and,
- My workload has decreased (29% versus average of 23%).

**Importance of Specific Issues in Driving a Change of Status  
COMPARISON OF TOTAL SAMPLE WITH THOSE  
WHOSE ORIGINATING POSITION WAS IN PRIVATE PRACTICE  
(Excluding Those Whose Change is Due to Maternity/Parental Leave or Retirement)**

	2010-2012 RESULTS COMBINED	
	Total Sample who have made a change of status	Previous position in private practice
	n=2621	n=1440
<b>SAMPLE INCLUDING DK/NOT STATED</b>	<b>%</b>	<b>%</b>
The job allows me to use my talents and legal skills	46	44
The job allows me to balance career and family	41	45
I have the freedom to decide what I do in my job	37	41
I control the scheduling	36	39
My job is less stressful	33	40
The pay is better	31	30
Job security is good	29	34
The opportunities for promotion are excellent	27	29
My current position offers flexible full-time work hours	26	28
My workload has decreased	23	29
The benefits are better	20	22
There is a pension plan in my current position	16	16
There is a formal mentoring policy in my current position	12	12
My current position offers part-time work	10	9
There is paid maternity or parental leave	10	9
My current position offers a leave of absence or sabbatical	10	10
There is accommodation for special needs policy at my current position	5	4
There is job sharing in my current position	3	4

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.

## Importance of Specific Issues in Driving Change of Status

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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 drivers of their change of status.

- The issues upon which they differ most strongly from the other groups are:
  - The job allows me to balance career and family (71% versus average of 45%);
  - My job is less stressful (64% and 40%, respectively);
  - The job allows me to use my talents and legal skills (57% and 46%);
  - My workload has decreased (52% and 29%);
  - There is a pension plan in my current position (50% and 16%);
  - Job security is good (48% and 34%);
  - The benefits are better (42% and 22%);
  - There is paid maternity or parental leave (21% and 9%); and,
  - My current position offers a leave of absence or sabbatical (19% and 10%).
- Those who remained in private practice assign greater importance to two of the factors tested.
  - I have the freedom to decide what I do in my job (47% versus 41% average); and,
  - The pay is better (34% versus average of 30%).
- Among those who moved from private practice to a position in which they are not practising law, no single factor appears to be more important relative to the other groups. The four issues which are most likely to be viewed as important in the decision to change position are:
  - The job allows me to balance career and family (42% consider it important);
  - My job is less stressful (42%);
  - My workload has decreased (34%); and,
  - The job allows me to use my talents and legal skills (32%).

## Importance of Specific Issues in Driving Change of Status

### Importance of Specific Issues in Driving 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")

	2010-2012 RESULTS COMBINED			
	Previous position in private practice	Moved from private to private practice	Moved from private to non-private practice	Moved from private practice to out of law
	n=2621	n=906	n=336	n=198
<b>SAMPLE INCLUDING DK/NOT STATED</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
The job allows me to use my talents and legal skills	46	46	57	32
The job allows me to balance career and family	45	37	71	42
I have the freedom to decide what I do in my job	41	47	30	29
I control the scheduling	39	42	38	28
My job is less stressful	40	31	64	42
The pay is better	30	34	29	17
Job security is good	34	31	48	24
The opportunities for promotion are excellent	29	29	31	25
My current position offers flexible full-time work hours	28	29	32	19
My workload has decreased	29	19	52	34
The benefits are better	22	16	42	16
There is a pension plan in my current position	16	3	50	16
There is a formal mentoring policy in my current position	12	11	19	7
My current position offers part-time work	9	9	10	7
There is paid maternity or parental leave	9	6	21	6
My current position offers a leave of absence or sabbatical	10	7	19	10
There is accommodation for special needs policy at my current position	4	3	9	2
There is job sharing in my current position	4	3	5	4

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.

## Importance of Specific Issues in Driving Change of Status

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### *A Comparison of Men and Women Who Remain in Private Practice*

Comparing women and men who remained in private practice following their change of status and their reasons for the change, the top three most frequently mentioned reasons are the same and relate to the latitude that private practice provides in terms of use of skills and control.

The three top reasons are that *“I have the freedom to decide what I do in my job”*, *“the job allows me to use my talents and legal skills”*, and *“I control the scheduling”*. At least four-in-ten men and women who have stayed in private practice identify these issues as important in their change of status. It is noteworthy that across these three drivers, there are no significant differences between men and women in the proportions who mention them.

On the next tiers of reasons for a change within private practice, there are some differences by gender. Women who have remained within private practice are more likely than men to identify a number of factors as drivers of their decision to make a change:

- The job allows me to balance career and family (41% of women identify this as an important driver compared to 33% among men);
- The current position offers flexible full-time work hours (36% among women compared with 23% among men); and,
- The job is less stressful (36% among women compared with 26% among men).

By contrast, men are more likely than women to report that they have changed their private practice position in order to achieve better pay (37% and 30%, respectively).

While less frequently mentioned as drivers of change within private practice, about one-in-ten women mention the following issues, a significantly greater proportion than men.

- There is a formal mentoring policy in my current position (14% compared to 8% among men);
- My current position offers part time work (12% compared to 6% among men); and,
- There is paid maternity or parental leave (10% compared to 2% among men).

## Importance of Specific Issues in Driving Change of Status

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

**THOSE WHO HAVE MOVED WITHIN PRIVATE PRACTICE - WOMEN COMPARED WITH MEN**  
(% who rate issue as a 4 or 5 on 5-point scale where 5 means "very important")

	2010-2012 RESULTS COMBINED	
	WOMEN	MEN
	Who have stayed within private practice	Who have stayed within private practice
	n=421	n=500
	%	%
The job allows me to use my talents and legal skills	47	44
The job allows me to balance career and family	41	33
I have the freedom to decide what I do in my job	48	46
I control the scheduling	45	40
My job is less stressful	36	26
The pay is better	30	37
Job security is good	34	29
The opportunities for promotion are excellent	31	27
My current position offers flexible full-time work hours	36	23
My workload has decreased	22	17
The benefits are better	16	15
There is a pension plan in my current position	3	3
There is a formal mentoring policy in my current position	14	8
My current position offers part-time work	12	6
There is paid maternity or parental leave	10	2
My current position offers a leave of absence or sabbatical	8	5
There is accommodation for special needs policy at my current position	3	4
There is job sharing in my current position	4	3

## Importance of Specific Issues in Driving Change of Status

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### *A Comparison of Men and Women Who Moved From Private Practice to Non-Private Practice*

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*” (75% and 64%, respectively). While a leading reason for both women and men, it is more likely to be mentioned by women. This reason is cited by nearly twice the proportion of both men and women who moved into non-private practice compared to those who remained within private practice (41% among women and 33% among men who stayed in private practice). Among those who remained in private practice, it is a second tier issue rather than a first tier, or primary, driver of change.

Women are also strongly likely to identify “*my job is less stressful*” as a key reason for change (71%) into non-private practice. They are considerably more likely to view it as a driver than men who have made this change (54%). Further, they are twice as likely to consider it as important compared to women who have remained within private practice (36%).

Women and men who have moved into non-private practice from a private position, as well as those men and women who have stayed within private practice place the issue of their new position “*allows me to use my talents and legal skills*” as one of the top two reasons for their 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.

- 60% among women moving to non-private practice compared to 47% among women remaining in private practice
- 53% among men moving to non-private compared to 44% among men remaining in private practice.

Other key reasons moving to non-private practice are:

- There is a pension plan in my current position (58% among women, although a lower proportion among men 40%);
- The workload has decreased (56% among women and 48% among men); and,
- Job security is good (50% among women and 43% among men).

## Importance of Specific Issues in Driving Change of Status

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

**THOSE WHO HAVE MOVED FROM PRIVATE TO NON-PRIVATE PRACTICE - WOMEN COMPARED WITH MEN**

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

	2010-2012 RESULTS COMBINED			
	WOMEN	MEN	WOMEN	MEN
	Have stayed within private practice		Moved from private to non-private practice	
	n=421	n=500	n=209	n=138
SAMPLE INCLUDING DK/NOT STATED	%	%		
The job allows me to use my talents and legal skills	47	44	60	53
The job allows me to balance career and family	41	33	75	64
I have the freedom to decide what I do in my job	48	46	34	26
I control the scheduling	45	40	39	38
My job is less stressful	36	26	71	54
The pay is better	30	37	32	25
Job security is good	34	29	51	43
The opportunities for promotion are excellent	31	27	37	24
My current position offers flexible full-time work hours	36	23	36	26
My workload has decreased	22	17	56	48
The benefits are better	16	15	46	37
There is a pension plan in my current position	3	3	58	40
There is a formal mentoring policy in my current position	14	8	22	15
My current position offers part-time work	12	6	13	7
There is paid maternity or parental leave	10	2	27	13
My current position offers a leave of absence or sabbatical	8	5	21	15
There is accommodation for special needs policy at my current position	3	4	10	7
There is job sharing in my current position	4	3	7	3

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

## Likely Return to Private Practice

### A. Likelihood of Returning

Less than one-third (30%) of those who have left private practice indicate that they are likely to return. Over one-half of this group report that they will be unlikely to return. Just over one-in-ten are unsure.

Those who have moved from a private practice position to a position where they are not practising law are more likely than those who have moved to non-private practice to anticipate a return to private practice (36% and 25%, respectively).

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)

	2010-2012 RESULTS COMBINED		
	Previous position originated in private practice	Moved from private practice to non-private practice	Moved from private practice to not in law
	n=695	n=354	n=198
	%	%	%
<b>NET Likely</b>	<b>30</b>	<b>25</b>	<b>36</b>
Very likely	11	6	16
Somewhat likely	19	19	20
Not very likely	28	21	25
Not at all likely	29	20	27
<b>NET Not Likely</b>	<b>57</b>	<b>61</b>	<b>52</b>
Don't know/not applicable	13	14	12

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?

## Likely Return to Private Practice

### B. Timing of Likely Return to Private Practice

Among those reporting that they will likely return to private practice (30% of those who have left private practice), just over one-third believe they will return to private practice within a year.

Those who moved from 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 (50% and 17%, respectively).

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

	<b>2010-2012 RESULTS COMBINED</b>		
	<b>Previous position in private practice</b>	Moved from private practice to non-private practice	Moved from private practice to not in law
	<b>Among the 30% who believe they will be likely to return to private practice</b>	<b>Among the 25% who believe they will be likely to return to private practice</b>	<b>Among the 36% who believe they will be likely to return to private practice</b>
	n=210	n=85	n=124
	%	%	%
Less than 1 year	<b>37</b>	<b>17</b>	<b>50</b>
1-2 years	14	14	15
3-4 years	9	15	4
More than 4 years	10	24	1
Don't know	31	31	31