Women in U.S. Law Schools, 1948-2021

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Women in U.S. Law Schools, 1948–2021

Elizabeth D. Katz*†, Kyle Rozema†, and Sarath Sanga‡

Abstract

We study the progress of women's representation and achievement in law schools. To do this, we assemble a new dataset on the number of women and men students, faculty, and deans at all ABA-approved U.S. law schools from 1948 to the present. These data enable us to study many unexplored features of women's progress in law schools for the first time, including the process by which women initially gained access to each law school, the variance in women's experiences across law schools, the relationship between women's representation and student achievement, and the extent to which women disproportionately occupy interim and non-tenure track positions. We contextualize our findings by situating them within the vast qualitative literature on women's experiences in law schools and the legal profession.

1. INTRODUCTION

Among the most fundamental changes in American law schools over the past century has been the gradual but persistent increase in women's representation. At the beginning of the 20th century, women made up 5 percent of law students and an even smaller share of law professors and deans (Drachman 1998; Lanctot 2020). By the end of the century, women constituted 48 percent of all law students, 33 percent of law faculty, and 13 percent of law deans. And by 2021, they constituted 55 percent of law students, 45 percent of law faculty, and 42 percent of law deans.

As women graduated over the decades, they rose through the ranks of the legal profession, assuming prominent and powerful positions. These positions included law professors training the next generation of lawyers and leading law schools as deans, as well as lawyers in law firms, executives in businesses, and public officials including judges, prosecutors, legislators, mayors, governors, and even vice presidents. Women's progress in law schools has thus been a principal driver in closing gender gaps throughout the legal academy, legal practice, private industry, and all levels and branches of government.

In this article, we document the progress of women in law school student bodies, faculty, and administration. To do this, we built a novel panel dataset that identifies the number of women and men law students, faculty, and deans for each law school every year since 1948. These data enable us to study many unexplored features of women's progress in law schools for the first time, including the process by which women initially gained access to each law school, the variance in women's experiences across law schools, the relationship between women's representation and achievement, and the extent to which women occupy interim and non-tenure track faculty positions.

Our analysis proceeds in four parts. In the first part, we investigate women's representation in law schools. We begin by examining the process by which the first women initially gained access to law schools

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as students and professors. Throughout the late 1940s and 1950s, most law schools had 2 or fewer women students in their first-year class, and one-fifth of law schools had zero women students. The 1960s witnessed the end of the era of men-only student bodies, and virtually all law school classes had at least 5 women by the early 1970s. Yet over the same time, as women were gaining access to more law schools, women’s total share of students across all law schools was relatively constant. This is because the law schools that started admitting women during this time rarely admitted more than a few women. Thus, if one were to look only at the previously available aggregate figures, one would have come to the incorrect conclusion that there was very little change in women’s access to law schools during the 1960s. Indeed, leading historians of women in the legal profession have offered that assessment (e.g., Drachman 1998). Our results suggest, however, that the 1960s was an era of great progress in women students’ access to law schools.

A similar story later unfolded on law school faculties. Throughout the 1940s, 1950s, and early 1960s, 50–60 percent of law schools had no women faculty. Then, starting in the mid-1960s, the era of men-only faculties abruptly ended: In a little over 10 years, the share of law schools with no women faculty went from 50 percent to virtually zero. By 1980, most law schools had 5 or more women faculty.

The progress of women deans was slower than for women students and faculty. Throughout the 1940s, 1950s, and early 1960s, only a few law schools were led by women deans and only about one in twenty law schools had ever had a woman dean. At the turn of the century, only one in ten law schools were led by women deans and only about one-third of law schools had ever had a woman dean. Although the growth of first-woman deanships picked up significantly in the 21st century, disparities remain. For example, as of 2020, one in five law schools had never had a woman dean.

In the second part of the analysis, we investigate differences in women’s experiences across and within law schools. We find that there has been and continues to be a substantial range in women’s shares of students, professors, and deans across law schools. Large differences emerged in the late 1960s, when women’s shares of enrollment, faculty, and deans all experienced a near-simultaneous positive trend break. And despite large relative increases in the representation of women law students and faculty in the 1970s, large differences between law schools continued. For example, the 10th and 90th percentiles of women’s share of enrollment were 5 and 24 percent in the 1970s and 32 and 46 percent in the 1980s. Similarly, the 10th and 90th percentiles of women’s share of faculty were 5 and 14 percent in the 1970s and 13 and 26 percent in the 1980s. The magnitude of these differences between law schools has been largely unchanged in the decades since. We further find suggestive evidence that these persistent differences have historical roots. Within a law school, we find a strong correlation between women’s share of students before 1970 and their share in every decade since. The relationship fades over time but remains significant, even into the 2010s. Some of these differences (at most half) can be explained by the law school’s location. Taken together, these results suggest that, whether by the self-selection of students or by a deliberate policy of administrators, law schools developed reputations and cultures of recruiting and retaining women.

In the third part of the analysis, we compare the evolution of women’s representation in law schools to several benchmarks. The question we ask is whether women’s shares of students, faculty, and deans reflect their shares of potential candidates. Our goal here is not to model the process of selection into these positions or to make causal claims about the timing of women’s progress. Rather, our more modest goal is to measure the extent to which women disproportionately exit at each stage of the potential career path from college graduate to law student to law professor to law dean.

To do this, we adopt a simple approach to estimating candidate pools by focusing on the minimum qualifications for each position. We use recent college graduates as the law student candidate pool, JD holders as the law faculty candidate pool, and mid- to late-career law professors as the law dean candidate pool. This approach enables us to estimate the difference between women’s and men’s probability of achieving each law school position (law student, law professor, and law dean) conditional on having achieved the requisite upstream position (college graduate, law graduate, and experienced law professor, respectively).

Relative to their candidate pool, women students were historically the most underrepresented. During the 1950s and 1960s, men college graduates were 10 times more likely to enroll in law school than women college graduates. Women’s shares of faculty and deanships, by contrast, more closely tracked their shares of the respective candidate pools. These results suggest that, from a historical perspective, the most disproportionate change in women’s representation occurred at the point of initial entry into the legal profession.
We also find that women have tended to occupy non-permanent faculty and deanship positions—a result that supports the claim that women’s rise in law school faculties was partly driven by the creation of so-called “pink ghettos” (Lanctot 2020; Merritt & Reskin 1997). Compared to men, women faculty are 2–3 times more likely to be legal writing or clinical professors since the 1990s and women deans are over twice as likely to be interim deans. These results undermine the seemingly positive result that women’s shares of faculty and deanships have roughly tracked their shares of potential candidates.

In the final part of the analysis, we investigate differences in student achievement between women and men. We do this by assessing changes in the “graduation gap,” defined as the difference between women’s and men’s graduation rates within a given law school cohort. We document a significant change in women’s relative achievement during the 1960s. Before 1960, women’s graduation rate was 9 percentage points lower than men’s graduation rate (54 percent compared to 63 percent). Over the course of a decade, however, women closed the gap, and the gap has since remained close to zero.

We then investigate two possible explanations for why the gap closed: peer effects, which would attribute the increase in women’s achievement to an increase in women students, and mentorship effects, which would attribute the increase in women’s achievement to the increase in women professors. Prior literature establishes theoretical and empirical reasons to believe that both effects could be at work within law schools (e.g., Card et al. 2022; Müller-Itten & Öry 2022). Indeed, both explanations seem plausible in this setting given the general upward trend in women’s representation among students (peers) and faculty (mentors).

We find, however, suggestive evidence against both explanations. The graduation gap closed before the increases in women’s representation in student bodies and faculties, both in the aggregate and within specific law schools. Thus, women closed the gap at a time when it was still common for a woman student to have no more than a few women classmates and zero women professors. We interpret these results only as suggestive evidence against peer or mentorship effects as the principal drivers behind the closing of the graduation gap. At best, the results suggest that any peer or mentorship effects that may have existed would have been small compared to changes in the selection of women into law school or any of the myriad other potential explanations for the sudden increase in women’s relative achievement. In our view, why the achievement gap closed in the 1960s remains an open question.

Our research contributes to two literatures. First, we contribute to historical literature studying women’s representation and experience in law schools (e.g., Drachman 1998; Lanctot 2020). Although this literature has some empirical articles (e.g., Kuehn & Santacroce 2022), the data are thin. We contribute to this literature by providing a long-run empirical framework within which to situate the rich qualitative literature on women’s experiences in law schools and the legal profession.

Second, we contribute to a growing empirical literature on women’s representation and experiences in academia (e.g., Antecol et al. 2019; Bayer & Rouse 2016; Chari & Goldsmith-Pinkham 2017; Doleac et al. 2021; George & Yoon 2014; Ginther et al. 2020; Ginther & Kahn 2004; Goldin 2021; Goldin et al. 2006; Kahn 1993; Khoo & Neo 2022; Lundberg & Stearns 2019; Wu 2020). This is part of a broader literature studying gender gaps in the labor market (e.g., Anand et al. 2022; Barth et al. 2017; Baum & Ruhm 2016; Bertrand et al. 2010; Blau & Winkler 2018; Correll et al. 2007; Doran et al. 2019; George et al. 2023; Goldin 1991, 2014; Goldin and Katz 2016, 2018, 2001, 2002; Goldin & Mitchell 2017; Hersch 2013; Van Houtven et al. 2013). For example, past work studies the impact of government and employer policies (such as parental leave, flexible hours, and pay transparency) on women’s employment prospects (e.g., Antecol 2015; Cortes & Pan 2017, 2019; Herr & Wolfram 2012). Moreover, past work also studies how women’s choices about marriage, childbearing, childcare, and other family issues impact their employment outcomes (e.g., Azmat & Ferrer 2017; Cortes 2023; Cortes et al. 2023; Dau-Schmidt & Mukhopadhyay 2021). Much of the gender gap literature on academia focuses on short- or medium-run trends in the social sciences. We contribute to this literature by offering a long-run view of women in law school.

The article proceeds as follows. Section 2 provides background. Section 3 introduces the dataset. Section 4 investigates women’s access and representation in law schools. Section 5 investigates differences in women’s representation across law schools over time. Section 6 presents an accounting of the changes in women’s representation in law schools by comparing their progress to candidate pool benchmarks. Section 7 investigates the graduation gap. Section 8 concludes.
2. BACKGROUND

Women have faced enormous social, political, and legal obstacles in their efforts to join and succeed in the legal profession. A crucial component has been women’s acceptance and treatment in law schools.

Legal historians have identified women’s progress in law schools as falling into three primary periods: trailblazers (1869–1920), stagnation (1920–1970), and progress (1970–2020). These historians have studied the earliest period in great depth, identifying connections between women’s access to legal education, admission to the bar, and pursuit of other rights (e.g., Babcock 1993; Drachman 1998; Katz 2022; Mossman 2006; Norgren 2013; Weisberg 1976). Numerous biographies round out understandings of the first women law students and lawyers (e.g., Babcock 2011; Berger 2005; Friedman 1993; Gilliam 1987; Maurer 1992). Scholarship in the middle period is more limited. As the leading historian of women lawyers explained, the “modest professional success” women achieved by the 1930s had “barely changed until the mid-1970s” (Drachman 1998). For the third period, there is a substantial literature on women’s law school experiences, including advancement into academic roles, but these accounts tend to be focused on a small number of schools or recent years (e.g., Guinier et al. 1994; Li et al. 2020; Taber et al. 1988).

Scholars studying women’s progress in education and the professions more broadly have provided additional context by identifying shifts in women’s approaches to balancing work and family goals. Most notably, Goldin (2021) analyzes long-run empirical trends in family structures and the labor market to identify distinct cohorts of women. Below, we integrate our findings in the frameworks from legal historians and Goldin (2021). Here, we focus on describing the periods identified by legal historians in more detail.

2.1 Period 1: Trailblazers (1869–1920)

Originally, law school was just one path to bar membership, with most lawyers instead joining the bar after an apprenticeship. Iowa was the first state to admit a woman to the bar when it accepted Belle Mansfield in 1869 (Drachman 1998). That same year, law schools in Illinois and Missouri admitted their first women, joined soon thereafter by Michigan (Drachman 1998; Morello 1986; Tokarz 1990). The first woman to earn a law degree was Ada Kepley, who graduated from a Chicago law school (now Northwestern) in 1870. It was no coincidence that women’s early successes clustered in the Midwest, as that region enforced less rigid gender norms and was the first to embrace undergraduate coeducation (Drachman 1998).

In the final decades of the nineteenth century, law schools began to gain traction and serve as a meaningful alternative to apprenticeship, becoming more rigorous, formal, and prestigious (Morello 1986). As law school attendance became increasingly common, women’s exclusion served as a major obstacle to their entry into the profession. The most competitive law schools on the East Coast did not admit women, though Howard University in Washington D.C. and Boston University were notable exceptions (Drachman 1998). One law school in California began admitting women in the 1870s, following a lawsuit (Drachman 1998). Additional East Coast law schools began accepting women in the 1880s and 1890s, but women’s enrollment remained low (Eckhaus 1991; Morello 1986). Seeking to facilitate women’s legal education, three law schools opened between 1898 and 1915 that primarily or exclusively enrolled women. In 1898, Ellen Spencer Mussey and Emma Gillett opened the Washington College of Law in Washington D.C., with Mussey as dean. This made the duo two of the first women law professors, and it made Mussey the first woman law school dean (Kay 2002; Lanctot 2020). The same year that Gillett and Mussey founded their school, Lutie Lytle became the first Black woman law professor, though she served in that role for only one year (Lanctot 2020). The number of law schools that admitted women and the number of women who enrolled in law school expanded significantly during World War I to compensate for the declining enrollment of men (Drachman 1998).

Throughout these decades, state bars excluded women from law practice. In the most infamous legal case on this issue, the U.S. Supreme Court in 1873 upheld the Illinois Supreme Court’s decision that women were not entitled to a law license (Bradwell v. Illinois). From the 1870s through the 1890s, women sued for bar admission in at least 17 states (Drachman 1998). In some jurisdictions, women won their suits. In others, women instead secured admission by lobbying state legislatures to amend eligibility statutes (Drachman 1998). Women’s successes in joining the bar followed a regional pattern similar to that with law school admissions, typically first in the Midwest, followed by the West and Northeast, and lastly the South (Drachman 1998; Katz 2022). By 1900, 35 states permitted women to practice law.
In 1920, women secured the right to vote in the Nineteenth Amendment, which facilitated their admission to the bar in the states that had still excluded them (Drachman 1998). During this period, the legal profession remained dominated by men, especially compared to the labor force more generally. As a percentage of the total labor force, women’s share increased from 14 percent in 1870 to 20 percent in 1920. Yet even by 1920, women accounted for less than 3 percent of law students and 1.4 percent of all practicing lawyers. Women also rarely served as law professors or deans (e.g., Kay 2021; Lanctot 2020). The representation of women in law schools and the legal profession thus lagged behind their representation in the labor force generally (Comparative Occupation Statistics 1940). In fact, the legal profession was one of the most exclusive of the major professions (Drachman 1998).

In sum, after the first woman enrolled in law school, it took approximately 50 years for women’s representation to increase from 0 percent to 3 percent of law students. This amounts to a slow rate of progress of less than 1 percentage point growth rate per decade.

### 2.2 Period 2: Stagnation in Representation (1920–1970)

Scholarship suggests that for the half-century spanning 1920–1970, women made very slow gains in the legal profession, including in law student enrollment and on law faculties. Women remained a tiny minority of law students and continued to disproportionately attend the less prestigious institutions—though they were finally admitted to Harvard Law School in 1950 (Drachman 1998). Women’s enrollment increased somewhat during World War II and the Korean War, largely to replace declining male enrollment, but these changes were temporary (Abel 1989; Drachman 1998). It was only toward the end of this period, in the 1960s, that women’s law school enrollment meaningfully increased. This was due to several legal and political developments. Enrollment of men decreased at the start of the Vietnam War in 1964, prompting law schools to admit more women. In the same year, Congress passed Title VII of the Civil Rights Act, prohibiting sex discrimination in certain categories of employment. And in 1967, President Lyndon B. Johnson issued an executive order forbidding federal contractors—which included approximately 80 percent of colleges and universities—from engaging in sex discrimination (Lanctot 2020).

Women made few inroads in legal academia by the late 1960s. For example, only 3 women held tenure or tenure-track positions between 1900 and 1945, and only 8 women obtained tenure-track positions during the 1950s (though many more secured the title of “professor” in their role as law librarians) (Lanctot 2020). Yale hired its first woman law professor in 1956 but denied her tenure (Lanctot 2020). By 1965, there had been only around 30 women in tenure-track positions (Lanctot 2020). One notable member of this group was Ruth Bader Ginsburg, who taught at Rutgers and received tenure in 1969. A few years later, Ginsburg became the first tenured woman at an Ivy League law school when she moved to Columbia Law School (Lanctot 2020).

Throughout these decades, women remained a small share of practicing lawyers. Women made up 2.1 percent of practicing lawyers as of 1930, and they remained less than 5 percent as late as 1970 (Abel 1989; Drachman 1998).

### 2.3 Period 3: Real Progress (1970–2020)

In this period, women made advancements in law school enrollment, legal academia, and the legal profession more broadly. Accelerating earlier trends, guidance from professional organizations in conjunction with new federal laws prodded law schools to combat sex discrimination. For example, in 1970, the federal government scrutinized the hiring practices of more than 2,000 colleges and universities (Fossum 1983). And in 1972, the Higher Education Act prohibited sex discrimination in federally funded educational programs. Between 1970 and 1975, the Association of American Law Schools (AALS) wrote a report on the lack of women faculty, enacted a policy that condemned sex discrimination in law schools, and adopted a resolution to increase women’s representation (Lanctot 2020). Studying these and other developments, Fossum (1983) concludes that 1972 is the “pivotal year in terms of the sexual integration of law school student bodies.”

This period also saw the most significant advancements of women in legal academia. As the number of women students grew, they demanded a more welcoming environment, which included advocating for hiring more women faculty (e.g., Marquez 2019). More women faculty in turn likely translated into more candidates for deanships (Padilla 2021).
Our empirical analysis covers the period 1948–2020, thus starting in the middle of Period 2 and covering all of Period 3. As we present evidence on various aspects of women’s progress in law schools, we contextualize our results by situating them within the historical literature just discussed.

3. DATA

We combine several sources of data to produce a comprehensive historical database on the number of women and men students, professors, and deans at U.S. law schools. This section describes the sources we used to build the dataset and presents summary statistics. Additional details on data collection and construction are given in Supplementary Appendix B.

3.1 Enrollment Data

The enrollment data were hand-collected from annual reports published by the American Bar Association ("ABA"). Law schools have periodically submitted information to the ABA since the ABA's founding in 1878. The amount of information submitted by each school has varied over time. For the years 1948–1995 and the years 2012–2021, we obtained exact counts of men and women 1Ls, 2Ls, and 3Ls. Figure A1 in the Supplementary Appendix A gives a sample of a 1950 ABA publication that consolidates the law school-level reports.

For the years 1996–2011, we obtained exact counts of total enrollment at each school (1Ls, 2Ls, and 3Ls), but not separate counts for men and women. For this reason, we use standard imputation methods to estimate the number of men and women at each law school. To do this, we estimate law school-specific trends in women’s share of enrollment using data before 1996 and after 2011. There are at least two reasons to believe that this process produces reasonable estimates of the true number of women and men at each school. First, we know with certainty the total number of students in each class, so any error is in apportioning students into the two groups. Second, the change in women’s share of enrollment from 1996 to 2011 was relatively small for most law schools, especially compared to the vast changes that had occurred in previous decades. The time frame where we impute data is thus a time of relatively little change, for which imputation methods are expected to produce accurate estimates.

We focused our data collection efforts and analyses on full-time JD students. This was because the JD is the principal degree awarded by law schools, full-time JD students constitute the bulk of law school enrollment, and full-time JD students are consistently reported over the decades.

3.2 Faculty Data

The faculty data come from two sources. Data for the years 1948–2011 come from the Directory of Law Teachers, which is published annually by the AALS. The Directory includes the name of each faculty member at each law school. We used a combination of hand-coding and automated text-parsing techniques to transform the list of names in the Directory into a usable dataset. Figure A2 in the Supplementary Appendix A gives an example of a law school listing in the 1948 edition of the Directory.

The Directory does not identify the sex of each professor in all years, so we determine the number of women and men by inferring each professor’s sex from their first name.

The second source of faculty data is the ABA. Beginning in 2012, the ABA collected and released law school-level reports that include counts of the number of women and men faculty at each school.

3.3 Dean Data

We use Rosenblatt’s Deans Directory to identify women and men deans at each law school. For each deanship, this directory contains the name of the dean, the years that the person held the deanship, and the law school at which the person held the deanship. If a person was a dean at multiple law schools over their career, each deanship would be separately included in the data. Figure A3 in the

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1 This was mostly because the ABA did not report separate counts. See the Supplementary Appendix for details.
2 There are multiple listings of law professors. We specifically use the listing of law professors by law school. The directory includes law teachers and librarians. While law librarians are an important part of a law school for many reasons (e.g., they aid faculty and students in their legal research), we exclude them from primary analysis to focus on teaching faculty, but we include professor librarians in the analysis on the share of non-tenure track professors in Section 6.3 below.
3 Specifically, we used https://genderize.io/.
Supplementary Appendix A provides a screenshot of the information we use from Rosenblatt’s Deans Database. The database contains the sex of current deans, but it does not include the sex of former deans. For former deans, we infer sex using the dean’s first name.4

3.4 Summary Statistics
Table 1 presents summary statistics. The dataset is an unbalanced panel of 233 law schools over the years 1948–2021. It covers 2.7 million 1L students over 11,874 law school years, with an average of 51 years of data per school. Pooling across all years and law schools, women comprised 31 percent of students, 23 percent of faculty, and 12 percent of deans. Note that our data does not include non-ABA accredited law schools, which make up an average of 12 percent of law schools. The vast majority of state bars, however, currently require graduation from an ABA-accredited law school.

Table 2 presents a ranking of law schools according to their historical representation of women, separately for students, faculty, and deans. We control for a decade by first constructing rankings separately for each decade and then averaging over a school’s percentile rankings over the decades. Weighting history equally is important because some schools have not existed for the entire period we study. The rankings across the three categories exhibit moderate correlation. The rank-order correlation between students and faculty is 0.33, between faculty and deans is 0.20, and between students and deans is 0.07.

4 For deanships before 1970, we search on google to find articles or webpages that include pronouns for the deans, and code dean sex by hand.

4. GENDER GAPS IN LAW SCHOOLS
This part presents our main results on the evolution of gender gaps in law school enrollment, faculty, and deanships. In our baseline analysis, we do not distinguish among types of faculty positions (such as research versus clinical track positions) or among types of deanships (such as permanent or interim). (We return to the issue of different types of faculty and deanship positions in Section 6.3.)

We first characterize the initial entry of women into law schools (Section 4.1) and then characterize the subsequent increase in women’s representation (Section 4.2).

Table 1
Descriptive statistics.

<table>
<thead>
<tr>
<th>A. Sample (Annual average)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of law schools</td>
<td>163</td>
</tr>
<tr>
<td>Number of students</td>
<td>39,360</td>
</tr>
<tr>
<td>Number of professors</td>
<td>7,367</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Law students</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1L Enrollment</td>
<td>230</td>
</tr>
<tr>
<td>1L Percent women</td>
<td>31</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Law professors</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty size</td>
<td>44</td>
</tr>
<tr>
<td>Faculty percent women</td>
<td>23</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D. Law deans</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean percent women</td>
<td>12</td>
</tr>
</tbody>
</table>

Notes: Panel A reports the average number of law schools, students, and professors in each year. Panel B reports descriptive statistics of the average 1L enrollment and the percent of 1Ls who are women. Panels C and D report descriptive statistics for law professors and law deans.
Table 2: Historical ranking of women’s representation in law schools.

<table>
<thead>
<tr>
<th>Ranking</th>
<th>Students</th>
<th>Faculty</th>
<th>Deans</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>UC Davis</td>
<td>Maryland</td>
<td>UCLA</td>
</tr>
<tr>
<td>2</td>
<td>Maryland</td>
<td>WashU</td>
<td>Duke</td>
</tr>
<tr>
<td>3</td>
<td>Berkeley</td>
<td>UC Davis</td>
<td>Boston U</td>
</tr>
<tr>
<td>4</td>
<td>NYU</td>
<td>Temple</td>
<td>Stanford</td>
</tr>
<tr>
<td>5</td>
<td>UCLA</td>
<td>Wisconsin</td>
<td>Colorado</td>
</tr>
<tr>
<td>6</td>
<td>GW</td>
<td>Florida State</td>
<td>UNC</td>
</tr>
<tr>
<td>7</td>
<td>William &amp; Mary</td>
<td>UNC</td>
<td>Berkeley</td>
</tr>
<tr>
<td>8</td>
<td>Boston U.</td>
<td>Indiana</td>
<td>Illinois</td>
</tr>
<tr>
<td>9</td>
<td>Emory</td>
<td>SMU</td>
<td>Iowa</td>
</tr>
<tr>
<td>10</td>
<td>UConn</td>
<td>Wake Forest</td>
<td>Harvard</td>
</tr>
<tr>
<td>11</td>
<td>Temple</td>
<td>Boston C.</td>
<td>USC</td>
</tr>
<tr>
<td>12</td>
<td>Colorado</td>
<td>Duke</td>
<td>Washington &amp; Lee</td>
</tr>
<tr>
<td>13</td>
<td>Yale</td>
<td>OSU</td>
<td>Wisconsin</td>
</tr>
<tr>
<td>14</td>
<td>Northwestern</td>
<td>Colorado</td>
<td>Georgetown</td>
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<tr>
<td>15</td>
<td>Columbia</td>
<td>Florida</td>
<td>ASU</td>
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<td>16</td>
<td>Fordham</td>
<td>NYU</td>
<td>Florida</td>
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<td>17</td>
<td>USC</td>
<td>Emory</td>
<td>Maryland</td>
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<td>18</td>
<td>Georgetown</td>
<td>USC</td>
<td>Columbia</td>
</tr>
<tr>
<td>19</td>
<td>Boston C.</td>
<td>ASU</td>
<td>Notre Dame</td>
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<tr>
<td>20</td>
<td>Penn</td>
<td>Northwestern</td>
<td>Georgia</td>
</tr>
<tr>
<td>21</td>
<td>SMU</td>
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Notes: Higher ranking indicates historically greater shares of women. Italicized law school names indicate that the law schools are tied.
4.1 Women’s Access to Law Schools

We begin by distinguishing between the presence of any women students and faculty at a law school from women’s overall share of students and faculty. We refer to the former as women’s “access” to law school and the latter as their “representation” in law school; alternatively, one could think of these as the extensive margin of representativeness versus the intensive margin of representativeness. Overall representation (i.e., the intensive margin) is perhaps the headline number and has been the exclusive focus of (aggregate) empirical analysis. Yet access is arguably the more basic barometer of women’s progress—or at least of their initial progress. Indeed, as we will show, progress in access occurred during a time when there was little change in overall representation.

As motivation for why we distinguish between women’s access to each law school versus women’s representation in law school, consider two extreme hypothetical cases. In both cases, there are a total of 200 women law students across all law schools. In case 1, all law schools except one have a policy of not admitting women; the one exception enrolls all 200 women students. In case 2, the 200 are spread out across all law schools: each school has at least one woman student. In both cases, women’s (aggregate) representation is the same, but their access is much lower in case 1. In case 1, the exclusive policies of all but one school eliminate choice and effectively place an upper bound on women’s potential progress (equal to the one school’s capacity constraint). Moreover, in case 1, nearly all students at nearly all law schools had no interaction with women, and thus would have been conditioned to associate the legal profession with men only. In case 2, on the other hand, women have gained access to all law schools—they broke through the “glass ceiling.”

The evolution of women’s access followed substantially different trajectories for students, faculty, and deans (Figure 1). In what follows, we use the results from Figure 1 to offer a holistic picture of women in law schools. Since 1946, we believe that the data identify three key trends.

4.1.1 The End of Men-only Classes (the 1960s)

Both access and representation were relatively constant and even sometimes declining throughout the late 1940s and 1950s. In the 1950s, 15–20 percent of law school classes had zero women, about 20 percent of law school classes had only 1 woman, and most law school classes had 2 or fewer women. The women who graduated from four-year colleges in these decades fall within what Goldin (2021) has identified as “Cohort 3”—women who graduated between 1946 and 1965, married young, and chose to prioritize their families first and jobs later.

The era of men-only classes ended in the 1960s. At the beginning of the decade, 20 percent of law school classes had no women; by the end of the decade, virtually all classes had at least 1 woman. The percent of law school classes with only 1 woman similarly decreased (from about 20 percent to almost 0 percent), as did the share of law school classes with 2 or fewer women (from over 50 percent to less than 10 percent). By the early 1970s, virtually all law school classes had at least 5 women. Several additional top law schools ended their men-only policies and admitted their first woman student. For example, in our data, Notre Dame admitted its first woman for the entering class of 1967. Women who graduated from college beginning in the mid-1960s are the earliest members of what Goldin (2021) identifies as “Cohort 4”—women who prioritized career before family, using birth control to delay childbearing and instead pursue distinguished professions. Our findings are consistent with Goldin’s, as women from this cohort contributed to the significant increase in women’s law school enrollment.

4.1.2 The End of Men-only Faculties (Mid-1960s to Mid-1970s)

A similar story later followed on law school faculties (Figure 1B). In the late 1940s, most law schools (about 60 percent) had no women faculty. Twenty years later, that figure had only slightly declined. Then suddenly, in a little over 10 years, the share of law schools with no women faculty went from 50 percent in the mid-1960s to virtually zero in the mid-1970s. By 1980, most law schools had 5 or more women faculty. Just like with enrollment, the era of men-only faculty ended relatively quickly, especially when compared to the slow progress of the preceding decades.

4.1.3 First Women Deans (1950s–Present)

In contrast to law students and faculty, the increase in first-women deans has been a slow process that continues to unfold through 2021 (Figure 1C). Since breaking through to the first deanship, women deans grew very slowly over the first century: roughly 3 percentage points each decade. One hundred
years later, women continued to face unique challenges in ascending to leadership (Ely et al. 2011; Ibarra et al. 2013), as only about 30 percent of law schools had ever had a woman dean. However, almost exactly 100 years after the first-ever woman dean, the growth of first-woman deanships picked up significantly. From 2000 to 2020, the share of law schools with at least 1 woman dean in their history more than doubled from 30 percent to 80 percent.
4.1.4 Conclusions

Our results suggest that the standard account that women’s progress remained stagnant throughout the 1960s is not quite right. Rather, the 1960s was an important period for women in U.S. law schools. This was a period in which trailblazer women increasingly gained access to law schools. Furthermore, the end of the eras of men-only classes and men-only faculties occurred rapidly and in quick succession throughout the 1960s and early 1970s. Women’s progress in deanships, by contrast, has unfolded over a much longer time scale.

4.2 Representation of Women in Law Schools

Just as in women’s access, the evolution of women’s representation followed substantially different trajectories for students, faculty, and deans (Figure 2). Unlike trends in access, however, the representation of students, faculty, and deans share one key feature: They all took off at approximately the same time. Representation in all three groups goes from being stagnant in the 1940s through the mid-1960s to experiencing a positive trend break in the mid-1960s. We interpret Figure 2 as identifying five key trends in women’s representation.

4.2.1 Stagnation (1940s–Early 1960s)

There was essentially zero growth in women’s representation in enrollment, faculty, and deanships in the decades leading up to the mid-1960s. This stands in particularly striking contrast to the gains in access to law schools (outlined in Section 4.1).

4.2.2 Rapid Growth in Enrollment (Late 1960s–1970s)

The 1970s were a period of rapid growth in women’s enrollment as law students. Throughout the 1950s and 1960s, women were hardly above 3 percent of each entering class. Then, in just over a decade starting in the late-1960s, women’s share of law school students experienced a sudden 8-fold increase, from less than one in twenty to roughly one in three. The peak of the growth in women’s enrollment

![Figure 2 Women in Law Schools](https://ssrn.com/abstract=4194210)
occurred in the mid-1970s. This peak was also the point where the total number of women and men students across all law schools started to move in opposite directions: The total number of 1L men peaked in 1972 and then declined over the next 20 years; the total number of 1L women, meanwhile, continued to grow throughout the same 20-year period.

4.2.3 Slower Growth in Enrollment (1980–2021)
After its spectacular increase in the 1970s, progress in women’s share of law students slowed down. Given how fast the enrollment gap began to close in the 1970s, it is perhaps surprising that it took another 35 years for women to reach parity with men. Women’s share almost reached parity in the year 2000. Their share then dipped and was roughly stable until the 2008 recession. In 2016, women became the majority of law students for the first time, and this has remained true in the years to 2021.

4.2.4 Moderate but Steady Growth in Faculty (1970–2010)
Unlike enrollment, women’s share of law school faculties increased at a nearly constant linear pace over the 40-year period from 1970 to 2010. Faculty growth thus charted an approximately average path between the fast-rising student body on the one hand and slower-going deanships on the other.

4.2.5 Slow Growth of Deanships
The growth of deanships trailed far behind the growth of faculty shares. Deanships followed essentially the mirror-image path of enrollment: whereas enrollment experienced brief rapid growth followed by longer slower growth, deanships experienced long slow growth followed by a recent rapid rise in the 2000s.

4.2.6 Conclusion
Drachman (1998) observes that women made few advances in the legal field between the 1930s and mid-1970s, and Fossum (1983) similarly concludes that 1972 is the “pivotal year in terms of the sexual integration of law school student bodies.” But the evidence in Sections 4.1 and 4.2 suggest a pivotal year in the mid-1960s, as seen by the structural break in measures of enrollment and representation on faculties at that time. By 1972, the evidence suggests that progress in women’s enrollment and faculty hiring was well underway. Though only changing the timeline by a few years, this finding is important in complicating the prevailing understanding that the crucial drivers of change were the federal laws and professional association reports of the late 1960s and early 1970s. Rather, the laws and reports seem to have built on trends that had already begun.

5. DIFFERENCES IN GENDER GAPS ACROSS LAW SCHOOLS
The previous section documented women’s overall representation; we next turn to the differences in women’s experiences across law schools. The overall results from the previous section could be driven by either a small share of law schools having large shares of women, by all law schools having roughly the average share, or by something in between. These different scenarios highlight why it is important to understand not only the average woman’s experience but also the distribution of women’s experiences. This section investigates differences in women’s experiences across and within law schools. We first characterize the variance in women’s experiences across law schools by examining the variance in enrollment and faculty gaps (Section 5.1) and the within-school correlation between the enrollment and faculty gaps (Section 5.2). We then investigate the extent to which a law school’s representativeness persists over time by examining whether a law school’s historical gender gaps predict its future gaps (Section 5.3).

5.1 Variance in Women’s Representation Across Schools
5.1.1 Variance in Enrollment
The range in women’s representation among students was low in the early years we study (1940s–1960s), peaked during the years of growth (1970s and 1980s), and has since declined slightly (Figure 3A and 3C). In the 1940s, 1950s, and 1960s, very few law schools had shares exceeding 10 percent. Even still, the variance was at the time large compared to the average share. There was a small but persistent set of schools with women’s shares that were over 10 percent. To be sure, this is low by today’s standards,
but at the time that would have meant enrollment shares that were more than 3 times the national average.

As the average representation of women took off in the 1970s and 1980s, so too did the differences between law schools. The peak of these differences occurred in the late 1970s, when the 10th and 90th percentiles in enrollments were 10 and 40 percent women. Even throughout the late 1980s, 1990s, and into the 2000s, however, the experience of women still varied considerably across law schools. For example, in the early 2010s, women students had achieved parity with men in some schools; at other schools, they were only 35 percent of the class. By the late 2010s, the 10th and 90th percentiles continued to differ considerably, from about 35 percent to 60 percent. It is perhaps surprising that, although the average share of women has grown substantially, the range of women’s shares has only slightly declined over the last 30 years.

5.1.2 Variance in Faculty

Differences across law school faculties have proven even more persistent (Figure 3B and 3D). There are two principal reasons to expect this. The first is that faculties experience lower turnover than student bodies. The student body of a 3-year program turns over completely every 3 years. Faculty, on the other hand, often stay at the same institution for decades. For this reason, one would expect women’s share of faculty to increase more slowly. The second reason comes from the fact that faculties are relatively small in number compared to student bodies. This was especially so in earlier years, where it was not uncommon to see faculties between 10 and 20 professors.

Figure 3 Differences in Women’s Representation across Law Schools and Over Time. (A) Law Students. (B) Law Professors. (C) Law Students. (D) Law Professors.

Notes: This figure, which is continued on the next page, graphs the range of women’s share of students and professors at law schools. Panels A and B report letter value plots. The top and bottom indicate the 10th and 90th percentiles. The widest part indicates where the median law school lies. Law school shares are averaged over a 5-year period. The black dots indicate the value at the median law school, while the boxes of varying widths indicate the deciles of the distribution. Each range represents an average over the previous 5 years.
5.1.3 Variance across Law School Tiers

Higher-ranked schools generally lagged in women’s representation (Figure 4A and 4B). Following a common convention (e.g., Leichtman 2022), we group law schools into three tiers: Tier 1 (law schools consistently ranked in the top 14), Tier 2 (law schools ranked 15–50), and Tier 3 (all other law schools). The differences in the (smoothed) trends for each tier are small in absolute terms. Yet the pattern emerges that higher ranked schools had slightly more women students during the transitional years of the late 1960s to early 1980s but then fewer women students after that. Higher-ranked schools also lagged in women’s representation in faculty. The gap between Tier 1 versus the rest existed throughout the entire period we study and increased in magnitude during the 1980s and 1990s.

The deanship trends are mixed (Figure 4C). Tier 1, which moves around quite a bit because it consists of only 14 law schools, historically lagged behind all others. In the 1970s, Tiers 2 and 3 deanships increased, followed by Tier 1 in the 1980s.

5.2 Sorting Along Gender Lines: Covariance of Enrollment and Faculty Representation

We next investigate the relationship between the faculty gap and the enrollment gap within law schools. The results suggest that law schools have increasingly sorted along gender lines over time.
(Figure 4). Before 1970, there was little relationship between a law school’s faculty and student body. Over the decades, however, a relationship between faculty and enrollment shares emerged and grew stronger.
One possible explanation for law schools sorting along gender lines is that it is easier to recruit women to certain locations. In this case, a law school’s representativeness would be indirectly driven by its location, rather than directly driven by its admissions or recruitment policies. Although we cannot assess the causality of this explanation, we begin to evaluate it by offering a descriptive account of the spatial variation in representativeness. Figure 6 plots the (normalized) women’s share of students and faculty by state and reveals that there is much more between-state variation in representation in enrollment than in representation on faculties.

To investigate how much location explains the variation in law school representativeness, we regress a law school’s (normalized) decadal share of women students and faculty on different sets of controls. Table 3 reports the regression results and reveals three findings. First, whether a law school is in an urban area explains relatively more of the variation for students than it does for faculty, and narrower geography similarly explains more of the variation for students than it does for faculty. For example, state-fixed effects explain 34 percent of the variation for students but only 12 percent of the variation for faculty. This provides suggestive evidence that some locations are more desirable for women students than others. It also provides suggestive evidence of a tight law teaching market in which women faculty have less choice over location compared to women students.

Second, the inclusion of law school fixed effects substantially increases the amount of variation explained, even after controlling for urban indicators and state fixed effects. For students, the inclusion of law school fixed effects increases the amount of variation over that explained by an urban indicator by roughly 10 times (an $R^2$ of 0.63 in Column 2 compared to 0.06 in Column 1) and that explained by state fixed effects by 85 percent (an $R^2$ of 0.63 in Column 4 compared to 0.34 in Column 3). For faculty, the
additional variation explained is higher in percent terms (roughly 40 times for urban identifier and 267 percent for state fixed effects) but smaller in overall terms (the $R^2$ increases from 0.01 in Column 1 and 0.12 in Column 3 to 0.44 in Columns 2 and 6). The main results are shown by moving from Column 5, which controls for both the urban identifier and state fixed effects, to Column 6, which adds law school fixed effects. These results reveal that the law school itself accounts for 43 percent of the total explained variation for student representation (the $R^2$ increases by 0.27 and the total explained variation is 0.63) and 70 percent for faculty representation (the $R^2$ increases by 0.31 and the total explained variation is 0.44).5

Finally, in Column 7, when we add a control for the normalized faculty share in Panel A (and normalized student share in Panel B), the additional variation explained is relatively small: 2 percent for students and 5 percent for faculty. This suggests that it is the overall law school reputation and not

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5 Note that this is true even though some states only have one law school, so the additional variation explained is from the states that have multiple law schools. If we drop states that only have one law school, the increase in the amount of variation explained when we add law school fixed effects increases further.
The overall representation in the same decade that accounts for most of the explained variation in representation.

### 5.3 The Persistence of History

The increasing correlation between the enrollment gap and faculty gap suggests that, whether by the self-selection of students and faculty, a deliberate policy of administrators, or the location of the law school, schools developed different reputations and cultures of recruiting and retaining women. This motivates the final inquiry of this section: whether these reputations persisted over the long run. Next, we ask whether a law school’s historical gender gaps predict its future gaps.

To do so, we use the data to motivate a definition of a law school’s “historical” gender gap. Specifically, we use enrollment and faculty numbers from 1946 to 1970 to compute a law school’s historical share of women. The cutoff of 1970 is motivated by the striking structural break in representation that occurred at that time (Figure 2).

In theory, if enrollment and additions to faculty occurred randomly across schools, then the relationship between past and present gaps would weaken over time. In the case of students, the relationship would disappear relatively quickly because of the 3-year turnover. Therefore, we would not expect any relationship to persist over decades if increases in women’s share of enrollment were random. For faculty, the relationship between past and present would be mechanically stronger because of the slower turnover, but it would still gradually decline over time.

The results suggest that the historical representation persists over time for enrollment but not for faculty (Figure 7). Figure 7 reports binned scatterplots of women’s historical shares of enrollment and faculty against their shares in later decades. It reveals that law schools that had relatively high enrollment before 1970 tend to also have relatively high enrollment in every subsequent decade (Figure 7A). The correlation fades over the decades but remains high. By contrast, there is almost no relationship between a school’s share of women faculty before 1970 and its share in subsequent decades (Figure 7B). Historical representation thus seems persistent for enrollment but not faculty.

### 6. Accounting for Changes in Women’s Representation

We have documented how women’s representation in enrollment, faculty, and deanships followed distinct paths. In this section, we account for these differences by comparing women’s shares of students, faculty, and deans to estimates of their shares of the potential candidates for these positions. The three
positions represent three distinct stages of a potential legal career. Thus, our goal is to measure the extent to which women disproportionately exit at each of these stages.

Figure 7 The Persistence of History. (A) Law Students. (B) Law Professors.
Notes: This figure reports the relationship between a law school’s historical representation of women (during the 1960s) and the law school’s representation in later decades for students (Panel A) and faculty (Panel B). Each dot represents a law school decile averaged over a decade. The dashed line is the slope of the regression line that would result if the relationship between past and present women’s shares were 1-to-1 (i.e., if a 1 percentage point increase in historical women’s representation corresponded to a 1 percentage point increase in future women’s representation).
6.1 Estimating Women's Shares of Potential Candidates

We take a simple approach to estimating women’s shares of potential candidates by focusing on the minimum qualifications that are traditionally associated with each position.

6.1.1 Law Student Candidates

The standard requirement for law school admission is a bachelor’s degree. Further, most law students are recent graduates. For these reasons, we use college graduates between the ages of 25 and 34 as the main benchmark for the candidate pool. As an alternative, we also use college graduates between the ages of 25 and 50. These data come from the U.S. Census.

6.1.2 Law Faculty Candidates

The candidate pool for faculty is more difficult to estimate than the candidate pool for law students for two reasons. First, the timing of entry into a law professor career is not well-known. In recent years, most law professors have entered the academy relatively early in their careers, but it is unclear whether this has always been the case. Second, the share of law professors that we report is the share of all professors, not just new hires. In principle, an accurate candidate pool would thus be representative of the age profile of all professors in each year, not just the ones hired in that year. Further complicating matters, the age profile has likely changed over time. Although law professors today sometimes teach into their 80s (and beyond), many law schools had mandatory retirement policies before 1982 (Ashenfelter & Card 2002).

We do not attempt to account for these complications. Instead, we take a simple approach. While there are generally no formal requirements to be a law school professor, a JD is essentially a de facto requirement. We, therefore, focus on lawyers who received their law degree between 5 and 30 years prior. We use 30 years because of the mandatory retirement policies before 1982, and for consistency, we use 30 years for the entire period. Our first benchmark for women’s share of potential candidates is their share of JD graduates with 5–30 years of experience. This benchmark is the share of women’s faculty that would result if women and men JD holders were equally likely to be professors every year for the first 5–30 years of their careers. We estimate this benchmark using data on law school graduates from prior years. For example, the value in 2020 would be the number of women graduating from law school between 1991 and 2015 divided by the total number of graduates from 1991 to 2015. We also create a second benchmark that restricts graduates to the top 14 law schools. This second benchmark is motivated by recent evidence suggesting that law school faculty are disproportionately selected from these schools.

6.1.3 Law School Dean Candidates

Like the case of professors, there are no formal requirements to become a law school dean, but a JD can be thought of as a de facto requirement. Moreover, almost all law school deans are tenured law professors, and almost all law school deans are in the middle or later stages of their careers. For example, analyzing data from Rosenblatt’s Dean Database, we find that 90 percent of current deans graduated from law school more than 20 years ago, and 68 percent graduated from law school more than 25 years ago.

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1 For example, of professors hired in 2021, 13 percent got their first full-time job as a law professor between 0 and 4 years after graduating law school, 39 percent got their first full-time job as a law professor between 5 and 9 years after graduating law school, 43 percent got their first full-time job as a law professor between 10 and 19 years after graduating law school, and 4 percent got their first full-time job as a law professor between 20 years and more after graduating law school (Lawsky 2021). The time between law school graduation and first job as a law professor has been relatively stable over the past 10 years. For example, of professors hired in 2011, 16 percent got their first full-time job as a law professor between 0 and 4 years after graduating law school (compared to 16 percent for those hired in 2021), 49 percent got their first full-time job as a law professor between 5 and 9 years after graduating law school (compared to 39 percent for those hired in 2021), 30 percent got their first full-time job as a law professor between 10 and 19 years after graduating law school (compared to 43 percent for those hired in 2021), and 5 percent got their first full-time job as a law professor between 20 years and more after graduating law school (compared to 4 percent for those hired in 2021).

2 For example, Professor Sarah Lawsky has collected data on all entry level law professor hires since 2011, including where the new hires went to law school. Professor Lawsky finds that 41 percent of law professors hired in 2020 graduated from just 3 law schools (Harvard, Yale, and NYU). Analyzing the data that Professor Lawsky collected, 63 percent of law professors hired in 2021 graduated from a top-14 school.

3 The average current dean graduated from law school 29 years ago.
For these reasons, we would ideally approximate the candidate pool by estimating women’s share of experienced law professors. Unfortunately, we cannot directly measure this with our data because the data do not identify the year each professor joined the legal academy or the year that each professor graduated from law school. To approximate the ideal candidate pool measure, we use data from Chilton, Masur, and Rozema (2021), which includes a sample of 1,712 law professors who received tenure at the top 100 ranked law schools between 1970 and 2007. These data include the year that each professor entered the academy and, under several assumptions, can be used to estimate women’s share of experienced law professors each year. (Supplementary Appendix C describes estimation and the limitations of the measure, including how it should be interpreted as an upper bound on women’s share of experienced law professors.)

Given the difficulties and assumptions needed to estimate women’s share of experienced professors, we also offer two alternative measures of the dean candidate pool. The first alternative is the average percent of law professors who are women from 5 to 30 years before the current year. Under this measure, women’s share of the candidate pool for the year 2000 would be an equally weighted average of their shares from 1970 to 1995. The second alternative measure of the dean candidate pool is law graduates with 20–35 years of experience. This measure ignores the selection that occurs from law graduates into the legal academy. It is the share of women deans that would result if every JD holder with 20–35 years of experience is equally likely to be a law dean in any given year.

6.2 Results

The results suggest that the stage at which women most disproportionately exit has been the point of initial entry into the legal profession, that is, at the point of enrollment into law school (Figure 8). Before the 1990s, women’s share of law students lagged far behind their share of potential candidates. The difference is most striking in the early years. In the 1950s and 1960s, for example, women accounted for about 35–40 percent of college graduates but less than 5 percent of 1Ls. Conditional on graduating from college, men were therefore more than 10 times as likely to go to law school. By the mid-1980s, this gap had mostly closed, and women’s share of 1Ls followed a parallel trend with women’s share of college graduates for the next 40 years. In 2020, the gap was approximately completely closed. For the first time in history, women’s share of 1Ls had essentially matched their share of the candidate pool.

In contrast to the enrollment trends, women’s share of faculty and deans seem to track more closely their share of potential candidates (Figure 8B and 8C). Although women law professors and deans have been both under and over the share of the candidate pool at different times in history, these differences are small compared to the substantial gap for enrollment.

Against the benchmark of candidate pools, the representativeness of law school students, professors, and deans evolved in very distinct patterns. In broad strokes, the main results are that students were generally unrepresentative until very recently, professors and deans were relatively more representative throughout the entire period, and, in recent years, all three categories have approximately converged to their respective candidate pools.

6.3 Pink Ghettos for Faculty and Deans

We next investigate the extent to which the increase in women faculty was accompanied by the emergence of so-called “pink ghettos” within law school faculties (Lanctot 2020; Merritt & Reskin 1997). Above, we found that women’s share of faculty and deans seem to track closely their share of potential candidates, especially when compared to women’s share of law students (Figure 8). But this result could mask differences in the type of positions that women attain. Previous scholarship suggests that women law professors are overrepresented in subject areas typically taught by non-permanent or non-tenure track faculty (such as legal research and writing) (e.g., Fossum 1980; Lanctot 2020), are hired at a lower professorial rank (e.g., Merritt & Reskin 1997), and earn less than men (e.g., Ryan & Dawe 2021). After a series of highly publicized tenure denials of women legal
academics in the 1980s and early 1990s, the ABA and AALS conducted investigations and found that law schools created barriers for women and discriminated against them, identifying legal writing in particular as a pink ghetto (Lanctot 2020).

**Figure 8** Women in Law Schools Compared to Candidate Pools. (A) Law Students. (B) Law Professors. (C) Law Deans.

Notes: This figure reports women’s share of students, professors, and deans at all ABA-approved U.S. law schools from Figure 2 alongside estimates of the candidate pool. Panel A reports law students and estimated law student candidates, where “recent college graduates” include college degree holders that are 25–34 years old and “College Graduates” includes 25–50 years old. Panel B reports law professors and estimated law professor candidates, where “All Lawyers” is law graduates from 5 to 30 years prior and “Lawyers from T14 Law Schools” is law graduates from top 14 law schools from 5 to 30 years prior. Panel C reports law deans and estimated law dean candidates, where “Experienced Lawyers” is all law school graduates from 20 to 35 years prior and the other estimated candidate pools are described in the text.
To investigate whether the rise in women’s representation on faculties is partially explained by pink ghettos, we distinguish between (a) tenure-track research professors and (b) non-tenure track and non-research professors.12 The latter (“type-b” positions) include instructors, clinical professors, lecturers, professor librarians, legal writing professors, and teaching fellows.13 Then, we calculate the share of all faculty years spent in type-b positions separately for women and men. We interpret the ratio of women to men’s share of faculty years spent in type-b positions as a measure of the magnitude of the pink ghetto. We also repeat this exercise for law deanships, where we distinguish permanent deans (type-a) from interim or acting deans (type-b).14

The results support claims of pink ghettos for both faculty and deans (Figure 9).15 In the 1970s and 1980s, women and men were roughly equally likely to occupy non-tenure track and non-research positions. Since the 1990s, however, women faculty have been 2–3 times more likely than men faculty to occupy non-tenure track and non-research positions. A similar pattern follows for deans but is delayed by roughly a decade. Since the 2000s, women deans have been more than 2 times as likely as men deans to occupy that position on an interim basis. Overall, these results suggest that the increase in women faculty documented above was accompanied by the emergence of pink ghettos within law school faculties.

7. THE ACHIEVEMENT GAP

So far, we have documented changes in law schools’ gender gaps for students, professors, and deans. These quantities can be thought of as inputs to legal education. In this part, we turn our attention...
to law school outputs. We focus specifically on the most fundamental achievement for a law school student: graduation. Failure to graduate from law school effectively forecloses the possibility of entering the legal profession. Since our data do not enable us to directly measure graduation rates, we first propose an alternative measure that is likely to closely track graduation rates (Section 7.1). We then use the alternative measure to compare women’s and men’s relative achievement (Section 7.2).

7.1 Measuring Graduation Rates

The data present several challenges in estimating both law-school-level and aggregate-level graduation rates. The biggest of these comes from a key limitation of the dataset: until 1970, it did not include the number of JDs awarded. It is therefore not possible to directly measure graduation rates before 1970. To maintain consistency in our cross-decade comparison, we, therefore, use a close alternative to graduation rate: the percent of each 1L class that survives to the 3L year.

This alternative is likely a close proxy for the graduation rate. The difference between the survival-to-3L rate and the graduation rate is the percent of students who drop out or transfer out in the middle of their 3L year. This is likely to be low because, a priori, it seems likely that most attrition would have occurred before the 3L year commenced. Importantly, law schools report the number of 3Ls after the school year has begun. The data thus already account for anyone who dropped out after finishing the 2L year but before commencing the 3L year. In general, we, therefore, expect our alternative measure to be only slightly higher than the true graduation rate.

In addition to the possibility of leaving midway through the 3L year, there are other reasons why our measure of achievement will not equal the true graduation rate. However, most of these reasons would also exist even if we were able to use data on JDs awarded. Some students take time off from law school. This could introduce noise or bias depending on whether such students are more or less likely to return to become 3Ls and eventually graduate. Students can also transfer into and out of law schools. For this reason, our estimates of a law school’s graduation rate would differ from the true graduation rate to the extent that the school’s number of (net) transfers is different from zero.

Although our proxy for the graduation rate is imperfect, many of the concerns for estimating the graduation rate do not necessarily translate into concerns for estimating the difference in graduation rates between men and women, which is our object of interest. In general, if the measurement problem equally affects both men and women, then the effect washes out and our measures are still unbiased on average.

7.2 Closing the Graduation Gap

The last half of the 20th century witnessed two key changes in student achievement (Figure 10). First, the graduation rates of both men and women rose dramatically over 70 years, from about 60 percent in 1950 to well over 90 percent by 2020. Graduation rates increased in the aggregate (Panel A) and within each law school tier (Panel B). There are several possible explanations for this significant increase in student achievement. For example, over this period, tuition rates for law schools increased significantly. Higher tuition, in theory, means that even the first year of law school is a significant investment; this would in turn screen out students who anticipate (possibly) leaving before graduation. Moreover, law

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16 Graduation is a simple and coarse measure of achievement. There are other more nuanced measures. In many contexts (as in this study), the measurement is dictated by available data. For example, Chetty et al. (2014) use year-on-year changes in state-wide test scores to study high school achievement. After high school, however, the unavailability of state-level exams limits the ability to consistently measure student achievement (De Vlieger et al. 2019). See, generally, Murnane (2013).

17 The existence of students who remain in school but take longer than 3 years to graduate (“4Ls”), on the other hand, does not affect our measure of graduation—whereas it would affect a measure based on JDs awarded. To see this, suppose a student entering in fall 1960 graduates not in spring 1963 (with her peers from 1L year), but instead in spring 1964. Either way, that student would have still been a member of the entering 1L class of fall 1960. Thus, when constructing a measure of the share of entering 1L class of fall 1960 that graduates, it is still valid to include that student in the numerator, since they did (eventually) graduate. The fact that there may be students who remain in school but take more than 3 years to graduate therefore does not affect the validity of our measure.

18 In general, transfers will tend to deflate graduation rates of schools that are net givers of transfer students and inflate graduation rates of schools that are net recipients of transfers. As a theoretical matter, however, even if one knew which students were transfers (which we do not), it is not obvious how transfers should be accounted for in our framework. Should they count toward school A or B? In either case, the good news is that this would not impact the aggregate graduation rates. It would only impact the school-level graduation rates. The magnitude of this problem is limited to the extent to which transfers occur. Unfortunately, our data do not give us a sense of the extent to which transfers occur, or the extent to which the transfer probability is changing over time.
schools may be less inclined to fail students because of the debt that students take on to attend. At the same time, the increased availability of student loans made law school easier to finance and may have relaxed financial pressure to leave. The increasing returns to finishing a law degree, increasing quality of legal education, and stricter admission standards may have also contributed to the higher graduation rates.

The second key change in achievement is that the gap between women and men closed in the 1960s. Women graduated at lower rates than men throughout the 1950s and early 1960s. Starting in the mid-1960s, however, they graduated at approximately equal rates. This is true in the aggregate (Figure 10A) and across law school tiers (Figure 10B). The sign of the aggregate gender gap in later years depends on whether one computes it by averaging over school-level differences in graduation rates (in which case women graduated at slightly lower rates (Figure 10A)) or by pooling all classes across all schools (in which case women graduated at slightly higher rates (Figure A5 in the Supplementary Appendix A)). The latter result is driven mostly by Tier 3 schools, where women graduated at higher rates than men.
throughout the 1970s and 1980s. In the aggregate, however, post-1970 differences are small compared to the large and persistent gap of the 1950s and 1960s.

Although we do not have a rigorous causal explanation for the closing of the gap, we descriptively investigate two theories based on “peer effects” and “mentorship effects.” The simplest version of these theories is that a greater representation of women in the student body (peers) and among faculty and teachers (mentors) positively impacts women’s educational achievements.

The aggregate trends do not offer much evidence in favor of either peer effects or mentorship effects. Most notably, the graduation gap had mostly closed before women’s enrollment and faculty numbers began to rise in the late 1960s, suggesting that, at least at the aggregate level, changes in the graduation gap were not likely caused by aggregate changes in women’s representation (Figure 11). Thus, if one defines the relevant peer and mentorship groups as all law students and all law faculty, then the timing of the closing itself provides suggestive evidence against the hypothesis that the aggregate changes in peer and mentorship group sizes caused the gap to close.

However, the relevant peer and mentorship group is perhaps more likely to be within each law school class. That is, a woman student’s relevant peer group is the other women students within her class, while her (potential) mentors are the women professors at her school. Yet even within law schools, we find little evidence that the number of women students or professors is associated with higher or lower graduation gaps. On the contrary, the aggregate trends in the graduation gap hold even within a fixed peer group and mentorship group sizes (Figure 12): the graduation gap in law school classes with 1 woman student, 2–4 women students, and 5+ women students all followed the same general trend. The same goes for mentorship groups: there was little difference between the graduation gap in law school classes that had 0 women professors, 1 woman professor, and 2+ women professors. Thus, law schools with more women students or more women professors experienced approximately the same trends over the critical years during which the graduation gap closed.

The same pattern holds when we investigate this within a standard panel regression framework (Table 4). Restricting the analysis to the years during which the aggregate graduation gap was closing (1948–1970), we find that changes in the number of women students or professors are not associated
with changes in the graduation gap. This result holds using cross- and within-school variation or just within-school variation. Neither the aggregate trends nor the within-law school regressions offer suggestive evidence that peer or mentorship effects contributed to the closing of the graduation gap.

Several caveats are in order. First, our proxy for the graduation rate for women and men (the rate that they make it into the third year) has unique limitations in studying the gender gap. This is because there are reasons to expect women are more likely to delay entry into the 3L year (e.g., pregnancy) even if they eventually graduate (and thus add to women’s graduation numbers, but on a lag). Second, the low number of women law students in the period limits the analysis in several ways. The graduation rate for women is much noisier than that for men, making it difficult for us to detect differences that may be present. The small numbers also limit the absolute amount of variance that there is to explain. The graduation gap fluctuated throughout the 1950s from around 5 to 10 percentage points. But in absolute terms, this is only about 25–50 women each year (given that nationally there were roughly 500 women in each entering 1L class). Thus, any explanation of the graduation gap would essentially explain why 25–50 women did not graduate each year. Small changes in selection or other idiosyncratic reasons might easily account for this. Third, the aggregate trends do not necessarily foreclose the possibility that peer and mentorship effects played a substantial role in closing the graduation gap within some law schools. Fourth, the aggregate trends do not imply that the increases in women’s enrollment and women faculty after the graduation gap had closed had no impact on women’s experiences and achievements in law school. If anything, the fact that the graduation gap closed before the increases in women’s representation in student bodies and law faculties make the achievement more impressive. It

Figure 12: Closing the Graduation Gap: Within Law School. (A) Peer Effects. (B) Mentorship Effects.

Notes: The figure reports the graduation gap for law schools with different numbers of women law students (Panel A) and law professors (Panel B) in a given year. The graduation gap is women’s graduation rate minus men’s graduation rate.
is worth remembering that women law students closed the graduation gap in an era when it was still common for a woman to be the only woman student in her class and when most law schools had 1 or zero women faculty (Figure 1).

We leave a comprehensive answer to the question of what explains the timing of the closing of the gap to future research. However, it is worth mentioning a few of the profound social changes that took place over the course of the 1960s, when women closed the achievement gap in law schools. The first widely available birth control pill was released in 1960. This may have impacted women in law school by enabling them to delay childbirth until after graduation (Goldin & Katz 2002). The Civil Rights Act of 1964 prohibited discrimination in the workplace on the basis of sex. To the extent that this caused law firms to reduce their hostility toward hiring women (either because of the Civil Rights Act or as social norms on women in the workplace changed), this would have increased the financial incentives to both enter and complete law school.20

8. CONCLUSION

This Article offered the first comprehensive empirical analysis of women’s representation and achievement in law schools from 1948 to 2021. To do this, we assembled a new dataset on the number of women and men students and faculty at all ABA-approved U.S. law schools each year. We highlight four main results.

First, we found that women’s initial access to law schools substantially increased in the 1960s. Throughout the 1940s and 1950s, there was virtually no change in women’s representation, 15–20 percent of law schools had no women students, and 50–60 percent had no women professors. But the era of men-only classes rapidly ended in the early 1960s, and the era of men-only faculties ended in the late 1960s. These results stand in contrast with the existing literature. Previous studies have suggested that there was little to no progress in women’s representation in law schools and the legal profession before changes in federal laws and professional association reports in the late 1960s and early 1970s prompted schools and law firms to change (e.g., Drachman 1998, Fossum 1983). Our results on women’s

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20 The education amendments of title IX, which one might think would have the most direct impact on schools specifically, were not enacted until 1972 (after the achievement gap had closed).
enrollment, however, suggest that the pivotal moment in women’s progress occurred earlier, in the early 1960s, when a wave of law schools began to admit women for the first time.

Second, law schools have increasingly sorted along gender lines. After women’s shares of enrollment, faculty, and deans all experienced a near-simultaneous positive trend break in 1970, substantial differences across schools emerged and continue to persist. Within a law school, women’s enrollment shares in the 1950s and 1960s are strongly correlated with enrollment shares in every subsequent decade. The correlation between a law school’s faculty share and enrollment share has grown stronger over time, and only part of this is explained by the law school’s location.

Third, compared to women’s share of potential candidates, women were historically most underrepresented among law students. Compared to law students, women’s shares of faculty and deans more closely tracked their shares of potential candidates. This last result, however, is partially undermined by the fact that women were more likely to occupy non-tenure track/non-research faculty positions, and by the fact that they were more likely to occupy interim (as opposed to permanent) deanship positions.

Fourth, women historically graduated at lower rates than men, but this gap closed by 1970. We found suggestive evidence against the hypothesis that the increase in women’s relative achievement was caused by increases in women students (via “peer effects”) or by increases in women professors (via “mentorship effects”).

Overall, our results provide a long-run empirical framework within which to situate the vast qualitative literature on women’s experiences in law schools and the legal profession.

Supplementary Material
Supplementary material is available at JLA online.

References


