## SPEAK NOW: <br> Women, Education, and Achievement at The University of Chicago Law School

Findings and recommendations based on a one year study of students' experiences

## the Women's Advocacy Project

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## Preface

The Women's Advocacy Project began with casual observations and conversations among friends. As we progressed through our 1L and 2L years at UChicago Law School, we remarked on the gender dynamics we observed in classroom participation and on our surprise at a Moot Court board that did not have a single woman on it. When 1L writing prizes were announced, women locked eyes with one another across the Green Lounge as male name after male name was called. We raised eyebrows at one another after certain comments in class; we related stories of gendered career advice we received; we scanned the Law Review masthead and noticed a scarcity of female names. Speaking to one another and sharing our experiences made us feel that we were not alone in our perceptions and frustration.

We wondered if our observations were anomalous and unrepresentative of the Law School as a whole, but we had no way of knowing. Law school, with its serious academic and professional demands, is a short, intense three years. It provides little opportunity for serious reflection, or long-term institutional knowledge building among the student body. So, inspired by work done by students at Harvard and Yale Law Schools, we set out to fix that. We sought to explore and document gender dynamics at the Law School, and to discover whether our own unique experiences aligned with those of other women and men pursuing their legal educations at UChicago, beyond our social circles, demographic backgrounds, and class years, and in the recent past.

This study was of course motivated by our intuition that there are problems to address and changes that might be made in order to improve gender dynamics at the Law School. But as UChicago students, we've been taught to believe in efficiency. So this study was also motivated by a desire to accurately document and honestly understand the dynamics at work at the Law School in order to enable efficient diagnosis of problems and efficient allocation of resources to address them. More than anything, however, this study was motivated by a deep love of the Law School, respect for the institution, admiration for our professors and classmates, and immense gratitude for the education, experiences, and relationships that we have gained during our time here. We believe that the best way to express that gratitude is to engage with the institution, challenge it, and push it to continue improving.

Over the course of the last year and a half, we have been consistently impressed, even humbled, by the outpouring of support from members of the Law School community. Faculty members, administrators, and classmates have been generous with their time and energy, all working to lend their expertise to make the project a success. Members of our community are truly dedicated to engaging these issues and creating an environment where all students thrive. We therefore hope that this study serves as a tool for members of the Law School community in their efforts to that effect. We hope that this community will read, discuss, interrogate, and elaborate upon our study.

## Sincerely,

Mallika, Roisin, \& Hannah

## Ackowledgments

We would not have been able to realize this study without the help of the entire Law School. From preparing the first drafts of the research plans to actually implementing each one of them, our classmates and professors were incredible sources of advice and encouragement. Professors Emily Buss and William Hubbard, Chairs of the Law School's Faculty Diversity Committee, provided continuous support and guidance from our very first meeting with them in the Winter Quarter of 2017. Professor Hubbard also served as our Primary Investigator with the Institutional Review Board. Professors Buss and Hubbard, along with Professors William Baude, Adam Chilton, Aziz Huq, Genevieve Lakier, and Geoffrey Stone, generously dedicated their valuable time to reading the first draft of this report and contributed thoughtful and detailed feedback. Professor Alison Siegler agreed to share her experiences and insights as a speaker at our May 10, 2018 reception. Professor Omri Ben-Shahar advised us on human subjects research protocols and assisted us with Institutional Review Board strategy and compliance. Professor Daniel Abebe met with us to discuss diverse faculty hiring strategies and overall diversity efforts at the Law School. Ann Perry, Dean of Admissions, assisted us in thinking through and accessing ABA reports and furnished us with class composition data.

The Dean of Students Office was particularly helpful and supportive throughout this project, providing publicly available achievement data in an easily digestible format, as well as some funding, and directing us to various University resources. We would like to thank Dean of Students Shannon Bartlett for her steadfast support and encouragement. We would also like to thank Associate Director of Student Affairs \& Programs Candace Bergeron for her logistical help and consistent willingness to go above and beyond for WAP and for Law School students more broadly.

We have also had tremendous support from sources outside the Law School. The Department of Statistics Consulting Team, led by Gregory Naitzat, was instrumental in helping us with statistical analysis. Professor Anna Maria Marshall of the University of Illinois Law School and UChicago Sociology Ph.D. candidate Jaclyn Wong provided detailed feedback on our survey questions, as well as other aspects of our methodology and strategy. Abby Siwak from the Office of External Affairs consulted on fundraising strategies. The Social \& Behavioral Sciences Institutional Review Board graciously helped us think through many aspects of our research methodology and volunteer management strategies, often on very tight timelines. Sean Hernandez of PSD Graphic Arts designed and formatted the report, completing the project in less than a month.

The Law Students Association, Professor Jonathan Masur, and Lo \& Sons provided generous donations as raffle prizes to incentivize participation in the student survey. Law Women's Caucus co-sponsored several events with WAP, adding additional publicity, attendance, and funding to our programming.

Several law firms sponsored the project, providing resources without which the project would not have been possible. This project was also backed by the Vice Provost for Academic Leadership, Advancement and Diversity. We appreciate the Vice Provost's generous contribution and enthusiasm for supporting projects that encourage diversity and inclusion. We thank the following organizations:

## University Funding

The UChicago Graduate Council
The UChicago Diversity and Inclusion Initiative
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## Firm Sponsors

PLATINUM LEVEL
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O'Melveny \& Myers
Schiff Hardin LLP
Williams \& Connolly LLP

## SILVER LEVEL

Sidley Austin LLP
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Our classmates have contributed a great deal of their time and energy to this study. Their hard work and vision spurred this project forward. Jenn Beard, Piper Pehrson, and Andrew Sowle headed the analytical components, taking the lead to make sure each ran smoothly.

Sofie Brooks, Jimmy Frost, Megan Lindgren, Jamie Luguri, and Maria Maciá spent countless hours helping us organize and analyze the data.

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## Classroom observers:

| Nicole Alvarez | Alison Giest | Julianna McCorkle |
| :--- | :--- | :--- |
| Sari Amiel | Lucia Goin | Angella Molvig |
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## EXECUTIVE SUMMARY

## THE WOMEN'S ADVOCACY PROJECT

This study was conducted by the Women's Advocacy Project (WAP), an independent group of University of Chicago law students created solely for the purpose of conducting the research described below. The project was executed over the span of one academic year at the Law School, and it represents the efforts of over 70 law students. WAP observed Law School classes, interviewed faculty members, conducted a broad-based student survey, and collected data regarding students' academic and career outcomes in an attempt to accumulate a broad, rich, and detailed dataset describing women's experiences at the Law School. It is the very first study of its kind to be conducted at the University of Chicago Law School. WAP enjoyed the support and assistance of many members of the Law School community but is an independent project not sponsored or run by the Law School administration or faculty in any way.

WAP prepared for the study by holding focus groups, drafting the survey and interview scripts, designing the classroom observation tool, and enlisting the support of various faculty members and administrators during the 2016-2017 school year. The vast majority of WAP's data collection took place over the 2017-2018 school year, with classroom observations conducted in the Autumn Quarter, professor interviews conducted during the Autumn and Winter Quarters, and a student survey administered in the Winter Quarter. WAP wrote this report during the Spring Quarter of 2018 and published it in May 2018.

## KEY FINDINGS

This study produced broad initial findings on many aspects of women's experiences at UChicago Law School. Overall, women have yet to reach parity with men in many indicators of academic achievement and satisfaction with their experiences at the Law School. However, there are many areas in which women-and the Law School-have made progress or are doing particularly well. Our main findings are reproduced below.

## Class Composition:

- UChicago has the most pronounced gender disparity in student population among the top six law schools.
- Within the last five years, the gender disparity within each class has generally increased between the first and second years.
- Male UChicago Law students are significantly more likely than female students to have majored in Economics as undergraduates.


## Achievement \& Outcomes:

- Women are statistically significantly less likely to receive honors at graduation (including honors, high honors, and highest honors) than men.
- From 2008 to 2017, women were somewhat less likely to receive writing prizes awarded for performance in the first year Legal Research and Writing Course. From 2014 to 2017, women were significantly less likely to win the best brief award, but about equally likely to win the Beale Prize for best overall performance.
- Men are significantly more likely than women to report having done as well as they expected to at the Law School. Women are significantly more likely than men to report having done worse than they expected.


## Journals:

- On average, more men than women served on the staff of the Law Review between 2008 and 2017. From 2014 to 2017, women were significantly less likely to serve on the staff of the Law Review.
- On average, more women than men served on the staff of the Legal Forum between 2008 and 2017. In fact, from 2014 to 2017, women were significantly overrepresented on the staff of the Legal Forum compared to their proportion of the overall class.
- On average, slightly more men served on the staff of the Chicago Journal of International Law (CJIL) between 2008 and 2017, but the difference is not statistically significant.
- More than two thirds (68\%) of students selected to serve on the Law Review board during the period from 2008 to 2017 were men, although there is considerable variation from year to year. Between 2014 and 2017, the difference between women's service on the board and their representation in the class was not statistically significant. Only one Editor-in-Chief of the Law Review during the 2008 to 2017 period was female.
- During the years 2008 to 2017, the composition of the CJIL board was much more balanced than the board of the Law Review. From 2014 to 2017, women were more likely to serve on the Legal Forum board than would be expected based on their representation in the class. That result is marginally significant.
- 2 L and 3L men surveyed were significantly more likely to report completing the writing competition than 2 L and 3 L women.


## Clerkships:

- Over the last ten years, male students were much more likely than female students to receive an appellate clerkship ( $69 \%$ of appellate clerkships went to men, and $31 \%$ to women).
- Women have received more appellate clerkships as the past ten years have progressed. For the period from 2014 to 2017, for example, $37 \%$ of appellate clerkships went to women, and $63 \%$ went to men. That difference is still statistically significant at the .10 level, however.
- Ten of fifteen Supreme Court clerkships in the last ten years have gone to men.
- Gender disparities were also present but less pronounced at the District Court level over the past ten years. From 2013 to 2017, women were actually more likely than men to clerk at the District Court level, a finding that is marginally significant.
- More men than women surveyed reported being interested in clerking, and more women than men reported being unsure about whether or not they were interested in clerking.
- Some students and professors expressed frustration with a perceived lack of transparency in the clerkship process.


## Classroom Dynamics:

- Classroom observations revealed only a very small, and not significant difference in the overall participation rates of male and female students.
- There were, however, significant differences when it came to voluntary participation in class. Women participated voluntarily at a significantly lower rate than would be expected based on their representation in their classes.
o That difference is most pronounced in large, upper-level classes.
o That difference decreased significantly as the quarter progressed.
o That difference did not exist in classes led by female professors.
- Women were significantly less likely to volunteer in class sessions in which the first speaker was a man. That correlation decreased considerably as the quarter progressed.
- Professors cold called roughly equally by gender. However, classes with more cold calls did not result in more voluntary participation by women.
- Both men and women reported high rates of satisfaction with classroom experiences, but women were significantly less likely to report that result than men.


## Mentorship:

- Women reported having slightly more mentors on the faculty than men do. Most students have at least one mentor.
- There was no significant difference in the number of letters of recommendation that professors wrote for women and men.
- Women were significantly more likely than men to serve as research assistants.
- The fact that there are few women on the faculty is a common concern among both students and professors. Students and professors raised this concern frequently even when not explicitly asked about it.


## Extracurricular activities:

- Over the past five years, $71 \%$ of moot court semi-finalists, $60 \%$ of finalists, and $67 \%$ of moot court winners have been men.
- From 2013 to 2017, 59.6\% of pro bono Certificates of Recognition went to women.
- On average, 1L women are members of more student organizations than 1 L men. The difference is slight but statistically significant.
- Male students report holding leadership positions in slightly fewer student organizations on average than women. Male students also report dedicating at least five hours per week to fewer student organizations than do women. Neither difference is statistically significant.


## Student experience:

- The vast majority of students would choose to enroll at UChicago again if given the opportunity, though a higher proportion of men than women so reported.
- Overall, women reported having reservations about attending UChicago at significantly higher rates than men. Their most commonly reported concerns were their perceptions that UChicago lacks diversity and has a conservative political reputation.
- Women are significantly more likely than men to express an interest in public interest work. Men are significantly more likely than women to express an interest in academia, non-legal work, clerking, and private practice. Men and women are roughly equally interested in government work.
- Women are slightly, but statistically significantly, less likely than men to do On-Campus Interviewing.
- Both men and women report high rates of positive interactions with fellow students, but women are significantly less likely to report positive interactions than men. Women are more likely to characterize their interactions with fellow students as "somewhat positive" than "very positive."


## INTRODUCTION

The Women's Advocacy Project (WAP) is a research project initiated, organized, designed, and staffed by law students at the University of Chicago Law School. Students conceived of the research project in Autumn 2016, inspired by similar student projects conducted at Harvard and Yale Law Schools. WAP has four primary research components: classroom observations, achievement data, a student survey, and professor interviews. The project was conducted over the span of one academic year at the Law School, and it represents the efforts of over 70 law students. WAP collected the data described above in an attempt to accumulate a broad, rich, and detailed set of information regarding women's experiences at the Law School. It is the very first study of its kind to be conducted at the University of Chicago Law School.

WAP is unaffiliated with the Law School administration. Although WAP has benefited from the informal advice and guidance of members of the Law School faculty and administration, it is a completely independent project that has defined its own goals, methods, and scope at each step in the process. WAP obtained approval from the University of Chicago's Institutional Review Board (IRB) for each component of the study. Professor William Hubbard has served as the project's Primary Investigator for IRB purposes because a faculty primary investigator is required by the IRB. He did not design the project, however, and has exercised no editorial control over the writing of this report. WAP is a registered Law Student Organization but has no plans to continue its existence as a student organization after the publication of this report.

WAP has received funding from the Office of the Dean of Students, a University of Chicago Diversity and Inclusion Grant, and various law firm contributors. None of the funds have been conditioned on the content of WAP's report in any way. WAP is a discrete project, designed to document the state of gender dynamics and women's achievement at the Law School at present, as well as to note historical data where appropriate. WAP seeks primarily to document and describe, but also offers recommendations that are responsive to problems identified as well as to suggest areas where further research is warranted.

## The Initial Stages

Planning for the Women's Advocacy Project began in December 2016. In January 2017 WAP put together a proposal for the Law School's faculty Diversity Committee and met with the Committee to discuss conducting a study on gender dynamics at the Law School, modeled on studies conducted at Harvard in 2004 and Yale in 2002 and 2012.

In the Spring of 2017, WAP held two focus groups. The entire Law School student body was invited to attend. During the focus groups, we presented our proposal for the research project and solicited feedback and input from the students who attended. We received

1 For example, WAP's student survey asked more questions about students' lives outside of class than Yale's, the professor interview script prompts more discussion of cold calling than Yale's did, and this report includes additional statistical analysis calculations in order to report many of our findings' statistical significance or lack thereof.

2 Likely the most influential initial contribution was Lani Gunier's 1997 book, which argued that traditional legal education, including the Socratic Method, was alienating for women. See generally Lani Gunier, Becoming Gentlemen (Beacon Press 1997). See also generally Claire G. Schwab, A Shifting Gender Divide: The Impact of Gender on Education at Columbia Law School in the New Millenium, 36 Colum J L \& Soc Probs 299 (2003); Allison L. Bowers, Women at the University of Texas School of Law: A Call for Action, 9 Tex J Women \& L 117 (2000). There is also considerable research on women's underrepresentation in the legal profession more broadly. See generally, for example, ABA Commission on Women, A Current Glance at Women in the Law (Jan. 2017), archived at https://perma.cc/ZZ2N-9W2N. Recent research has even identified disparities in the frequency with which male and female Supreme Court justices are interrupted by each other and by litigants. Tonja Jacobi and Dylan Schweers, Justice, Interrupted: The Effect of Gender, Ideology, and Seniority at Supreme Court Oral Arguments, 103 Va L Rev 1379 (2017).
valuable insights and thoughtful suggestions from our classmates. We also met a number of people who were excited to help us with the project. Based on what we learned from the focus groups and relying upon the Harvard and Yale reports, we designed the study to include four components: classroom observations, professor interviews, a student experience survey, and collection of achievement data.

At the beginning of the 2017 Autumn Quarter, WAP hosted a cocktail party and a lunch talk to introduce the project to the new 1L class and recruit volunteers. During the course of the Autumn Quarter we conducted three rounds of classroom observations as well as most of the professor interviews. We also began gathering publicly available achievement data with the assistance of the Dean of Students and Admissions Offices. During the Winter Quarter, we opened the student experience survey for two weeks, using a variety of methods to achieve broad-based participation. $71.8 \%$ of JD candidates completed the student survey. By the end of Winter Quarter, we had completed collection and analysis of our data, and we began writing this report.

## THE SCOPE OF THE PROJECT

This study is a starting point. WAP aims to give members of the Law School community a wide range of information to spark conversations about gender issues and diversity more broadly, and to guide the way for further research, as well as reform. The study is necessarily limited in scope. Despite WAP's best efforts to design a methodologically rigorous study, the information WAP was able to gather is in some ways incomplete. For example, WAP had just one year to collect most of its data. WAP was only able to observe classes in one academic quarter, and given the subjectivity inherent in many events that happen in the classroom, no classroom observation is likely to be perfect. In addition, WAP's student survey captured students' perspectives at one moment in time in their Law School careers. Although the participation rate was high ( $71.8 \%$ of the J.D. student body completed the survey), it is likely that some perspectives were not captured, and the information gathered is of course limited by the questions that WAP asked and that students were willing to answer. As with any survey, the WAP student survey was vulnerable to common survey flaws, including selection bias. Finally, while WAP interviewed 53 professors, those interviews were conducted by over two dozen volunteers who asked questions slightly differently and had different methods of note taking. The interviews varied in terms of content and length, and WAP did not conduct follow-up interviews.

Additionally, this study focuses on the University of Chicago Law School specifically. WAP has endeavored to contextualize many of the findings and analysis throughout the report with available data about other law schools whenever possible. However, no law school has produced exactly the types of information gathered by WAP over the course of the past year. The studies conducted at Yale and Harvard Law Schools took place six and 14 years ago, respectively, and while WAP aimed to match many of their methodologies, aspects of our
study differed in small but significant ways. ${ }^{1}$ WAP believes that findings specific to UChicago Law should be useful regardless of whether identical information is available for other law schools. Many of UChicago's peer schools struggle with similar issues surrounding diversity, but as a leader in its field, the UChicago Law community strives for gender equity not just comparatively but in absolute terms. In the findings and discussion presented below, WAP claims only to describe the situation at UChicago Law, unless comparative information about other schools is expressly provided.

More broadly, many of the gender disparities described in this report likely result at least in part from broader societal causes. Our primary purpose is not to evaluate whether or not the Law School is responsible for causing any particular gender disparity observed here-rather the report attempts to build knowledge that might help to remedy those effects in the future.

Despite the fact that this study is a starting point for the UChicago Law community, it builds upon an expansive body of research on gender in law school education. ${ }^{2}$ Most specifically, this report is modeled on similar studies conducted at Harvard in $2004^{3}$ and Yale in 2002 and 2012, ${ }^{4}$ which undertook research of a similar scope and had similar strengths and limitations. By all accounts, both the Harvard and Yale studies led to positive impacts at both schools. Yale's 2012 study was widely read; many UChicago Law professors reported reading it and adapting their teaching methods as a result of its findings. This study hopes to augment the contributions made by the earlier reports by shedding light on the current state of affairs at UChicago Law. Its aim is to spark much-needed conversations about how to improve the experience of women at the Law School, and how to promote their academic, as well as extracurricular success.

## Information Limitations

In addition to the predictable methodological limitations described above, this report also lacks other important categories of data that might add to our findings and aid in their interpretation. WAP's access to certain categories of information has been limited for a variety of reasons.

First, although WAP requested aggregate grade data in various formats from the Law School administration, this request was denied. The study therefore relies upon proxies for grades that indicate possible gender disparities at different points in law school. None of these proxies are perfect, however. See Appendix $K$. WAP also did not have access to admissions data, such as undergraduate GPA or LSAT scores, that might help shed light on gender based achievement disparities in law school, this request was also denied. This information is private, and several members of the Law School faculty and administration made clear to the WAP team that the Law School could not provide it.

Second, WAP did not have information on the gender breakdown of the graduating classes from 2007-2012. The Law School Dean's Office and Admissions Office generously provided WAP with the gender breakdown for each class for the 2013-2014 through the

3 Working Group on Women's
Experiences, Harvard Law School, Study on Women's Experiences at Harvard Law School (Feb. 2004), archived at https:// perma.cc/H8HF-JTF8. The results of the study were also published at Adam Neufeld, Costs of an Outdated Pedagogy? Study on Gender at Harvard Law School, 13 J Gender, Soc Pol \& L 511 (2005). In 2013, the Harvard Crimson published a three-part series on women at Harvard Law School. See Part I (with links to the following parts) at Dev A. Patel, Once Home to Kagan and Warren, HLS Faculty Still Only 20 Percent Female (Harvard Crimson, May 6, 2013), archived at https://perma.cc/HF25-M8ND. The Harvard Law's Women's Law Association recently released updated numbers regarding achievement disparities between women and men at Harvard Law School. Molly Coleman, Harvard Law School's Glass Ceiling (Harvard Law Record, April 24, 2018), archived at https://perma.cc/ D825-WDC7.

4 Yale Law Women, Yale Law Students and Faculty Speak Up about Gender: Ten Years Later (April 2012), archived at https://perma.cc/LX6Y-AJBJ.

2017-2018 academic years, but would not provide information for the earlier years. As a result, although WAP was able to calculate the baseline gender composition of the 2014 to 2017 graduating classes, it was not able to do so for the earlier classes. See Appendix L. For more information on how WAP calculated baseline class composition for those years, see Methodology, Achievement Data.

Finally, WAP requested but was not given baseline data about the gender composition of each Law School course for the Autumn Quarter of 2017. To calculate the baseline attendance of each class observed in the Classroom Observations module, WAP therefore relied on the class observers to report the gender breakdown of each class. WAP does not have a gender breakdown of enrollment in clinical courses.

Despite the missing information described above, WAP is confident that the findings detailed in this report are robust and take advantage of all available information. WAP has been careful to note where more information is required to reach a firm conclusion about the impact of gender on a particular dimension of Law School life.

## Note on Other Diverse Identities

This study focuses narrowly on the experiences of women at UChicago Law School. It does not comprehensively examine the experiences of students of color, LGBTQ students, or other groups of students who are likely to be underrepresented and who may face significant barriers to success at the Law School and in the legal profession (such as first generation college students and students with disabilities). WAP acknowledges that there is often a powerful intersection between different identity characteristics. Many of the issues explored in this report likely impact students differently based on their race, religion, national origin, LGBTQ status or other aspects of their identity as well as the intersections of their identity characteristics. Many students and professors pointed this out. Student survey responses raised these issues frequently. One student, for example, stated, "in some cases, I think race can be a more accurate explanatory force." Another student wrote, "I just want to make sure that, across the board, when we think about gender issues at this school (of which there are many), we also think about the intersections with race, economic status, first-generation students, disabilities, etc. So many people fill multiple categories, and it is tough to isolate one's experience based solely on one factor, i.e. gender." A third student remarked that social and study groups at the Law School tend to be racially homogeneous, and that she felt she might have been excluded from groups at least in part because of her race. This put her "at a disadvantage from 1L [Autumn] quarter." Yet another student stated that "the school struggles much more with implicit racial bias than implicit gender bias." Many more students pointed out issues of race in their contributions.

WAP encouraged student interviewers to explore the intersections between gender, race, and other identity characteristics as appropriate in their interviews with professors. WAP also solicited race, sexuality, and (for LLMs) country of origin information in its student survey.

However, WAP chose not to focus its research on the impact that these other identity characteristics have on student experience at the Law School for two reasons. First, focusing the study on women made the project more feasible in scope. WAP views this study as a starting point and hopes its methods and the types of questions it asks will enable other student groups to do similar research along different demographic lines in the future. Second, because of the small number of students of color at the Law School, it would have been nearly impossible to report on student survey and professor interview findings based on race in an interesting way while preserving students' and professors' anonymity.

WAP is aware that most of the references to gender in this report are, unfortunately, binary. Although the goal of this report is not to re-entrench binary understandings of gender, almost all of our statistics are broken down with reference to women and men exclusively, and the report as a whole purports to evaluate the experiences of women at the Law School as compared to the experiences of men. Additionally, many of the methodologies employed in this study (described below) involved making assumptions about the gender of individuals that may vary from individuals' self-defined identities. Focusing on the experiences of women, as opposed to students who may be trans, gender non-conforming, or who do not otherwise fit within binary understandings of gender, was necessary for the purposes of this study because of similar concerns about scope, privacy, and anonymity to those described above.

We sincerely hope, however, that these shortcomings will be rectified by future research, which the present report aspires to facilitate.

## METHODOLOGY

This study included four primary methodological components. First, WAP observed 96 Law School class sessions during the Autumn Quarter of 2017. WAP trained student observers to observe, in pairs, their own classes three times each during the Autumn Quarter. The project observed 24 upper-level courses, and all nine sections of doctrinal 1L courses (1L Legal Research \& Writing classes were not observed). Students were trained to identify and record cold calls, as well as various types of voluntary participation events, professors' responses to student participation, and the gender of the students participating. Through the classroom observations, WAP was able to gather broad-strokes data about what goes on in Law School classrooms on a day-to-day basis.

Second, WAP interviewed 53 professors during the Autumn, Winter, and Spring Quarters of the 2017-2018 school year. WAP reached out to all full time teaching faculty, Bigelow fellows, clinic directors, and some additional clinical faculty for interviews. WAP also collected data sheets from 37 professors, which included information on the numbers of letters of recommendation and references they had provided within the preceding calendar year. WAP trained pairs of students to reach out to faculty members and conduct 30-60 minute interviews using a standardized interview script that included questions about pedagogical strategies, mentoring relationships, and other areas of concern for
women at the Law School. Although the interviews varied to some extent in terms of length and content, they provide a useful window into professors' perspectives on gender at the Law School, as well as student life more generally.

Third, WAP conducted a student survey in the Winter Quarter of 2018. The student survey examined students' experiences and views with regard to their decisions to enroll at the Law School, their classroom learning, their participation in and satisfaction with student life and extracurricular activities at the Law School, their perceptions of their own successes and failures in terms of traditional markers of academic achievement, their relationships with faculty, and their career goals. $71.8 \%$ of all J.D. students currently enrolled at the Law School completed the survey, which offers a unique snapshot of students' interests and experiences at the Law School.

Finally, WAP compiled, counted, and analyzed publicly available data on students' academic achievement and career outcomes, including participation in law journals, first-year writing prizes, honors at graduation, clerkships, and moot court participation.

## OVERVIEW OF FINDINGS

WAP's findings identify areas of significant progress, as well as serious roadblocks, for women students at the University of Chicago Law School.

In terms of academic achievement, women are statistically significantly less likely to receive academic honors at graduation than men, and they're less likely to clerk in federal appellate courts. Additionally, women are significantly less likely to receive the best brief award in their first-year Legal Research and Writing courses, they are significantly less likely to join the Law Review, and they are less likely to advance to the final round of the annual Moot Court competition. Women are also significantly less likely to report having done as well as they thought they would at the Law School than men, and significantly more likely to report having done worse. But women have also succeeded at the Law School in many ways. For example, women serve as staff and board members on the University of Chicago Legal Forum significantly more than men do. They also receive more district court clerkships, a result that was marginally statistically significant.

In the classroom, men and women participate in class roughly equally. Professors at UChicago use cold calling regularly and consistently as a pedagogical tool, and they generally cold call women and men at equal rates. The cold calling method thus results in broad-based participation from both women and men. On the other hand, women participate voluntarily in class significantly less often than men do. First-year courses and upper-level seminars had smaller, statistically insignificant differences in voluntary participation between women and men. Although the difference is most pronounced in large, upper-level classes, however, it is real and statistically significant across courses in the aggregate. Women are slightly less likely to participate voluntarily in classes taught by male professors, and they are significantly less likely to participate in class when the first person to speak in the class is male. However, the difference in voluntary participation rates between men and women grew much smaller as
the Autumn Quarter of 2017 progressed, and the correlation between the gender of the first speaker in a given class and the overall rate of female participation in that class also diminished as the quarter went on.

UChicago faculty are great mentors. Women report having slightly more mentors on the faculty than do men, and most students have at least one mentor. Women are significantly more likely than men are to serve as research assistants. The fact that there are few women on the faculty is a common concern among both students and professors. Students and professors raised this concern frequently even when not explicitly asked about it.

The vast majority of both male and female students would choose to enroll at UChicago again if given the opportunity. However, women are less likely than men to express this sentiment. Women reported having reservations about enrolling at UChicago for various reasons at significantly higher rates than men. A perceived lack of diversity and conservative political reputation at the Law School were the most commonly reported concerns among women. Both men and women report high rates of positive interactions with fellow students, but women are significantly less likely to report positive interactions with their classmates than men, and are more likely to characterize them as "somewhat positive" rather than "very positive." Some students and professors reported a belief that women may be less likely to feel confident at the Law School than men, and several posited that a confidence gap could have an effect on student experience. On average, 1 L women are members of more student organizations than 1L men. The difference is slight but statistically significant. Male students report holding leadership positions in slightly fewer student organizations on average and report dedicating at least five hours per week to fewer student organizations on average, though neither difference was statistically significant.

Women have slightly different career goals than men. Women are significantly more likely than men to express an interest in public interest work. Men are significantly more likely than women to express an interest in academia, non-legal work, clerking, and private practice. Men and women are equally interested in government work. Women are also slightly (but statistically significantly) less likely than men to do On-Campus Interviewing (OCI), the primary process through which students secure jobs at large law firms.

It should be noted that, from the very beginning of the study, some students have made clear to WAP that they do not believe there are any gender-related problems at the Law School and that there is no need for a study of this kind. "I don't really get the impression that there is a problem. I think women faculty here and female students are very bright, same as males. I don't think men have [an] easier time in any way," said one representative survey respondent. Another said: "I have not experienced problematic gender dynamics at the Law School. In my experience so far, it has been a comfortable and respectful environment."

The data that WAP has gathered suggests that this is not the majority of the student body's view, however. Additionally, classroom observations and achievement data point to basic differences in the way that women and men experience the Law School. Most professors interviewed also acknowledged that women face some barriers at the Law School
that are unique to their gender. When discussing the results from qualitative data gathering techniques such as professor interviews and responses to the open-ended questions on the student survey, WAP took care to focus on views that came up repeatedly, and to indicate the frequency with which certain comments were made, so as not to over-represent the status of any one opinion as a consensus view if unwarranted.

## RECOMMENDATIONS

WAP's recommendations are targeted to three different audiences: the administration, faculty, and students. WAP recommends that the administration improve its collection, maintenance, and analysis of data. The administration should organize and analyze pre-existing data sources such as historical grade data and also gather new data by administering targeted follow-up surveys to the student body. WAP hopes that the administration will experiment with different class organization and different assessment techniques, such as periodic writing assignments in 1L classes, in order to determine if certain class sizes or assessment techniques augment or decrease gender disparities in grades. WAP believes the Law School should continue to seek to admit gender-balanced classes, and should strive for more gender-balanced transfer classes.

WAP recommends that students think about the way that gender impacts their classroom participation. All students should ask themselves whether their participation is motivated by a genuine question, desire to have the professor clarify something, or ability to make a previously unstated contribution to the discussion. If it is, they should participate enthusiastically. If a student is merely repeating a point someone else has already made, making an esoteric comment, or bringing up a subject that is only tangentially related to the material, the student might consider raising it one on one with the professor after class or during office hours. Students should be aware that raising their hands to answer a question while another student is already attempting to answer it can be perceived as rude, and can distract the student initially answering as well as other students in the class. WAP also recommends that students reflect on their own biases and the way that gendered expectations might inform their views of professors prior to completing teaching evaluations, particularly of visiting female professors.

Students-especially women-should also consider speaking more in class and actively seeking mentoring relationships and jobs. Both professors and students repeatedly asserted that one possible cause of the gender achievement disparities is a lack of confidence on the part of female students at the Law School. This common observation is apt, and WAP encourages women to speak, act, and write confidently, but we do not assume that confidence is the driving factor of any observed gender differences at the Law School. Differences in confidence, after all, are unlikely due to innate, gender-informed personality differences. Women may be acculturated throughout their pre-law school lives in a way that renders them less confident than their male classmates by the time they begin 1L. However, the findings of the study as a whole suggest that any gendered confidence gap should be understood to be in part
a symptom of other gender-based disparities and dynamics occurring at the Law School. Finally, WAP recommends that faculty set fixed office hours and publicize them. Faculty should also make it clear to students that office hours are not only for discussing class material, but that they are also happy to discuss students' lives, careers, and other interests. WAP recommends that all faculty members affirmatively encourage students who make valuable contributions in class, do exceptionally well on exams, or show promise as future academics. WAP recommends the creation of a formal faculty-student mentoring program so that all students can begin Law School with a point of contact on the faculty.

Many of the following sections of the report focus at least in part on academic achievement, and specifically examine gender disparities in who receives honors, Law Review membership, and clerkships. WAP recognizes that these traditional forms of academic achievement are often neither necessary nor sufficient for a successful and rewarding law school experience, let alone legal career. Many students enjoy their time at the Law School and pursue brilliant careers without graduating with honors, serving on the Law Review, or clerking. However, academic achievement is traditionally considered a marker of success in law school and in the legal industry more widely. These markers often impact career choices, and many women and men care about them. That said, the study does not analyze gendered disparities in academic achievement in isolation. It attempts to understand the factors that produce them. It also explores more generally the varied reasons why class participation, mentorship from faculty, and positive student-to-student interactions are important to students' Law School experiences. WAP aims to discuss those issues both on their own merits and in terms of how they contribute to more traditional achievement disparities.

## METHODOLOGY

## CLASSROOM OBSERVATIONS

WAP observed 96 class sessions in the Autumn Quarter of 2017. The project observed 24 upper-level courses, and all nine class sections of the four doctrinal courses offered during Autumn Quarter of 1L year (1L Legal Research \& Writing classes were not observed). ${ }^{5}$ Each class was observed three times (except for two courses only observed once, and two courses only observed twice), during observation windows in late October, early November, and mid-November.

Students already enrolled in each course conducted the observations to minimize any possible observer effect on either students or professors. Two students were selected to observe each course, and most of the class sessions observed had two observers. The exceptions were 12 class sessions, which had only one observer (generally because the other assigned observer forgot to observe).

All professors and students at the Law School were informed via email that the classroom observations would take place. Students were simply notified; professors were given an option to opt out for their classes (see Appendix $D$ for the IRB-approved notification emails). Three professors chose to opt out. Neither professors nor students were informed about which class sessions would be observed or which courses were selected to be observed. Observers were instructed to record their observations on a paper sheet and to be discreet so as to avoid creating any observation effect.

## Types of data collected

WAP developed a classroom observation tool based in part on the tools used in the Harvard and Yale studies, with some modifications. See Appendix $A$. The tool identified six different types of participation events by students:

- Volunteer
- Cold Call
- Question
- Comment
- Interrupt
- Blurt

The tool also identified three different types of professor responses to student participation:

- Incorporates
- Cuts In/Cuts Off
- No Response

5 Civil Procedure I, Torts, Criminal Law, and Elements of the Law.

Finally, WAP observers kept track of students who participated three times or more in each class session. Those students were coded as "dominant participants."

Each participation event type and professor response type is described in further detail in the Observation Instructions at Appendix $B$.

To calculate the baseline attendance of each class observed, WAP relied on the class observers to report the gender breakdown of each class.

## Observing classes

All student observers were required to attend a training session explaining how to use the tool and simulating the classroom experience for practice. During observations, students used paper versions of the tool, which members of the WAP data team collected and digitized later that day.

Classroom observations were organized around participation events: Each time the professor interacted with a new student (including a student who had previously spoken in class), a new participation event began. A "participation event" is a broad category: one participation event could consist solely of a student interrupting the class without being acknowledged by the professor, a student asking one question and receiving one response from the professor, or a sustained back-and-forth between a professor in which the professor variously cold called the student, responded to her questions, and pushed back on her con-tributions-as long as no other student participated in the meantime. Each time a different student contributed, a new participation event began.

The observation tool allowed observers to record how each participation event began: whether by a cold call, volunteering, a comment, a question, a "blurt," or an interruption. Observers did not track the types of participation included within a participation event (for example, if the professor cold called a student, and the student subsequently asked a fol-low-up question, the observer did not move to the next line and record a question).

No identifying information with regard to the participating students was included in the completed data sheets returned to the WAP team.

## Identifying gender

To determine the gender of students participating in the class, student observers were asked to rely on students' names or the prefixes the professor assigned them, with one small exception. If the student observer had personal knowledge that a student's gender identity did not match the prefix used by the professor, the observer was instructed to use the subject's self-identified gender identity (observers were not instructed to indicate when that happened, so WAP does not know whether or how often it did).

## Analyzing the data

To analyze the data from classroom observations, WAP averaged (using a simple mean) the number and type of participation events by gender observed by all the observers $(1,2$, or 3$)$ for a given class session.

All of the participation events except cold calls were further categorized by the data team as "voluntary participation events." Professor responses other than "No Response" were categorized as "follow-ups" by the data team.

When a student did not clearly mark the type of participation event, the data team recorded it as "inconclusive" or "inconclusive voluntary." When a student erroneously indicated multiple participation events or the participation event was otherwise uncertain in some way, the data team evaluated whether the participation event was clearly volun-tary-that is, whether or not it was a cold call. For example, an observer who marked that a participation event was both a Comment and a Question definitely indicated at least that the participation event was not a cold call. Clearly voluntary but otherwise uncertain participation events like these were marked as inconclusive voluntary. Inconclusive voluntary events were included in counts of voluntary participation events. Purely Inconclusive events were not. Inconclusive events associated with a particular gender were included in the counts of total participation events by gender.

Statistical significance was calculated using paired samples $t$-tests. This test compares the means of two groups to determine whether there is a statistically significant difference between them. For the analyses here, the test compared the mean of the variable of interest (e.g. the percent of total observations made by women, averaged across classroom observations) with the mean of the class composition (the percent of women enrolled, averaged across classroom observations).

WAP also attempted to calculate the reliability between the two observers in the class sessions the project observed. With respect to total observations in a class period, we assessed disagreement between two observers by calculating the ratio of the spread in their observations (absolute difference) against the average of their observations. The total percentage of disagreement in a class period is the average of those ratios. This yields an average of $9.6 \%$ disagreement in participants events counts for both genders. Observers disagreed $10.1 \%$ of the time in their counts of participation events by women, and $10.6 \%$ of the time in their counts of participation events by men. Similarly, our observers disagreed $10.1 \%$ of the time with respect to the total number of unique observations in a class period ( $10.9 \%$ of the time in unique observations by women and $14.7 \%$ of the time in unique observations by men). When we break out voluntary participation, the mean disagreement is $45.3 \%$ ( $41.3 \%$ for women and $45.6 \%$ for men). For follow-ups, our observers disagreed an average of $41.7 \%$ of the time ( $51.5 \%$ for follow-ups to women, and 47.3\% for follow-ups to men).

## FACULTY INTERVIEWS

WAP interviewed 53 professors during the Autumn, Winter, and Spring Quarters of the 2017-2018 school year. WAP reached out for interviews from all full time teaching faculty, Bigelow fellows, clinic directors, and some additional clinical faculty. We also collected data sheets from 37 professors.

WAP wrote a standardized interview script and data sheet, based in part on the script used at Yale in 2012 and tailored to fit UChicago Law. See the script at Appendix $E$ and the data sheet at Appendix F. The data sheet asked professors for quantitative information on research assistants, independent studies, letters of recommendation, references, and calls to employers.

A total of 33 volunteers conducted the interviews. Each professor interview was conducted by two student volunteers. Interviewers were required to attend a training session led by the WAP team. WAP also provided the interviewers with email templates which they could use to send to their assigned professors. See Appendix I. WAP avoided pairing interviewers with professors from whom they had asked for recommendations, professors from whom they were planning to ask for recommendations, professors for whom they had served as research assistants, professors with whom they planned to take classes in the 2017-2018 school year, or professors they preferred not to interview for some other reason. Each interviewer was assigned to between two and seven professors to interview, based on their stated preferences. All interviewers were added to the WAP IRB protocol, which required them to take an additional online human subjects protection training.

Beginning in late October, interviewers began sending initial emails to their assigned professors. Once a professor had agreed to and scheduled an interview, the interviewer sent the professor the data sheet so they would be able to look at it ahead of time, and gather whatever information was required. During the interview, one volunteer was instructed to lead the conversation and the other was instructed to type notes on her or his computer. The volunteers were told to follow the script provided as much as possible but were encouraged to allow the conversation to take its natural course. Each pair of interviewers collected a signed consent form from the professor they interviewed.

Once the interview concluded, the volunteers sent their interview notes to the WAP team and they were uploaded to a secure folder on UChicago Box. Interviewers were trained to delete the notes from their laptops immediately afterward. The hard copies of the data sheets and consent forms were given to the WAP team and uploaded to the Box folder.

## Analyzing the data

Interview data was analyzed using a qualitative coding software called NVivo. Four members of the WAP team developed a set of codes by first independently reading through the entire set of interview notes to identify recurring themes and points of interest. That initial read-through resulted in an extensive list of possible codes, which the WAP team discussed at length. One member of the team then narrowed down to fourteen thematic "nodes," such as "Cold Calling," "School Culture," and "Letters of Recommendation." The WAP team then reviewed and agreed upon the pared down list of fourteen nodes. Two members of the WAP team subsequently used Nvivo to code interview notes by assigning certain portions of the notes to different "nodes." The result was a list of fourteen nodes, each of which included excerpts from between 21 and 49 interviews. The two coders, as well as
the authors of this report, reviewed the results to ensure that excerpts and quotes from the interviews had been coded into the "nodes" as accurately as possible. In drafting this report, the authors counted the number of professors who expressed a given view by relying on the nodes thematically closest to each view, occasionally cross-checking with other, more general nodes (such as "Anecdotes" and "Suggestions for Improvements").

In choosing quotes to represent the views expressed by a group of professors, the authors attempted to find perspectives that were fairly representative of the group (and usually chose the quotes that were the most clearly worded or easy to understand). Occasionally, we have included quotes that represent the views of only one or two professors, usually because the quote expressed a particularly poignant experience or included what we thought might be a valuable recommendation or suggestion. Faculty members consented to the anonymous use of all the quotes contained in this report. They were given the opportunity to make light revisions and clarify their meaning, and many of them did so. 37 distinct faculty members are quoted within this report.

The information from the data sheets was put into an Excel file and percentages were calculated in Excel.

Throughout the Findings and Discussion below, we refer to all faculty interviewees, including fellows, clinical faculty, and "tower" or "academic" faculty as "professors," even though many of them do not use that title within the Law School community. Except where otherwise noted, counts of professors' perspectives and summaries of their thoughts and experiences include the views and observations of all categories of faculty members, including fellows and clinical faculty.

## STUDENT SURVEY

The WAP student survey opened in the evening on Monday, January 29, 2018 and closed at midnight on Wednesday, February 14, 2018. Four hundred forty-seven total responses were recorded during this period. One hundred fifty-six 1Ls, 135 2Ls, and 136 3Ls, completed the survey, resulting in a participation rate among the J.D. study body of $71.8 \%$. Twenty LLMs also completed the survey. Two hundred ten students identifying as male, 230 students identifying as female, and seven students identifying as "non-binary/third gender/ other" completed the survey.

The student survey was conducted through the Qualtrics platform. Questions varied based on the respondent's class year and were tailored to the 1 L experience; 2L and 3L experience; and LLM experience. The survey questions were divided into broad subcategories: Class Participation and Interactions with Professors, Mentorship and Guidance, Student Life, Broad Experiences, and Demographics. The survey contained a combination of open ended and multiple choice questions. All open ended questions were optional. The questions were modeled on the student surveys conducted at Harvard and Yale and then revised and tailored for UChicago. The questions were reviewed and tested multiple times by professors, law students, and a Ph.D. student in the Sociology department. The final survey and all related

6 The only way for a student to circumvent these precautions to take the survey more than once would be by completing the survey and then emailing WAP, indicating that he or she had not received an individualized link or that that link had not functioned. WAP set up a protocol to handle such requests: Upon receiving such an email, WAP checked to ensure that a link had been sent to the student in the first place. If by mistake or error no link had been sent, WAP generated a link and sent it to the student. If a link had been sent, WAP asked the student to search his or her inbox for the original link. If the student searched and was unable to locate the link, WAP generated a new link and asked the student to disregard the old one if they ever found it. WAP generated six new links through this protocol.

7 Coffee Mess and Wine Mess are weekly social events at the Law School. Students gather in the Law School's main atrium, the Green Lounge, to share refreshments on Wednesday mornings and Thursday or Friday afternoons. Both events are often sponsored by registered Law Student Organizations.
advertising materials were approved by the IRB.
The survey was entirely anonymous. WAP selected Qualtrics settings that did not allow the research team to see the email addresses or IP addresses of students who had completed the survey. Accordingly, WAP ensured that students were not able to complete the survey multiple times by implementing ballot-box stuffing precautions through Qualtrics and generating individualized survey links for each member of the student body that could only be used to complete the survey once. ${ }^{6}$ Individualized links also allowed respondents to complete the survey in multiple sittings by returning them to where they left the survey.

WAP encouraged survey participation by raffling off several survey incentives: a meal for up to four students with Professor Jonathan Masur, ten tickets to the Barristers' Ball donated by the Law Students Association, and two bags donated by Lo \& Sons. WAP also tabled in the Law School's primary student space (the Green Lounge) during the survey period, offering baked goods and buttons to students who showed proof of having completed the survey. WAP also sponsored Coffee Mess on Wednesday, January 31 and co-sponsored Wine Mess with Law Women's Caucus on Friday, February 2, taking advantage of both opportunities to publicize the survey and hand out survey incentives. ${ }^{?}$

## Analyzing the data

WAP analyzed the survey data in two ways. First, members of the WAP team used the Reports function in Qualtrics to generate the percentages and absolute numbers of responses to most of the questions on the survey. Where Qualtrics was not able to generate the type of data breakdown required, a member of the WAP team used Excel functions to calculate the required numbers. Second, another member of the WAP team used Stata to both double check all the percentages and calculate statistical significance for any possible differences. Each percentage or raw number of responses included in the findings below has thus been checked by at least two different members of the WAP team in either Qualtrics and Stata or Excel and Stata.

For cases in which the response we asked for in the survey was numerical, we tested for statistical significance in any differences between men and women respondents using a two-sided t-test. For the remaining cases in which the response type was categorical, we used a Pearson chi-squared test.

Because the survey included many opportunities for students to explain their responses or observations in free text, WAP had the opportunity to draw from students' own writing in analyzing the results. Similarly to the professor interviews, in choosing quotes to represent the views expressed by some students in response to an open-ended question, the authors attempted to find perspectives that were fairly representative of the group (and usually chose the quotes that were the most clearly worded or easy to understand). Occasionally, we have included quotes that represent the views of only one or two students, usually because the quote expressed a particularly poignant experience or included what we thought might be a valuable recommendation or suggestion.

Seven students who identify as gender non-binary completed the survey. Because respondents had to select a gender in order to submit the survey, it is possible that in addition to students who do identify as gender non-binary, some respondents selected this option because they did not want to report their gender. Because the number is so small, we have not broken out their responses to any of the questions described in our findings (both because of anonymity concerns and because any differences in their responses were not likely to be statistically significant). However, they are included in all of the statistics below that describe the responses of all students (or all students in a particular class) to a particular question.

Unfortunately, WAP did not incorporate the responses of the 20 LLM students who completed the survey. Because the response rate was much lower than for the J.D. classes, those students have not been included in the calculations described below.

## ACHIEVEMENT DATA

WAP collected achievement data on a variety of different markers of achievement used at the Law School: honors awards at graduation, clerkships, 1 L writing prizes (including the prize for best written brief and the Beale Prize for overall performance) ${ }^{8}$, Moot Court semi-finalists, finalists, and winners, and winners of the pro bono Certificates of Recognition (which go to students who complete at least 50 hours of pro bono service during law school.).

Gender coding for recipients of all prizes and awards was done first by coding names that are traditionally identified with one gender or another with the corresponding gender identity. Then the coders identified names that were ambiguous as to gender or unfamiliar to them. Coders then searched the internet for these specific students and assigned them either male or female gender based on their physical presentations in internet photographs or the gender of their chosen pronouns in biographies online. WAP acknowledges that this methodology will not always capture the correct gender or the nuances with which people define their own genders.

WAP worked with a team of statisticians from The University of Chicago's Statistics Department's Consulting Program to analyze the data collected and to perform statistical significance tests. Statistical significance was only calculated for the 2014-2017 time period, because WAP was only given access to the gender breakdown at graduation for those classes. ${ }^{9}$

## Specific sources

- Graduation Honors: WAP received a list of recipients of Honors, High Honors, and Highest Honors distinctions at graduation from the Dean of Students' Office. This information is also available annually in the graduation hooding booklet.
- Clerkships: WAP used the Clerkship Handbook, which is published by the Office of Career Services each year. WAP coded clerks by gender and by the kind of court that they worked on: federal appellate, federal district, or other.
- 1L Writing Prizes: WAP received a list of 1 L writing prize recipients from the Dean of

8 For an explanation of the Joseph H . Beale Prize and the prize for best brief, see Bigelow Program (University of Chicago Law School), archived at https://perma.cc/YT58-XMWS.

9 WAP considered using gender breakdowns of the Law School as a whole as provided on publicly available ABA-required disclosure forms from the 2011-2012 school year onward. However, those forms do not break down gender composition by class, which made it impossible to reliably calculate statistical significance for specific years.

Students' Office. This information is also available annually in the graduation hooding booklet.

- Moot Court: WAP received a list of Moot Court semi-finalists, finalists, and winners from the Dean of Students' Office. This information is also available annually in the graduation hooding booklet.
- Pro bono Certificates of Recognition: WAP received a list of recipients of pro bono Certificates of Recognition from the Dean of Students' Office. This information is also available annually in the graduation hooding booklet.

In the following sections, we have used the terms "significant" or "significantly" to denote "statistically significant" or "statistically significantly." Where a level of statistical significance is not specified, we are referring to statistical significance at the .05 level.

## FINDINGS

## CLASS COMPOSITION

For each of the last five years, UChicago's student population has had a slightly larger gender disparity than any of the other top five law schools (as ranked by US News and World Report). ${ }^{10}$

TABLE 1:

Top Six Law School Comparative Gender Class Compositions 2011-2017

|  | \% Women / \% Men in Total Law Student Population |  |  |  |  |  |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: |
| Year | UChicago | Yale | Harvard | Stanford | Columbia | NYU |
| $\mathbf{2 0 1 7}$ | $46.1 / 53.9$ | $47.8 / 52.2$ | $48.9 / 51.1$ | $48.5 / 51.5$ | $48.9 / 51.1$ | $53.4 / 46.6$ |
| $\mathbf{2 0 1 6}$ | $43.9 / 56.1$ | $47.7 / 52.3$ | $49.3 / 50.6$ | $48.9 / 51.1$ | $48.2 / 51.8$ | $51.4 / 48.5$ |
| $\mathbf{2 0 1 5}$ | $44.1 / 55.9$ | $46.4 / 53.6$ | $48.7 / 51.3$ | $45.6 / 54.4$ | $47.2 / 52.8$ | $49.7 / 50.3$ |
| $\mathbf{2 0 1 4}$ | $42.9 / 57.1$ | $47.7 / 52.3$ | $49.6 / 50.4$ | $44.7 / 55.3$ | $45.8 / 54.2$ | $46.4 / 53.6$ |
| $\mathbf{2 0 1 3}$ | $43 / 57$ | $46.3 / 53.7$ | $47.8 / 52.2$ | $44.8 / 55.2$ | $46.7 / 53.3$ | $43.7 / 56.3$ |
| $\mathbf{2 0 1 2}$ | $42.8 / 57.2$ | $47.2 / 52.8$ | $47.2 / 52.8$ | $42.6 / 57.4$ | $46.3 / 53.7$ | $41.7 / 58.3$ |
| $\mathbf{2 0 1 1}$ | $44.2 / 55.8$ | $49.4 / 50.6$ | $48.2 / 51.8$ | $42.7 / 57.3$ | $48 / 52$ | $41.3 / 58.7$ |

(The school with the lowest
percentage of women each year is highlighted in purple.)

10 Best Law Schools in 2019 (U.S. News \& World Report, 2018), archived at https://perma.cc/YFP2-3NK5.

For the first time in the history of the Law School, this year's 1L class, the Class of 2020, entered with an equal proportion of men and women. However, class composition data from the last four years demonstrates that classes tend to gain considerably more men than women between the 1 L and 2 L years, leading to more heavily male class compositions in the remaining two years of law school.

TABLE 2:

Change in Class Composition by Gender from 1L to 2L Year

| Class Year | Total <br> Students <br> during 1L | Total <br> Students <br> during 2L | Increase <br> in <br> Women <br> students | Increase <br> in <br> Male <br> students | \% <br> Women/ Men <br> during <br> 1L | \% <br> Women/ <br> \% Men <br> during <br> $\mathbf{2 L}$ |
| :---: | :--- | :--- | :--- | :--- | :--- | :--- |
| $\mathbf{2 0 1 6}$ | 196 | 215 | 3 | 16 | $48 / 52$ | $45 / 55$ |
| $\mathbf{2 0 1 7}$ | 190 | 216 | 9 | 17 | $44 / 56$ | $43 / 57$ |
| $\mathbf{2 0 1 8}$ | 184 | 203 | 5 | 14 | $46 / 54$ | $44 / 56$ |
| $\mathbf{2 0 1 9}$ | 185 | 205 | 5 | 15 | $46 / 54$ | $44 / 56$ |

## ACADEMIC ACHIEVEMENT \& OUTCOMES

This section explores the rates at which women achieve various measures of academic success at the Law School. Overall, the evidence suggests that women receive some traditional markers of academic success at lower rates than men.

## ACADEMIC AWARDS

## Honors

There are disparities in the rates at which women and men receive honors awards at UChicago Law. On average, for the years 2008 to 2017, women received $35 \%$ of all honors awarded each year. During this period, each year women received on average $33 \%$ of the Highest Honors awards (women were five of the 15 students to receive the honor in those years), $24 \%$ of the High Honors awards, and $38 \%$ of the Honors awards.

For each year from 2014 to 2017 (the period for which WAP was able to calculate statistical significance), women received on average $37 \%$ of all honors awards but made up $42 \%$ of the graduating classes on average. The difference between the percentage of women who received any level of honors and the percentage of women in the class as a whole is statistically significant at the .05 level $(\mathrm{p}=.037)$. The difference in the rates at which men and women received the level of Honors ( $62 \%$ men versus $38 \%$ women) was significant at the .10 level ( $\mathrm{p}=.084$ ). The difference at the High Honors level ( $66 \%$ men and $34 \%$ women) was not statistically significant. ( $\mathrm{p}=.137$ ). Nor was the difference in Highest Honors awards ( 6 men versus 4 women, $\mathrm{p}=.578$ ).

TABLE 3:

## Honors Awarded at Graduation, by Gender

| 2008-2017 |  |  | 2014-2017 |  |
| :--- | :--- | :--- | :--- | :--- |
| Honors Level | Men | Women | Men | Women |
| All Honors | $65 \%$ | $35 \%$ | $63 \%$ | $37 \%^{*}$ <br> $(p=.037)$ |
| Highest Honors | 10 of 15 | 5 of 15 | 6 of 10 | 4 of 10 <br> $(p=.578)$ |
| High Honors | $76 \%$ | $24 \%$ | $66 \%$ | $34 \%$ <br> $(p=.137)$ |
| Honors | $62 \%$ | $38 \%$ | $62 \%$ | $38 \%^{+}$ <br> $(p=.084)$ |

$\dagger=$ Statistically significant at the .10 level

* $=$ Statistically significant at the .05 level
${ }^{* *}=$ Statistically significant at the .01 level


## 1L writing prizes

Two prizes are awarded in each 1L Legal Research \& Writing Section each year: The Beale Prize (best overall Legal Research \& Writing performance), and the award for the best written brief. Between 2008 and 2017, $48.3 \%$ of the Beale Prizes and $36.7 \%$ of the best brief awards went to women. Women have received a smaller proportion of best brief awards in the past four years (the years for which WAP was able to calculate statistical significance). From 2014 to 2017, 50\% of Beale Prizes and $25 \%$ of best brief awards were awarded to women. The difference in the average proportion of female students receiving the Beale Prize compared to their average portion of the 1L class at the Law School from 2014 to 2017 was not statistically significant $(\mathrm{p}=.731)$. However, the difference for the best brief awards was $(\mathrm{p}=.030)$.

## Students' perceptions of achievement

Overall, men are significantly more likely to report that they have performed academically better than they thought they would before entering law school. $24.1 \%$ of women and $33.0 \%$ of men report that result ( $\mathrm{p}=.043$ ). In contrast, $29.1 \%$ of women and $20.5 \%$ of men reported that academically they have performed worse than they thought they would ( $\mathrm{p}=.042$ ).

## Professors' perspectives

Professors agree that academic achievement is an important facet of students' law school experience. One professor noted his perception that the "opportunities available at law school have more to do with grades on 1L exams than any other factor." The same professor noted, however, that it is difficult to know what the most important contributing factors to 1 L grades are. One professor interviewed noted that the school should be concerned about any gender disparities in grades, especially given his experience that women "are equally intelligent coming in."

Another professor interviewed appreciated UChicago's delineated grading scale. He noted that he believes that "real grades" help avoid a scenario in which "the students for whom a professor will advocate depend a lot on personal interactions." "Objective and blind grading," he explained gives students opportunities to succeed whether or not they are good at networking with faculty and "allows people to shine purely based on merit." Another professor remarked that the grading scale has the benefit of not being readily intelligible by employers who may not be able to discern bad grades as easily as they might with other scales. Two professors noted that the grading system might place extra pressure on students, however. One said that less-delineated grading systems "might be better in that they take off pressure, and students feel less fear to fail. But it's complicated." Another professor recommended that the Law School not use grades in the first quarter of 1L year in order to give both men and women more time to adjust to a steep learning curve, remarking that if women have a harder time adjusting to law school classes, bad grades might discourage them more than men.

## STUDENT LAW JOURNALS

From 2008 to 2017, Law Review staff was composed on average of $67 \%$ men and $33 \%$ women. These percentages were similar for 2014-2017: the staff was composed of $65 \%$ men and $35 \%$ women. The difference between the percentage of the women in the Law School class from 2014 to 2017 and the percentage of women on the Law Review's staffer class for those years is statistically significant $(\mathrm{p}=.016)$. The composition of Legal Forum has historically had much more gender parity. Its staffers over the last ten years have been $50 \%$ men and $50 \%$ women, with an increase in female membership in more recent years. Between 2014 and 2017, women surpassed men in the Legal Forum staff, holding 53\% of positions (compared to $47 \%$ for men). The difference between the percentage of men in the class in those years and their representation on the Legal Forum staff is highly statistically significant ( $\mathrm{p}=.007$ ). Over the last ten years, the Chicago Journal of International Law (CJIL) staffers have been $54 \%$ men and $46 \%$ women, with a higher male-to-female ratio from 2014-2017 than previously. In those years, $60 \%$ of CJIL staffers were men and $40 \%$ were women. The difference between the percentage of women in the Law School class from 2014-2017 and the percentage of women on CJIL's staffer class for those years is not significantly significant, however ( $\mathrm{p}=.261$ ).

Staffers from all three journals are selected through the annual writing competition (for a description of the selection mechanisms, see Discussion). Overall, women complete the writing competition at a lower rate than men. Among 2 L and 3 L women, $50 \%$ reported participating in the writing competition, compared to $65.1 \%$ of men, a statistically significant difference ( $\mathrm{p}=.013$ ). These numbers likely fluctuate somewhat by year: within the 2 L class $43.3 \%$ of women reported participating ( $\mathrm{p}=.038$ ), while in the 3 L class $56.5 \%$ of women reported participating $(\mathrm{p}=.130)$. 1Ls surveyed indicated that they planned to complete the writing competition at rates roughly balanced by gender. $69.1 \%$ of 1 L women and $70.4 \%$ of 1 L men surveyed reported that they planned to participate in the journal writing competition ( $\mathrm{p}=.853$ ), and $22.6 \%$ of women and $18.3 \%$ of men were not sure whether they planned to participate $(\mathrm{p}=.509)$. These differences are not statistically significant.

Women and men expressed similar reasons for their decisions not to complete the writing competition. Although the belief that "journal membership would be too much of a time commitment" was the most common reason 2Ls and 3Ls provided for not completing the writing competition, women did not report that concern at a higher rate than men: $55.6 \%$ of male and $51.5 \%$ of female 2 L and 3 L survey respondents who did not complete the writing competition indicated that as one reason why. The difference was not statistically significant ( $\mathrm{p}=.670$ ).

Men and women cited various additional reasons for their decisions not to complete the writing competition at largely similar rates. $46.7 \%$ of men and $52.9 \%$ of women who did not complete the writing competition cited a belief that the writing competition itself would be too much work or that they did not have enough time to complete the writing compe-
tition ( $\mathrm{p}=.514$ ). $42.2 \%$ of men and $41.2 \%$ of women did not complete the writing competition in part because they believed it would not benefit their career ( $\mathrm{p}=.912$ ). $44.4 \%$ of men and $41.2 \%$ of women believed journal work would be boring ( $\mathrm{p}=.731$ ). $22.2 \%$ of men and $26.5 \%$ of women who did not complete the writing competition did so in part because they did not believe that they would qualify for Law Review based on their grades ( $\mathrm{p}=.609$ ). These differences were not statistically significant, though the sample size is small. However, only $11.1 \%$ of men but $23.5 \%$ of women cited a belief that other journal members would not share their interests or values as a reason for deciding not to do the writing competition ( $\mathrm{p}=.097$ ). Conversely, $44.4 \%$ of men but only $27.9 \%$ of women stated that they had no interest in legal scholarship (. 071 ). Those differences are significant at the .10 level.

One student expressed severe disappointment when she was surveyed that the Law Review had not implemented any measures to increase its diversity through its selection mechanisms. This year the Law Review will be implementing significant changes to its selection mechanisms. For the first time, 1Ls completing the writing competition will have the opportunity to write a personal statement describing what they believe they will uniquely contribute to the journal as part of their application. It will not be possible to even begin to evaluate the effect of that decision until after it is implemented in at least one writing competition however.

## Law journal board membership

Of 2L and 3L survey respondents who were members of journals, men reported planning to apply to join the board or having applied to join the board of the journal at slightly higher rates than women. $72.2 \%$ of women and $75.7 \%$ of men reported that they had or planned to apply to join the boards of their journals. $3.7 \%$ of women and $4.1 \%$ of men were not sure if they planned to apply for journal board. These differences were not statistically significant ( $\mathrm{p}=.875$ ). $89.3 \%$ of male and $100 \%$ of female 3 L survey respondents who had applied to join the board of their journals currently served on the board ( $\mathrm{p}=.113$ ).

Despite the rough similarity in the percentages of male and female staff members who reported applying or planning to apply, to their journals' boards, there is still some disparity in the numbers of men and women who serve on the board, at least of the Law Review. For the years 2008 to 2017, 68\% of the board members of the Law Review were men, and only $32 \%$ were women. These numbers basically mirror the gender composition of the Law Review staff as a whole. There is considerable variation within this period, however. In the five-year period between 2008 and 2012, 76\% of Law Review board members were men. In the five years between 2013 and 2017 in contrast, only $60 \%$ of Law Review board members were men. During the last ten years, only one Editor-in-Chief of the Law Review has been a woman. However, from 2014-2017, the period for which WAP was able to calculate statistical significance, the Board was comprised of $57 \%$ men and $43 \%$ women. In those years, the difference between women's representation on the Law Review board and their representation in the Law School classes was not statistically significant ( $\mathrm{p}=.610$ ).

During the same period, women have been more likely than men to serve on the Legal Forum board. Over the last ten years, $49 \%$ of the board members have been men and $51 \%$ have been women. Over that period, seven out of ten Editors-in-Chief have been women. From 2014 to 2017, those percentages held steady and the difference between men's representation on the Legal Forum board and their representation in the Law School classes for those years was statistically significant at the .10 level ( $\mathrm{p}=.058$ ).

CJIL's board has tended to be roughly gender balanced despite the fact that its staff is majority male. Over the last ten years, seven out of ten CJIL Editors-in-Chief have been women. Over the last ten years, $54 \%$ of the CJIL board members were women, though from 2014-2017 that percentage dropped to $50 \%$. From 2014 to 2017, the difference between women's representation on the CJIL board and their representation in the Law School classes for those years was not statistically significant ( $\mathrm{p}=.566$ ).

## CLERKSHIPS

Over the past ten years, there have been gender disparities in the numbers of male and female UChicago students who receive clerkships. However, these disparities are less pronounced among clerkships at the state courts and federal district courts than among appellate and Supreme Court clerkships, and from 2014-2017 women actually held significantly more district court clerkships than expected (based on their representation in the class). Appellate and Supreme Court clerkships are generally considered more prestigious.

In the last ten years, male UChicago students have been far more likely than female students to receive appellate clerkships. Men secured $69 \%$ of appellate clerkships that went to UChicago students over the past ten years, and female students secured only $31 \%$. In the most recent five year period $67 \%$ of appellate clerkships went to men and $33 \%$ went to women, compared to an even more pronounced disparity in the previous five year period, when $72 \%$ went to men and $28 \%$ to women. From 2014 to 2017 , the disparity shrank again: $63 \%$ of appellate clerkships went to men and $37 \%$ to women. However, the difference between the percentage of appellate clerkships that went to women and their representation in the class was still significant at the 10 level ( $\mathrm{p}=.099$ ).

TABLE 4:

Clerkships Held by UChicago Students, by Gender

| 2008-2017 |  |  | 2014-2017 |  |
| :--- | :--- | :--- | :--- | :--- |
| Court | Men | Women | Men | Women |
| All Courts | $63 \%$ | $37 \%$ | $58.9 \%$ | $41.4 \%$ |
| Supreme <br> Court | $10 / 15$ clerks | $5 / 15$ clerks | $4 / 7$ clerks | $3 / 7$ clerks |
| Federal <br> Appellate | $69 \%$ | $31 \%$ | $63 \%$ | $37 \%^{+}$ <br> $(p=.099)$ |
| Federal <br> District Court | $56 \%$ | $44 \%$ | $56 \%^{+}(p=.051)$ | $44 \%$ <br> $(p=.968)$ |
| State <br> Court | $59 \%$ | $41 \%$ | $57 \%$ | $43 \%$ <br> $(p=.555)$ |

Gender-based clerkship disparities are less pronounced at the district court level, and women have actually received slightly more district court clerkships than would be expected based on their representation in the class. Over the last ten years, men have held $56 \%$ of federal District Court clerkships. That percentage held steady from 2014 to 2017. In those years, the difference between the rate at which men received district court clerkships and their representation in the class was significant at the .10 level ( $\mathrm{p}=.051$ ). Ten out of 15 Supreme Court clerkships received by UChicago Law graduates in the last ten years have gone to men. However, from 2014 to 2017, the disparity was not as great and more women than men obtained Supreme Court clerkships. During this period, four of seven Supreme Court clerkships went to women and the remaining three went to men.

From 2008 to 2017, men obtained $59 \%$ of state court clerkships, and women took $41 \%$. From 2014-2017, men held 57\% and women $43 \%$. That difference was not statistically significant ( $\mathrm{p}=.555$ ).

## Interest in clerkships

$65.0 \%$ of men answered yes to the question, "Are you interested in clerking?" in contrast to $47.7 \%$ of women. This difference is statistically significant (p<.001). Men and women also differed significantly in how likely they were to express uncertainty about clerking. Only $9.0 \%$ of male respondents reported not being sure if they wanted to clerk, while $24.1 \%$ of female respondents reported not being sure ( $\mathrm{p}<.001$ ). The percentage of male and female students who reported no interest in clerking is similar: $26.0 \%$ of men and $28.2 \%$ of women provided that response ( $\mathrm{p}=.615$ ). The difference is not statistically significant.

A similar trend persisted amongst the subset of 1L survey respondents. $16.7 \%$ of female 1 Ls and $18.3 \%$ of male 1 Ls reported not being interested in clerking. That difference is not statistically significant ( $\mathrm{p}=.788$ ). However, while $67.6 \%$ of male 1 Ls reported an affirmative interest in clerking, only $50.0 \%$ of female 1 Ls did ( $\mathrm{p}=.027$ ). Only $14.1 \%$ of male 1Ls were not sure they wanted to clerk, compared to $33.3 \%$ of female 1 Ls ( $\mathrm{p}=.006$ ). Those differences are statistically significant.

## Clerkship timelines

Of students who reported an interest in clerking, 22 (16.2\%) 2L and 3L women and 38 (29.5\%) 2 L and 3 L men reported already having secured a clerkship (the survey was conducted in January/February of the Winter Quarter). Although the sample is quite small, the difference in men and women who reported having secured a clerkship is statistically significant ( $\mathrm{p}=.014$ ). Although there was only a marginally significant difference in the rates at which 3L students who were interested in clerking reported already having secured clerkships (women: $23.2 \%$, men: $37.1 \%, \mathrm{p}=.083$ ), there was a statistically significant difference for $2 \mathrm{Ls} .22 .4 \%$ of male 2 Ls and $9.0 \%$ of female 2Ls interested in clerking reported having already secured a clerkship ( $\mathrm{p}=.032$ ).

There are slight but not statistically significant differences in when male and female students who reported already having secured a clerkship said they obtained their clerkships. Of male 3L survey respondents who had secured clerkships, $43.5 \%$ had gotten their first clerkship during the summer between 1 L and 2 L or earlier, but only $25.0 \%$ of female 3 L survey respondents reported securing their clerkships during that window ( $\mathrm{p}=.237$ ). 39.1\% of male 3 L survey respondents secured their first clerkship during 2 L year, while $56.2 \%$ of females did ( $\mathrm{p}=.291$ ). $17.4 \%$ of male and $18.8 \%$ of female 3 L survey respondents with clerkships secured those clerkships during their 3L year ( $\mathrm{p}=.913$ ). $73.3 \%$ of male 2Ls who reported already having secured a clerkship got that clerkship during the summer between 1 L and 2 L , compared with $50.0 \%$ of female $2 \mathrm{Ls}(\mathrm{p}=.306$ ). $26.7 \%$ of male 2 Ls and $50.0 \%$ of female 2Ls secured their clerkship during $2 \mathrm{~L}(\mathrm{p}=.306)$.

## Clerkship letters of recommendation and professor clerkship advising

Clerkship applications generally require three letters of recommendation from professors. One professor remarked: "Clerkship letters are hard to write...so you need interaction in order to write one. It's helpful...to have someone who's come in to talk about issues in the class." One student remarked, "it's much easier to find male professor mentors since most of the 1 L professors are men."

Nine non-clinical professors reported being asked by more male than female students to write clerkship letters of recommendation, and as most professors interviewed generally do not refuse such requests, most also ended up writing letters of recommendation for more male than female students. While this was the general trend (and is reflected in the numbers submitted by professors in their data sheets, see Faculty Relationships and Mentoring, there were three non-clinical professors who reported writing more for women than men, and four
professors had not observed a difference. Three clinical faculty members also reported more women than men asking for letters of recommendations over the years.

Often students make an appointment with a professor, write an email, or simply stop by a professor's office in order to request that the professor write a letter of recommendation. Some professors, however, proactively seek students out to ask them if they are thinking about clerking and to try to sell them on the virtues of clerking. Two professors spoke about this in their interviews. One such professor noted that he makes a "concerted effort to reach out to any qualified student, especially women and students of color." Another noted that he was conscious of needing to encourage more women to clerk.

The process of developing strong letters of recommendation is enjoyable for some faculty and students. Students generally approach faculty members to ask them for advice about clerkships generally, or about a specific judge or court with which the faculty member has a particular familiarity. Three professors reported using this as an opportunity to get to know the student better prior to writing the letter, and some spoke about how meaningful that process can be. In order to develop personalized letters of recommendation, one professor keeps a record of student comments in class that he then uses to help him recall students' contributions if he is later asked to write. One professor also reported helping students prepare for clerkship interviews and discuss career plans with students as part of the clerkships advising process. Another professor reported that the simple process of helping students apply for (and obtain) clerkships is one of the more rewarding parts of his job. Six professors reported that they have never denied a request for a letter of recommendation.

## Transparency in the clerkship process

Many students surveyed who have secured clerkships reported that their clerkship application process began when a member of the faculty Clerkships Committee affirmatively reached out to them to encourage them to apply. Of 2Ls and 3Ls surveyed who reported having secured clerkships, $55.3 \%$ of men and $50 \%$ of women reported the Clerkships Committee having reached out to them; $39.5 \%$ of men and $50 \%$ of women reported not having been contacted by the Clerkship Committee, and $5.3 \%$ of men and $0 \%$ of women preferred not to say. These numbers did not vary significantly by gender ( $\mathrm{p}=.452$ ).

Some students expressed frustration with the clerkship hiring process. One student remarked, "I honestly feel like since I didn't make the top $\%$ of the class and I'm not in [the] Fed[eralist] Soc[iety], I'm completely on my own." The same student expressed a "wish that career services and professors would reach out more." Three professors reported being aware of student frustrations with the process. One professor described the "hand-selection clerkship process here" as "problematic and discourag[ing]" for a lot of people. She found this especially troubling because in her experience, people who were pushed away from the process early on were later able to find clerkships when faculty members encouraged them.

One professor remarked that among students for whom he wrote their first letter of recommendation during the summer between 1 L and 2 L year, in all but one case that was
because he or another faculty member reached out to that person, initiating their clerkship application process. The one outlier who self-initiated the process was a male.

Another professor expressed concern about the perceived lack of communication surrounding such issues, and posited that flaw might have gendered effects: "Good communication is important. Students sometimes do not know where they stand, what they should be doing, etc., and male students sort of assume that they are doing well more than female students....So much info gets passed on word-of-mouth, and it is often not completely accurate, and can be discouraging." Yet another professor observed that students find the lack of transparency "frustrating." He remarked that "[s]tudents complain about it, and I'm sympathetic because I would complain about it if I were a student."

Another faculty member expressed concern that "students might think they're not good candidates" if they do not hear from a faculty member in the very early stages of the clerkships timeline, and might be "dissuaded [ ] from applying." The faculty member stated that "there might be gender skews that occur-women who don't hear directly from a faculty member may be more likely to be dissuaded from applying than men who don't hear." This faculty member insisted that failure to hear from a faculty member did not mean that students were not qualified to clerk, that the faculty just assumes that more students will apply on their own by the end of the summer," and that all students should apply without "wait[ing] for a faculty member to nudge you."

## CLASSROOM DYNAMICS

This section discusses students' perspectives on the value and functions of class participation, their perceptions of how class participation works, students' rates of participation in class, professors' thoughts and observations pertaining to classroom management, and the tools some professors use to encourage classroom participation and equalize participation across genders.

## THE IMPORTANCE OF CLASS PARTICIPATION

Students generally believe that positive classroom experiences are important to several aspects of their success in law school, but across the board women are slightly more likely than men to believe classroom participation is important for a given result. For example, $88.3 \%$ of students, including $90.1 \%$ of female students and $85.5 \%$ of male students, believe classroom participation (either voluntary or in cold calls) is somewhat or very important for stronger mentoring relationships with professors ( $\mathrm{p}=.085$ ). Similarly, $74.3 \%$ of students (including $76.8 \%$ of female students and $71.5 \%$ of male students) believe classroom participation is either somewhat or very important for increased enjoyment of the classroom experience ( $\mathrm{p}=.213$ ).

Gender-based discrepancies were more pronounced for other factors students identified as important results of classroom participation. For example, $70.5 \%$ of female students believe class participation is important to their learning, but only $58.0 \%$ of male students do ( $\mathrm{p}=.020$ ). Similarly, $54.1 \%$ of women and only $39.0 \%$ of men believe class participation is important for getting better grades $(\mathrm{p}=.002) .74 .6 \%$ of female students and only $60.0 \%$ of male students believe classroom participation is either somewhat or very important for obtaining a better job (including clerkships and fellowships) ( $\mathrm{p}=.001$ ).

Students offered various other reasons why they believe that classroom participation is important. Many students expressed a belief that classroom participation can help students become better public speakers and gain comfort speaking in large groups. For example, one student noted that class participation facilitates "[g]eneral comfort with public speaking and learning to express ideas that people may or may not agree with publicly." Another stated that class participation helps with "[s]imply being confident in oneself and one's abilities to grapple with the law as a future practitioner." Many students made similar comments.

Students also point out that classes are far more interesting if there is broad student participation. One remarked that participation "ensur[es] the class is engaging for everyone (i.e. it's boring if no one comes prepared and willing to talk)." In sum, as one student noted, class participation aids in:
"Confidence, [a] feeling of belonging in one's class and in the law school environment in general, community building, getting over nerves and learning to fail publicly and just keep going. Also making yourself a person to your professors and not just a name on a seating chart. When I participate in class I feel much more engaged and feel that I am processing the material more effectively than when I merely do the reading."

Professors also agree that student participation is important. One stated: "[c]lassroom participation is fundamental in the sense that learning seems to occur through making the material your own, through articulating it yourself." The same professor also stated that participation "opens the doors to mentorship and advocacy."

## RESULTS OF CLASSROOM OBSERVATIONS

The raw numbers of class, class sessions, and participation events observed by WAP volunteers are listed below.

TABLE 5:

## Observation Summary Statistics

|  | 1 L | $2 \mathrm{~L} / 3 \mathrm{~L}$ | Total |
| :--- | :--- | :--- | :--- |
| No. of courses monitored | 9 | 24 | 33 |
| No. of class meetings | 27 | 69 | 96 |
| Percentage of women in <br> attendance | $49.5 \%$ | $45.1 \%$ | $47.0 \%$ |
| No. of cold calls | 150 | 350 | 500 |
| No. of volunteered comments | 367 | 1100 | 1467 |
| No. of interruptions/blurts | 18 | 51 | 69 |
| No. of total participation events | 520 | 1452 | 1972 |
| No. of students participating at least <br> once in a class | 429 | 764 | 1193 |
| No. of dominant students | 17 | 143 | 160 |

Overall, men and women participated roughly equally in the classes WAP observed in the Autumn Quarter of 2017. Although women participated at a rate slightly lower than their rates of attendance, those differences were not statistically significant in any category of class (1L classes, 2L and 3L classes overall, 2L and3L seminars, or upper-level large classes).

The percentages of each type of participation event by women in different categories of classes are listed below:

TABLE 6:

## Observation Summary Results

|  | All classes | 1L classes | Upper-level classes | Seminars (upperlevel) | Large classes (up-per-level) |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Women in attendance | 47.0\% | 49.5\% | 45.1\% | 46\% | 45.0\% |
| Total participation events by women | $\begin{aligned} & 46.1 \% \\ & (p=.55) \end{aligned}$ | $\begin{aligned} & 49.1 \% \\ & (p=.55) \end{aligned}$ | $\begin{aligned} & 45 \% \\ & (p=.22) \end{aligned}$ | $\begin{aligned} & 45.9 \% \\ & (p=.92) \end{aligned}$ | $\begin{aligned} & 44.6 \% \\ & (p=.19) \end{aligned}$ |
| Cold calls of women | $\begin{aligned} & 48.5 \% \\ & (p=.50) \end{aligned}$ | $\begin{aligned} & 53.1 \% \\ & (p=.20) \end{aligned}$ | $\begin{aligned} & 46.6 \% \\ & (p=.95) \end{aligned}$ | $\begin{aligned} & 35 \% \\ & (p=.42) \end{aligned}$ | $\begin{aligned} & 47.9 \% \\ & (p=.53) \end{aligned}$ |
| Voluntary participation events by women | $\begin{aligned} & 45.4 \%^{*} \\ & (p=.02) \end{aligned}$ | $\begin{aligned} & 47.5 \% \\ & (p=.59) \end{aligned}$ | $\begin{aligned} & 44.7 \%^{*} \\ & (p=.03) \end{aligned}$ | $\begin{aligned} & 46.9 \% \\ & (p=.85) \end{aligned}$ | $\begin{aligned} & 43.4 \%^{*} \\ & (p=.02) \end{aligned}$ |
| Volunteer | $\begin{aligned} & 45.9 \%^{*} \\ & (p=.02) \end{aligned}$ | $\begin{aligned} & 43.9 \%^{+} \\ & (p=.07) \end{aligned}$ | $\begin{aligned} & 46.3 \% \\ & (p=.15) \end{aligned}$ | $\begin{aligned} & 48.1 \% \\ & (p=.87) \end{aligned}$ | $\begin{aligned} & 44.9 \% \\ & (p=.15) \end{aligned}$ |
| Question | $\begin{aligned} & 45.7 \% \\ & (p=.37) \end{aligned}$ | $\begin{aligned} & 51.4 \% \\ & (p=.20) \end{aligned}$ | $\begin{aligned} & 42.5 \% \\ & (p=.74) \end{aligned}$ | $\begin{aligned} & 49.7 \% \\ & (p=.44) \end{aligned}$ | $\begin{aligned} & 39.7 \% \\ & (p=.54) \end{aligned}$ |
| Comment | $\begin{aligned} & 43.1 \% \\ & (p=.15) \end{aligned}$ | $\begin{aligned} & 49.7 \% \\ & (p=.69) \end{aligned}$ | $\begin{aligned} & 41.5 \%^{*} \\ & (p=.03) \end{aligned}$ | $\begin{aligned} & 40.3 \% \\ & (p=.28) \end{aligned}$ | $\begin{aligned} & 42 \%^{\dagger} \\ & (p=.07) \end{aligned}$ |
| Blurts/interruptions by women | $\begin{aligned} & 41.6 \% \\ & (p=.03)^{*} \end{aligned}$ | $\begin{aligned} & 36.7 \% \\ & (p=.22) \end{aligned}$ | $\begin{aligned} & 43.3 \% \\ & (p=.09)^{\dagger} \end{aligned}$ | $\begin{aligned} & 19.4 \% \\ & (p=.12) \end{aligned}$ | $\begin{aligned} & 53.8 \% \\ & (p=.34) \end{aligned}$ |
| Dominant participants who were women | $\begin{aligned} & 45.2 \% \\ & (p=.53) \end{aligned}$ | $\begin{aligned} & 43.3 \% \\ & (p=.77) \end{aligned}$ | $\begin{aligned} & 45.5 \% \\ & (p=.58) \end{aligned}$ | $\begin{aligned} & 42 \% \\ & (p=.39) \end{aligned}$ | $\begin{aligned} & 47.9 \% \\ & (p=.88) \end{aligned}$ |

$\dagger=$ Statistically significant at the .10 level

* $=$ Statistically significant at the .05 level
** $=$ Statistically significant at the .01 level

That said, men and women voluntarily participated in class (meaning, they contributed to classroom discussion without being cold called) at different rates. Men participated voluntarily more frequently than women did. These differences are statistically significant at the .05 level in all class sessions observed overall, in upper-level courses in general, and in large upper-level courses. On the other hand, the differences between men and women's voluntary participation rates were not statistically significant in 1L classes or in 2 L and 3 L seminars.

## Graph 1: <br> Observation Summary <br> Results



## Total versus Voluntary Participation by Women

|  | All classes | 1L classes | Upper-level <br> classes | Seminars <br> (upper- <br> level) | Large <br> classes <br> (upper- <br> level) |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Women in <br> attendance | $47.0 \%$ | $49.5 \%$ | $45.1 \%$ | $46 \%$ | $45.0 \%$ |
| Total <br> participation <br> events by <br> women | $46.1 \%$ | $49.1 \%$ | $45 \%$ | $45.9 \%$ | $44.6 \%$ |
| Voluntary <br> participation <br> events by <br> women | $45.4 \%^{*}$ <br> $(p=.02)$ | $47.5 \%$ | $44.7 \%^{*}$ |  |  |
| $(p=.03)$ | $46.9 \%$ | $43.4 \%^{*}$ | $p=.02)$ |  |  |

* $=$ Statistically significant at the .05 level.

Table 8 breaks down participation rates by Round. WAP conducted one round of observation in late October (near the beginning of the quarter), one in early November, and one in late November (near the end of the quarter). The gap in voluntary participation between women and men seems to have closed as the quarter progressed.

TABLE 8:

## Participation Rates by Round

|  | Round 1 | Round 2 | Round 3 |
| :--- | :--- | :--- | :--- |
| Participation <br> events by women | $42.6 \%(p=.15)$ | $48.7 \%(p=.63)$ | $47.6 \%(p=.98)$ |
| Unique <br> participants who <br> were women | $45 \%(p=.40)$ | $48 \%(p=.59)$ | $47.2 \%(p=.81)$ |
| Cold cally significant at the .05 level <br> women | $41.4 \%(p=.80)$ | $53.4 \%(p=.30)$ | $51.9 \%(p=.98)$ |
| Voluntary <br> comments by <br> women | $43.2 \%^{*}(p=.02)$ | $47 \%(p=.11)$ | $46.3 \%(p=.84)$ |
| Dominant <br> participants who <br> were women | $42.4 \%(p=.22)$ | $47.1 \%(p=.87)$ | $46.5 \%(p=.92)$ |

WAP also analyzed whether professors followed up with a student by responding to their participation more than once (that is, if a professor gave a student more than one opportunity to speak in an exchange). Follow-ups are common during cold calls and sometimes also take place in response to other types of questions or comments by students. In 1 L classes, $53.0 \%$ of follow-ups went to 1 L women, a percentage higher than 1 L women's representation in their classes. In 2L and 3L classes, $43.3 \%$ of follow-ups went to women, a percentage lower than 2 L and 3 L women's representation in their classes. Neither difference was statistically significant (the p-values were .25 and .41 , respectively). Overall, $46.2 \%$ of follow-ups went to women-a slightly lower percentage than their representation in their classes ( $\mathrm{p}=.82$ ).

Additionally, WAP analyzed whether men or women were disproportionately likely to be dominant participants-that is, whether they were likely to participate three or more times in one class session. The results are listed in Tables 6 and 8. Women were somewhat less likely to be dominant participants than their representation in the class would suggest, and that effect decreased as the quarter progressed. However, it was never statistically significant.

## PROFESSORS' PERSPECTIVES ON STUDENT VOLUNTEERING

Twenty-one professors noticed the small but significant difference in the frequency with which women and men participate voluntarily, but 11 reported that they did not notice a difference, or that it did not apply to their classes. Three said they were not sure, and one observed that women speak more than men. At least five professors who believed there was a gendered difference in student participation rates (or were not sure if there was) expressed the belief that the difference is small, and does not generally affect the quality of contributions. One professor remarked, for example, that male and female students are "similarly talkative, similarly prepared, similarly strong and informed about what they say." On the other hand, nine professors observed that outlier students who consistently speak too much are more likely to be men: "To the extent that I've had people who speak too much, and it's annoying to other students, they most often have been male students." The eight other professors who observed the same phenomenon said similar things.

Twelve professors also noted that men and women's styles of participation differ. One professor noted that male students who volunteer are "more often trying to profess a view," while women are more likely to speak "to clarify a view." Another noted that "men, particularly in the first year, tend to answer things with a level of confidence that they shouldn't necessarily have." Female students' contributions, in contrast, may be "more careful and thoughtful in a way that sometimes creates better conversation." Another professor noted that "men are more likely to raise their hands [to volunteer]" and hypothesized that phenomenon is "particularly true the further you get into law school" (a hypothesis borne out by the results above).

Five professors reported taking direct steps to equalize participation by gender. For example, one cold calls more at the beginning of the quarter in an attempt to get women
into the habit of participating. One takes an even more explicit step, telling the class that she hopes men and women will participate at equal rates and typically refuses to call on students she believes have participated disproportionately. Two cold call women first in each class session in an attempt to encourage them to participate more. Additionally, eight professors reported that they strategically wait at least a few seconds before calling on a volunteer to give both men and women time to raise their hands. Those professors reported that waiting helps ensure more diverse student participation.

Professors were generally eager to engage with these issues. At least two professors expressed a desire to think more strategically together as a faculty about these issues. One professor remarked, "It is surprising how little time professors spend talking about teaching in general...Lunch is the only vehicle for professors to talk to each other about teaching, but it's only occasional that they even talk about it there." Another professor recalled that years ago at UChicago there was a new professors teaching group and new professors could go and sit in on other professor's classrooms. This professor found it to be a "great experience," but does not think it happens anymore.

## COLD CALLING

## Cold calling as observed

Five hundred of the 1,972 (or 25.4\%) participation events WAP observed were cold calls. Excluding seminars, the proportion of cold calling in the average class was higher: $28.9 \%$ of participation events in 1L classes and $31.4 \%$ of events in upper-level classes were cold calls.

Overall, professors cold call men and women roughly equally. $48.5 \%$ of cold calls observed were of women. This number is slightly higher than women's attendance in the observed class sessions overall (47.0\%), but the difference is small and not statistically significant ( $\mathrm{p}=.500$ ).

Gender differences in who gets called on were also not statistically significant when the classroom observations of 1 L and 2 L and 3 L classes were disaggregated. In 2 L and 3L classes, $46.6 \%$ of cold calls were to women, whereas women made up $45.1 \%$ of the class. $53.1 \%$ of cold calls in 1L classes were to women, again not statistically significant compared to women's baseline rate of attendance in those classes ( $49.5 \%$ women), though slightly larger.

Classes in which there was more cold calling were not observed to have higher rates of female participation overall. In fact, the reverse was true. Women were observed to participate voluntarily slightly less in class sessions in which at least $50 \%$ of participation events were cold calls (women accounted for $39.5 \%$ of the voluntary participation events in these classes) than in class sessions in which fewer than $50 \%$ of participation events were cold calls (women accounted for $46 \%$ of voluntary participation events). ${ }^{11}$

11 Note that the amount of cold calling in a class may be correlated with class size (professors may be likely to cold call more in large classes), which may explain part of this result (given that women participate voluntarily less in upper-level large classes than they do in seminars).

TABLE 9:

## Participation Rates by Amount of Cold Calling

|  | Classes where cold calls <br> were more than $50 \%$ of <br> participation events | Classes where cold calls <br> were less than 50\% of <br> participation events |
| :--- | :--- | :--- |
| Total participation <br> events by women | $44.7 \%(p=.53)$ | $46.5 \%(p=.14)$ |
| Unique participants <br> who were women | $46.7 \%(p=.43)$ | $46.7 \%(p=.28)$ |
| Cold calls by women | $46.9 \%(p=.09)^{+}$ | $50.4 \%(p=.95)$ |
| Voluntary comments <br> by women | $39.5 \%(p=.30)$ | $46 \%(p=.047)^{*}$ |
| Dominant participants <br> who were women | $42.6 \%(p=.86)$ | $45.9 \%(p=.44)$ |

## Professors' perspectives on cold calling

Thirty-three professors reported that they cold called regularly, especially in large classes. Professors are largely positive and often enthusiastic about cold calling. Fourteen professors stated that they see cold calling as a good way to help students learn. One professor reported that "outside of clinics," cold calling is "one of the best forms of preparation for practice we give our students." Another professor remarked that it is simply a good way to get a conversation rolling: "Once you call on someone, both men and women are more likely to volunteer." A third professor believes that cold calling done right can help students "build confidence" (a sentiment reflected in the student statements quoted above that participating in class can help build confidence).

At least nine professors also see cold calling as a good way to balance participation across gender on other categories. This is intuitive: if a professor truly calls on students of different identities at equal rates, class participation-at least in cold calls—should be largely balanced. One professor remarked that cold calling creates "pure, formal equality" in class participation. This is in contrast to a purely volunteer-based system, which many professors remarked they had experienced at other schools. One professor remarked that an all-volunteer system "leads to a replication of certain kinds of voices."

Twenty professors also stated that they attempted to ensure that there was gender balance in who they called on, either within a single class session or across several class sessions. Ten reported strategically choosing whom to call on before class, with the goal of achieving balanced participation by gender. Ten preferred to rely on randomization methods (such as
number generators, choosing to target a specific row in the classroom each day, or calling on every fourth person alphabetically, etc.) to take any potential bias out of their selections. Three of those professors stated that they generate a list of students to call on using some sort of random method, but then adjust the list to ensure that there is a rough gender balance in each class period. Many professors reported at least keeping track of who they called on. As one professor noted, "This is a good way to notice your own patterns. You might not be consciously calling on any particular segment of the class but you can notice your patterns."

Notwithstanding the generally favorable view among professors about cold calling, some professors noted that it may have drawbacks. One professor remarked that cold calling "sometimes creates a passivity in the classroom that lessens student engagement." Four professors pointed out that cold calling may make some students uncomfortable in a way that is counter-productive: "[The Socratic method] created, at least for me, and I hear from a lot of female students, that it puts you on the spot and under the microscope in a way that isn't always productive.... It can be a hostile way of engaging."

Professors who discussed the issue were generally split on whether using cold calling to reduce the amount of volunteering in a class was a good end in itself. Two, like the professor quoted above, thought cold calling should be primarily used to get volunteering started, while five instead thought it was a good way to "mitigate voluntary participation." Along those lines, six professors reported avoiding allowing contributions from volunteers precisely because they found it more difficult to control who participates when there is a significant amount of volunteering. Interviewers did not uniformly ask professors their thoughts on this issue.

Professors' approaches to handling a student struggling with a cold call varied broadly. Thirteen professors reported sticking with a student for a significant period of time, pushing them to get to the heart of the problem, in order to give them the maximum learning opportunity. Ten remarked that they do not like to make a student uncomfortable for longer than necessary (or make the classroom dynamic too "inquisitorial") and usually move on fairly quickly when a student seems flustered. Seven professors thought they did something in between. Five professors reported that their strategies might differ based on whether the student was legitimately confused and simply taking a longer time to think about the question, or actually totally unprepared. Three professors stated that they are more likely to end a cold call when a student seems to give up or says directly that they do not know the answer to the question. Two professors reported being aware that their efforts to help struggling cold called students might vary by gender, either deliberately or in a way they might not intend. One professor stated she "could not imagine any professor does not consider gender in those moments." As the other professor remarked, "rescue [by both professors and students] is gendered" in that rescuers more often come to the aid of women than men.

Three professors used panel-based systems, in which they assign a small group of students to be "on call" and then cold call within that group for some time. At least one student wrote at length about how she enjoyed knowing when she was going to be on call and having a meaningful opportunity to speak each time. These three professors reported having success

12 Note that a man speaking first in a given class is likely to be confounded with men speaking more in that class, given that in a class where men speak more frequently a man is also more likely to be the first speaker. WAP was not able to complete additional testing to tease apart these potential effects.
in achieving broad student participation by using panels. They reported that the system retains some of the intensity of cold calling and ensures that all students have substantial opportunities to participate.

## GENDER OF THE FIRST SPEAKER IN THE CLASS

WAP also examined the correlation between the gender of the first student speaker in a class and rates of participation by tracking whether the first participation event in a class, whether voluntary or a cold call, was contributed by a man or a woman. WAP then analyzed how the first speaker's gender correlated with broader participation patterns.

Overall, when the first speaker in a class was a man, women were far less likely to volunteer. ${ }^{12}$ In the 43 observed class sessions in which the first speaker was a man, only $40 \%$ of total participation events and only $39.4 \%$ of voluntary participation events were contributed by women. These differences from women's enrollment in the class were both statistically significant. In contrast, in the 47 observed class sessions in which the first speaker was a woman, women were slightly more likely to participate than their representation in the class would suggest, and even more likely to participate than men. In these classes, $52.1 \%$ of total participation events were made by women, and $50.8 \%$ of voluntary participation events were made by women. Neither difference in male and female participation rates from their rates of attendance in the classes is statistically significant however.

The negative correlation between a male first speaker and women's participation was less pronounced in 1L classes. However, there was a slightly larger correlation with respect to voluntary participation events. The relationship was more pronounced and statistically significant in large upper-level classes. Note that the sample size for upper-level seminar classes is particularly low, and the results are not included for them below.

TABLE 10:

## Participation Rates by First Speaker Gender

|  | All classes |  | 1 L classes |  | Upper-level classes |  | Large classes <br> (upper-level) |  |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| Women in <br> attendance | $47.0 \%$ | $49.5 \%$ | $45.1 \%$ | $45.0 \%$ |  |  |  |  |
| First <br> Speaker <br> Gender | M (43) | $\mathrm{F}(47)$ | M | F | M | F | M | F |
| Total par- <br> ticipation <br> events by <br> women | $40 \%^{*}$ <br> $(p=.02)$ | $52.1 \%$ <br> $(p=.24)$ | $47.3 \%$ <br> $(p=.99)$ | $50.5 \%$ <br> $(p=.81)$ | $37.4 \%^{*}$ <br> $(p=.013)$ | $52.85 \%$ <br> $(p=.25)$ | $36.2 \%^{* *}$ <br> $(p=.005)$ | $54.3 \%$ <br> $(p=.23)$ |
| Voluntary <br> participa- <br> tion events <br> by women | $39.4 \%^{* *}$ <br> $(p=.005)$ | $50.8 \%$ <br> $(p=.83)$ | $45.2 \%$ <br> $(p=.44)$ | $49.3 \%$ <br> $(p=.91)$ | $37.24 \%^{* *}$ <br> $(p=.007)$ | $51.44 \%$ <br> $(p=.86)$ | $35.4 \%^{* *}$ <br> $(p=.004)$ | $51 \%$ <br> $(p=.78)$ |

The effect strength of the relationship between a male first speaker and subsequent female participation also seemed to decrease as Autumn Quarter went on. Overall, the negative correlation of a male first speaker with female volunteering was not statistically significant after the first round of observations in late October.
$\dagger=$ Statistically significant at the .10 level * $=$ Statistically significant at the .05 level

TABLE 11:

## Participation Rates by First Speaker Gender and Round

|  | Round 1 |  | Round 2 |  | Round 3 |  |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| First <br> Speaker <br> Gender | M | F | M | F | M | F |
| Total par- <br> ticipation <br> events by <br> women | $33.1 \%^{* *}$ <br> $(p=.001)$ | $53.4 \%$ <br> $(p=.34)$ | $40.4 \%$ <br> $(p=.24)$ | $54.3 \%$ <br> $(p=.44)$ | $46.7 \%$ <br> $(p=.98)$ | $47 \%$ <br> $(p=.74)$ |
| Voluntary <br> partic- <br> ipation <br> events by <br> women | $35.6 \%^{* *}$ <br> $(p=.001)$ | $52.1 \%$ <br> $(p=.79)$ | $36.8 \%^{+}$ <br> $(p=.051)$ | $52.8 \%$ <br> $(p=.98)$ | $44.7 \%$ <br> $(p=.94)$ | $45.1 \%$ <br> $(p=.94)$ |

## STUDENTS' PERCEPTIONS OF CLASS PARTICIPATION

Overall, students expressed considerable satisfaction with their experiences in the classroom at UChicago Law. $46.6 \%$ of respondents reported that their classroom experience at the Law School has been "somewhat positive," and $38.2 \%$ reported that it has been "very positive." These numbers are similar across class years. $85.9 \%$ of $1 \mathrm{Ls}, 84.4 \%$ of 2 Ls , and $83.8 \%$ of 3 Ls report a somewhat or very positive classroom experience. However, men were significantly more likely to say that their classroom experience has been positive. $88.5 \%$ of men reported a somewhat or very positive classroom experience, compared with $81.4 \%$ of women ( $\mathrm{p}=.042$ ).

Despite their general satisfaction with classroom experiences at the Law School, women and men experience class participation somewhat differently. While $42.5 \%$ of male students enjoy participating in class, only $27.3 \%$ of female students do ( $\mathrm{p}=.001$ ). Similarly, $22.5 \%$ of male students dislike participating in class, and $43.2 \%$ of female students dislike it ( $\mathrm{p}<.001$ ).

Women are also much more likely than men to believe that men participate more frequently in their classes. $72.6 \%$ of 1 L women report that men participate more frequently than women in their lecture classes. In contrast, just $33.8 \%$ of 1 L men report that men participate more frequently ( $\mathrm{p}<.001$ ). 1 L men are also far more likely than 1 L women to report that men and women participate equally often: $56.3 \%$ of 1 L men compared to $26.2 \%$ of 1 L women believe there is gender parity in classroom participation ( $\mathrm{p}<.001$ ). The observations of 2Ls and 3Ls vary by gender in a similar way, although a small majority of 2 L and 3 L men
agree that men participate more often in class than women do. $77.9 \%$ of 2 L and 3 L women and $51.2 \%$ of 2 L and 3 L men report that men participate more frequently in class ( $\mathrm{p}<.001$ ). And $36.4 \%$ of 2 L and 3 L men and $14.0 \%$ of 2 L and 3 L women report that men and women participate equally ( $\mathrm{p}<.001$ ).

Men are more likely to report that they themselves participate in class more often than their classmates. Although the gap in male and female answer rates on this question is smaller than the gaps described in the previous paragraph, it is still highly significant: $37.5 \%$ of men and $25.0 \%$ of women report that they participate either somewhat or far more often than their classmates ( $\mathrm{p}=.006$ ). Similarly, but less significantly, $39.0 \%$ of men and $44.1 \%$ of women report that they participate either somewhat or much less often than their classmates ( $\mathrm{p}=.291$ ).

## Students' explanations for gender disparities in participation

Students surveyed offer various possible explanations for why men might volunteer in class more than women. Some students pointed out that many of their classes simply include more men than women, and some remarked that if men participate more than women, the difference is only a small one. Regardless, many students had intuitions about why men might participate more.

By far, the most common explanation students offered was that they believe men are less likely to be self-conscious about the value of their contributions or sensitive to norms against excessive participation (or being "gunners"). One student stated, "Perhaps women are...more likely to underestimate the value of their contribution or be less confident." In contrast, a different student stated, "Men are less uncomfortable being seen as rude or gunner-ish so they don't self-censor enough (even when they should)." Another stated, "Men are socialized to be more confident and assertive; women are socialized to be more quiet and acquiescent." One student explained how this operates in her personal experience: "I know I [as a woman] personally just don't have anything to say or kind of feel like [it's] not worth it to draw attention to myself....[I] can just figure out later if it is important."

Many students also commented that male and female students' styles of participation differ. For example, one student noted that when men speak "they speak more confidently than women." In contrast, another student stated that women "are much more likely to use hedging language." Another student states, "[W]hen I think about large classes, I... remember certain male individuals that spoke with an undeserved and unwarranted level of arrogance and authority." Many students commented that such over-confidence might contribute to unwelcoming or unproductive classroom environments. One student noted: "I do find that women are more likely to ask clarification questions while men are more likely to use class time to pose hypothetical questions that seem designed to allow them to show off rather than further anyone's understanding."

Students also offered various reasons for why voluntary participation in seminars is more even across genders than voluntary participation in large lecture classes. First, they reasoned that seminars are likely to be more informal and may be more likely to provide a

13 Students who responded that they had more than four male or female professors were counted as having five for the purposes of this analysis.
welcoming environment for diverse student participation. One student survey respondent remarked, "In small seminars, everyone has the opportunity to talk more, which leads to more equality in voices." Another student contrasted her experience in her clinic with her experiences in large lecture classes. She wrote that in her clinic, she has "always felt like an equal member of the team, and [her] contributions are valued just as much as [her] male team members." On the other hand, she wrote, "in one of my large lecture classes last quarter, I was really disappointed by the fact that the same three men were called on disproportionately despite the often low quality of their contributions, even when women had their hands in the air."

Second, several students hypothesized that, although men are more likely to have the confidence necessary to speak in large groups, such an effect would obviously be less pronounced in small classes such as seminars. One student noted, for example, that in smaller classes "it is easier to feel confident and ask questions and participate."

With regard to patterns related to the gender of the first speaker in the class, one female student surveyed hypothesized that, "[T]he effect of seeing more women participate... motivates me to speak more, so there's a domino effect."

## THE EFFECT OF THE PROFESSOR'S GENDER

Students tend to take classes from fewer female professors than male professors. ${ }^{13}$ Overall, 2Ls and 3Ls had a mean of 3.2 male professors and 1.5 female professors in Autumn Quarter 2017. The difference was even starker for 1Ls, who had a mean of 1.2 female professors and 3.8 male professors (including Bigelow fellows) in Autumn Quarter 2017.

Furthermore a significant minority of students saw no women in the front of their classrooms in that quarter: 652 Ls and 3Ls surveyed reported that they had no female professors in Autumn Quarter 2017 (out of 265 total). Ninety-two 2L and 3L students had only one female professor during that quarter. Students were, in contrast, much less likely to take course loads without male professors: Only 122 L and 3 L students had zero or one male professor during that same quarter.

Three female professors noted that they believed women were more likely to enroll in their upper-level courses. One remarked that "women students want women professors." 2L and 3 L women did have significantly more female professors than 2 L and 3 L men, though the difference is slight. In Autumn Quarter 2L and 3L women had a mean of 1.6 female professors, and men had a mean of $1.3(\mathrm{p}=.04)$. Female 2 L and 3 L students also had slightly more male professors than male students did (3.3 on average, versus 3.1, $\mathrm{p}=.25$ ).

In classroom observations, women participated slightly more when in class with female professors. However, the gender of the professor did not have a large or statistically significant effect on women's participation rates overall. The percentage of total participation events by women in a class with a male professor (over all class years) was $45.3 \%$; in classes with female professors it was $49.14 \%$.

Women were, however, significantly less likely to participate voluntarily in classes with male professors than their attendance in the classes would suggest. In those classes, only
$44.9 \%$ of voluntary participation events were accounted for by women, a statistically significant difference at the .05 level ( $\mathrm{p}=.03$ ).

TABLE 12:

## Participation Rates by Professor's Gender

|  | Male Professor | Female Professor |
| :--- | :--- | :--- |
| Total participation events <br> by women | $45.3 \%(p=.21)$ | $49.14 \%(p=.98)$ |
| Unique participants who <br> are women | $45.7 \%(p=.53)$ | $50.1 \%(p=.92)$ |
| Cold calls by women | $46.9 \%(p=.60)$ | $59.7 \%(p=.67)$ |
| Voluntary comments by <br> women | $44.9 \%^{*}(p=.03)$ | $47.3 \%(p=.50)$ |
| Dominant participants <br> who were women | $44.9 \%(p=.46)$ | $46.3 \%(p=.98)$ |

$\dagger=$ Statistically significant at the .10 level

* $=$ Statistically significant at the .05 level
${ }^{* *}=$ Statistically significant at the .01 level


## THE EFFECT OF THE CURRICULUM

Several female survey respondents criticized the current Law School curriculum for focusing too narrowly on just a few modes of legal analysis, and one characterized it as "steeped in significant gender bias." Another lamented the lack of "intersectionality" in some law courses, noting, "So many things that we learn about in [some 1L courses] affect women differently than men and that distinction is largely ignored." Another student added: "There should be more course content that engages with feminist theory, critical race theory, and the practical impact race and gender have on the practice of law." One student noted that in her experience these curricular shortcomings are less evident when female professors have taught and selected course content: "This quarter, I've already noticed a difference with my one doctrinal professor who is a woman-our materials cite more women scholars, and we spend more time on those women's ideas."

## FACULTY RELATIONSHIPS \& MENTORING

This section discusses the different facets of mentorship at the Law School: how students find mentors, how many mentors students have on average, and how professors facilitate these relationships, among other things.

## MENTORSHIP GENERALLY

Five professors reported in interviews that they believe that students who actively seek mentors have a more rewarding law school experience than those who do not. Overall, when asked about their interactions with professors outside class, students across all years responded that they were positive: $47.3 \%$ of respondents said they were "very positive" and $40.2 \%$ of respondents said they were "somewhat positive." The results did not vary significantly by students' gender. $85.9 \%$ of women and $88.5 \%$ of men reported that their interactions were somewhat or very positive ( $\mathrm{p}=.428$ ). Students who reported having faculty mentors reported developing those relationships in a number of ways, including by attending office hours, requesting letters of recommendation, working as research assistants, attending professor lunches, and working with professors on writing projects.

In interviews, professors were divided in their opinions about what the appropriate or optimal role of a mentor should be. Two professors stated that the role of the mentor is to advise students exclusively about professional or academic issues, such as whether to pursue a certain job opportunity, or whether to apply to a specific judge for a clerkship. At least 11 professors viewed the role of the mentor more broadly. They believed mentors also could and should counsel students on personal and work-life balance issues and help them navigate their careers.

Despite these differences in how professors viewed the role of the mentor, there was widespread agreement among professors that gender does not make much difference to the mentoring relationship. That said, seven professors reported that they are more likely to mentor students pursuing careers in academia, and that this population may skew towards men. Such professors suggested that this was because there are more men interested in Law and Economics and academia more generally.

At least four professors, three female and one male, noted that they serve as mentors to women more frequently than men. They felt this disparity was influenced by their areas of academic interest-specifically, women might be more interested in public law. The three women thought it could also be due to their own gender, and that women might be more likely to seek out a female mentor. Further, six professors suggested that the broad topics which students choose to discuss with professors might differ along gender lines. Five professors reported that women are more likely than men to discuss personal issues or work-life balance issues than men.

Ane clinical professor stated: "Mentorship is at the core of what we do as clinical faculty." Another said that students find it easier to develop mentoring relationships with clinical professors because they're situated between academia and practice, and so can more easily speak to practicing at a firm, in government, or at a public interest organization. Sixteen students reported that they found mentors through their participation in a clinic. Many urged students to work in the clinic for that reason. For example, one extolled the benefits of working with clinical professors who "take time to ask about aspects of our lives outside of pure academics and get to know us as people rather than as law students." Another student noted that "clinical faculty are fantastic and some of the most open to interacting with students daily."

On average, most students at UChicago Law have at least one mentor on the faculty, and women have slightly more mentors than men. Women at UChicago Law reported having a mean of 1.8 mentors each, and men reported having a mean of 1.5 mentors. This difference is significant at the .10 level ( $\mathrm{p}=.086$ ).

Mentorship seems to increase over time. 3L women and men reported having more mentors on average than members of the 2 L class, and 2 L students reported having more mentors than 1 Ls , suggesting that students gain mentors as they spend more time in law school. However there are differences based on gender within each class. More 1L men feel they do not have a mentor compared to 1 L women, but this difference is not statistically significant: $54.9 \%$ of men reported not having a mentor compared to $44.0 \%$ of women ( $\mathrm{p}=.179$ ). Of the 1 L survey respondents, the average number of mentors for women was 1.1 and the average number of mentors for men was 0.7 ( $\mathrm{p}=.023$ ).

However, 2L and 3L men still reported having fewer mentors than 2 L and 3 L women: $27.1 \%$ of men feel like they do not have a mentor compared to $19.9 \%$ of women ( $\mathrm{p}=.163$ ). The average count of mentors for women and men:

TABLE 13:

Average Number of Mentors by Gender ${ }^{14}$

| Average Number <br> of Mentors ${ }^{15}$ | 2L and 3L Women | 2L and 3L Men |
| :--- | :--- | :--- |
| Total $(p=.212)$ | 2.3 | 2.0 |
| Non Clinical $(p=.346)$ | 1.6 | 1.4 |
| Clinical $(p=.308)$ | 0.7 | 0.6 |

14 These differences are not statistically significant.

15 Students who responded that they had more than four mentors were counted as

Students across all classes and genders reported that the most common ways that they have formed mentoring relationships with faculty members were by participating in class or asking a question after, attending office hours, asking for letters of recommendation, asking professors for career advice, and working as research assistants. The responses to this question were similar for both women and men.

TABLE 14:

## Students' Strategies for Developing Mentoring Relationships

| Strategy for developing <br> mentoring relationships | Percentage of responding <br> students who indicated they <br> benefited from the strategy |
| :--- | :--- |
| Participating in class or <br> asking questions after class | $42.4 \%$ |
| Visiting office hours | $42.6 \%$ |
| Consulting a professor for career advice | $34.1 \%$ |
| Other | $30.9 \%$ |
| Asking for a letter of recommendation | $26.7 \%$ |
| Working as an Research Assistant | $19.8 \%$ |
| Collaborating on a lunch or activity for <br> a student organization | $9.8 \%$ |
| Having a professor advise <br> a journal comment | $10.5 \%$ |
| Having a professor advise an SRP/WP | 16 |

## LETTERS OF RECOMMENDATION \& EMPLOYER REFERENCES

According to the data sheets that faculty members submitted during or after their interviews, faculty wrote letters of recommendation for clerkships for women as frequently as they did for men. WAP also asked student survey respondents for the number of faculty members they felt comfortable asking for letters of recommendation. Students' reports of the number of faculty members that they felt comfortable asking for letters of recommendation varied less by gender than they did with regard to mentorship (see above).

Professor interviewees reported writing a slightly higher number of letters of recommendation for men than women, but this difference is not statistically significant. A total of $44.1 \%$ of clerkship letters written in the last year were for women and $55.9 \%$ were for men ( $\mathrm{p}=.956$ ). Two professors attributed a perceived difference to the fact that the letters were mostly for clerkships, acknowledging that clerkship applicants, who are usually students at the top of the class, are more likely to be men. Another professor explained that he frequently writes letters for students with whom he works on journal comments, who tended to be men.

On average, men and women across all classes have nearly equal numbers of professors they would feel comfortable asking for letters of recommendation.

16 UChicago Law students are required to complete both an SRP (substantial research paper) and WP (writing project) in order to graduate. The SRP must be supervised by a faculty member and subjected to at least one round of comment and revision prior to final submission. The SRP is typically 20-30 pages long The WP is typically $12-15$ pages long. Both may be written as part of a class or as part of an independent study. Writing Requirements for JD Students, (The University of Chicago Law School), archived at https://perma.cc/N7LQ-CRMQ.

TABLE 15:

## Number of Professors Students Feel Comfortable Asking for Letters by Gender and Year

[^0]|  | $1 \mathrm{~L}(\mathrm{p}=.700)$ | $2 \mathrm{~L}(\mathrm{p}=.089)^{\dagger}$ | $3 \mathrm{~L}(\mathrm{p}=.647)$ |
| :--- | :--- | :--- | :--- |
| Women | 1.7 | 3.6 | 4.2 |
| Men | 1.8 | 4.2 | 4.4 |

$23.8 \%$ of 1 L women and $22.5 \%$ of 1 L men surveyed did not have a faculty member they felt comfortable asking for a letter of recommendation ( $\mathrm{p}=.852$ ). Of 2L women, only $4.5 \%$ did not feel comfortable asking for a letter from any professor compared to $6.0 \%$ of 2 L men ( $\mathrm{p}=.698$ ). Of $3 \mathrm{Ls}, 10.1 \%$ of women compared to $1.6 \%$ of men did not have any professor from whom they would feel comfortable asking for letters of recommendation ( $\mathrm{p}=.042$ ).

Based on data sheets that professors filled out as part of their interviews, there were certain methods of advocacy that professors performed more often than women than for men. $45.5 \%$ of the students for whom professors served as references to employers were men and $54.5 \%$ were women ( $\mathrm{p}=.019$ ). $42.9 \%$ of the students for whom professors made phone calls to employers were men and $57.1 \%$ were women ( $\mathrm{p}=.184$ ).

## OFFICE HOURS

Professors varied in their approach to office hours. Eleven reported having no scheduled office hours and instead inviting students to stop by at any time. One professor provides scheduled time slots for which students can sign up. Other professors schedule specific office hours, but do not require students to sign up for time slots within that window. The professors interviewed did not know which strategy is better for encouraging students of both genders to attend, but at least some have switched from no scheduling to regularly scheduled office hours. One professor hypothesized that having regularly scheduled office hours signals that professors have set aside time for students, and this encourages students to attend who might be hesitant to come otherwise.

Generally, professors reported that there is no difference in the frequencies with which women and men visit their office. Two professors feel that any difference in attendance they did see might be attributable to the subject matter they teach-there might be more men interested in Law and Economics, for example, while women might be more interested in public interest law. At least nine noticed differences in the topics men and women visited to discuss. Two professors reported that men were slightly more likely to want to discuss non-specific topics, unrelated to class, while women were more likely to visit with specific class-related questions. Finally, six professors noted that men are more likely to stop by their offices without an appointment.

Student survey responses roughly match what professors reported in their interviews: there is no difference in the frequency with which women and men attend office hours. Of 2 L and 3 L survey respondents, men reported attending office hours more than women, but the difference is not statistically significant. $51.9 \%$ of men reported attending at least once per quarter, compared with $42.7 \%$ of women ( $\mathrm{p}=.130$ ). 1 L women, on the other hand, attended office hours at a higher rate than 1L men, and this difference is significant at the .10 level: $87 \%$ of women reported attending at least once a quarter, compared to $76 \%$ of men ( $p=.080$ ).

Students reported attending office hours for various reasons:

TABLE 16:

## Students' Reasons for Attending Office Hours by Gender

| Reason for Attending Office Hours | 2L and 3L Women | 2L and 3L Men |
| :---: | :---: | :---: |
| Question or Comment <br> Related to Class ( $p=.562$ ) | 34.6\% | 37.9\% |
| Career Advice (including jobs, clerkships, or fellowships) ( $\mathrm{p}=.969$ ) | 17.7\% | 17.8\% |
| General Conversation $(p=.718)$ | 16.9\% | 18.6\% |
| Request for Reference or Recommendation ( $\mathrm{p}=.897$ ) | 8.1\% | 8.5\% |
| Other ( $\mathrm{p}=.958$ ) | 23.5\% | 23.2\% |
| Reason for Attending Office Hours | 1L Women | 1L Men |
| Question or Comment Related to Class ( $\mathrm{p}=.005$ )** | 82.1\% | 61.9\% |
| Career Advice (including jobs, clerkships, or fellowships) ( $\mathrm{p}=.730$ ) | 13.1\% | 11.3\% |
| General Conversation $(p=.253)$ | 19.1\% | 26.8\% |
| Request for Reference or Recommendation ( $p=.164$ ) | 2.4\% | 7.0\% |
| Other ( $\mathrm{p}=.352$ ) | 4.8\% | 8.5\% |

$\dagger=$ Statistically significant at the .10 level

* $=$ Statistically significant at the .05 level
${ }^{* *}=$ Statistically significant at the .01 level

Women were statistically significantly less likely to report feeling equally comfortable attending office hours of male and female professors. $66 \%$ of women and $77 \%$ of men among 2 L and 3 L respondents $(\mathrm{p}=.001)$, and $67 \%$ of women and $85 \%$ of men among 1 L respondents ( $\mathrm{p}=.025$ ) reported no difference in their level of comfort attending office hours of a female professor versus a male professor. $30.5 \%$ of all women compared to $13.0 \%$ of all men reported feeling more comfortable attending the office hours of a female professor ( $\mathrm{p}<.001$ ). Only $7.5 \%$ of men and $3.2 \%$ of women reported feeling more comfortable attending the office hours of a male professor ( $\mathrm{p}=.047$ ).

Survey respondents stressed going to professors' office hours as a way to cultivate a relationship and many reported that they have found professors to be "very open to interactions" and "generally eager to help," whether to discuss course material, their research, or career questions. One student said: "I was bad about it because I never had a reason to go (no burning questions to ask) and I was frankly intimidated by most of the faculty. But they're actually all down to earth and happy to answer your stupid questions, so do it."

## RESEARCH ASSISTANTS

In the last year, $57.5 \%$ of research assistants employed by the professors surveyed were women and $42.5 \%$ were men, a difference that is statistically significant ( $\mathrm{p}=.012$ ). Six professors reported finding their research assistants either by posting the positions on Symplicity or by emailing their entire 1L class. However, five professors stated that they hire research assistants in other ways, including hiring students who approach them and recruiting students with the top grades.

Four students extolled the value of being a research assistant. One student said it "is probably the best way I have found to build meaningful relationships with professors," and another that "it has been really nice to get to know a faculty member and feel like one of them cares."

## OTHER INTERACTIONS

Emails: Of the professors asked, 16 said there is no gender-based difference in the tone or content of the emails students send them, but three noted that men email them slightly more often than women do.

Lunches: Lunches are an important part of 1Ls' interactions with their professors. ${ }^{17}$ Eleven professors reported encouraging their students to sign up for lunches in groups, and most students do. One professor stated that the lunches "tend to be very useful for forming relationships with students especially in the 1 L curriculum," and students agree. One student remarked, "I found going to lunches as a 1L helped [me] to feel out how I would interact with a professor." Based on the professor interviews and the student survey, both professors and

17 The Law School provides funding for professors to take groups of students out to lunch, and most professors who teach 1 L classes do so.
students have had positive experiences with the lunch program and enjoy the interactions. Twenty-two professors reported not finding a noticeable difference in lunch attendance based on gender. One professor noted that when he switched from using an informal sign-up system
in which students would just email him to request lunch, to a more structured system with scheduled slots for sign-ups, however, the signs-up became more balanced by gender, and another professor echoed that this practice "probably contributes to a diversity of representation."

Writing Projects: 2Ls and 3Ls work with professors on various writing projects including independent studies, journal comments, and their SRP or WP. Thirteen professors found these writing projects to be the impetus for forming mentoring relationships, and one professor noted that they lead to "more substantive interactions." One professor stressed the value of working on a writing project with an anecdote about a student who was "overwhelmed by the process" of writing such "a lengthy piece." "I broke it down into steps," the professor said, "so we really developed a pretty strong relationship because of the amount of time we spent together to help him get from point A to point B ."

Professors reported advising nearly equal numbers of women and men for independent studies in the last year: $50.9 \%$ were women and $49.1 \%$ were men ( $\mathrm{p}=.342$ ). Many students also reported that these writing projects were a good starting point for a relationship with a faculty member. Of the student survey respondents, $16.3 \%$ of 2 L and 3 L men and $14.7 \%$ of 2 L and 3 L women said they developed their mentoring relationships with professors through working with professors on independent studies, journal comments, or SRPs and WPs ( $\mathrm{p}=.732$ ). One student said, "working with a faculty member, regardless of the project, is how I become close with all the faculty members I am close with."

## STUDENT PERCEPTIONS OF FACULTY MENTORING

Male and female students had statistically significant divergent views on whether their interactions with professors outside the classroom varied by gender. $55.0 \%$ of women respondents noticed a difference in the way that men and women interact with professors outside the classroom compared to only $30.0 \%$ of men ( $\mathrm{p}<.001$ ). Students who noticed a difference perceived women to interact with professors less frequently than men, and noticed that women attend office hours less frequently. They attributed this difference to different levels of comfort and confidence, bonds that male students are able to form with male professors around stereotypically male interests (such as sports), and women's concerns that they are "bothering" professors, among other reasons. Students noted:

- "Men seem much more proactive about approaching professors and engaging them in conversation...Tons of men are always asking questions after class."
- "Men generally seem more comfortable 'chatting' with professors (who also tend to be male). Conversation topics range more widely."
- "I think it's a combination of men being more confident and women being hampered by the imposter syndrome."


## FACULTY DIVERSITY

This section details faculty and student concerns about faculty diversity, some of the challenges facing female faculty members, and the challenges the administration faces in recruiting a diverse faculty. Although WAP set out to research primarily the student experience at UChicago Law, issues of representation on the faculty, as well as the experiences of current faculty members who are female or minorities, came up with an inescapable frequency in both professor interviews and student survey responses.

## LACK OF DIVERSITY ON THE FACULTY

The Law School currently has 37 members of the full-time research faculty, of which only 10 are women. ${ }^{18}$ As discussed in Classroom Dynamics, during the Autumn Quarter of 2017, students reported taking classes from more male than female professors. The clinical faculty is more diverse. Of the 21 total clinical faculty members, 12 are women. But 1Ls often do not have any interaction with the clinical faculty, and since clinics are optional, many students graduate from the Law School without having any significant interaction with a clinical faculty member. While the gender ratio of the clinical faculty is better, one professor worried this could cause confusion regarding the proportion of female professors overall: " [T]hey're clinical. They're separated, treated differently. It doesn't solve the problem."

Students are exceedingly aware of this gender imbalance and expressed their dissatisfaction with it again and again, some identifying it as a significant failure of the Law School. Generally, students reported that having a diverse faculty is important and that the Law School "would benefit greatly from having more female faculty members." Eleven students expressed their belief that having a more diverse faculty would improve their interactions with professors overall, and one student said that the lack of diversity makes it hard to find a mentor: "It is difficult when there are almost no professors of my gender in the 1L year." Seven professors remarked on the impact this lack of diversity has on students and one said: "If a female student comes to law school and has four male professors and a male Bigelow fellow, that sends a signal that we don't want to send. It may discourage them."

Professors are also concerned with the negative impact of the lack of diversity. One professor argued, "The less diverse the faculty is, the less likely it is that diverse faculty will want to come here." This professor also suggested that a more diverse faculty would be attractive to students. Relatedly, three professors believe that mentorship responsibilities are not distributed evenly between female and male faculty, and that the female faculty bear the responsibilities of acting as mentors more often than men, if only because there are fewer women than men to share the burden. Both the faculty and the administration have expressed concerns about the burden it places on female faculty to teach 1 L classes. The

18 These numbers were reported in Recommendations of the University of Chicago Law School Diversity Committee (UChicago Law Diversity Committee, March 26, 2018), archived at https:// perma.cc/XB9P-VBV9.

19 American Bar Association, Section of Legal Education and Admissions to the Bar, Managing Director's Guidance Memo, Standard 509 (July 2016), archived at https://perma.cc/9TMF-GYFK.
administration has indicated that it makes serious efforts to ensure that 1 Ls are taught by a diverse group of faculty, especially in light of the formative nature of the first-year experience. However, it noted that it must weigh this interest against a concern with overburdening new hires, as well as female and minority faculty members, with the heavier lift of teaching 1L classes versus upper level courses.

The small number of female faculty is a problem faced by many of the top law schools. However, UChicago still has the smallest percentage of female full-time faculty members, among the top six law schools, according to the statistics that all accredited law schools are required to provide to the American Bar Association, reported each year in Standard 509 Information Reports.

TABLE 17:

Top Six Law School Full-Time Teaching Faculty by Gender, as Reported in 2017509 Forms ${ }^{19}$

|  | Total <br> Full-Time <br> Faculty <br> Members | Male <br> Full Time <br> Faculty <br> Members | Female <br> Full Time <br> Faculty <br> Members | Percent <br> Male <br> Full Time <br> Faculty <br> Members | Percent <br> Full Time <br> Faculty <br> Members |
| :--- | :--- | :--- | :--- | :--- | :--- |
| UChicago | 84 | 57 | 27 | $67.9 \%$ | $32.1 \%$ |
| Harvard | 171 | 107 | 64 | $62.6 \%$ | $37.4 \%$ |
| Yale | 99 | 65 | 34 | $65.7 \%$ | $34.3 \%$ |
| Stanford | 110 | 64 | 46 | $58.2 \%$ | $41.8 \%$ |
| Columbia | 134 | 86 | 48 | $64.2 \%$ | $35.8 \%$ |
| NYU | 171 | 112 | 59 | $65.5 \%$ | $34.5 \%$ |

The UChicago full-time faculty count reflected in the above chart is considerably higher than the 37 member full-time faculty reflected in the Diversity Report, of which only $10(27.0 \%)$ are women. This is because law schools report their own full-time faculty numbers to the ABA, and likely include more faculty members than their core tenure-track faculty. Based on the numbers from UChicago and the way that the UChicago website categorizes "Full-Time Teaching Faculty," UChicago's definition appears to include clinical faculty, "Professor $[s]$ from Practice," and "Lecturers in Law." Different law schools' definitions of what it means to be a member of the full-time faculty may not be consistent because the ABA does not provide an exact definition, but rather broadly requires that all disclosures are"complete, accurate and not misleading to a reasonable law school student or applicant." ${ }^{15}$

## EXPERIENCES OF FEMALE FACULTY

Three female faculty members discussed feeling challenged by students in class in a way they believed they would not be if they were men. One professor reported that she makes a point of announcing her credentials on the first day of class, in order to prevent men from inappropriately challenging her. Another professor described experiencing "hazing" during her first few years teaching, and said she found the pushback she received from students to be very intense: "It was probably because I was a woman. I got so much pushback... it was just so hard. It was traumatic, actually. There was so much challenge that it didn't feel like academic discourse, it felt like 'you're dumb.'" Another professor echoed this experience "During my first year on [the] faculty teaching a large class, I felt like I was hazed. There were a bunch of boys who sat in the front row and looked at me like 'who are you teaching me?' I went to consult faculty who all had different versions of this story, and different solutions: be very tough, dress professionally."

At least six students remarked on this harsh treatment of female faculty as well. One student said, "One thing that has been very, very clear to me is that women professors are treated differently than men by students. They're held to different (not even necessarily higher) standards that are gendered and incredibly frustrating. Men seem to think it's endearing when male professors are confusing or bombastic. That would never fly for a woman professor." Several other students agreed. Another said that " $[f]$ emale professors are also questioned by students (in class) in a tone of challenging rather than a tone of inquisitiveness. I've even heard students admit to asking questions to female professors JUST to challenge them and try to out them as a bad professor."

Two professors also remarked that there is a "huge gender disparity in teaching evaluations, which is most felt by visiting scholars."

## BARRIERS TO HIRING A DIVERSE FACULTY

Two professors suggested that one obstacle to improving the diversity of the faculty is the Law School's reputation: "This law school has a very specific reputation that not everyone responds well to. Really attractive female candidates are concerned about the reputation the $[L] a w[S] c h o o l ~ h a s . " ~ O n e ~ p r o f e s s o r ~ s u g g e s t e d ~ j u s t ~ i n c r e a s i n g ~ t h e ~ s i z e ~ o f ~ t h e ~ f a c u l t y ~ w o u l d ~$ help: "the pool of junior faculty is more diverse than the senior faculty; therefore, the more we grow the faculty, the more diverse we'll become." However, the small faculty size at the Law School is generally viewed as a strength and one professor notes that this is what makes the faculty more accessible to students.

On the other hand, at least two female faculty members reported that as an employer the Law School does a good job of addressing the needs and concerns of women who are on the faculty. Faculty workshops and meetings are usually scheduled at times that are convenient for parents, and access to the UChicago Lab School is an important perk that many professors value. One professor mentioned how encouraging it is to see men and women leave around the same time each day to pick their kids up from the Lab School.

20 In the winter of 2018, the Edmund Burke Society, a conservative debating society, caused a broad debate at the Law School by publishing an event advertisement that many students found alienating and offensive. This report was published against the backdrop of that debate. For coverage by The Chicago Maroon, see Pete Grieve, Law Students Association Cannot Defund Burke Society, Admin Says (Chicago Maroon, Feb. 12, 2018), archived at https://perma.cc/ V4LT-T6X9.

The Law School administration has asserted that it is actively working to diversify the faculty along dimensions of gender and race. In its response to the controversy surrounding the circulation of the Edmund Burke Whip Sheet this Winter Quarter ${ }^{20}$, the administration listed "faculty diversity" as the first of "six areas in which we must focus our attention going forward."

In conversations with the WAP team, The administration pointed out that the pool of qualified applicants is small and the competition from other top law schools is fierce. The Law School administration reported that beyond its extensive efforts to recruit exceptional candidates, it also works to expand the pool of excellent academic candidates. The administration reported attempting to advance this goal by encouraging its own students to pursue academic careers through programs such as hosting a boot camp for graduates interested in pursuing academia, establishing a Committee on Graduate Placement, and providing a course in which students produce their own legal scholarship, Canonical Ideas. The Law School reported making numerous offers to diverse candidates in both the entry-level and lateral markets, and often holding those offers open for extended periods of time. The administration reported aiming to diversify the faculty but acknowledged that the process will take time due to the realities of the legal hiring market.

## STUDENT EXPERIENCE \& ACTIVITIES

This section discusses findings regarding students' decisions to attend the Law School, their interactions with each other outside of class, their interests and career goals, and the extracurricular activities in which they participate.

## PERCEPTIONS OF THE LAW SCHOOL \& MATRICULATION DECISIONS

Survey respondents were asked, "Did you have any reservations about attending the University of Chicago Law School?" They were asked to check all responses that applied out of a set of seven options, which included "neighborhood safety," "law and economics focus," "lack of fun," conservative political reputation," "lack of diversity," "I had no reservations," and "other." If a survey respondent selected the "other" option, he or she was given the chance to write in any additional reservations that were not included in the initial set. Fifty-seven survey respondents wrote in additional concerns not listed in the initial set of seven fixed choices. Overall, women were significantly more likely to express the reservations described below, and were significantly less likely than men to report having no reservations about enrolling at UChicago. $17.3 \%$ of women and $26.5 \%$ of men reported having no reservations about their decision to enroll at UChicago ( $\mathrm{p}=.022$ ). The following responses from students reflect the concerns they remember having when they considered whether to attend UChicago Law (they do not necessarily reflect students' judgments about whether such concerns were well-founded in reality). ${ }^{21}$

21 Unfortunately, WAP's student survey
did not include a question about why students chose to enroll. This information would likely also be interesting.

Graph 2: Most Common Reservations about UChicago by Gender \%


- Diversity: Lack of diversity was the most commonly reported reservation for women, with $48.6 \%$ of female survey respondents reporting this concern. In contrast, $27.0 \%$ of men were concerned by UChicago's lack of diversity, a statistically significant difference ( $\mathrm{p}<.001$ )
- Law and Economics: Male students were significantly less likely (p<.001) to see the Law and Economics focus as a cause for concern when deciding whether or not to matriculate: $36.4 \%$ of female survey respondents reported that UChicago's Law and Economics focus was a matter of concern for them, whereas only $16.5 \%$ of male survey respondents reported this concern.
- Political reputation: $48.2 \%$ of female survey respondents reported that UChicago's conservative political reputation gave them pause when deciding whether or not to enroll at the Law School. In contrast, only $31.5 \%$ of male survey respondents were concerned about the political reputation. Although this was the most commonly reported reservation for men (and the second most commonly reported reservation for women), the difference between men and women's responses was statistically significant ( $\mathrm{p}<.001$ ). One student reported a perception that, "UChicago is significantly more conservative than the law schools most of my friends attend" and speculated that might affect the frequency of conversations about gender issues among the student body.
o Ten students of all genders made use of the "other" response option to report that the Law School's liberal political reputation or lack of conservative faculty had been a cause of concern for them in their decision to matriculate, voicing specific concerns about a "lack of conservative professors in public law" and "close minded attitudes of liberal students on a graduate campus," for example. Several students objected to the lack of "liberal political reputation" as an answer choice.
- Safety: $27.3 \%$ of female respondents and $22.5 \%$ of male respondents reported being concerned about neighborhood safety when deciding whether or not to attend UChicago. The difference in the female and male response rates is not statistically significant ( $\mathrm{p}=0.259$ ).
- Competition, Rigor, and Intensity: Women disproportionately made use of the "other" option to write in that they had reservations about UChicago's reputation for competitiveness, although the concern was also voiced by a male student. Three women noted concerns about "academic rigor," "intensity of the quarter system and curriculum" and "stress culture." One professor noted: "There is an institutional commitment to free exchange of ideas and having hard conversations, but that can give [prospective students] the idea that you have to be really tough to go here."
- Public interest offerings: Two women also noted that when deciding where to matriculate, their perceptions of UChicago's "smaller public interest community" and "lack of focus on public interest" including the inability to "extern at public interest organizations for credit" caused concern. No male respondent made note of inadequate public interest resources and support as a factor weighing against matriculation at UChicago. Women's disproportionate interest in public interest law is further addressed below.


## PROFESSIONAL GOALS \& CAREER PLANNING

## General career interests

WAP survey respondents were asked what kind of legal work they hope to do within their first 10 years after graduating from the Law School. Male and female respondents reported significantly different rates of interest in every career area questioned except government work. Women were significantly more likely than men to report an interest in doing public interest work. Men were significantly more likely to be interested in private legal practice, legal academia, clerking, and non-legal work.

TABLE 18:
Students' Interest in Legal Area of Practice in Next 10 Years by Gender (all class years)

| Legal Area | Men | Women |
| :--- | :--- | :--- |
| Private Legal Practice* <br> (p=.022) | $82.5 \%$ | $73.2 \%$ |
| Clerking* $(p=.002)$ | $66.5 \%$ | $51.4 \%$ |
| Government Work <br> (p=.910) | $41.0 \%$ | $40.5 \%$ |
| Public Interest Work* <br> (p=.005) | $29.5 \%$ | $42.7 \%$ |
| Legal Academia* <br> (p=.026) | $18.0 \%$ | $10.5 \%$ |
| Non-Legal Work* <br> $(p=.051)$ | $13.0 \%$ | $7.3 \%$ |

Professors disagreed about whether men are more interested in corporate or transactional work than women. While WAP does not have evidence of students' preferences in this regard (disaggregated from their interest in private litigation practice), one professor noted that he has observed disproportionate enrollment by men in business law clinics and classes. Similarly, a student commented: "The gender breakdown of people on various career paths is the area where I've found gender differentials to be the most glaring. It seems to me that there are many more men than women planning to do transactional/corporate work."

## Participation in On-Campus Interviewing

Women are less likely than men to participate in OCI. 74.3\% of 2L and 3L women and $83.7 \%$ of 2 L and 3 L men reported participating in OCI ( $\mathrm{p}=.059$ ). Students who did not participate in OCI reported several reasons why they chose not to do so. Women reported those reasons at higher rates than men. First, women are slightly, but not significantly more likely than men to secure 2L firm employment prior to OCI ( $\mathrm{p}=.319$ ). $6.6 \%$ of female 2Ls and 3Ls did not participate because they already had an offer from a firm for the 2 L summer. In contrast, $3.9 \%$ of 2 L and 3L men did not participate because they already had an offer from a firm for the 2 L summer. Second, women were slightly more likely than men to report that they did not participate in OCI because they planned to pursue public interest work ( $\mathrm{p}=.286$ ). $16.2 \%$ of 2 L and 3L female survey respondents did not do OCI because they planned to pursue public interest work. In contrast, $11.6 \%$ of 2 L and 3 L male survey respondents did not participate in OCI because they planned to pursue public interest work.

TABLE 19:

## 2L and 3L Participation in OCI by Gender

|  | Participated in OCI <br> $(p=.059)^{+}$ | Did not participate <br> because already <br> had an offer <br> $(p=.319)$ | Did not participate <br> because planned <br> to pursue pub- <br> lic interest work <br> $(p=.286)$ |
| :--- | :--- | :--- | :--- |
| Men | $83.7 \%$ | $3.9 \%$ | $11.6 \%$ |
| Women | $74.3 \%$ | $6.6 \%$ | $16.2 \%$ |

$\dagger=$ Statistically significant at the .10 level
$*=$ Statistically significant at the .05 level
${ }^{* *}=$ Statistically significant at the .01 level
Women and men who participated in OCI reported getting jobs through the program at roughly similar rates. $83.9 \%$ of male 2Ls who participated in OCI and $90.4 \%$ of 3 L men who participated in OCI reported getting jobs through the program. $81.6 \%$ of 2 L women and $92.3 \%$ of 3L women who participated in OCI reported getting jobs through the program.

## Public interest work as a gendered field

Based on survey results, female students appear to be more interested in public interest work than men. Significantly higher percentages of women than men report an interest in doing public interest work at some point during the first ten years of their legal careers. In addition, higher percentages of women than men forego OCI in order to pursue public interest work during the 2 L summer, though the difference is not statistically significant. In addition, both of the respondents who expressed concern in their survey responses about the perceived lack of focus on public interest at UChicago or noted that the lack of resources and support for public interest-inclined students gave them pause when deciding whether to attend the Law School, were women.

One professor noted that women tend to be more interested in clinics that focus on public interest work. Another noted that enrollment in Corporate Lab, a clinic that is not public interest-oriented, skews male. Another professor remarked that she attempts to encourage women to remain enrolled in her classes by playing up the public interest elements of the syllabus and their applications. A clinical professor noted that more women than men had asked him for letters of recommendation, speculating that this was likely due to "more women being interested in public interest work at our school."

Female students also are historically more likely to participate in more pro bono work during their time at the Law School, earning the Dean's Certificate of Recognition for completing 50 hours of pro bono service at disproportionately high rates. $59.61 \%$ of Certificates given out since the award's beginning in 2013 have gone to women.

## Law and Economics

Male students at UChicago are more likely than female students to have an academic background in Economics. 25.5\% of male survey respondents reported majoring in Economics as undergraduates, while only $12.3 \%$ of female survey respondents reported having that major ( $\mathrm{p}<.001$ ). This difference is highly statistically significant.

One professor expressed concern about the way that UChicago's Law and Economics focus, and its reputation for that focus, impact gender dynamics at the Law School. He commented:
"I have a sense that the Law School is substantively more oriented in directions that are stereotypically more male, like Law and Econ, and so to the extent that the Law School is conveying a certain substantive sense of what it means to be a law school or what modes of legal analysis are best or most important, I think that might convey messages that have a gender valence to them."

A female professor reflected: "I didn't even apply to law school here. It sounded like all Law and Econ here. I wanted to do public interest."

Three professors agreed that "the Law and Econ bent has a gendered element," and one noted that "Law and Economics everywhere is male-dominated." One professor whose own work has a significant Law and Economics element commented that preserving the focus on Law and Economics at UChicago is not necessary in order to maintain the strength of the institution: "It is okay if we change the balance. We are a caricature right now with such a heavy Law and Economics focus."

## STUDENT SATISFACTION \& CULTURE AT UCHICAGO LAW

The vast majority of students reported feeling positive about their decision to enroll at UChicago. However, men and women did so at significantly different rates. $84.0 \%$ of male respondents and $75.5 \%$ of women either agreed or strongly agreed with the statement "given my experience so far, I would choose to enroll at the University of Chicago Law School again" ( $\mathrm{p}=.030$ ). Male students were more likely than female students to report strong agreement with the statement $(\mathrm{p}=.030)$. Women were more likely to report neither agreeing nor disagreeing with the statement ( $\mathrm{p}=.045$ ) , and more likely to report strong negative feelings about their decision to enroll $(\mathrm{p}=.085)$. These differences are all statistically significant.


One male student who reported that he would choose to enroll at the Law School again, for example, noted that this was partly because he could "unplug at the end of the day and be safe from factors that weigh much more heavily on my classmates who don't enjoy the same privilege that I do." One female student upon whom these factors seemed to have weighed particularly heavily concluded: "I don't think I would choose Chicago again, and I would not encourage potential female students to attend," after describing a professor making insensitive comments about Harvey Weinstein and sexual harassment in class, asserting that she had had only one female instructor during the Fall Quarter, and lamenting what she viewed as the administration's insufficient response to the Edmund Burke whip sheet. ${ }^{2}$

## Improved satisfaction after 1L

Major gender disparities were not evident in survey respondents' assessment of whether their law school experiences had improved since the end of 1L. The majority of students overall felt that their experiences at the Law School had improved at least somewhat since finishing 1L year. $62.7 \%$ of 2 L and 3 L students either agreed or strongly agreed with the statement "my law school experience has improved since 1 L ." $29.5 \%$ of 2 L and 3 L men strongly agreed compared to $32.4 \%$ of women ( $\mathrm{p}=.610$ ). $32.6 \%$ of 2 L and 3 L men agreed compared to $30.2 \%$ of women $(\mathrm{p}=.672)$. The less positive view of 1 L year compared to later years of law school is particularly interesting because, as one professor put it: "A huge component of the Law School culture goes into how we do 1L curriculum. How 1L classes are run makes a big difference and culture is set very early."

One student remarked in her survey response that she only had white male professors in her 1L Autumn Quarter. More than half of the female faculty does not teach in the standard 1L curriculum. Faculty members appear aware of the importance of female professors teaching the 1L curriculum. One professor remarked: "We need more women and people of color as faculty members, especially teaching in the 1L curriculum," and another agreed:

Graph 3: Responses by Gender to "Given my experience so far, I would choose to enroll at The University of Chicago Law School again."
"Having required 1L courses taught by female professors is really important." See Faculty Diversity and Classroom Dynamics.

Another professor observed that a change occurs in students after 1L year. She remarked that 1 L women are more likely to use hedging language in their speech and 1 L men are more likely to "plung[e] in," but that 2 L and 3 L men and women's participation styles are "less divergent."

## Interactions between students

Male students report having positive interactions with their fellow students at higher rates than female students, and are also more likely than women to characterize these interactions as "very positive" rather than "somewhat positive." $83.5 \%$ of male and $76.4 \%$ of female survey respondents reported that their interactions with fellow students had been either very or somewhat positive $(\mathrm{p}=.069) .44 .5 \%$ of male and $32.7 \%$ of female $1 \mathrm{~L}, 2 \mathrm{~L}$, and 3 L survey respondents said that their interactions with their fellow students had been "very positive." $39.0 \%$ of male and $43.6 \%$ of female respondents said they had been "somewhat positive" ( $\mathrm{p}=.335$ ) Male and female students reported "neither positive nor negative" interactions with fellow students at nearly equal rates ( $\mathrm{p}=.892$ ). $4.5 \%$ of male and $10.9 \%$ of female respondents (over double the percentage of men) said their interactions with fellow students had been "somewhat negative" ( $\mathrm{p}=.015$ ). $1.5 \%$ of men and $1.8 \%$ of women reported that their interactions with fellow students had been "very negative" ( $\mathrm{p}=.799$ ).



Despite the fact that the vast majority of students expressed positive impressions of their interactions with other students, nine female respondents responded to an open-ended question soliciting "other observations or suggestions...about gender dynamics at the Law School" to express negative feelings about the way that they were treated by fellow students in the Law School community based on their gender. One such woman remarked: "As a woman, I think the most marginalized I have ever felt is at the Law School. I went to an elite undergraduate institution with lots of educated white men as well and it was nowhere near as marginalizing as the men at UChicago Law." Two students also voiced a belief that the administration should play a more active role in policing negative inter-student interactions based on identity issues such as gender and race, believing that it is the proper role of the administration to "explicitly denounce student groups that are misogynistic."

## CONFIDENCE

Three female survey respondents reported concerns about their abilities to keep up or "compete with [ ] peers at U of C " as a reason why they had reservations about deciding to enroll at UChicago Law. One of these students characterized this concern as the work of "imposter syndrome." Another female student noted: "I went to a state school before coming here, and I was worried I'd be out of my league with all the other students coming from Ivy League schools...especially since you're graded on the curve. I honestly thought I'd end up failing out."

When asked about the most significant gender difference at the Law School, one professor remarked: "In a word, confidence. There are some students who are very accomplished, but are still not confident. Male students tend to seem more confident than female students." A student agreed: "Male students seem to do better because they are overconfident in their abilities (compared to women), and are more likely to seek out prestigious positions and faculty mentorship." Another student echoed the observation that "men at the law school seem much more comfortable than the women do." Confidence came up again and again in survey responses regarding classroom participation.

One professor also brought up the impact of imposter syndrome: "Law school is designed to be intimidating, and as a result, maybe people suffer from imposter syndrome. For women, these feelings can be compounded when the institution is dominated by men. I hope that I can be a sounding board and mentor for women who are feeling inadequate and encourage them to feel more confident and comfortable as students at the U of C." Another professor echoed these sentiments: "In our society, women are raised to settle for something less than they are capable of achieving; that's a problem that the Law School didn't cause, but that the Law School can do something to correct."

One student posited one possible explanation for the lack of confidence among female students and minorities at the Law School: "[A] diversity of experiences and perspectives [among professors] would do a lot to make students feel like they actually deserve to be at the school. It's hard to feel like...you've earned your seat in the classroom when most of your professors look the same (i.e. not like you)."

## EXTRACURRICULAR ACTIVITIES

## Moot court

Over the past five years, $71 \%$ of moot court semi-finalists, $60 \%$ of finalists, and $67 \%$ of moot court winners have been men. Unfortunately, WAP was not able to obtain information regarding the gender composition of participants in the first round of competition for those years. Four survey respondents wrote about frustration with the way that the Moot Court competition is run and women's consistent failure to advance to later rounds in significant numbers. One student survey respondent noted: "Moot Court is an important experience and credential," but complained about this year's heavily male judging panels, speculating that they may have led to the small numbers of female contestants who advanced past the preliminary round. Another student commented on gender composition of the judges: "let's put white males up in front of all female panels and see how they like it for a change...I can't believe women are still going up to be judged in front of all-male panels in 2018." However, one professor noted gendered dynamics at play in a different way as a moot court judge last year, observing that another invited judge, a female legal practitioner, "criticized what one of [the] students was wearing and told her to be more modest." Unfortunately, WAP was unable to obtain a breakdown of the gender composition of the moot court judges for this year's competition or a detailed description of the process through which first round judges are selected.

2Ls who advance to the semi-finalist level are required to serve as members of the Moot Court board during their 3L year. Moot Court board members reach out to judges to request their participation in judging the early rounds of the competition, host and speak at informational meetings drumming up interest in the competition, and coach and offer feedback to competitors in required practice arguments prior to the first round of competition.

## Law Student Organizations

1 L men were members of fewer student organizations than 1 L women on average, to a statistically significant degree. 1L men belonged to an average of 2.3 student organizations while 1 L women were members of an average of 2.8 ( $p=.006$ ). $2.3 \%$ of 1 L men who completed the survey were members of more than four student organizations while $9.5 \%$ of 1 L female survey participants were members of more than four student organizations ( $\mathrm{p}=0.090$ ). Male 2L students report holding leadership positions in slightly fewer student organizations on average than female 2Ls and report dedicating at least five hours per week to fewer student organizations on average than female 2Ls. Neither difference is statistically significant.

## Student groups currently addressing these issues

One survey respondent expressed gratitude for Law Women's Caucus and other initiatives that address women's issues at the Law School, citing the Women's Mentoring Program in particular. However, five survey respondents wrote in to express a desire for more student organization support and faculty mentoring for women. One student commented: "I wish there were an informal but regular way for women at the law school (students and professors) to spend time together discussing our experiences, such as a monthly pub night or coffee mess."

## DISCUSSION

As the previous section indicates, WAP collected a considerable amount of data, both qualitative and quantitative, from our four research components: classroom observations, professor interviews, the student survey, and achievement data. Our data shows significant gender disparities in male and female academic and extracurricular achievement and experience at the Law School, possible explanations for which this section will explore. The following discussion, though inevitably tentative and incomplete, draws inferences from this data, often weaving together information gathered from several different research components. We seek to highlight interesting findings, both expected and surprising, as well as to draw attention to areas where the data is contradictory or not easily explained by a single theory. We compare our findings to various hypotheses that were either advanced by students or professors during our research or are part of the general discourse on gender phenomena in higher education and the legal field. Finally, we suggest areas where we believe further investigation is warranted or might be especially illuminating.

## A PRELIMINARY NOTE ON SHARING THE BURDEN OF CHANGE

WAP believes that improving women's law school experiences will require a collaborative effort by all members of the Law School community. Women cannot and should not shoulder the burden on their own, and this report attempts to avoid asking women to do disproportionately more than men by, for example, changing their behavior to fit what has traditionally been regarded as a masculine model of what it means to be a good law student. A few women specifically raised this concern in their responses to the student survey. One respondent wrote, "PLEASE do not put the burden of implementing more diversity on women. [T]his is not a woman-only issue. [M]en need to be involved in these discussions and plans." Another student encouraged "involv[ing] men in these conversations" to "help[] them further understand why gender dynamics are so important." Yet another female student stated, "I'm always prepared for class and pretty confident, so I wish [professors and others] would stop stereotyping me for simply having a quieter voice. Can't we teach the gunners and blurters to be more self-aware?!"

In that vein, professor interview and student survey responses sometimes suggested that men might often benefit from being more like women, not vice versa. In interviews and survey responses, professors and students often expressed deep appreciation for the value of stereotypically feminine approaches to legal education. As one professor noted (with regard to letters of recommendation), "Thinking out loud, I'll say that in the ask women students tend to be more polite. Male students tend to be more demanding. I feel like that's stereo-
typing, but-a female student asking for a clerkship letter tends to be somewhat tentative, in the way everyone should. The way I would be." Another remarked that "men, particularly in the first year, tend to answer things with a level of confidence that they shouldn't necessarily have." Female students' contributions, in contrast, may be "more careful and thoughtful in a way that sometimes creates better conversation." Similarly, one male student remarked that women "are actually some of the more thoughtful speakers in my classes." One female student wrote that "[w]hile the gender difference [in frequency of participation in class] is minor, the male participants (in my observations) participate in a manner that is exclusive, condescending, and disrespectful."

Ultimately, however, WAP has chosen to include some observations and recommendations that could potentially be understood as prescribing the adoption of "masculine" behavior patterns as a cure for women's underrepresentation. For example, as described in the Student Experience section, both professors and students commented that women often participate in class with less confidence than men, and the recommendations at the end of this report encourage women to speak up and reach out more. In including those observations and recommendations, WAP aimed to both accurately represent the results of our data gathering as well as to present the full array of possible problem-solving strategies. However, this report also attempts to interrogate and complicate suggestions that women to do more.

## CLASS COMPOSITION

The first and most obvious explanation of the gender disparities the WAP study identified is the demographic makeup of the student population. Class composition helps determine the kinds of voices that will be heard in classroom conversations, the interests that students will pursue in extracurricular activities, and the backgrounds and baseline experiences that are represented in the student body. For the first time in the history of the Law School, this year's 1L class was composed of equal numbers of male and female students. The enrollment of a critical mass of female law students, and the achievement of balanced gender representation may have an effect on the gender dynamics at the Law School. Because WAP does not have access to admissions data (see Information Limitations), we are unable to answer many questions surrounding the historical imbalance in male and female enrollment at the Law School. We lack information about the relative qualifications of male and female applicants, their relative rates of applications, or the relative matriculation yield rates of admitted male and female students. All of these types of information would be useful in better understanding many of the phenomena observed in this report-from unequal enrollment to varying legal interests, to honors, clerkship, and Law Review outcomes.

The study does shed light, however, on some of the causes of the gender imbalance in the student population.

## Attracting female students

Survey results suggest that women tend to have more reservations about deciding to enroll at

UChicago Law than men do. While a perceived lack of diversity was the biggest concern, the Law School's perceived conservative political reputation, Law and Economics reputation, and to a lesser extent safety were other concerns that female students reported led them to have reservations about choosing to enroll.

If women are not enrolling because of the Law School's perceived conservative political reputation, whether or not the reputation is accurate, then the Law School could be missing out on qualified female students. One professor noted: "We don't want to be a one-trick pony... If you sell yourself in this narrow way, you're only going to get [one] type of person. You're going to miss out on extraordinary minds, extraordinary alums. "However, this faculty member has observed positive changes: "I think we're getting better...You can now come here and feel like you don't have to have just one perspective...but reputation lags behind what's actually happening at the Law School."

The Law School's perceived focus on Law and Economics might be having a similar effect on women's enrollment. The Law School offers many classes that are not related to Law and Economics but the School's reputation does not necessarily reflect this. Female survey respondents were much more likely than men to choose the Law and Economics focus as a cause for concern when considering enrollment, and male UChicago students are significantly more likely to have majored in Economics as undergraduates than female students. ${ }^{22}$ As with the Law School's conservative political reputation, whether or not it is deserved, UChicago's reputation as a bastion of Law and Economics could be deterring qualified female candidates. One professor voiced a "suspicion" that "the perception of Chicago as conservative and Law and Economics-y has" affected female enrollment.

The Law School administration has posited in informal conversations that women are more likely than men to be worried about safety in Hyde Park and therefore less likely to matriculate. However, while more women reported safety as a concern than did men, the difference was small and not statistically significant. Of course, it may be that while this difference is not significant, one gender could weigh this concern more heavily in their overall decision about whether or not to attend UChicago. It could also be the case that there is a gender disparity in who chooses not to come because of this concern-WAP did not survey admitted students who chose not to enroll.

## The transfer phenomenon

Our study suggests that another reason for the gender imbalance in the student population is the significant gender disparity in who transfers into UChicago Law between the 1 L and 2 L years-transfer classes appear to be heavily male. The pronounced transfer phenomenon is quite surprising and warrants further exploration.

There are many possible reasons why more men transfer to UChicago than women. It might have nothing to do with UChicago itself. The ratio of male and female transfers to Chicago may simply be representative of the male-to-female ratio in the pool of transfer applicants. It is possible that men at other law schools begin their 1 L years with a commitment

22 This characteristic of the Law School's student body reflects the broader trend of more men than women majoring in Economics as undergraduate students. See generally Elizabeth P. Jensen and Ann L. Owen, Pedagogy, Gender, and Interest in Economics, 32 J Econ Educ 323 (2001).

23 FAQs: Transfer Students (The University of Chicago Law School), archived at https://perma.cc/Q39X-TM6D.
to attempting to transfer to a higher ranked law school while women are more willing to give their first law school a chance, and therefore either miss early steps in the transfer process or end up sufficiently satisfied with their initial institution that transferring seems more trouble than it is worth. Men may also be achieving at higher rates than women during their first years at other law schools, and therefore the most qualified transfer applicants are men.

The gender disparity in the transfer class may, however, reflect greater hesitation on the part of female students to transfer to UChicago Law, given the reputational problems discussed above. It may also be a consequence, in part or in whole, of the fact that transfer students are also not eligible for the merit based scholarships that are offered by the Law School to many prospective 1 Ls in order to entice them to enroll. ${ }^{23}$ It is possible that the absence of merit scholarships is more troubling to potential female transfers than to males. This last hypothesis aligns with the finding that more women are interested in public interest work than men, because a future in comparatively low-paying public interest work may be more difficult to realize for students who receive no scholarship assistance during their 2 L and 3 L years.

None of these explanations for the gender disparity in the transfer class can be ruled in or out without more investigation into the phenomenon. It is a major accomplishment for the Law School to have matriculated its first gender balanced 1L class, the class of 2020. However, efforts to achieve equal representation will be incomplete if transfer classes introduce gender imbalances for the remainder of students' law school careers.

## ACHIEVEMENT GAPS

## Journals

As is clear from the Academic Achievement and Outcomes section above, there is a significant gender disparity in who attains membership or a board position on the Law Review. This is the case notwithstanding the fact that women and men are approximately equally likely to serve on CJIL, and women are significantly more likely than men to serve on Legal Forum. All three journals use the same writing competition, held immediately after the 1L year, to select their staffers.

The most obvious reason why Law Review may have the highest ratio of men to women among the journals is that there may be a gender disparity in grades. Traditionally, two-thirds of staffers' positions (approximately 27 of 40) on the Law Review are filled by grading on (a process in which the journal accepts the people with the highest grades who completed the writing competition provided their writing competition submissions fulfilled a "good faith" standard). The remaining one-third of the positions are based solely on an evaluation of the candidates' writing competition submissions. (CJIL and Legal Forum do not take grades into account when selecting staff members.) This selection process suggests that any gender disparities in 1L grades would be reproduced to some extent in the masthead of the journal itself. Although WAP did not have access to 1L grades, the marginally significant difference in all honors awarded to women versus men from 2014 to 2017 suggests that
women may on average receive slightly lower grades than men across their law school careers. If women also receive lower grades in their 1L year, that may help explain why fewer women end up on the Law Review. That would also explain in part why the gender skew on Law Review is different from CJIL and Legal Forum, neither of which use grades in selecting staffers for their journals.

It is possible that there could be a gender disparity in how men and women perform on the writing competition itself, in addition to a possible skew in grades. One student noted: "I wonder if male students have a more confident writing style than female students and if this relates to the unequal representation on Law Review." WAP does not have access to the type of information that would be necessary to evaluate that claim, though it may be possible for the journals to collect that information themselves.

Aside from possible gender biases in the journals' selection mechanisms themselves, there appears to be a gender skew in who completes the writing competition in the first place. As noted in Academic Achievement and Outcomes, significantly more 2L and 3L male survey respondents reported completing the competition than female survey respondents did. Different rates of writing competition completion do not explain, however, the different degrees of gender disparity among the three journals. That means that different rates of completion of the writing competition cannot explain the Law Review's gender skew entirely.

The fact that women are less likely than men to complete the writing competition may be a problem for all three journals to the extent that the journals wish to have gen-der-balanced staffer classes and boards. Unfortunately, the survey did not produce clear reasons as to why women completed the competition at lower rates than men. As described in Academic Achievement and Outcomes, women and men who chose not to complete the writing competition provided similar reasons for their choice not to do so. Only two of the differences in their selection of various reasons not to complete were statistically significant, and only at the $10 \%$ level: $23.5 \%$ of women and $11.1 \%$ of men thought other journal members would not share their interests or values ( $\mathrm{p}=.097$ ); $44.4 \%$ of men but only $27.9 \%$ of women stated that they had no interest in legal scholarship (.071). It is important to note that men and women did not seem to be differently deterred based on the journals' workload. One professor hypothesized that men might be more likely to be willing to take on the Law Review workload than women: "Law Review is disparately appealing to students of different genders.... More talented female students (relative to similarly talented males) are deterred from trying to become Law Review staffers because of th[e] workload." However, men and women who reported not completing the writing competition reported this concern as a factor motivating their decisions at similar rates. See Academic Achievement \& Outcomes. Given that more women reported not completing the writing competition than men did, it is possible a larger number of 2 L and 3 L women had this concern (as compared to a smaller absolute number of men). However, it does not seem to have motivated women's decisions not to participate at a higher rate than it motivated men's decisions.

24 Lynne N. Kolodinsky, The Law Review Divide: A Study of Gender Diversity on the Top Twenty Law Reviews at 24
(Cornell Law Library Prize for Exemplary Student Research Papers, 2014), archived at https://perma.cc/MDC5-36GW.
Ms. Kolodinsky's article includes several hypotheses for why women are underrepresented on many flagship law journals, many of which correspond to those we have outlined above. Another interesting source identified a gender disparity in law journals' publication of student notes. Jennifer C. Mullins and Nancy Leong, The Persistent Disparity in Student Note Publication, 23 Yale J Law \& Feminism 385, 399 (2011).

It is also unclear at what point women and men develop different preferences regarding journals-or if those preferences are more than a two-year trend. For example, 1L survey respondents reported that they intended to complete the writing competition at rates that were roughly balanced by gender. See Academic Achievement \& Outcomes. It is interesting to note that both men and women in the 1 L class reported intending to complete the writing competition at higher rates than men or women in the 2L and 3L classes reported having actually completed it. It is possible-and it seems highly likely-that some women and men lose interest in the writing competition between their 1L Winter and actually applying to the journals. But it is also interesting that women seem to experience that effect more dramatically. The findings from this year's 1L class would thus suggest that some kind of experience late in the 1 L year or during the competition itself that turns women off from journal membership or causes them to lose motivation either with regard to grades or the writing competition itself.

It is also possible, however, that the preferences of this year's 1L class are markedly different from the 2L and 3L classes. The fact that this year is the first year in which there is gender parity in the composition of the class might be one reason for the disparity in reported interest by class year.

When it comes to serving on the journals' boards as 3Ls, men and women's behavior is substantially similar. Each year, the outgoing board of each journal selects a new board from the journal's staffer class for that year. Roughly even numbers of men and women express an intention to join their journal's board, and a slightly higher percentage of 3L women than 3L men who reported applying to join the board of their journal were actually selected for board positions ( $\mathrm{p}=.113$ ). That trend suggests that any difference in women's representation on the journals' boards is likely due to their different representation in the staffer classes in the first place. Once men and women join their journals' staffer classes, they seem to be on somewhat equal footing with regard to whether they choose to apply and are selected to join the boards.

Many law journals at top-tier law schools experience large gender disparities in their 2L and 3L classes. However, the University of Chicago Law Review may have traditionally had a larger gender gap than many other top law schools, at least in the early 2010's. In 2013-14, a student at Cornell Law School collected and compared five years' of mastheads for the top twenty law journals, coded the journal members' genders, and analyzed the gender disparities using various methods. Only two schools, UChicago and Harvard, had gender disparities that were significant at the .001 level. ${ }^{24}$

## Clerkships

Women's clerkship rates have improved somewhat over the past ten years. The most stark example is the one with the smallest sample: Over the past ten years, ten of 15 Supreme Court clerkships have gone to men; however, from 2014 to 2017 only three of seven did. Other numbers are available at Table 4. Overall, however, men are still more likely than
women to clerk at the appellate court level, and women are slightly more likely than would be expected to clerk at the district court level. ${ }^{25}$

The disparity in the ratios of men and women who received federal appellate clerkships between 2014 and 2017 may be in part the product of a gender skew in grades. Hiring for the most competitive and prestigious clerkships, generally appellate, has historically occurred during the summer between 1 L and 2L years. This early hiring takes place before students have had the chance to participate in seminars, where grades are often determined in part by classroom participation and in part by written response papers or research papers. Participation levels are higher for women in these smaller classes. It also occurs before students have the opportunity to participate in clinics, and receive grades for their clinical work. More female students are more oriented toward the public interest work around which most Law School clinics focus. It is possible that the way that the hiring timeline coincides with the types of classes that are offered during 1L versus during later years impacts the relative numbers of clerkships given to men and women at the appellate and district court levels.

The disparity may also reflect differences in the rates at which male and female students apply for clerkships. As noted above, some students complained about a perceived lack of transparency in the clerkships process as well as feelings of alienation and discouragement from the process as a whole if they were not affirmatively reached out to by professors encouraging them to apply. Several professors speculated that these perceptions might disproportionately lead female students to choose not to pursue clerkships. Women may be particularly sensitive to discouragement given their historical underrepresentation in the legal field, at the Law School, on the faculty, and as clerkship and honors recipients and Law Review members, as well as their high comparative levels of concern about the Law School coming in. See Academic Achievement \& Outcomes. 1Ls are also likely to be unaware of the different GPAs generally expected by judges on different courts and in different geographical areas, and even more unaware of the fact that certain judges affirmatively seek out women and clerks from other traditionally underrepresented groups, or look to hire clerks with public interest career goals. This may lead female students to believe they have less of a chance of receiving a clerkship than they actually do.

Any comparative lack of confidence on the part of women would likely compound the possible issue described above of women being less likely to apply. ${ }^{26}$ Students who are not affirmatively recruited by the Clerkship Committee to apply to clerkships have to be more proactive in securing recommendations, setting up meetings for advice about which judges to apply to, and choosing the appropriate target judges and the appropriate times to apply. Women, if comparatively less confident than men, may be less likely to take the self-promoting steps necessary to deem themselves qualified for an appellate clerkship and then to initiate this process. Women's statistically significant lower likelihood of reporting an interest in clerking and higher likelihood of reporting being unsure of whether or not they are interested in clerking may support this confidence hypothesis. So does one Bigelow Fellow's report that several male section members had already attended office hours to discuss clerkships,

25 Disparities in the rates at which men and women receive clerkships at the United States Supreme Court extend beyond UChicago. For an interesting examination of the gender disparity in Supreme Court clerkships overall, see Cynthia L. Cooper, Women Supreme Court Clerks Striving for "Commonplace" (American Bar Association, 2008), archived at https://perma.cc/C9XY-CH5D. WAP was not able to compare UChicago's clerkship gender disparities with other schools. The 2012 Yale report, included statistics indicating that men were more likely than women to clerk at appellate courts. Yale Law Women, Yale Law Students and Faculty Speak Up about Gender: Ten Years Later at 49 (April 2012). WAP was not able to directly compare the Yale numbers with the results for UChicago students, because the years included in each sample were quite different.

26 High achieving women often exhibit the imposter phenomenon or syndrome, lacking confidence despite their successes and doubting their abilities and the legitimacy of their accomplishments. See generally Anna Parkman, The Imposter Syndrome in Higher Education: Incidence and Impact, 16 J Higher Educ Theory \& Practice 51 (2016).
but no female students had. It likely takes confidence in one's abilities and qualifications to affirmatively declare an interest in clerking rather than merely reporting that one might be interested, or to attend a Bigelow's office hours to discuss the possibility of clerking. Another professor relatedly noted that early recruitment of some students might have the unfortunate effect of "depressing student excitement about clerkships" and that there could be a gender skew in that result.

The gender disparity in Law Review membership may also be a factor. In explaining the gender disparities among UChicago students who are hired as clerks, one professor noted, "the clerkship problem could be partially a Law Review problem in that judges want students who have had a certain type of writing experience, and they are familiar with the experience the journals provide."

These differences in certainty about interest in clerking could also be explained by a number of other factors. Women may simply be less inclined to clerk for other reasons-the lower salary than that in BigLaw, the possibility of having to be geographically flexible, or being less responsive to the impulse to collect markers of prestige. Finally, it is of course possible that there is gender bias in judges' hiring decisions themselves. The Law School has recently announced the return of a clerkships hiring plan to the federal clerkship process. This plan will likely result in the delaying of clerkship applications until later in most students' law school careers. It will be interesting to see if the new clerkship application timeline impacts the gender balance of male and female students earning clerkships, although a similar plan was in place for much of the time period WAP gathered data for and does not appear to have affected the gender disparity.

## The effect of the first year curriculum

While not every class taught at the Law School has an explicit Law and Economics component, the principles of Law and Economics pervade the vocabulary of most classes particularly in the 1L year. Efficiency and transaction costs are factored into nearly all of the legal analysis. If classes focus only on questions about how to make the pie bigger instead of distributional or equality questions, the Law School might be ignoring the valid intellectual interests of certain segments of students. And to the extent that women are more interested in public interest work and distributional questions that often relate to this work, their intellectual interests might be ignored and they may feel less satisfied with their Law School experience or less willing to engage, intellectually or in other ways. The dominance of Law and Economics and some students' disengagement may be especially significant in the 1L curriculum because these classes set the tone for the rest of students' time as the Law School.

## Blind grading and the achievement gaps

Many of the classic markers of academic achievement at the Law School, including Law Review membership, clerkships, other prestigious jobs, and academic honors, are determined, in whole or in part, by the same thing: grades. It is impossible for WAP to know
definitively whether 1L grades vary based on gender because of the administration's denial of WAP's data requests. See Information Limitations. However, the significant gender-based disparity in honors awarded at graduation (described above) suggests that women tend to receive lower grades than men at least to some degree. ${ }^{27}$

All required 1L courses are blind graded, as are upper level exam classes. Some 1L professors factor in outstanding participation to adjust students' grades slightly after blind grading. Some upper level exam classes factor in participation as a component of a student's grade, but that factor is normally de minimis when compared to the blind exam grade. Upper level seminars frequently base grades on reaction papers and research papers, which are not blind graded. Although blind grading may help avoid gender or other biases in grading, it is not possible to know how that works in practice. The primary rationale behind the Law School's policy of blind grading exams is that it fosters a meritocracy in which students' relationships with professors do not contribute to biased grading. Accordingly, if blind graded exams are leading, even in part, to the gender disparities in grades indicated by the markers of academic achievement discussed above, conscious gender bias cannot be to blame. This discussion lays out other possible explanations for female students' ostensibly worse academic performance, and explores some of the confusion that both students and professors express regarding the blind grading system.

There are several hypotheses that might explain the gender disparities in academic achievement:

- Are female students not as strong academically upon arrival at the Law School?

It is possible that women do not do as well academically as men at the Law School because the women who enroll are less academically qualified. ${ }^{28}$ WAP's lack of access to admissions data meant that we had no way to interrogate this hypothesis. See Information Limitations. However, we have no evidence that female matriculants are less qualified than males, although it is the case that they are significantly less likely to have a background in Economics.

If it is the case that female matriculants are not as strong academically when they come to the law school, it is unclear why the Law School is not able to attract better-qualified female candidates. As the fourth-ranked law school in the country, even assuming that other institutions are heavily recruiting and enrolling excellent female candidates, UChicago Law should certainly have access to many talented ones. It is possible, however, that the Law School is less attractive to women than it is to equally well-qualified men for the various reasons discussed earlier.

- Does the law school environment disproportionately negatively impact female students' morale or well-being in a way that results in poorer academic performance?

27 For an exploration of gender-based grade disparities at Harvard Law School, see Molly Coleman, Harvard Law School's Glass Ceiling (Harvard Law Record, April 24, 2018), archived at https://perma.cc/ D825-WDC7.

28 The most recent report in the LSAT Technical Report Series, published by the Law School Admissions Council, found that men scored slightly higher than women on the LSAT. See LSAT Performance with Regional, Gender, and RaciallEthnic Breakdowns: 2007-2008 Through 2013-2014 Test Years (TR 1402) (LSAC, 2014), archived at https:// perma.cc/B2P4-FTAH.

It is possible that male and female students come to the Law School equally qualified and prepared to succeed, but that the Law School environment takes a heavier toll on women, and that toll detracts from their ability to achieve at the same level as men. This hypothesis is supported by the findings that although overall both men and women have positive feelings about their fellow law students and classroom experiences, women report positive feelings about interactions with their fellow students and classroom experiences at lower rates than men. Women also report positive feelings about their decisions to enroll at the Law School at lower rates than men. Nine female survey respondents added additional comments to note very negative impressions of interactions with their male classmates, although their responses were not representative of the average survey response. Additionally, as we noted earlier, both students and professors suggested that the lack of faculty diversity might negatively impact student experience, particularly that of female students.

- Do women have a distinctive writing style that professors disfavor, either consciously or subconsciously?

It is possible that men and women write differently from one another, and that the stereotypically masculine writing style is favored by law professors grading exams. As noted above in the discussion of the writing competition, student survey respondents wondered whether "male students have a more confident writing style than female students" or if "masculine vs feminine styles of writing" exist and contribute to grading differences and female underrepresentation on the Law Review. Several professors also posited the different writing styles hypothesis as an explanation for gender achievement disparities. This hypothesis, of course, is based on assumptions of the existence of masculine and feminine writing styles, and their ability to be expressed during high-pressure timed tests on legal doctrine, usually composed of issue-spotters and policy questions. It is unclear what the characteristics of stereotypically masculine or feminine writing styles might be, and why masculine writing styles might be more appealing to professors. It is possible that if there is a masculine writing style, male professors as well as male students have it, and male professors are more likely to appreciate exams written in a style that more closely mirrors their own. If this were the case, the heavily male faculty favoring writing that was like their own might lead to more frequent positive assessments of male students' writing compared to that of female students' writing. This discussion is highly speculative, however.

Some professors suggested that one solution might be to vary the types of evaluations used in the academic setting. One professor suggested the possibility of "having a variety of evaluation modes-the big exam at the end of the quarter favors [a] certain kind of student, creates a certain kind of anxiety and stress." Another professor stated: "If women are performing worse in exams...if we don't as a school feel that that is representative as their mastery of their material, the biggest thing we could do would be to change how we evaluate people,
rather than just saying men are better at law, I don't accept that premise." This professor posited that the Law School conduct an experiment testing different evaluation methods and comparing the gender disparities that resulted, a method that professor referred to as a "very enlightened way to address gender problems."

It is highly likely that several possible phenomena are working together to cause or exacerbate gender based achievement disparities. No matter the precise mechanism that produces achievement disparities, the existence of these achievement disparities is disturbing.

## CLASSROOM DYNAMICS

Overall, as described in above, women and men participate in class at almost even rates. The rates at which women were observed participating in class are much higher than those reported at Yale in 2012. However, men participate voluntarily significantly more frequently than women do.

## Cold calling as an equalizer

Cold calling is largely driving the almost equal rates of overall participation between men and women: men were significantly more likely to participate voluntarily than women were. See Classroom Dynamics. This result fits into previous scholarship. The Yale study, for example, reported that " $t \mathrm{t}]$ he cold call system provided the least gender-disparate result" in the classes Yale students monitored. Given that UChicago Law professors tend to rely heavily on cold calling in their teaching, it should not be surprising that participation overall is more gender-balanced at UChicago. This result corroborates many professors' impressions, indicates that most professors are likely doing an excellent job of cold calling men and women equally, and suggests that some form of cold calling is a good idea for many or most classes.

There are two reasons, however, why instructors should still think critically about whether to cold call, and if so, how to do it.

First, WAP did not analyze whether men and women's cold calls took up the same length of time. It is possible that there is a difference in how long professors continue cold calling men and women. Because WAP's classroom observers measured each volley of cold calling as only one participation event, differences in the amount of time spent on each student are not reflected in the participation rates discussed above.

Second, the observation data suggests that cold calling is equalizing only in the sense that it evens out differences in overall participation. Given that classes with a high frequency of cold calls were actually slightly less likely than other classes to have higher rates of voluntary participation events by women, in fact, it is not the case that cold calling encourages women to volunteer more. Classroom Dynamics. In fact, it may be the opposite.

There are two reasons why this could be. First, it is possible that classes that use more cold calling create an environment in which women feel less welcome than they might otherwise. This fits with professors' and students' reports that cold calling can sometimes feel hostile or intense. See Classroom Dynamics. Second, it is possible that when there is less time left open for volunteering in a class, women are less likely to want to take up opportunities to speak themselves. Given that several professors reported using cold calling as a way to reduce voluntary participation, women who get the message that they should not volunteer unless they have something pressing or particularly important to say may be reading the room correctly. And, as many students and professors observed, men might be more likely to be the outlier students who do not get the message. It is also possible that women censor themselves more even when professors do not intend to reduce voluntary participation, and that that censorship may be more pronounced when there are fewer volunteer opportunities to go around (as in classes where cold calling is more common). Professors should consider being forthright about how often and why they want students to volunteer, and should consider whether women and men are volunteering at similar rates in their classrooms.

## Explaining the voluntary participation gap

Most professors, many female students, and the majority of 2L and 3L male students observed that men participate more than women in their classes. Men overall were less likely to observe a difference, and most 1 L men believed there was gender parity in classroom participation (an understandable result, given that there was no statistically significant difference in voluntary participation between men and women in 1L classes). Given that participation rates overall were roughly even between genders, it is possible that professors and students who noticed a difference were picking up on the gap in voluntary participation between men and women.

It is impossible to know all the root causes behind men's higher rates of voluntary participation in their classes. Students posited some explanations, and there may also be valuable lessons to learn from the types of classes where gender disparities appear to be less pronounced.

First, voluntary participation rates of female students were higher in 1L classes than in upper-level classes. There are several reasons why that might be the case. First, it is likely that professors cold call more in 1L classes. Second, the Class of 2020, the current 1L class, is the first class at the Law School to be $50 \%$ female. These effects might work together to help women feel more comfortable speaking up in class, both voluntarily and when answering cold calls. To the extent that women feel more comfortable volunteering when other women are already speaking (a hypothesis reflected in several student survey comments), having slightly more female students in a class (including more women from which to draw cold calls) might create a critical mass for participation. Third, it is possible that women feel alienated by the classroom experience in some way and are thus less likely to volunteer as they move on in law school. This is possible given that women tend to be slightly less
satisfied with their classroom experience than men are. See Classroom Dynamics. Finally, given the large number of 1 L volunteers who were involved in carrying out this study, it is possible that many members of the 1 L class had a heightened awareness of gender in the context of classroom participation and adjusted their own behavior accordingly.

Second, voluntary participation in seminars is roughly equal across genders. Again, there are a few reasons why this might be the case. First, seminars are likely to be more informal and may be more likely to provide a welcoming environment for diverse student participation. Second, as some students noted in their survey responses (Classroom Dynam$i c s)$, it is possible that men are more likely to have the confidence necessary to speak in large groups. In that case, women and men might feel equally comfortable speaking in seminars, which are typically much smaller. Third, it is also possible that women are more interested in the more focused topics taught in smaller upper-level seminars and clinics, and therefore feel more engaged and eager to participate. Finally, unlike most large lecture classes, some seminars have participation requirements for all students, which might motivate all students to volunteer at least occasionally. The finding that class participation is roughly even across genders in seminars corroborates a recent experiment from Stanford Law School which found that smaller class sizes led to improved academic outcomes for women. ${ }^{29}$

It is also clear that while men and women both report general satisfaction with the classroom experience, women find classroom participation itself less enjoyable. In fact, women are more likely to think classroom participation is important and yet still more likely to dislike the experience of it. This might suggest that women simply have less reason to participate voluntarily-they don't enjoy it. Women surveyed often expressed frustration with men's styles of participating in class, and it is possible that they dislike participation or disengage from participating for that reason. The fact that women participate more in seminars may also suggest that women respond well to less formal, smaller discussion groups.

Ultimately, however, the fact that WAP does not know exactly why women are more likely to dislike participating than men does not make the gap less concerning. The fact that women were more likely than men to believe classroom participation is important for every metric of academic success that was included in the survey indicates that women have every reason to value classroom participation. More information is necessary to figure out how to make classroom participation enjoyable and fruitful for the women who want to be involved.

## Some explanatory variables from the data

As described in Classroom Dynamics, women are statistically significantly less likely to speak in classes where the first speaker is a man. There is a possible endogeneity issue hereclasses in which men speak more are of course more likely to be classes in which men speak first. However, as described in Classroom Dynamics, the correlation of male first speakers on women's participation rates actually decreased over the course of WAP's observations. This trend suggests that it is possible that women take longer to become comfortable participating in classes, or that it takes them longer to decide to speak for other reasons. WAP did not

29 See generally Daniel E. Ho and Mark G. Kelman, Does Class Size Affect the Gender Gap: A Natural Experiment in Law, 43 J Legal Stud 291 (2014). From 2001-2011, Stanford Law School randomly assigned first-year students to large and small sections of their courses. From 2008-2011 it also implemented changes in grading protocols. The changes resulted in even academic outcomes for women and men.

30 Some research suggests that female professors are consistently asked for more support and favors from students than male professors are. See Amani El-Alayli, Ashley A. Hansen-Brown, and Michelle Ceynar, Dancing Backwards in High Heels: Female Professors Experience More Work Demands and Special Favor Requests, Particularly from Academically Entitled Students, 78 Sex Roles 1, 5 (2018).
gather data from Winter or Spring Quarters. As a result, it is unclear from our data whether the decrease in the correlation between a male first speaker and women's participation is something that repeats each quarter, or whether the correlation is particular to Autumn Quarter and the beginning of a new school year. Nevertheless, the significant differences in observed female participation rates in class in which the first speaker is a man and a woman suggests that professors seeking to equalize participation across the genders should focus on ensuring that the first speaker in many (if not most or all) class sessions is a woman-especially at the beginning of a quarter or school year.

Women are also slightly less likely to participate voluntarily in classes led by male professors than they are in classes led by female professors. Perhaps women feel more comfortable participating with female professors or perhaps female professors lead their classes in a way that encourages more female participation. While the cause of this difference is not clear, it does illustrate the virtue of having a diverse faculty.

## The effect of curriculum

The Law School provides many non-required classes, many of them seminars, that tackle issues of gender and race. However, the elective nature of these courses means that students who are interested in this material have to affirmatively opt-in. This may create a dynamic where students who do not come to the Law School with a preexisting interest in gender and race issues never encounter those ideas, which may reinforce and augment intellectual and political cleavages amongst students. See Student Experience. Further, the Law School often brings in visiting and adjunct faculty to teach courses on these subjects. Because of the necessarily short period of time they participate in the Law School community, it is harder for students to build relationships with visiting professors, and they do not have the same sense of institutional integration.

## FEMALE FACULTY

WAP's data make clear that students value having female professors teach the 1 L curriculum and that many believe that having a diversity of professors is important to their learning experience. Women are also more likely to volunteer in classes led by female professors. The lack of female faculty is likely therefore a factor behind the differences in male and female students' experience at and satisfaction with the Law School.

The lack of diversity among the faculty also results in female professors shouldering a larger burden in terms of teaching and mentorship. ${ }^{30}$ Between the importance the administration places on two competing goals: having a diverse set of faculty teach 1Ls and professors' own research and writing goals, women may simply have to do more (a result the administration acknowledges and states it is trying to avoid).

The administration's efforts to diversify the faculty are appreciated. It is worth noting, however, two factors that may hamper the effort, or cause progress to be slower than might otherwise be the case. The first is the small size of the UChicago Law faculty. The fact that
the Law School is small is viewed as a strength of the Law School, and it likely is. The small faculty may contribute to the sense of community at the Law School, which leads professors to make themselves more involved and therefore more accessible.. But it also means that the Law School hires relatively few new faculty, compared to some of its peer schools. And yet, as one professor noted above, if the pool of younger faculty is more diverse, one way to increase the diversity of the Law School's faculty might be to simply hire a larger number of younger professors. Without increasing the overall size of the faculty-at least by a few-this will be difficult to do.

The importance the Law School places on teaching evaluations may also make it difficult to hire qualified female professors. If gender biases impact student evaluations female visiting professors may receive lower ratings on their evaluations than male visitors even when they are equally effective teachers. Further, one professor noted that because faculty with poor evaluations are unlikely to continue teaching in the 1 L curriculum, the disparity in evaluations may make it more difficult to ensure that 1Ls have a diverse group of instructors.

Additionally, it is possible that the reputational factors described above (with regard to students' reservations about attending UChicago) also apply to academic job seekers when they consider whether to apply or take a position at UChicago.

## MENTORSHIP

Developing and cultivating relationships with faculty is important not only for enhancing students' experiences during law school, but also for advancing their careers. The right faculty mentor can give a student the confidence she needs to apply for a clerkship or pursue an area of research of interest to her. Professors also act as references, advocating on behalf of their students for employers.

The data collected suggests that women develop slightly more mentoring relationships than men (this result is significant at the .10 level). This may be a consequence of high rates of female participation in clinics. Mentorship is an inherent part of the clinic cxperience, according to two clinical professors. The data also suggests that women feel equally comfortable as men asking faculty to write letters of recommendation for them, and that they serve as research assistants for faculty at higher rates than men. Several professors and students reported developing a mentoring relationship through a research assistant position. So it is possible that the fact that women are more likely to serve as research assistants accounts for their higher number of mentors, on average.

However, it is unclear why women would have slightly higher rates of faculty mentorship than men and work as research assistants at significantly higher rates without correspondingly higher rates of comfort asking for letters of recommendation, rates of receiving letters of recommendations, or in turn, receiving as many clerkships as men. First, it is possible that women have a higher threshold than men for comfort asking for a letter of recommendation, or that they have a lower threshold than men for what is required of a faculty relationship in order to classify it as mentorship. Second, another possible explanation is grades. Neither research
assistant positions nor access to faculty mentorship depend significantly on grades. Women may self-sort based on their grades, choosing not to ask for letters of recommendation at rates that correspond to their high rates of mentorship relationships and research assistant positions. Third, it is possible that both women and men have as many letters of recommendation as they need-because the number of letters that a student will generally need is finite, greater mentorship opportunities will not always transfer into more professors writing letters. Women may be spending more time than men developing mentoring relationships and working as research assistants without those efforts translating into more letters of recommendation.

## Office hours and other forms of faculty-student interactions

The WAP survey and interview data strongly suggests that both students and professors believe it important for students to attend office hours. The interview data shows that professors are thoughtful about the way they conduct office hours. While they do not have a standard approach for how they hold them, this does not seem to be a problem for students, in general. Women and men attend office hours in roughly equal numbers.

Two other areas that seem to successfully facilitate interactions with both female and male students are lunches with professors and writing projects. Both students and professors remarked that these different kinds of faculty-student interactions help students feel comfortable speaking with professors and to develop a more meaningful relationship with them.

## STUDENT LIFE \& SATISFACTION

## Artistic representations of women and men in the Laird Bell Law Quadrangle

The lack of portraits of women and people of color in the Law School's physical spaces creates a sense that the school is not an environment that was designed to include women or minorities, or that the contributions of women and minorities to the Law School have not been of equal value to those of the white males who adorn its hallways. One of the large pieces of modern art that hang above the stairways depicts a nude woman, which perhaps sends a message about the value and place of women, especially in a professional school in which portraits of clothed women are so scarce.

## Women's satisfaction overall

While men and women both report high levels of satisfaction with various aspects of their life at the Law School, it is important to note that women consistently report satisfaction at rates lower than men do. Women are significantly less likely to report satisfaction with their classroom experiences, significantly less likely to report feeling positive about interactions with their classmates, and significantly less likely to report that they would enroll again at the Law School if given the chance. The bottom line is that a healthy majority of women are satisfied with their law school experiences, but on the whole, female members of the Law School community are much less likely to feel satisfied or fulfilled at the Law School than male members.


# Graph 5: <br> Women's and Men's Experience Overall 

*Note that the differences in positive interactions with faculty outside of class are not statistically significant.

This is especially striking given that women participate substantially in the life of the Law School. Women are slightly more likely than men to participate in and lead student organizations. They are also slightly more likely than men to think class participation is important. Women work as research assistants at higher rates than men as well. It is troubling that women, while actively engaging at the Law School, are less likely to feel satisfied with their experiences. There are many possible reasons for this lack of satisfaction. Many women reported negative gendered interactions with their fellow students. Some women reported dealing with the constant nagging of imposter syndrome, and of being taught primarily by professors with whom they did not identify. Finally, the students who earn a place at a top law school like the University of Chicago tend to be high achievers, and enroll hoping to achieve. If women are less likely than men across the board to earn the classic markers of law school academic success-good grades, Law Review membership, appellate clerkships, graduation honors, and writing and moot court prizes-it may not be surprising that they feel less satisfied with their experiences than men.

## CONCLUSIONS \& RECOMMENDATIONS

It is clear from the study results that women at the University of Chicago Law School play an important role in the community, and for the most part enjoy their time at the Law School. It is also clear, however, that there are significant gender disparities in student achievement and satisfaction and that the Law School has work to do to improve gender dynamics and facilitate women's comfort and achievement. Faculty participated in overwhelming numbers and with great enthusiasm in the realization of this project, discussing gender dynamics and challenges with interest and sensitivity. For its part, the administration has expressed commitment to gender equity and a willingness to keep open lines of communication between itself and students who care about these issues. Given all these key actors' investment in working to better the Law School, WAP offers targeted recommendations for further research, exploration, and improvement.

WAP is not privy to information about all of the steps that members of the Law School community are currently undertaking to work toward these objectives. We offer these recommendations with a recognition that there may already be efforts underway to implement some of them, and with appreciation for the many students, faculty, and administrators who work to make the Law School a more inclusive place.

## FOR THE ADMINISTRATION:

- Maintain better data, and periodically publish that data. In requesting data from the administration throughout this process, WAP has repeatedly been told that certain data is not maintained or has not been compiled in a readily analyzable format. As an academic institution that prides itself on data and empirics, and in order to understand what works and what doesn't and to track progress in many areas, the Law School should compile, keep, regularly analyze, and make publicly available data on gender such as:
o Total class composition by gender
o Transfer classes by gender
o Students participating in clinics by gender
o Clerkships, graduation honors, 1L prize winners and moot court participants, semi-finalists, finalists, and winners by gender
- Continue to seek to admit gender-balanced classes. Try to admit more gender-balanced transfer classes.
- Administer follow-up surveys. The $71.8 \%$ response rate to the student survey administered by WAP demonstrates that students are eager to engage with these issues and share their thoughts. The administration should administer follow-up surveys that explore some of the areas that this study has only begun to probe or failed to explore. For example:
o What were the primary motivating factors why male and female students chose to attend the Law School? If women are motivated by certain specific factors to attend, and the Law School would like to regularly achieve a gender balanced class, it might reinforce those strengths and play them up to women in recruiting.
o Would female students prefer to have smaller classes even if it means having a lower chance of having a female professor? Or would they instead prefer larger classes and a guarantee of having at least one female professor per quarter during 1 L ? Without adding additional female faculty, it is unlikely that the Law School can increase the number of 1 L classes that are taught by female professors and make those classes smaller. Hence, it seems important to know the answer to these questions.
o Why do women dislike participating in class more than men do? Is this a larger concern in certain types of classes?
- Experiment with different class sizes and styles and assessment techniques to see if some approaches result in more equal academic achievement across gender. Changes to class composition and size are likely changes that have to be made by the administration. Different assessment techniques in the 1L curriculum could likely be tried by individual professors, but the support of the administration would be key in making professors feel that they can experiment in such a way and in handling any administrative complications that might result. Some of these proposals may seem radical; the University of Chicago Law School could be a pioneer in its willingness to experiment with different classroom styles and assessment techniques, and should embrace this opportunity. ${ }^{31}$ Some suggestions follow:
o Class sizes and styles:
- Analyze pre-existing data. Although the Law School administration denied WAP's request for historical data on grades, it does possess such data and could make good use of it to determine if smaller classes result in less significant gendered grade disparities.
- Offer some doctrinal 1L classes separated into smaller class sizes. Three professors also made this recommendation in their interviews. To begin, one doctrinal 1 L class per quarter could be offered in six sections. WAP found that gender-based disparities in voluntary participation are much smaller in small, seminar-type classes-a result consistent with recent scholarship from Stanford

31 For an example, see generally Daniel E. Ho and Mark G. Kelman, Does Class Size Affect the Gender Gap: A Natural Experiment in Law, 43 J Legal Stud 291 (2014).

Law School. There are drawbacks to making classes smaller, however. Professors have noted that smaller class sizes mean that the few female and minority professors who teach at the Law School are spread more thinly, and therefore fewer students will be able to benefit from having class with a female or minority professor. Relatedly, due to the lack of diversity in the student body, minority students are more likely to be the only people of color in small classes. Experimenting with one small class per quarter may therefore provide the best way of figuring out whether the smaller class provides a better environment for female and minority students - and whether its advantages outweigh its disadvantages. o Assessment techniques:

- Analyze existing data. Professors who have taught the same course over multiple years and have used both an eight hour take-home exam and a three hour proctored exam should urge the administration to analyze the resulting grades data to see if one examination approach tends to render a more equal grade distribution with regard to gender. If one approach results in a less pronounced grade disparity, professors should be encouraged to administer that kind of exam.
- Offer a series of quizzes rather than an exam at the end of the quarter in a 1 L doctrinal class. This approach will allow students to learn incrementally, build confidence, and get feedback. It may also encourage students to remain more engaged with the material throughout the quarter.
- Hire more female faculty. Over and over again in surveys and interviews, students and professors stated that they wanted a more diverse faculty. The Law School administration has recounted real, troubling barriers to that goal. However, it is possible that by broadening its conception of what kinds of faculty interests are valuable and understanding the gender biases that may color the teaching evaluations of visiting female scholars, the Law School might be able to find more female faculty members without sacrificing rigor or teaching ability. The administration should also avoid assigning visiting professors, especially women, to teach 1 L classes.
- Provide more opportunities for faculty members to explore and learn about different modes of classroom management and gender issues more broadly, including the types of implicit gender biases that are most likely to come up in the classroom setting. Several professors reported a desire for more time and opportunities to think strategically together about how to make sure women are doing as well as they can at the Law School, and especially in their classes.
- Establish a formal faculty-student mentorship program. Such a program might more evenly distribute extra mentoring burdens currently carried by female faculty. In addition, it would ensure that every student has access to at least one faculty member and would hopefully kick-start a more long term mentoring relationship. For example, pair
each 1 L with a faculty mentor prior to their arrival at the Law School based on their overlapping interests. Incoming 1Ls should be asked prior to orientation about their academic interests as well as special areas of interest that their ideal faculty mentor might have (e.g., clerking in a specific geographic area, public interest law, getting a Ph.D. as well as J.D.). Professor mentors should email their mentees prior to the beginning of orientation, and express their availability as a resource and willingness to answer questions or talk about academics, students' career aspirations, or life more generally. They should also be encouraged and provided resources to have a small group lunch or coffee with several of their mentees during early in the Autumn Quarter and to check in with 1 L mentees during the Winter Quarter, at least.


## FOR STUDENTS:

- Speak up. Professors want to hear from you whenever you have a genuine question or idea. Know that if something is unclear to you, it is likely unclear to others, and that you are helping other students by asking the professor to clarify the material.
o Plus, if you're a woman, the more you speak, the more the women around you will feel comfortable doing so. The more you participate yourself, the more natural it will begin to feel.
- Conversely (and especially if you are a man who speaks frequently) be thoughtful about how you participate in class. Before raising your hand, consider asking yourself whether your contribution is about more than showing off, or whether your question is likely to be useful to someone other than you.
o Be aware that raising your hand while another student is still answering a question can be perceived as rude and may be distracting to that student, the professor, or the rest of the class.
o Outside of class, think about whether your speech is likely to build constructive conversations or further true intellectual goals. Seriously consider employing professional norms to express disagreement with your classmates. And be receptive to feedback about your speech or the way you've framed your remarks.
- Attend office hours. Students and professors discussed the value that comes from attending office hours as a way to take advantage of all the resources the school provides and to develop more meaningful relationships with the faculty.
- Put yourself out there. Complete the writing competition if you have any interest in journal membership. Ask professors to support you in applying to clerkships or other jobs you really want. Do not automatically take yourself out of the running because you're not at the very top of the class, or you have not been affirmatively approached by a member of the faculty. Engage in self-advocacy. Legal employers, as well as institu-
tions within the Law School, will benefit from having a diverse set of backgrounds and experiences represented in their work. And professors are eager to help get you there.
- In completing teaching evaluations, try to reflect on unconscious or implicit biases that might lead you to be harsher toward female professors than toward men. Be aware that teaching evaluations impact who gets hired and who gets tenure.


## FOR FACULTY:

- Classroom management:
o Call on women first. Our findings may suggest that hearing from women early in a class session may encourage more women to participate voluntarily.
o Wait a few seconds before calling on someone. Many professors reported waiting several seconds after asking for volunteers to make sure that a diverse set of students has time to put their hands up. Professors have also reported that it helps ensure more diverse student participation.
o Consider cold calling more, if you can do it in a way that is gender-balanced.
- But consider doing more than cold calling. One students writes: "Do written assignments so folks who get nervous speaking in front of a huge class also get their voices heard."
- Or consider using a panel system. At least one student wrote at length about how she enjoyed knowing when she was going to be on call and having a meaningful opportunity to speak each time. Two professors also reported having success in achieving broad student participation by using panels. Such a system avoids some of the intensity of cold calling while also ensuring that all students have tangible opportunities to participate.
o Tell the class explicitly that you hope men and women will participate equally. This communicates that you care about who participates, and that you welcome diverse perspectives and ideas.
- Feedback
o Reach out to and encourage students who make thoughtful comments in class.
o Email students who do well in in your classes, whether on the final exam, on a paper, or participating in class, offering to write them letters of recommendation in the future.
o Office hours:
- Communicate to students that they need not have a specific question about class material in order to attend office hours. Express a desire to get to know
students during office hours.
- Encourage students to attend office hours in groups. Attending office hours with classmates can be less intimidating, and conversation sometimes flows more easily when the meeting is not one-on-one. Students benefit from hearing the questions that their classmates ask and may try to help answer those questions themselves.
- Schedule office hours. Many students discussed preferring scheduled offices hours in addition to an "open door" policy because they feel less intrusive.


## - Modeling

o Alternate pronouns in examples and hypotheticals. Make sure to sometimes use female pronouns when discussing judges, legislators, etc.

## - Mentorship

o Encourage all students, whether they are interested in academia or not, to be research assistants or work on writing projects, whether that means an independent study or completing an SRP or WP requirement. These are ways to develop meaningful relationships between students and faculty.
o Reach out to exceptional female students early to encourage them to consider a career in legal academia, and offer to mentor them in research and writing if they express an interest. The Law School should take a more active role in producing the next generation of female law scholars, and this can begin with faculty.

## APPENDIX A: <br> CLASSROOM OBSERVATION TOOL




## APPENDIX B: CLASSROOM OBSERVATION INSTRUCTION FORM

## Tips for Classroom Observations

## Before class

1. Pick up your observation form in the Green Lounge.
2. If you learn you will be on call for that day's class meeting, let one of us know as soon as possible so we can make another arrangement. If you would like to ask a professor not to call on you that day, feel free to do so (but try not to tell the professor why). If you would like to take your chances, that is fine too.
3. Complete all the identifying information (date, course, etc.) before class starts.
4. Double down on your reading notes for the day you will be observing, that way if you are cold called, you will be prepared to answer.
5. Speak with a classmate to request notes for the class meeting you will be observing.
6. Familiarize yourself with the "types of participation" you will be recording. If you aren't sure what something means, please ask prior to the observation.

## During Class

1. Focus on consistent recording, e.g., know what you are identifying as an interruption and make sure to track them all.
2. Use the notes/identifier section to record information that seems important but doesn't fit in the other columns. This will help us determine if we need to add additional columns for types of participation and contextualizes the other entries, for example, if the professor lectured for the bulk of the class, we want to know.
3. We ask you not to volunteer during the classes you are observing.
4. The professor's response is important. Make sure to note it even if there is no response.
5. If you are called on during, stop observing. If it is possible, once your cold call is over, continue.

## After Class

1. Make sure your name and email address are on the observation form.
2. If for some reason you were unable to observe the entire class and were only able to observe a portion, let us know, and provide the reason why. Fill in the duration of the observation.
3. If you have any questions or concerns about your observation, please note them on the form before you turn it in.
4. Place your observation form in the designated drop-off spot by the end of the day. We will let you know where this is in advance.
5. Sign up for a quick check in with one of us. We will send a link to an online form following observations.

## Key

- Event Number: Each time a student begins to speak, record on a new row
- Gender: Identify the participant's gender to the best of your ability as Female, Male, or Neutral.
- Types of Participation:
- Volunteer: The professor solicits volunteers to answer a pointed question; a student raises her hand and is called on.
- Cold call: The professor calls on a student to answer a question; the student provides an answer. A cold call volley is only one event.
- Question: A student raises her hand and is called on by the professor, then poses a question.
- Comment: A student raises her hand and is called on by the professor, then makes a comment.
- Interrupt: During one student's cold call, while that student is in the process of answering a professor's question, and before the professor has opened up the question to the class, another student raises her hand to answer, and gets called on by the professor (only applies to when a student is answering a cold call).
- Blurt: A student blurts out a comment that is audible to the entire class, without raising her hand, without being called on, and without being acknowledged by the professor.
- NOTE: If a student poses a question, comment, or volunteers an answer and then is cold called by the professor, this is a new event and should be entered on a new line
- However, if the student and professor merely have a back-and-forth discussion as a result, the entire interaction can stay on one line.
- Iteration: If the same student participates multiple times in a class, each event should be recorded separately, but it should be marked as such in the iteration column.
- For example, imagine that the second event in class is by student X , and that is X's first comment during that class. If student X also makes the fourth comment later in class, the iteration column should be marked to note that it is not the first time X is speaking. Each time student X who made the second event speaks again, that new event should be marked with the number " 2 " (the row number that corresponds to that person's first event).
- Please pay as much attention as possible to repeat students - making whatever notes necessary in the Notes column to help yourself keep track of students who participate multiple times.
- This should be distinguished from a long cold call in which the professor and same student go back and forth multiple times - this volley is only one participation event.


## - Professor's Response

- Incorporates: acknowledges student's response in moving the class forward
- Cuts In/Cuts Off: cuts in while student is speaking
- No response: does not acknowledge comment or question and keeps moving
- NOTE: If the professor starts a long cold call with a student, each time the professor responds (or does not respond) it should be tallied in the appropriate column.


# APPENDIX C: CLASSROOM OBSERVATION TRAINING PLAN - MODIFIED HUMAN SUBJECTS TRAINING 

IRB17-1316: Women's Experiences<br>Human Subjects Modified Training Plan - Classroom Observations<br>October 13, 2017

All classroom observers are required to participate in an hour long training prior to observing their classes. Trainings were conducted on Monday, October 9, 2017 and Tuesday, October 10, 2017 at the Law School. An additional training will be conducted on October 17, also at the Law School. Classroom observers did not have any contact with human subjects in a research capacity prior to the trainings, and they will not have any contact until after they have taken a training and after the Protocol is approved.

The trainings were and will be conducted by Hannah Gelbort, Roisin Duffy-Gideon, Piper Pehrson, and Mallika Balachandran. The trainings taught volunteers how to record their observations of classroom participation events in a standardized manner.

Volunteers were instructed that they may not provide any personally identifying information about the students or professors they observe to the study coordinators. Trainers stressed that no potentially identifying information (except the gender of the speaker) can be included in the observation tally sheets, and that this is a vital component of the study methodology and IRB protocol.

Trainers also explained the importance of maintaining confidentiality and professionalism. Student volunteers were expressly instructed not to discuss the classroom participation events that they observe with others--even to others in the class or in general or vague language--even though on days that they normally attend class they are free to discuss student participation openly with anyone. Students were instructed that the aim of the classroom observations is to obtain a reliable dataset, and they were asked not to make students feel uncomfortable or ill at ease in the classroom. The observers were instructed that they would receive information on where to drop off their completed tally sheets once the IRB protocol is observed. We will provide that information by email after the Protocol is approved, before any classes are observed, and that email will stress that the tally sheets must be dropped off immediately after the class observed.

Classroom observation volunteers were also told that all professors and students would be notified in advance that classroom observations would be conducted during three class meetings over the course of the fall quarter. Classroom observation volunteers were directed to ask any and all questions they might have, and to direct those questions to Hannah Gelbort, Piper Pehrson, Mallika Balachandran, and Roisin Duffy-Gideon.

The training on October 17 will include all the same information described above.

## APPENDIX D: CLASSROOM OBSERVATION NOTIFICATION EMAILS

## Classroom Observation Consent Email For Professors

Dear Law Faculty,
The Women's Advocacy Project (WAP) is a student-run research project that aims to gather and disseminate information about the way that gender impacts and informs students' experiences at the Law School, using data analysis, classroom observation, surveys, and interviews.

During the fall quarter, WAP will be organizing observations of Law School classes. The observations will be conducted by students enrolled in the classes being observed. Not all classes will be observed, but some will be observed on several dates. Classroom observers will track class participation by gender but will not collect any identifying information. The ultimate data analysis and report will not link the names of the classes observed to the data collected in those classes, and it will not include the names of any students or professors.

Results of this study may be used in publications and presentations. Your study data will be handled as confidentially as possible, and no identifying information will be collected. If results of this study are published or presented, individual names and other personally identifiable information will not be used, because we will not have that information. We may share the data we collect from you for use in future research studies or with other researchers - if we share the data that we collect about you, we will remove any information that could identify you before we share it.

If you have any questions about our study, or if you would like to opt out for a class that you teach, please email Roisin Duffy-Gideon at duffygideon@uchicago.edu.

All the best,
Mallika Balachandran, Hannah Gelbort, Piper Pehrson, Roisin Duffy-Gideon

## Classroom Observation Notification Email for Students

Dear Classmates,
The Women's Advocacy Project (WAP) is a student-run research project that aims to gather and disseminate information about the way that gender impacts and informs students' experiences at the Law School, using data analysis, classroom observation, surveys, and interviews.

During the fall quarter, WAP will be organizing observations of Law School classes. The observations will be conducted by students enrolled in the classes being observed. Not all classes will be observed, but some will be observed on several dates. Classroom observers will track class participation by gender but will not collect any identifying information. The ultimate data analysis and report will not link the names of the classes observed to the data collected in those classes, and it will not include the names of any students or professors.

Results of this study may be used in publications and presentations. Your study data will be handled as confidentially as possible, and no identifying information will be collected. If results of this study are published or presented, individual names and other personally identifiable information will not be used, because we will not have that information. We may share the data we collect from you for use in future research studies or with other researchers - if we share the data that we collect about you, we will remove any information that could identify you before we share it.

If you have any questions about our study, please email Roisin Duffy-Gideon at duffygideon@uchicago.edu.

All the best,
Mallika Balachandran, Hannah Gelbort, Piper Pehrson, Roisin Duffy-Gideon

## APPENDIX E: FACULTY INTERVIEW SCRIPT

## I. Discussion Conversation Guide

a. Classroom
i. How do you facilitate student participation in your classes?

1. Do you cold call?
a. If so, how do you choose whom to cold call?
2. If a student is struggling with a cold call, how do you usually respond? (i.e. open it up to other students, call on students with their hands raised, etc.)
ii. Do you consider gender when calling on students, and if so, how?
iii. Do you generally find that male and female students behave differently in their in-class interactions?(i.e. speed of response, willingness to volunteer, frequency of passing on cold calls, length of comments, style in answering, qualifying answers, etc.)
3. Do you usually try to account for any of those different behaviors in your teaching? If so, how? (i.e. making a special effort to call on women, waiting longer to see if female students volunteer prior to calling on a male student, etc.)

## b. Outside of Class

i. Do you observe differences in the frequency, purpose, or manner in which male and female students:

1. Meet with you?
2. Email you? (Is there a different tone or content?)
3. Talk to you after class and/or during breaks in class?
4. Sign up for office hours?
5. Stop by your office without appointment?
ii. Do you notice a difference in the types of topics male and female students ask about? (i.e. career plans, class material, work/life balance, etc.)
iii. Do you notice any difference in the frequency with which men and women reach out to schedule lunch with you?
c. Mentorship and Advocacy
i. Do you ever mentor students, and if so, what does that entail? What does that mean to you?
ii. How does this type of mentorship begin?
iii. Do you find it harder/easier to mentor students of the opposite/same gender as you?
iv. Do you observe a difference in the numbers and/or ways in which women and men students seek you as an advocate - whether that's requesting a recommendation, asking for career advice or something else? (i.e. do women or men contact you more, do they follow up if you do not respond, etc.)

## d. Best Practices

i. Are there any practices or suggestions you can share to help faculty balance gender participation in class?
ii. Do you have suggestions for how faculty can encourage women to develop stronger relationships with them?

1. How would you feel about any of the following recommendations?
a. Posted office hours
b. Targeted feedback to students who do well, encouraging them to apply for RA positions or take similar classes in the future
c. Hosting an "open house" office hours for students to introduce themselves at the beginning of the quarter
iii. Do you have any suggestions for students to achieve these same goals? (either men or women)
iv. In what other ways could the Law School improve the environment for women?
v. Are there policies or practices that you'd like to adopt from other Law Schools that you attended, were employed, or have visited?
di. What matters most?
i. Of any of the differences between men and women that you've spoken to me about today, which do you think are the most striking or the most meaningful in terms of the impact they have on student outcomes and success at the Law School?

## APPENDIX F: FACULTY INTERVIEW DATA FORM

## Faculty Interview - Data

I. How many RAs have you had in the past year?
a. How many of them were women?
b. How many of them were men?
c. How did you find your RAs?
i. Do you post the job and/or publicize it? How? If not, how are they selected?
II. How many independent study students have you supervised in the past year?
a. How many were women?
b. How many were men?
c. How did these independent studies come about?
III. Letters of recommendation and references:

|  | Men | Women | Unknown | Comments |
| :--- | :--- | :--- | :--- | :--- |
| How many <br> students asked <br> you for a letter of <br> recommendation <br> for a clerkship in <br> the last year? |  |  |  |  |
| How many <br> students did you <br> write a clerkship <br> letter of <br> recommendation <br> for in the last <br> year? |  |  |  |  |
| How many <br> students asked <br> you to serve as a <br> reference (listed as <br> part of a job <br> application) in the <br> last year? |  |  |  |  |
| How many <br> students asked <br> you to call a <br> potential employer <br> or judge) in the <br> last year? |  |  |  |  |

# APPENDIX G: FACULTY INTERVIEW CONSENT FORM 

# UNIVERSITY OF CHICAGO CONSENT FORM FOR RESEARCH PARTICIPATION 

Study Title: Women's Advocacy Project<br>Principal Investigator: Professor William Hubbard<br>Student Researcher: [insert name of student interviewer here]<br>IRB Study Number: IRB17-1316

I am a student at the University of Chicago, in the Law School. We are planning to conduct a research study, which I invite you to take part in. This form has important information about the reason for doing this study, what we will ask you to do if you decide to be in this study, and the way we would like to use information about you if you choose to be in the study.

## Why are you doing this study?

You are being asked to participate in a research study about the experiences of women at the Law School. The purpose of the study is to gather and disseminate information about the way that gender impacts and informs students' experiences at the Law School, using data analysis, classroom observation, surveys, and interviews.

## What will I do if I choose to be in this study?

You will be asked to participate in a 20-30 minute interview conducted by a student in the 2 L or 3 L class. The questions will relate to your experience interacting with law students inside and outside of the classroom.

Study time: Study participation will consist of one 20-30 minute interview, unless you tell your interviewers you would like to spend more time in the interview or schedule a followup interview.

Study location: All study procedures will take place in your office unless you request explicitly that they take place over the phone or elsewhere.

I may quote your remarks in presentations or articles resulting from this work. If we decide to use a quote, we will request your permission over email. A pseudonym will be used to protect your identity, unless you specifically request that you be identified by your true name.

## What are the possible risks or discomforts?

Your participation in this study does not involve any physical or emotional risk to you beyond that of everyday life.

As with all research, there is a chance that confidentiality of the information we collect from you could be breached - we will take steps to minimize this risk, as discussed in more detail below in this form.

## What are the possible benefits for me or others?

Taking part in this research study may not benefit you personally, but we may learn new things that will help others.

## How will you protect the information you collect about me, and how will that information be shared?

Results of this study may be used in publications and presentations. Your study data will be handled as confidentially as possible. If results of this study are published or presented, individual names and other personally identifiable information will not be used unless you give explicit permission for this below.

To minimize the risks to confidentiality, we will ensure limited access to study records. Interviewers will not use handwritten notes, only electronic notes on their personal computers. Once an interview is complete, the interviewer will send the notes to one member of our research team who will then upload them to the appropriate folder in U Chicago Box. Interviewers will then delete their notes from their personal laptops.

We may share the data we collect from you for use in future research studies or with other researchers - if we share the data that we collect about you, we will remove any information that could identify you before we share it.

If we think that you intend to harm yourself or others, we will notify the appropriate people with this information.

## Financial Information

Participation in this study will involve no cost to you. You will not be paid for participating in this study.

## What are my rights as a research participant?

Participation in this study is voluntary. You do not have to answer any question you do not want to answer. If at any time and for any reason, you would prefer not to participate in this study, please feel free not to. If at any time you would like to stop participating, please tell me. We can take a break, stop and continue at a later date, or stop altogether. You may withdraw from this study at any time, and you will not be penalized in any way for deciding to stop participation.
If you decide to withdraw from this study, the researchers will ask you if the information already collected from you can be used .

## What if I am a University of Chicago student or employee?

You may choose not to participate or to stop participating in this research at any time. This will not affect your class standing, grades, employment, or any other aspects of your relationship with the University of Chicago.

Who can I contact if I have questions or concerns about this research study?
If you have questions, you are free to ask them now. If you have questions later, you may contact the researchers at

Roisin Duffy-Gideon
507-828-0524
duffygideon@uchicago.edu
Hannah Gelbort
847-420-5788
hgelbort@uchicago.edu
Mallika Balachandran
805-405-9438
mallikab@uchicago.edu
If you have any questions about your rights as a participant in this research, you can contact the following office at the University of Chicago:

Social \& Behavioral Sciences Institutional Review Board
University of Chicago
1155 E. 60th Street, Room 418
Chicago, IL 60637
Phone: (773) 834-7835
Email: sbs-irb@uchicago.edu

## Consent

I have read this form and the research study has been explained to me. I have been given the opportunity to ask questions and my questions have been answered. If I have additional questions, I have been told whom to contact. I agree to participate in the research study described above and will receive a copy of this consent form.

Participant's Name (printed)

## APPENDIX H: FACULTY INTERVIEW INSTRUCTIONS

Dear Student Interviewer,

Thank you for agreeing to interview a faculty member for the Women's Advocacy Project. This phase of the project is an important dialogue with faculty about the ways in which male and female students interact with professors. Thank you for attending the training session on October 26, 2017.

We have notified the faculty that they will be hearing from you to schedule an interview. Please email your assigned professor early on the week of October 30 (but not before you have completed the NIH Human Subjects training). We would like all of the interviews to be completed by the end of Fall Quarter and it will take some time to coordinate with the professors' schedules. Please email me once you have scheduled an interview with the relevant details.

We have promised professors that the interview can be completed in 20 minutes. This may be challenging. You will see in the sample email to professors that we have asked them to consider setting aside a longer period of time. Please try to get a sense of how much time the professor has and honor his or her wishes.

The interview has two parts. The first is a request for data, which should be sent to the professor before the interview, but after you have scheduled the interview. The second part consists of open-ended questions which will guide you through your discussion with the professor. Please do not feel constrained by those questions. We're not necessarily looking for yes-and-no answers, but rather for a conversation that will encourage professors to think about gender issues while getting their ideas for improving relationships between faculty and students. Please take good notes since we may use quotations (unattributed to preserve anonymity) in the final report.

We have not included questions in the interview guide about the ways in which faculty members interact with students of color, since gender is the primary variable of interest in this study. However, we acknowledge a powerful intersection of race and gender and you should feel free to raise issues of race in the interview.

After you've worked through the talking points but before you end the interview, you may want to pause to review your notes and see if there is anything you've forgotten to ask or would like to explore in greater depth.

Please remember to have the faculty sign the consent form and return it to me
after the interview.
After your interview, please immediately send your notes to me via email. Then delete them permanently from your computer. And last but certainly not least, please remember that this interview is confidential. This means you should not discuss the professor's comments with anyone, post on social media, or email Above the Law.

Feel free to contact me with questions and thank you for your participation! Sincerely,
Andrew Sowle
P.S. If you are interviewing clinical faculty members, please adjust the questions accordingly to focus on the different kinds of interactions that clinical faculty members have with students. Feel free to reach out to me if you want to discuss how to adapt the script for clinical faculty.

## APPENDIX I: FACULTY INTERVIEW SAMPLE EMAIL

Dear Professor < Professor's Name>,
I am a member of the Women's Advocacy Project (WAP). WAP is a student-run research project that aims to gather and disseminate information about the way that gender impacts and informs students' experiences at the Law School, using data analysis, classroom observation, surveys, and interviews.

This quarter, WAP is conducting faculty interviews. <NAME> (cc'd) and I would like to set up an interview with you. We're eager to hear your perspective on gender issues at the law school, as well as any best practices you would like to share for teaching and interacting with diverse students.

We are available at the following times in the next few weeks. Please let us know if any of the below times work-if they don't, we're happy to offer more.

## <TIMES THAT WORK>

The interview can be completed in 20 minutes. However, because we suspect you may have ideas and experiences to share that will add a lot of depth and nuance to our report, we would welcome an opportunity to speak to you for 30-45 minutes. Please feel free to let us know what time commitment you are comfortable with.

Participation in this study is entirely voluntary. You will be free to end participation at any time for any reason or to refuse to answer any individual question during the interview. All of your responses will be held in confidence, only the core researchers involved in this study will have access to the information you provide, and no identifiable information will be included in the report. We will not quote you in the report without your permission, and even then, the quotation will be anonymous.

Thank you for helping us better understand the gender dynamics at the Law School. If you have any questions about the study, please feel free to e-mail the interview coordinator, Andrew Sowle (asowle@uchicago.edu) or the study's directors, Roisin Duffy-Gideon (duffygideon@uchicago.edu), Hannah Gelbort (hgelbort@uchciago.edu) and Mallika Balachandran (mallikab@uchicago.edu).

Sincerely, <Your name>

## APPENDIX J: STUDENT SURVEY

(1) What is your class year or program?
a. 1L
b. 2L
c. 3L
d. LLM

## Background

(2) How many male professors did you take a class from last quarter (Autumn 2017)? (Please include all clinical, associate, visiting, and adjunct professors, as well as Bigelow fellows, lecturers and practitioners.)*
(3) How many female professors did you take a class from last quarter (Autumn 2017)? (Please include all clinical, associate, visiting, and adjunct professors, as well as lecturers and practitioners.)*

## Class Participation and Interaction with Professors

The following section asks about your experiences with and opinions about class participation and interactions with professors.
(4) How important do you believe student participation in class (either voluntarily or doing cold calls) is for achieving each of the following outcomes?*

|  | No opinion <br> /not sure | Participation is not <br> important at all | Participation is <br> somewhat <br> important | Participation is <br> very important |
| :--- | :--- | :--- | :--- | :--- |
| Better grades |  |  |  |  |
| Better job <br> (including <br> clerkship or <br> fellowship) <br> references |  |  |  |  |
| Increased <br> enjoyment of <br> classroom <br> experience |  |  |  |  |
| Stronger <br> mentoring <br> relationships with <br> professors |  |  |  |  |

(5) How important do you believe each of the following types of student participation in class is for achieving academic success?*

|  | No opinion /not <br> sure | Participation is not <br> important at all | Participation is <br> somewhat <br> important | Participation is <br> very important |
| :--- | :--- | :--- | :--- | :--- |
| Voluntarily <br> participating in <br> class (either <br> through <br> questions or <br> comments) |  |  |  |  |
| Performing well <br> during cold calls |  |  |  |  |
| Speaking to <br> professors after <br> class |  |  |  |  |
| Attending <br> scheduled office <br> hours |  |  |  |  |
| Meeting with <br> professors <br> outside of office <br> hours |  |  |  |  |
| Corresponding <br> with professors <br> by email |  |  |  |  |
| Other forms of <br> participation |  |  |  |  |

(6) Do you believe participation in class is important for outcomes other than academic success?*
a. Yes
b. No
(7) If yes, which other outcomes?
(8) Thinking of your classes in general, what is your impression of who participates most frequently in class discussions (either voluntarily or during cold calls)?*

|  | Men <br> participate <br> much more <br> than <br> women do. | Men <br> participate <br> more than <br> women do. | Men and <br> women <br> participate <br> equally <br> often. | Women <br> participate <br> more than <br> men do. | Women <br> participate <br> much more <br> than men <br> do. | No <br> opinion/ <br> Not <br> applicable |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| Large <br> classes |  |  |  |  |  |  |
| Seminars |  |  |  |  |  |  |

(9) If you perceive that class participation varies by gender, please describe what you think might cause this variation.
(10) If you perceive that class participation varies by gender, have you tried to compensate for that difference by participating more or less than you normally would?*
a. Yes
b. No
(11) How often do you participate in class relative to your classmates?*
a. Much less often than most classmates.
b. Somewhat less often than classmates.
c. About as often as the average member of the class.
d. Somewhat more often than classmates.
e. Far more often than most classmates.
(12) Which of these statements best describes how you feel about participating in class?*
a. I dislike it, and I do not think it is important to my learning.
b. I dislike it, but I think it is important to my learning.
c. I neither like or dislike it, but I think it is important to my learning.
d. I neither like or dislike it, but I do not think it is important to my learning.
e. I like it, and I think it is important to my learning.
f. I like it, but I do not think it is important to my learning.
g. Other (Please describe: $\qquad$
(13) What suggestions do you have for professors who seek to achieve broad-based student participation?

## Mentorship and Guidance

The following section asks about your experiences with and opinions about mentoring and guidance from professors.
(14) How often did you attend any office hours session last quarter?*
a. Once all quarter
b. Once per month
c. Once per week
d. Multiple times per week
e. Never
(15) For which of the following reasons did you attend office hours last quarter (circle all that apply)?*
a. Question or comment related to class
b. Job/clerkship/fellowship advice
c. Request for or discussion of reference or recommendation
d. General conversation
e. Other
(16) How comfortable are you interacting with professors in the following ways?*

|  | Very <br> uncomfortable | Uncomfortable | Comfortable | Very <br> comfortable | No opinion / <br> Not applicable |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Participating in <br> class (either <br> through <br> questions or <br> comments) |  |  |  |  |  |
| Responding <br> during cold <br> calls |  |  |  |  |  |
| Speaking to <br> professors after <br> class |  |  |  |  |  |
| Attending <br> scheduled <br> office hours |  |  |  |  |  |
| Meeting with <br> professors <br> outside of <br> office hours |  |  |  |  |  |
| Corresponding <br> with professors <br> by email |  |  |  |  |  |
| Other forms of <br> participation |  |  |  |  |  |

(17) I feel most comfortable attending the office hours of:*
a. male professors.
b. female professors.
c. no difference.
(18) How many male faculty members would you consider your mentor (including clinical faculty)?*
(19) [2L/3Ls only:] How many of those professors are clinical professors?*
(20) How many female faculty members would you consider your mentor (including clinical faculty)?*
(21) [2L/3Ls only:] How many of those professors are clinical professors?*
(22) How did you form these relationships? Please check all that apply.*
a. Participating in class or asking questions after class
b. Visiting office hours
c. Asking for a letter of recommendation
d. Doing an independent study [2L/3Ls only]
e. Having a professor advise an SRP/WP [2L/3Ls only]
f. Having a professor advise a journal comment [2L/3Ls only]
g. Working as an RA
h. Collaborating on a lunch or activity for a student organization
i. Consulting a professor for career advice
j. Other (please explain below)
(23) Please describe any suggestions you have for other students on how to improve their interactions with faculty members.
(24) How many U Chicago professors (including visiting, adjunct, and Bigelow fellows, and lecturers) would you feel comfortable asking for a letter of recommendation?*
a. How many of those professors are male?
b. How many of those professors are female?
(25) How much do you agree or disagree with the following statement: Men and women interact differently with professors outside the classroom setting.*
a. Strongly Agree
b. Agree
c. Neither Agree nor Disagree
d. Disagree
e. Strongly Disagree
f. No opinion/not sure
(26) What types of differences do you observe?*
(27) Why do you think these differences might exist?*
(28) How can faculty members make themselves more approachable and/or be better mentors?

## Student Life

The following section asks about your experiences with and opinions about extra-curricular activities and other aspects of the Law School environment.
(29) During an average week, how much time do you spend preparing for each of your courses this quarter? (not during exams)*
a. 0-2 hours per week
b. 3-5 hours per week
c. 6-8 hours per week
d. 9-11 hours per week
e. 12 or more hours per week
(30) [2L/3Ls only:] Did you do OCI?*
a. Yes.
b. No, because I already had an offer from a firm for 2 L summer.
c. No, because I planned to pursue public interest work.
d. No, for another reason.
(31) [1Ls only:] Are you planning to do On-Campus Interviews (OCI)?*
a. Yes
b. No
c. Not sure
[2L/3Ls only:] Did you get a job from OCI?*
e. Yes
f. No
(33) Are you interested in clerking?*
a. Yes
b. No
c. Not sure
(34) [2L/3Ls only:] Have you secured a clerkship for after graduation?*
a. Yes
b. No
c. Not sure yet
(35) [2L/3Ls only:] When did you secure your clerkship (if you have more than one clerkship, please indicate when you accepted your first offer)?*
a. Summer between 1 L and 2 L .
b. During 2L year.
c. During 3L year.
(36) [2L/3Ls only:] Did the Clerkship Committee reach out to you to encourage you to apply for clerkships?*
a. Yes
b. No
c. Prefer not to say
(37) [2L/3L/LLMs only:] In how many student organizations do you hold a leadership position?*
a. 0
b. 1
c. 2
d. 3
e. 4
f. More than 4
(38) [2L/3L/LLMs only:] How many student organizations did you spend at least five hours working for last quarter (not including journals)?*
a. 0
b. 1
c. 2
d. 3
e. 4
f. More than 4
(39) [1Ls only:] How many student organizations are you a member of?*
a. 0
b. 1
c. 2
d. 3
e. 4
f. More than 4
(40) [1Ls only:] Do you plan to apply for leadership positions in any student organizations?*
a. Yes
b. No
c. Not sure
(41) [2L/3Ls only:] Did you complete the writing competition?*
a. Yes
b. No
(42) [2L/3Ls only:] What were your reasons for completing the writing competition?*
a. I plan on going into legal academia.
b. I believed being on a journal would help me get a clerkship.
c. I believed being on a journal would help me at OCI.
d. I believed being on a journal would open other doors for me in my career.
e. I believed being on a journal would improve my writing and/or editing skills.
a. I believed journal work would be intellectually rewarding.
b. I believed being on a journal would be a fun experience.
c. A professor recommended that I do it.
d. Other
(43) [2L/3Ls only:] What were your reasons for not completing the writing competition (check all that apply)?*
a. I have no interest in legal scholarship.
b. I believed journal membership would be too much of a time commitment.
c. I believed journal work would be boring.
d. I didn't believe that journal work will benefit my career.
e. I did not believe that other journal members would share my interests or values.
f. I believed the writing competition would be too much work/I did not have time to complete the writing competition.
g. I did not believe I would qualify for the Law Review based on my grades.
h. Other
(44) [2L/3Ls only:] Are you on a journal?*
a. Yes
b. No
(45) [2L/3Ls only:] If you are on a journal, did you/will you apply to join the board of your journal?*
a. Yes
b. No
c. Not sure
(46) [2L/3Ls only:] If you are a 3L, are you on the board of your journal?
a. Yes
b. No
(47) [2L/3Ls only:] What factors affect(ed) your decision about whether or not to join the board of your journal?
(48) [1Ls only:] Do you plan to do the writing competition?*
a. Yes
b. No
c. Not sure
[1Ls only:] Why do you plan to complete the writing competition?*
f. I plan on going into legal academia.
g. I believe being on a journal would help me get a clerkship.
h. I believe being on a journal would help me at OCI.
i. I believe being on a journal would open other doors for me in my career.
j. I believe being on a journal would improve my writing and/or editing skills.
k. I believe journal work would be intellectually rewarding.

1. I believe being on a journal would be a fun experience.
m. A professor recommended that I do it.
n. Other
(50) [1Ls only:] Why not?*
a. I have no interest in legal scholarship.
b. I believe journal membership would be too much of a time commitment.
c. I believe journal work would be boring.
d. I do not believe that journal work will benefit my career.
e. I do not believe that other journal members would share my interests or values.
f. I believe the writing competition would be too much work/I will not have time to complete the writing competition.
g. I do not believe I would qualify for the Law Review based on my grades.
h. Other

## Broad Experiences

(51) What kinds of legal work do you hope to do in your first 10 years after law school? Please check all that apply.*
a. Clerkship(s)
b. Government work
c. Legal academia
d. Non-legal work
e. Public interest legal work
f. Private legal practice
g. Other (Please specify: $\qquad$ .)
(52) My classroom experience at the Law School has been:*
a. Very positive
b. Somewhat positive
c. Neither positive nor negative
d. Somewhat negative
e. Very negative
(53) My interactions with professors outside of class have been:*
a. Very positive
b. Somewhat positive
c. Neither positive nor negative
d. Somewhat negative
e. Very negative
(54) My interactions with my fellow students have been:*
a. Very positive
b. Somewhat positive
c. Neither positive nor negative
d. Somewhat negative
e. Very negative
(55) Academically, I have performed:*
a. Better than I thought I would.
b. The same as I thought I would.
c. Worse than I thought I would.
(56) Did you have any reservations about attending the University of Chicago Law School? Please check all that apply.*
a. Neighborhood safety
b. Law and economics focus
c. Lack of fun
d. Conservative political reputation
e. Lack of diversity
f. I had no reservations
g. Other
(57) How much do you agree or disagree with the following statement: Given my experience so far, I would choose to enroll at the University of Chicago Law School again.*
a. Strongly Agree
b. Agree
c. Neither Agree nor Disagree
d. Disagree
e. Strongly Disagree
f. No opinion/not sure
(58) [2L/3L/LLMs only:] How much do you agree or disagree with the following statement: My Law School experience has improved since 1L.
a. Strongly Agree
b. Agree
c. Neither Agree nor Disagree
d. Disagree
e. Strongly Disagree
f. No opinion/not sure
(59) Do you have any other observations or suggestions you'd like to offer about gender dynamics at the law school?

## Demographics

(60) Do you identify as:*
a. Male/Man
b. Female/Woman
c. Transgender
d. Non-binary/third gender/other
e. Do not wish to specify
(61) What is your sexual orientation?
a. Heterosexual/Straight
b. Homosexual/Gay or Lesbian
c. Bisexual
d. Other (please describe)
(62) [1L/2L/3Ls only:] Do you consider yourself (check all that apply):*
a. Black or African-American
b. Native-American or Alaskan Native
c. Asian or Asian-American
d. Native Hawaiian or Other Pacific Islander
e. Hispanic/Latino
f. White
g. Other $\qquad$
h. Do not wish to specify
(63) [LLMs only:] What country are you from?
(64) [LLMs only:] What year did you first receive a legal degree?*
(65) [1L/2L/3Ls only:] What year did you graduate from college?*
(66) $[1 \mathrm{~L} / 2 \mathrm{~L} / 3 \mathrm{Ls}$ only: $]$ In which area did you major in college?
a. Humanities
b. Social sciences (not including economics)
c. Economics
d. STEM
(67) Do you have children?*
a. Yes
b. No
(68) Would you consider yourself your children's primary caretaker?*
a. Yes, I am my children's primary caretaker.
b. No, I consider someone else (my partner, my parents, my children's nanny, etc.) to be my children's primary caretaker.
c. Not sure

# APPENDIX K <br> REQUEST FOR GRADE DATA 

## Date: January 29, 2018

## To: Dean Miles

From: The Women's Advocacy Project

## Re: Grades Data Request

## Introduction

The Women's Advocacy Project (WAP) is a student-run year-long research project studying gender dynamics at the University of Chicago Law School. Despite women's increased attendance at law schools over the past several decades, the University of Chicago Law School still does not have equal achievement between genders. Women graduate with honors less frequently than men, study with fewer female professors, and occupy fewer positions on the prestigious Law Review.

WAP is modeled on studies conducted at Harvard and Yale Law Schools and inspired by the positive impact they had at both schools. Our study takes lessons from Harvard and Yale but is adapted to the unique environment at the University of Chicago. We have enlisted the support of our classmates and professors to conduct a study that will inform the Law School about what it does well and areas where it can improve in terms of gender dynamics and gender equity.

## Progress So Far

There are four components of the WAP study: Classroom Observations, Professor Interviews, a Student Survey, and Achievement Data Analysis. This fall we completed three rounds of Classroom Observations with the help of over fifty-five student volunteers. We are currently analyzing that data. We have also embarked on a series of interviews with professors and aim to interview all full-time professors at the Law School. This week, we will begin to administer the student survey, designed to capture student perspectives about their subjective experiences at the law school. Finally, we have begun to compile and analyze data on achievements such as clerkships, Law Review membership, writing prizes, honors at graduation, and gender representation in both the student body and on the faculty.

## Data Request

It is almost impossible to achieve a full picture of student achievement and student experiences at the Law School without access to data about student grades. The University of Chicago Law School has a culture that deeply values academic rigor and excellence. Many students and faculty perceive that students with higher grades have access to opportunities that are closed off to other students, and many of those students and faculty believe that grades provide a purely meritocratic mechanism for distributing those opportunities.

WAP does have access to some imperfect proxies for grades, including honors and journal membership. Both have flaws: honors only measures grades at the end of a student's law school career, while Law Review membership only measures grades after the first year. Neither
provide any insight into grade distributions below approximately the top third of the class. Finally, Law Review membership is only based on grades in part (not all of the top members of the class attempt to join the Law Review, others face technical difficulties or fail to submit a good faith attempt in the writing competition, and other members of the Law Review may actually have much lower grades, etc.).

After carefully researching the issue, we believe that providing some aggregate grade data over a 5- or 10-year period of time would not be a violation of any federal law and that it would not implicate any serious privacy concerns.

We propose the following:

## Proposal 1

- For three randomly selected years between the 2012-13 and 2016-17 academic years:
- The percentage of women and the percentage of men in each quintile of the 1L class at the end of their first year.
- For three randomly selected years between the 2012-13 and 2016-17 academic years:
- The percentage of women and the percentage of men in each quintile of the 3L class at graduation.

We understand the difficult balance between providing a long enough time period to ensure privacy and the concern about obscuring improvements in women's performance over that time period. One possible solution would be to provide grades from randomly selected years, but present them chronologically. We offer Proposal 2 as an additional alternative that might allay these concerns. In Proposal 2, the WAP team would be given three years of data, each from a shorter timeframe identifiable by the study organizers.

## Proposal 2

- For two randomly selected years between the 2006-07 and 2009-10 academic years:
- The percentage of women and the percentage of men in each quintile of the 1L class at the end of their first year.
- The percentage of women and the percentage of men in each quintile of the 3L class at graduation.
- For two randomly selected years between the 2010-11 and the 2012-13 academic years:
- The percentage of women and the percentage of men in each quintile of the 1L class at the end of their first year.
- The percentage of women and the percentage of men in each quintile of the 3L class at graduation.
- For two randomly selected years between the 2013-14 and the 2015-16 academic years:
- The percentage of women and the percentage of men in each quintile of the 1L class at the end of their first year.
- The percentage of women and the percentage of men in each quintile of the 3L class at graduation.

Both of these proposals are conservative compared to the approach adopted in the 2004
required 1L courses for three randomly chosen years during a five-year period. The Registrar also gave students compiling the Harvard report information about the subject matter, professor's gender, and type of exam for each of the classes for which the grades were produced. In comparison, we believe that our proposals more than adequately address privacy concerns.

In our report, we intend to highlight every advance that women have made in the Law School. We will describe the methodology used to select the grades data we receive, provide a nuanced analysis of that data, and remind our readers that grade disparities may not have been constant over the course of the past decade. In doing so, we will minimize every possible risk that the data could confuse the issues or be misinterpreted by readers. Our aim is to produce a fair, intellectually rigorous, and honest accounting and analysis of academic achievement and student experiences at the Law School. We believe that the accomplishments of our study thus far and the breadth of student investment in the project merit the grant of grades data in accordance with one of the proposals above-especially given the true lack of serious privacy concerns.

# APPENDIX L <br> REQUEST FOR ENROLLMENT DATA 

## To: Dean Perry

From: The Women's Advocacy Project

Re: Request for Gender Data
Date: January 8, 2018

## Introduction

The Women's Advocacy Project (WAP) is a student-run year-long research project studying gender dynamics at the University of Chicago Law School. The project was inspired by informal conversations many female law students were having about unequal achievement at the law school, including how gender dynamics impact the way students interact with one another and the professor in the classroom. Despite women's increased attendance at law schools over the past several decades, U Chicago Law still does not have equal achievement between genders. Women graduate with honors less frequently than men, study with fewer female professors, and occupy fewer positions on the prestigious Law Review.

The project is modeled on studies conducted at Harvard and Yale Law Schools and inspired by the positive impacts they had at both schools. Our study takes lessons from Harvard and Yale but is adapted to the unique environment at U Chicago Law. We have enlisted the support of our classmates and professors to conduct a study that will inform the Law School about what it does well and areas where it can improve in terms of gender dynamics and gender equity.

## Progress So Far

There are four components of the WAP study: Classroom Observations, Professor Interviews, a Student Survey, and Achievement Data Analysis. This fall we have completed three rounds of Classroom Observations. We developed a tool to track different types of classroom participation by both students and professors and trained over fifty-five student volunteers to use it. We now have a rich dataset describing classroom participation, and we will analyze that data to understand the gender dynamics at play. We have also embarked on a series of interviews with professors. We aim to interview all full-time professors at the Law School to get their insight on gender dynamics and to learn and share their best practices for fostering gender equity. The third component is a student survey designed to capture students' perspectives about their subjective experiences at the law school. We have adapted the survey from similar surveys used at Harvard and Yale and will administer it in January. Finally, we will compile and analyze data on achievements such as clerkships, Law Review membership, writing prizes, honors at graduation, and gender representation in both the student body and on the faculty.

## Data Request

In order to make meaningful findings we need to know the exact gender breakdown of each class for the last ten years. We would like the Office of Admissions to help us with two sets of information.

- First, we would like the percentage of each 1L class that is male, and the percentage of each 1L class that is female. The Law School's admissions website notes that in 2016 the entering class was $46 \%$ women. ${ }^{1}$ We would like the same statistic for each of the last ten years.

This information is important to compare the proportion of 1 L writing prizes awarded to women and men and 1 L classroom observation data by gender in relation to the actual gender distribution in the 1L class.

- Second, we would like the number of women and the number of men who have transferred out of each 1L class.
- Alternatively, we would like the percentage of each graduating class that is male, and the percentage of each graduating class that is female.

This information is important to make sure we are accounting for differences in gender breakdowns for a given class as it progresses from 1L to the time of graduation. This will allow us to calculate the classroom observations for 2Ls and 3Ls by gender as well as the achievement indicators (such as clerkships, honors upon graduation, and moot court finalists) by gender in relation to the actual gender distribution in 2L and 3L classes. The Law School's cooperation in providing us with this data will save us the considerable time required to consult historical hooding booklets to acquire the same gender breakdown data.

Thank you for your consideration. Please let us know if there is any further information we can give you about WAP.

[^1]
[^0]:    $\dagger=$ Statistically significant at the .10 level

    * $=$ Statistically significant at the .05 level
    ** $=$ Statistically significant at the .01 level

[^1]:    ${ }^{1}$ https://www.law.uchicago.edu/jdfaq/about

