To the Graduate Council:

I am submitting herewith a thesis written by Linda Carole Carnes entitled "Who Uses the Law? A Comparison of Users and Nonusers of the Legal System." I recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Arts, with a major in Sociology.

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WHO USES THE LAW? A COMPARISON OF USERS AND NONUSERS OF THE LEGAL SYSTEM

A Thesis

Presented for the

Master of Arts

Degree

The University of Tennessee, Knoxville

Linda Carole Carnes

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ABSTRACT

The purpose of this study was to determine if there were significant differences between those persons who use the legal system and those who do not. The independent variables examined were sex, age, race, employment status, educational level, community satisfaction, organizational affiliation, marital status, income, and experience with the Cook County Juvenile Court system; the dependent variable was the respondent's personal contact with a lawyer.

The data were obtained from Telesurvey of Illinois-Social and Market Research through the Institute for Juvenile Research in Chicago, Illinois. A telephone survey was used to elicit information from the respondents on a number of topics related to lawyer usage and attitudes about the legal system. Their responses on the independent variables were cross-tabulated with the incidence of lawyer use.

The findings of this study were:

1. No significant distinctions were found between users and nonusers of the legal system with respect to the variables of marital status, income, organizational affiliation, sex, or race.

2. Variables found to be significant at the .01 level were age, community satisfaction, employment status, experience with the juvenile court, and educational level. Examination

of age showed that respondents in the age category of thirty-one to fifty were more likely to have had contact with a lawyer than any other age group. Those respondents who reportedly were satisfied with their community were not as likely to have used a lawyer as those who were dissatisfied. The relationship reported between employment status and lawyer use indicated that those persons who were "working full time" were more likely to have used a lawyer than those persons in any other occupational category. A relationship was also reported between lawyer use and experience with the Cook County Juvenile Court system. Those persons who reported that they had had dealings with the juvenile court were the most likely to have used a lawyer. Finally, a positive relationship was reported between education and lawyer use. The more education that a respondent had, the more likely he was to have used the legal system.

It can be concluded that although some significant differences exist between those who use the legal system and those who do not, most differences are slight and inconclusive.

TABLE OF CONTENTS

CHAPTER		PAGE
I.	INTRODUCTION	1
	Statement of the Problem	3
	Prevalent Concepts of Law	5
	Variable Examination	7
II.	METHODS AND PROCEDURES	10
	The Original Sample	10
	Operational Definitions of Variables	11
	Statistical Procedure	19
III.	ANALYSIS OF DATA	20
	Introduction	20
	Analysis of Variables	21
	Elaboration of the Findings	33
IV.	SUMMARY AND CONCLUSIONS	40
	Summary	40
	Conclusions	42
	Suggestions for Comparative Legal Studies	47
BIBLIOGRAPHY		48
VITA		52

LIST OF TABLES

TABLE		PAGE
I.	Study Sample Return Rate	12
II.	General Use of Lawyers by Subsamples	20
III.	The Relationship of Lawyer Use and Sex	22
IV.	The Relationship of Lawyer Use and Age	24
V.	The Relationship of Lawyer Use and Race	25
VI.	The Relationship of Lawyer Use and Educational Level	26
VII.	The Relationship of Lawyer Use and Income	27
VIII.	The Relationship of Lawyer Use and Marital Status	28
IX.	The Relationship of Lawyer Use and Employment Status	29
X.	The Relationship of Lawyer Use and Organizational Affiliation	30
XI.	The Relationship of Lawyer Use and Community Satisfaction	31
XII.	The Relationship of Lawyer Use and Experience with Juvenile Court	32
XIII.	City—The Relationship of Lawyer Use and Educational Level of the Respondent	34
XIV.	South Shore—The Relationship of Lawyer Use and Educational Level of the Respondent	34
XV.	South Shore—The Relationship of Lawyer Use and Community Satisfaction	36
XVI.	City—The Relationship of Lawyer Use and Community Satisfaction	36

TABLE		PAGE
XVII.	The Relationship of Community Satisfaction to Lawyer Use with Juvenile Court Controlled . . .	38
XVIII.	The Relationship of Community Satisfaction to Lawyer Use with Educational Level Controlled . .	38
XIX.	The Relationship of Community Satisfaction to Lawyer Use with Age Controlled	39
XX.	The Relationship of Community Satisfaction to Lawyer Use with Employment Status Controlled . .	39

CHAPTER I

INTRODUCTION

Many studies have been made which examine the legal system (Friedman, 1975), lawyers (Black and Mileski, 1973; Carlin, 1962, 1966; tenBroek, 1971; Carlin and Howard, 1965; Conard, Morgan, Pratt et al., 1964; Christensen, 1970; Blaustein and Porter, 1954; Handler, 1967), and the law (Black and Mileski, 1973; Mayhew, 1968; Chambliss and Seidman, 1971). Many of these studies have concentrated on how people use the legal system, in particular, their use of lawyers. There has been emphasis on contact with lawyers, lawyers' clients, satisfaction with lawyers services, and other selected aspects of the legal system.

Examination of law and the legal system has generally been directly toward answering the question of "who uses lawyers?," with little, if any research investigating differences between those who use lawyers and those who do not. The question has been investigated and answered primarily in terms of demographic characteristics of the users. The results indicate relationships between lawyer use and race, educational level, age, sex, and other factors. Most findings also strongly indicate that lawyer use is related to socioeconomic status—specifically, lawyer use is most prevalent in the middle and upper classes.

Black and Mileski (1973, p. 182) found that the best predictors of contact with attorneys were family income and property ownership. Even when race and sex were controlled for, there were consistent and substantial differences among classes of income and home ownership. They report (p. 183) that among respondents with annual family income of over $15,000, 83 percent reported seeing a lawyer, as compared to 56 percent among persons with an income of less than $7,000. Carlin and Howard (cited in Black and Mileski, 1973, p. 183) examined studies from California, Texas, Iowa, Missouri, and Ohio and concluded that roughly two-thirds of upper income groups and one-third of lower income groups had ever employed the services of a lawyer. Carlin (1966, p. 13) also cites evidence which demonstrates the greater use of attorneys by those in the upper income brackets.

> Individual clients are primarily in the middle- to upper income brackets; more than 70 percent of the lawyers represent a clientele with a median income of $10,000 a year or more, and 46 percent have a clientele whose median income is $20,000 a year or more.

Many theories have been formulated to explain why lawyer use seems to be related to socioeconomic status. One of the most representative points of view has been developed by Black and Mileski (1973, p. 186). They outline a view which is described as the "resources" theory of legal representation. The theory states that those who have resources such as income, and to a lesser extent other resources such as education,

confidence, and social connections, are more likely to perceive the need for, afford, and gain access to legal services. Resources, therefore, account for the distribution of the use of lawyers in the population. A study by Conard et al. (1964, p. 225-227) also gives support to the resources theory, as they report a positive association between income and legal representation among a sample of persons who have been injured in automobile accidents.

The resources theory, however, fails to account for the extent of use of legal services, even among those with the least resources. It fails to predict the differences in patterns of use of legal services across socioeconomic categories. Access to resources is not a sufficient explanation of the patterns of contact between lawyers and clients, for those relationships occur in the context of a complicated network of social organization.

Statement of the Problem

Existing empirical and theoretical work on this subject leaves two important questions unanswered:

1. Even though there are observable differences in lawyer usage, do those who use the law differ in significant respects from nonusers? It is generally accepted, for example, that most users of the legal system are "one-shotters," that is having only one

contact with lawyers. Studies have not often been designed in ways which permit information comparing the characteristics of users and nonusers.

2. In the absence of a coherent body of theoretical literature, what is an appropriate theoretical direction to take in developing concepts useful in the context of comparative theory? Two very important features of scientific facts are their generalizability and, ultimately, their universality. Most conceptualizations guiding empirical research are more attuned to the element of generalizability. This may not be the most useful way to go in constructing theoretically relevant concepts in comparative theory. Universally applicable conceptualizations of the law are needed, although just what these concepts might be is unclear. It is suggested, however, that comparisons of users and nonusers will prove more fruitful than assessments of differential usage patterns in the generation of comparative concepts of law.

This study will concentrate more heavily on the first question presented. The results will then be reviewed for their value in constructing a relevant comparative theory of law and lawyer use.

Prevalent Concepts of Law

The study of law has occupied the attention of social, legal, and political scholars for many years. One of the most difficult aspects of this study concerns the formulation of a definition of law. A review of the literature reveals that there is no dimension on which there is complete consensus.

Most definitions of law agree that law is a form of social control enforced by the coercive power of the political state (Akers and Hawkins, 1975; Black, 1976; Hoebel, 1954; Schur, 1968; Malinowski, 1959; Gurvitch, 1942; Pospisil, 1958). Akers and Hawkins (1975, p. 14) summarize the prevalent definition as follows:

> . . . laws are social norms, legitimized rules or principles of conduct which guide how persons ought or ought not to behave and for which there is the probability that sanctions will be applied for compliance or noncompliance. None denies that a system of norms enacted and enforced ultimately by the coercive power of the modern political state constitutes a clearcut instance of law.

These definitions of law are focused primarily on how law/legality is expressed. This type of definition is useful in many situations. However, a more analytic type of definition is appropriate when one constructs concepts to be used in comparative theory.

A more valuable conception of law is one that views it as a social institution which is as much a part of each

individual as are the institutions of the family and religion. When law is examined in this way, it becomes a motivating force in the way that people view the legal system and in the actions that they take to settle disputes.

Evan (1968, p. 6-7) posits a view of law which reflects on its institutional nature:

> Law is a unique type of institution in that its complex of norms and organizational structures cross-cuts all other institutions in a society.

Evan further states that:

> the degree to which the structure of law is a function of any one institution or combination of institutions, on the one hand, and an instrument of change in other institutions, on the other hand, is still inadequately understood.

Those who have pointed to and begun the measurement of the several dimensions of law have taken an important step toward a structural definition of law/legality. I am suggesting another step, involving the search for more analytic categories, that are less closely identified with the major institutional system that is labeled "law." It is from this that evidence might be found which bears on differences between those who use the law and those who do not. Yinger (1969) has taken a similar approach in examining universal qualities of religion.

It is imperative to remember that precise theoretical formulations concerning use of the legal system are virtually nonexistent. The hypotheses which follow are purely

speculative. Their value lies in their ability to stimulate exploratory research in this area.

Variable Examination

Those who use the law, for whatever purposes, should be distinguishable from those who do not. Several institutionalized features of an individual's life could conceivably affect whether he chooses the law as a mechanism for resolving disputes. Selected for study here are the following variables:

1. community satisfaction,
2. organizational affiliation,
3. selected demographic or "structural" variables, and
4. experience with juvenile court.

Community Satisfaction

An individual's satisfaction with his community may prove to be a decisive factor in whether or not he chooses to use the law as a mechanism for solving problems or disputes. This satisfaction, based on experience and involvement with the community, should be significantly different for those who have used the legal system and those who have not. Those who have had no personal contact with lawyers are probably those individuals who are most involved with several aspects of the community and have other options to resort to in place of the legal system. Some of these options include informal

consultations with local government officials, ministers, employment supervisors, to name a few. Negotiated settlements of various types of disagreements in these contexts can assume an informal character. Legal resolutions of disputes should occur with less frequency (Ross, 1970; Strauss, 1978). Satisfaction with the community should be higher among nonusers than among those persons who have had personal contact with lawyers and the legal system.

Organizational Affiliation

An individual's membership in clubs and organizations (organizational affiliation) is the second institutionalized feature to be examined that could conceivably affect whether or not he uses the legal system. One can hypothesize that those who have had affiliation with clubs and organizations will be less likely to have had personal contact with a lawyer than those individuals with no organizational affiliation. Those persons with no organizational affiliation have fewer alternatives to assist them in solving disputes, and as a consequence, are more apt to turn to the law.

Demographic Categories

Several variables, which will be identified as demographic or "structural" categories, have been selected for examination in order to facilitate a distinction between those who use lawyers and those who do not. The categories

that will be examined are race, marital status, employment status, income, age, educational level and sex.

Examination of the demographic categories will facilitate the construction of profiles of users and nonusers of the law.

Experience with Juvenile Court

A respondent's experience with the juvenile court is expected to be related to the use of a lawyer. Those persons who have had dealings with the Cook County Juvenile Court system are more likely to have used a lawyer than those respondents with no such experience. Their experiences with the juvenile court have made apparent to them not only the need for a lawyer, but the availability and accessibility of lawyers.

The exploratory examination and analysis of these variables which follows will help to construct a composite picture of those persons who use/do not use lawyers and the legal system. I expect to find that those persons who are well integrated into other institutional spheres or networks will be less likely to turn to the institution of law to settle disputes than those who are not well integrated into society and its institutions. The well integrated persons have access to other modes of dispute settlement and are not forced to turn to the law.

CHAPTER II

METHODS AND PROCEDURES

The Original Sample

Data for this study were originally obtained from the Telesurvey of Illinois—Social and Market Research through the Institute for Juvenile Research in Chicago, Illinois. The sample was collected in the spring of 1977 in Chicago, Illinois. Three subsamples, South Shore, Bank, and Chicago (City), were combined to make up the 988 household sample. The Bank sample will not be included in the data analysis. It was primarily a customer related survey used to provide information to the bank.

A telephone survey was used to elicit information from the respondents on a number of topics related to lawyer usage and attitudes about the legal system.

Selection methods were varied somewhat in the subsamples. In South Shore, all of the prefixes belonging to the South Shore community were taken and numbers were randomly selected to identify the unique telephone numbers. In all, some 19,000 random four-digit numbers were selected. The "name and address" service through Illinois Bell Telephone was then used to eliminate numbers which were vacant, business, or disconnected. This brought the list to 785 working numbers, including unpublished and nonlisted numbers. A screening

question for the unpublished and nonlisted numbers to determine whether the respondent lived in the geographic area or South Shore helped to eliminate 178 additional numbers. Also, an additional set of numbers (16 vacant, 31 business, and 20 disconnected numbers) were ultimately eliminated because of time lapse and errors in calling numbers into name and address service.

In the Bank sample a list was provided which was presumably to have been current. Even here the list was somewhat inaccurate in that 61 numbers were vacant, 43 were businesses, and 53 numbers were disconnected.

In the Chicago sample, banks of numbers were used which were residential (eliminating exchanges which were totally business). Originally, there were 8,000 numbers in this sample. The name and address service was also used here and it "boiled down" the list to 900 numbers. Even within this set, 218 were eventually vacant, 61 were business, and 36 were disconnected.

A KISH number was then assigned to each number. This became the random selection number in the household. Table I presents the final rate of return for the study.

Operational Definitions of Variables

Users and Nonusers of the Law

Operationally defined, users of the legal system or law are those persons who have had contact with or sought services

Table I

Study Sample Return Rate

	South Shore	Bank	Chicago	Total
Net sample after name and address checks	785	325	900	2010
Less: Vacant numbers	16	61	218	295
Business numbers	31	53	61	135
Disconnected	20	33	36	89
Not in South Shore area	178	--	--	178
Net sample size	540	188	585	1313
Completed cases	430 (79.6%)	164 (87.2%)	394 (67.4%)	988 (75.2%)
Refusals[1]	86 (15.9%)	22 (11.7%)	143 (24.4%)	251 (19.1%)
Language[2] (other than Spanish)	2	1	11	14 (1.0%)
No answers after repeated tries	22	1	37	60 (4.6%)

[1]All initial refusals were reassigned to different interviewers to attempt. Final refusals were accepted after an office try through telephone and/or personal letter (provided by IJR).

[2]Other languages include Eastern European, Oriental, and also persons who were deaf, too ill, or otherwise unable to respond.

provided by lawyers. In comparison, nonusers of the legal system have had no personal contact with lawyers. The measurement of personal contact is recorded in the responses to item 11 of the questionnaire:

> 11. Now, I would like to ask you some questions about your personal experience with lawyers. Have you personally ever consulted with a lawyer or used a lawyer's services for advice or help in a nonbusiness matter?
>
> Yes.....1 No.....2

(Only those questionnaire items which are relevant to the study are included here. The complete questionnaire is available from the author upon request.)

Community Satisfaction

The question used to measure community satisfaction is item 4. Each respondent is asked to rate his satisfaction with seven areas of his community including housing, neighborhood, schools, shopping, transportation, medical services, and recreation facilities. The possible responses to satisfaction with each area include "very satisfied," "somewhat satisfied," "somewhat dissatisfied," "very dissatisfied," and "don't know." Scores of one, two, three, four, and eight are respectively assigned to the responses. The "don't know" response was assigned a value of zero in the data analysis. A composite score of seven would indicate complete satisfaction in all areas; a composite score of 28 would indicate total dissatisfaction with all areas. The maximum composite

score which has been chosen to indicate "satisfaction" with the community is 12. Any respondent whose composite score lies above 12 is considered to be dissatisifed.

4. I would like to ask you how satisfied you are with conditions in your community. First of all, how satisfied are you with your housing? Would you say you are very satisfied, somewhat satisfied, somewhat dissatisfied, or very dissatisfied with your housing?

	Very satisfied	Somewhat satisfied	Somewhat dissatisfied	Very dissatisfied	Don't know
a. Your housing	1	2	3	4	8
b. The neighborhood you live in	1	2	3	4	8
c. The schools in your area	1	2	3	4	8
d. The shopping in your area	1	2	3	4	8
e. The transportation in your area	1	2	3	4	8
f. The medical services in your area	1	2	3	4	8
g. The recreation facilities for children in your area	1	2	3	4	8

Organizational Affiliation

Item 34 is used to measure organizational affiliation of the respondent. This item questions the respondent on his membership in ten groups or organizations. These include a labor union, fraternal lodge or veteran's organization, business or professional organization, Parent-Teachers

Association, youth-directed club, social club, political club or organization, issue or action oriented group or block club, charity or welfare organization, and church or synagogue.

34. I would like to ask you about clubs and organizations you belong to. Do you belong to . . .

		Yes	No
a.	a labor union	1	2
b.	a fraternal lodge or veteran's organization	1	2
c.	business or professional association	1	2
d.	Parent-Teachers Association	1	2
e.	youth-directed group	1	2
f.	social club	1	2
g.	political club or organization	1	2
h.	issue or action oriented group or block club	1	2
i.	charity or welfare organization	1	2
j.	church or synagogue	1	2

In the original sample, if the respondent reports that he belongs to a group, club, or organization, he is assigned a score of "one" for each club that he belongs to. If he reports that he does not belong to one or more of the organizations, he is assigned a score of "two" for each of the respective groups. A value of zero is assigned to the "no" response in the data analysis. Affiliation will be defined as any respondent who receives a score of one or more. A composite score of zero will be indicative of "no affiliation."

Demographic Categories

Several demographic or "structural" categories have been selected for study and are operationalized as follows:

Race, item 29, is originally broken down into five categories, "Black," "White," "Oriental," "Spanish American," or "some other racial group." For the data analysis, however, the categories are dichotomized into "White," and "Nonwhite."

29. What is your racial background? Are you . . .

Black.....1
White.....2
Oriental.....3
Spanish American....4
or, some other racial group?
(SPECIFY):_____5

Marital status, item 1-H, is broken down into "married," "widowed," "divorced or annulled," "separated," or "never been married." If the respondent is reported as living together but not formally married, a response of "informal" is recorded. The categories have been dichotomized into "married" and "not married" for the data analysis.

1-H. IF 14 YEARS OR OLDER, ASK: Are you married, widowed, divorced or annulled, separated, or have never been married? (IF REPORTED AS LIVING TOGETHER BUT NOT FORMALLY MARRIED, CODE "INFORMAL.")

Employment status, item 1-F, is divided into eleven categories which include working full time, working part time, keeping house only, unemployed expect to work in three months, unemployed looking for work, unemployed not looking for work, retired, disabled, in school working, in school not working,

and other. For the data analysis, the categories are reduced to "working full time" (working full time), "working part time" (working part time, in school working), and "unemployed" (keeping house only, unemployed expect to work in three months, unemployed looking for work, unemployed not looking for work, retired, disabled, in school not working).

1-F. IF (NAME) IS 14 YEARS OF AGE OR MORE, ASK: IS (NAME):

Working full time.....01
Working part time.....02
Keeping house only.....03
Unemployed, expect to work in three months.....05
Unemployed, looking for work.....06
Unemployed, not looking for work.....07
Retired.....08
Disabled.....09
In school, working.....10
In school, not working.....11
Other (SPECIFY)_____12

Income, item 31, is operationally defined as the total household income before taxes in 1976. The categories are as follows: Less than $5,000, between $5,000 and 9,999, between $10,000 and 14,999, between $15,000 and 19,999, between $20,000 and 24,999, between $25,000 and 29,999, more than $30,000, and refused or don't know. A dichotomy is made of the categories for the data analysis. These categories are Low to $14,999, and $15,000 to High.

31. What was your total household income before taxes last year, in 1976? I will read off the categories. Stop me when I reach the category closest to your income.

Less than $5,000.....1
Between $5,000 and 9,999.....2
Between $10,000 and 14,999...3
Between $15,000 and 19,999...4
Between $20,000 and 24,999...5
Between $25,000 and 29,999...6
More than $30,000.....7
Refused, Don't know.....8

Age, item 1-E, is not broken down into any specific categories on the questionnaire. However, three categories were created for the analysis of the data. These are: Low to 30, 31 to 50, 51 to high.

1-E. How old was (NAME) on his/her last birthday?

Educational level, item 1-G, is measured in terms of highest grade or year of regular school the respondent has completed. The response categories include "Elementary school," "High school," "College," and "Higher educational training or degree." Three categories were created for the data analysis: Low through eighth, ninth through twelfth, and college through high.

1-G. What is the highest grade or year of regular school (NAME) completed? ELEMENTARY SCHOOL = 01-08, HIGH SCHOOL = 09-12, COLLEGE = 13-16, HIGHER EDUCATIONAL TRAINING OR DEGREE = 17.

The final demographic variable to be examined is sex, item 1-D. It is dichotomized into "male," and "female."

1-D. What is (NAME'S) sex?

Experience with Juvenile Court

A respondent's experience with the juvenile court is measured by his response to item 18-C.

18-C. Have you or any member of your family had any dealings with the Cook County Juvenile Court system?

Yes.....1 No.....2

Statistical Procedure

The statistical procedure to be utilized in this study is facilitated by the use of SPSS (Statistical Package for the Social Sciences). Crosstabulations of the independent variables and lawyer use/nonuse will be made. Operating with a 99 percent confidence interval (0.01 level of significance), a chi square test of significance will be applied. Gamma will be used to test the strength of the relationship.

In selected instances, control variables will be introduced to examine zero-order relationships in greater detail. Also, the significant zero-order relationships will be broken down into the separate subsamples of City and South Shore for further examination. The purpose of this will be to more accurately specify the results of the data analysis.

Chapter III will be devoted to a presentation of the findings.

CHAPTER III

ANALYSIS OF DATA

Introduction

This chapter will be devoted to the presentation and analysis of the data which bear on the hypothesized relationships among the variables which are stated in Chapter I. The results of the tests of these relationships will indicate whether or not there is a significant difference between users and nonusers of the legal system.

Table II indicates the overall breakdown of lawyer use by the respondents in the study. The reader can see that

Table II

General Use of Lawyers by Subsamples

Lawyer Use	South Shore	City	Total
Yes	230 (53.4%)	191 (49.5%)	421
No	201 (46.6%)	195 (50.5%)	396
	431 (100%)	386 (100%)	817

53.4 percent of the respondents from South Shore had used a lawyer compared to 49.5 percent of the respondents from the

City sample. A total of 421 persons from both samples had used a lawyer. In comparison, 396 respondents from the samples had not used the services of a lawyer. Additional tables which follow will provide the reader with further understanding of the characteristics of the population which was chosen for this research study.

Analysis of Variables

Demographic Variables

Several demographic variables were selected for study in hopes of providing a distinguishable characterization of users and nonusers of the legal system. The tables which follow the discussion of each variable indicate the extent of lawyer use/nonuse among the respondents.

Sex

Many studies have been made indicating the significance of the sex of the respondent in several areas of decision-making in the legal system (Adler, 1975). For example, males and females have been found to have had different lengths and harshness of sentences, different rates of arrest, and different rates of probation and parole assignments. Even when types of offense and behavior in confinement are controlled for, differences still occur which seem to indicate that "sex" is a significant factor.

For the purposes of this study, the use/nonuse of lawyers and "sex" of the respondent were examined. The findings, which are presented in Table III, indicate that in this case, there are no significant differences in the use/nonuse of lawyers by males and females. In this study, 53.1 percent of the males had ever employed the services of a lawyer compared to 50.5 percent of the females. One further notes that 46.9 percent of the males and 49.5 percent of the females had never used a lawyer. A chi square value of .42925 with one degree of freedom is reported with a significance of .5124. A gamma value of .05204 is also reported.

Table III

The Relationship of Lawyer Use and Sex

Lawyer Use	Sex		Total
	Male	Female	
Yes	171 (53.1%)	250 (50.5%)	421
No	151 (46.9%)	245 (49.5%)	396
	322 (100%)	495 (100%)	817

Chi square = .42925 with 1 degree of freedom

Significance = .5124

Gamma = .05204

Whatever its value in other connections, sex clearly does not emerge as a factor which differentiates between users and nonusers of the legal system.

Age

Interesting relationships have also been found between age and selected aspects of law and the legal system. Statements issued each year by research and government agencies involved with law enforcement and the Justice Department repeatedly report relationships between the commission of certain crimes and the ages of the offenders (FBI, United States Department of Justice, Uniform Crime Reports, 1976). For example, many offenses are often referred to as youth offenses because of the young ages of the offenders, while other offenses are committed almost totally by older offenders. Other relationships involving age concern rates of arrest, harshness of sentence, and length of sentence.

Presentation of the data concerning lawyer use and age are found in Table IV. One can see that a weak, but statistically significant relationship is noted between age and lawyer use. Lawyer use is most prevalent among those in the age category of 31 to 50. In this category, 60.3 percent of the respondents reported that they had employed the services of a lawyer. In comparison, 47.9 percent of those in the category Low through 30 and 45.9 percent of the respondents ages 51 through High reported having seen a

lawyer. The chi square value was 13.42034 with two degrees of freedom. The significance of this value was .0012 with a gamma value of .01745.

Table IV

The Relationship of Lawyer Use and Age

Lawyer Use	Age			Total
	Lo-30	31-50	51-Hi	
Yes	134 (47.9%)	170 (60.3%)	117 (45.9%)	421
No	146 (52.1%)	112 (39.7%)	138 (54.1%)	396
	280 (100%)	282 (100%)	255 (100%)	817

Chi square = 13.42034 with two degrees of freedom

Significance = .0012

Gamma = .01745

In the absence of an established theoretical perspective from which to interpret such a finding, it can only be speculated that it reflects periods in one's lifecycle when there are more opportunities to consult lawyers. This is elaborated upon further in Chapter IV.

Race

Relationships between race and selected aspects of the law have occupied the interests of social scientists for

many years. Race has been found to be a crucial factor in many areas of the legal system (Reasons and Kuykendall, 1972).

The relationship between race and lawyer use is found in Table V. It is evident that no relationship exists between the use of a lawyer by whites or nonwhites. In the category "white", 53.6 percent of the respondents had seen a lawyer at least once compared to 50.6 percent of those respondents in the category "nonwhite." Chi square was equal to .56178 with one degree of freedom. The significance was .4535 with gamma equal to .06084.

TABLE V

The Relationship of Lawyer Use and Race

Lawyer Use	Race		Total
	White	Nonwhite	
Yes	149 (53.6%)	272 (50.6%)	421
No	129 (46.4%)	266 (49.4%)	395
	278 (100%)	538 (100%)	816

Chi square = .56178 with one degree of freedom

Significance = .4535

Gamma = .06084

Educational Level

Table VI reports on the relationship between educational level and lawyer use. The reader can see that there is a significant relationship between the two variables. The most frequent use of a lawyer is found in the category composed of those respondents who had completed at least one year of college or more. In this category, 56.1 percent of the respondents had employed the services of a lawyer in comparison to 36.4 percent of those who had completed grades of one through eight and 51.5 percent of those completing grades nine through twelve. A chi square value of 11.79861 with two degrees of freedom was reported with a significance of .0027. A gamma value of -.18206 was also reported.

Table VI

The Relationship of Lawyer Use and Educational Level

Lawyer Use	Educational Level: Grades 1-8	Grades 9-12	College and Graduate School	Total
Yes	36 (36.4%)	200 (51.5%)	179 (56.1%)	415
No	63 (63.6%)	188 (48.5%)	140 (43.9%)	391
	99 (100%)	388 (100%)	319 (100%)	806

Chi square = 11.79861 with two degrees of freedom

Significance = .0027

Gamma = -0.18206

Income

Many interesting studies have been made investigating the effect of income on the use of the legal system. Several of these report that income may indeed be the most crucial factor in whether or not a person decides to use the legal system. Black and Mileski (1973) state that it is one of the most salient of the "resources" that a person has that determines his use/nonuse of a lawyer.

Table VII reports on the relationship between income and lawyer use in this study. As one can see, there is no

Table VII

The Relationship of Lawyer Use and Income

Lawyer Use	Income		Total
	High	Low	
Yes	147 (57.9%)	239 (52.3%)	386
No	107 (42.1%)	218 (47.7%)	325
	254 (100%)	457 (100%)	711

Chi square = 1.82724 with one degree of freedom

Significance = .1765

Gamma = -0.11234

statistically significant relationship between the two variables. Of those respondents classified as having a

"low" income, 52.3 percent had had personal contact with a lawyer. In comparison, 57.9 percent of those in the "high" income category also reported using a lawyer. The chi square value was 1.82724 with one degree of freedom. Significance was .1765 with a gamma value of -.11234.

Thus, although the finding is in the direction anticipated by the earlier research of Black and Mileski, it has no particular influence in the population studied here.

Marital Status

The relationship between lawyer use and marital status is reported in Table VIII. The report indicates that there

Table VIII

The Relationship of Lawyer Use and Marital Status

Lawyer Use	Marital Status		Total
	Married	Not Married	
Yes	182 (52.6%)	236 (50.6%)	418
No	164 (47.4%)	230 (49.4%)	394
	346 (100%)	466 (100%)	812

Chi square = .23125 with one degree of freedom

Significance = .6306

Gamma = .03917

is no significant relationship between the two variables. A person who uses a lawyer in this study is just as likely to be married as not married. Of the respondents who were married, 52.6 percent had used a lawyer as compared to 50.6 percent of those who were not married. The chi square value was .23125 with one degree of freedom and a significance of .6306. Gamma was reported to be .03917.

Employment Status

A statistically significant, but weak relationship is found between lawyer use and employment status. Those respondents who work full time were more likely to have used a lawyer than either those working part time or not working at all. Table IX reports that 56.7 percent of those working

Table IX

The Relationship of Lawyer Use and Employment Status

Lawyer Use	Employment Status: Working Full Time	Working Part Time	Not Working	Total
Yes	240 (56.7%)	26 (44.1%)	147 (46.4%)	413
No	183 (43.3%)	33 (55.9%)	170 (53.6%)	386
	423 (100%)	59 (100%)	317 (100%)	799

Chi square = 9.27833 with two degrees of freedom

Significance = .0097

Gamma = .18550

full time had used a lawyer. In comparison, 44.1 percent of the respondents working part time and 46.4 percent of those who were not working at all had used a lawyer. A chi square value of 9.27833 with two degrees of freedom was noted with a significance of .0097. The gamma value was .18550.

Organizational Affiliation

It was hypothesized in Chapter I that the more clubs and organizations that a respondent belonged to, the less likely he would be to employ the services of a lawyer. The data analysis of these two variables, found in Table X, does not support this hypothesis.

Table X

The Relationship of Lawyer Use and Organizational Affiliation

Lawyer Use	Organizational Affiliation		Total
	Affiliation	No Affiliation	
Yes	332 (52.8%)	89 (47.3%)	421
No	297 (47.2%)	99 (52.7%)	396
	629 (100%)	188 (100%)	817

Chi square = 1.50510 with one degree of freedom

Significance = .2199

Gamma = -.10851

One notes that of those respondents who reported any organizational affiliation at all, 52.8 percent had used the services of a lawyer. Of those respondents reporting no organizational affiliation, the use of a lawyer was found in 47.3 percent. The chi square value was 1.50510 with one degree of freedom. The significance was .2199 with a gamma value of -.10851.

Community Satisfaction

The community is one area of society that has been frequently studied. The hypothesis of this study concerning community satisfaction stated that the more satisfied a person was with his community, the less likely he was to have used a lawyer. Table XI presents the data to examine this

Table XI

The Relationship of Lawyer Use and Community Satisfaction

Lawyer Use	Community Satisfaction: Satisfied	Community Satisfaction: Dissatisfied	Total
Yes	188 (45.2%)	233 (58.1%)	421
No	228 (54.8%)	168 (41.9%)	396
	416 (100%)	401 (100%)	817

Chi square = 13.11800 with one degree of freedom

Significance = .0003

Gamma = -.25429

hypothesis. Of those respondents who were satisfied with their community, 45.2 percent had used a lawyer. In contrast, 58.1 percent of those who were dissatisfied had seen a lawyer. Chi square was 13.11800 with one degree of freedom. The significance was .0003 with a gamma value of -.25429.

As these data indicate, the hypothesized relationship is supported. Not only is it statistically significant, but can be interpreted as a slight to moderate relationship in the direction expected.

Experience with Juvenile Court

A strong, significant relationship was found to exist between lawyer use and experience with juvenile court. Table XII reports that 66.4 percent of those respondents who

Table XII

The Relationship of Lawyer Use and Experience with Juvenile Court

Lawyer Use	Experience with Juvenile Court: Yes	No	Total
Yes	73 (66.4%)	344 (49.2%)	417
No	37 (33.6%)	355 (50.8%)	392
	110 (100%)	699 (100%)	809

Chi square = 12.25457 with two degrees of freedom

Significance = .0022

Gamma = .34828

had had an experience with the juvenile court system had used a lawyer compared to 49.2 percent of those who had not had an experience with the court. The chi square value was 12.25457 with two degrees of freedom. The significance was .0022 with a gamma value of .34828.

Elaboration of the Findings

Several statistically significant zero-order relationships have been found between the independent variables and lawyer use. These include age, community satisfaction, employment status, experience with the juvenile court, and educational level.

Each of the preceding relationships has been computed from the data analysis of the responses given to certain questionnaire items by the respondents in the South Shore and City subsamples combined. Could there be significant differences in the responses given by the respondents in each subsample? To determine this, each relationship was examined by investigating each subsample separately.

The findings that are statistically significant are presented in Tables XIII and XIV. The reader can see from these tables that "City" was the more influential subsample in the relationship between lawyer use and educational level. In this subsample, 29.2 percent of those respondents with an educational level of one through eight, 50.3 percent of

Table XIII

City—The Relationship of Lawyer Use and Educational Level of the Respondent

Lawyer Use	Educational Level 1-8	9-12	13-17	Total
Yes	14 (29.2%)	93 (50.3%)	80 (54.4%)	187
No	34 (70.8%)	92 (49.7%)	67 (45.6%)	193
	48 (100%)	185 (100%)	147 (100%)	380

Chi square = 9.39601 with two degrees of freedom

Significance = .0091

Gamma = -0.22052

Table XIV

South Shore—The Relationship of Lawyer Use and Educational Level of the Respondent

Lawyer Use	Educational Level 1-8	9-12	13-17	Total
Yes	22 (43.1%)	107 (52.7%)	99 (57.6%)	228
No	29 (56.9%)	96 (47.3%)	73 (42.4%)	198
	51 (100%)	203 (100%)	172 (100%)	426

Chi square = 3.39121 with two degrees of freedom

Significance = .1835

Gamma = -.14622

those with an educational level of nine through twelve, and 54.4 percent of those with a college education or more had ever used a lawyer. The chi square value was 9.39601 with two degrees of freedom. The significance level was .0091 and gamma equalled -.22052.

In comparison, the South Shore relationship of lawyer use and educational level was not significant. When the subsample was examined alone, 43.1 percent of the respondents with the educational level of one through eight, 52.7 percent of the respondents in the educational category nine through twelve, and 57.6 percent of those with a college education or more had ever used a lawyer. The chi square value was equal to 3.39121 with two degrees of freedom. The significance was .1835 with a gamma value of -.14622.

A second variable whose relationship to lawyer use was found to be significantly different between the two subsamples was community satisfaction. In this case, South Shore was the more "influential" subsample. Of the respondents in South Shore who were satisfied with their community, 43.5 percent had used a lawyer. In comparison, 46.7 percent of the satisfied respondents in City had used a lawyer. Of those who were dissatisfied in the South Shore subsample, 61.3 percent had used a lawyer compared to 53.4 percent of the dissatisfied respondents in the City. Tables XV and XVI elaborate on this difference.

Table XV

South Shore—The Relationship of Lawyer Use and Community Satisfaction

Lawyer Use	Community Satisfaction		Total
	Satisfied	Dissatisfied	
Yes	83 (43.5%)	147 (61.3%)	230
No	108 (56.5%)	93 (38.8%)	201
	191 (100%)	240 (100%)	431

Chi square = 12.82666 with one degree of freedom

Significance = .0003

Gamma = -.34571

Table XVI

City—The Relationship of Lawyer Use and Community Satisfaction

Lawyer Use	Community Satisfaction		Total
	Satisfied	Dissatisfied	
Yes	105 (46.7%)	86 (53.4%)	191
No	120 (53.3%)	75 (46.6%)	195
	225 (100%)	161 (100%)	386

Chi square = 1.45093 with one degree of freedom

Significance = .2284

Gamma = -.13438

The above indicates that the relationships (computed from the total sample) cited earlier in this chapter may be influenced by one or the other subsample. Separate examination of each subsample allows the reader to more completely understand the foundations of the relationships.

Further examinations were also made of the relationship between community satisfaction and lawyer use by controlling for several of the independent variables. These findings are presented in Tables XVII-XX. Only those findings which are statistically significant will be reported.

The reader can see that even when various independent variables are introduced into the original relationship, the relationship continues to be supported. More specifically, experience with juvenile court, educational level, age, and employment status have no significant effects on lawyer use when it is related to community satisfaction.

One can conclude from the presentation of the data that there are few statistically significant differences between those persons who use the legal system and those who do not. The exceptions in this study are differences in community satisfaction and experience with the juvenile court system. The differences that are reported are rather weak, however, and somewhat inconclusive. This study, however, should serve as a stepping stone for further comparative research in this area. The following chapter will examine the meaning of the data that have been presented.

Table XVII

The Relationship of Community Satisfaction to Lawyer Use with Juvenile Court Controlled

Lawyer Use	Experience with Juvenile Court (No) Community Satisfaction		Total
	Satisfied	Dissatisfied	
Yes	153 (42.4%)	191 (56.5%)	344
No	208 (57.6%)	147 (43.5%)	355
	361 (100%)	338 (100%)	699

Chi square = 13.37817 with one degree of freedom

Significance = .0003

Gamma = -0.27704

Table XVIII

The Relationship of Community Satisfaction to Lawyer Use with Educational Level Controlled

Lawyer Use	Education (13-17) Community Satisfaction		Total
	Satisfied	Dissatisfied	
Yes	73 (47.4%)	106 (64.2%)	179
No	81 (52.6%)	59 (35.8%)	140
	154 (100%)	165 (100%)	319

Chi square = 8.50146 with one degree of freedom

Significance = .0035

Gamma = -.33189

Table XIX

The Relationship of Community Satisfaction to Lawyer Use with Age Controlled

Lawyer Use	Age (31-50) Community Satisfaction		Total
	Satisfied	Dissatisfied	
Yes	61 (50.4%)	109 (67.7%)	170
No	60 (49.6%)	52 (32.3%)	112
	121 (100%)	161 (100%)	282

Chi square = 7.91714 with one degree of freedom

Significance = .0049

Gamma = -.34679

Table XX

The Relationship of Community Satisfaction to Lawyer Use with Employment Status Controlled

Lawyer Use	Employment (Full Time) Community Satisfaction		Total
	Satisfied	Dissatisfied	
Yes	102 (48.1%)	138 (65.4%)	240
No	110 (51.9%)	73 (34.6%)	183
	212 (100%)	211 (100%)	423

Chi square = 12.18383 with one degree of freedom

Significance = .0005

Gamma = -0.34182

CHAPTER IV

SUMMARY AND CONCLUSIONS

Summary

This study was designed to seek an answer to the question of "are there significant differences in persons who use the legal system and those who do not?" Several variables were examined in hopes of providing distinguishing characterizations of users and nonusers of lawyers.

The relevant independent variables which were examined in the study were:

1. Demographic or structural variables. Sex, race, income, employment status, educational level, and marital status were examined primarily for descriptive purposes; no hypotheses were formulated about how these factors might be related to lawyer use. The results showed that there were little, if any differences between the use/nonuse of lawyers and sex, marital status, race, or income. In contrast, significant relationships were found between age, employment status, educational level and lawyer use. The "typical" user of the legal system was likely to be 31 to 50 years of age, working full time, and had to have attended at least one year of college or more. In comparison, the person least likely to have used a lawyer was less than thirty years old, working

part time, and had to have an educational level of eighth grade or lower.

2. Community satisfaction. A measure of community satisfaction was constructed by measuring the respondent's view of several aspects of his community. It was expected that if a person was satisfied with his community, he would be less likely to use a lawyer. In contrast, the respondent who was dissatisfied with his community would be more likely to have used a lawyer. Support for this hypothesized relationship was provided by the data. A greater percentage of those who were dissatisfied with their community had had personal contact with a lawyer than those respondents who reported that they were satisfied.

3. Organizational affiliation. The hypothesized relationship between organizational affiliation and lawyer use was not supported by the data. No significant relationship was found between the two variables. Organizational affiliation had no effect on whether or not the respondent had used a lawyer.

4. Experience with juvenile court. A moderate relationship was found between lawyer use and experience with juvenile court. Respondents who had had an experience with the juvenile court system were more likely to have used a lawyer than those respondents who had never been involved with the juvenile court.

Further data analyses which separately examined the subsamples indicated that several of the relationships were influenced more by one subsample than the other. In particular, the relationship between lawyer use and educational level was quite different for the City and South Shore samples. The City subsample relationship was the more significant of the two subsamples.

The second relationship found to be significantly different between the two subsamples was lawyer use and community satisfaction. In this case, the relationship found in South Shore was the more significant.

The data analysis which introduced several independent variables into the relationship of lawyer use and community satisfaction indicated that the original relationship still held. This is further proof of the importance of community satisfaction in determining whether or not a person uses a lawyer.

Conclusions

Briefly summarizing the study results, one can see a significant difference in community satisfaction between those persons who use the legal system and those who do not. Other distinctions that are reported are generally weak and inconclusive, having very little predictive value for future research in this area.

What exactly do the data mean? Why, for example, do people with at least a year of college education have a larger percentage of lawyer use than those persons in any other categories? Why do the respondents in the age category of 31 to 50 have a higher percentage of lawyer use than those persons in other age categories? What does "working full time" have to do with lawyer use? These are some of the questions that will be examined here in some detail. An attempt will be made to explain the findings that were stated in the summary.

The data analysis of lawyer use and educational level found that the more education that a respondent had, the more likely he was to have used a lawyer. How can this be explained? One possible explanation of this relationship is that the greater use of lawyers by those with a college education or more is perhaps indicative of the increased knowledge and perception of what constitutes a legal problem and what can be done to solve it. Those with more education have more knowledge of law as a dispute solving alternative or more use of the law as such. Those respondents with less than an eighth grade education are less likely to know what constitutes a legal problem and what can be done to solve it. Many may not know where or how to contact a lawyer or be afraid of the exorbitant prices that lawyers are rumored to charge.

The second question to be examined is why those respondents in the age bracket of thirty-one to fifty used lawyers more than those in other age categories. There are several plausible explanations for this finding. One is that those respondents in this age category are more likely to be involved in certain situations where a lawyer can be used than those in the other categories. Some of these situations are marriage/divorce, buying a house, writing a will, etc. Another possible explanation might be that those persons in the youngest and oldest categories may feel that because of their ages, there is little that can be done to resolve problems via the legal system.

The results pertaining to employment status have indicated that lawyer use is most prevalent among those respondents working full time. How can this be explained? It is probable that the respondent who works full time is more likely to be exposed to possible legal problems than those respondents in other occupational categories. Also he has a source of income and would feel less inhibited about contacting a lawyer because of the money generally reputed to be involved in lawyer use. Another alternative explanation may be that he has encountered a lawyer or been aware of the legal dimensions of many disputes through his business or work situation and feels more comfortable about consulting with a lawyer than a respondent who has had no similar encounters.

What can be concluded about the relationship found between lawyer use and community satisfaction? Those respondents who were satisfied with their community had lower rates of lawyer use than those who were dissatisfied. This result is rather self-explanatory since it is generally agreed that lawyer use is the result of some dissatisfaction or dispute. Therefore, it is natural that those respondents who are dissatisfied with their community would be the most likely to have used a lawyer.

The relationship that was hypothesized between organizational affiliation and lawyer use was not supported by the data analysis. Is there a theory to explain this? It might be that many of the clubs and organizations cited were types of organizations where disputes or legal problems might be present. Also, the questionnaire did not provide an item ascertaining the membership of lawyers in some of the clubs. Indeed, many of the organizations are political in nature and lawyers are very likely to be members. Therefore, it might be that by being in certain clubs and organizations, the accessibility to a lawyer is greater and results in contact with a lawyer.

A significant relationship was also noted between lawyer use and experience with the juvenile court. Those respondents who had had an experience with the court had used a lawyer more than those with no such experience. The primary

explanation for this is that the respondents in the court situation realized that the services of a lawyer were necessary and often beneficial.

It is possible that if the study had been designed specifically to determine differences in lawyer use, more meaningful conclusions might have been formulated. Many items included in the questionnaire were insensitive to areas of the legal system and lawyer use that might have provided more relevant information. For example, item eleven, which indicates personal contact with a lawyer does not allow a response for those persons who have not used a lawyer because they have never had a dispute to settle that they conceived of as legal. It is possible that the inclusion of these people as respondents who had chosen not to use a lawyer might have altered the results to some extent. Another item which might have been included would explore the personal friendship with a lawyer that the respondent might have. The availability of a lawyer who is a personal friend might make the respondent more likely to consult with a lawyer than if he had no such acquaintance.

It is imperative to keep these limitations of the study in mind as the results are presented and interpreted. This does not make the study less valuable; it suggests, however, one of several areas that can be included in future studies of the legal system.

Suggestions for Comparative Legal Studies

Without more exhaustive and intensive attention to the theoretical and methodological demands placed on data in a comparative context, only the most tentative and general kinds of suggestions can be made for comparative legal research.

The relationship between community satisfaction and lawyer use does hold promise as a potentially fruitful basis for comparative study. Naturally, both concepts, community satisfaction and lawyer use, must be recast to expose more abstract, universalistic dimensions. It might be that community satisfaction is a reflection of perceived social integration. In the present study, even when controlling for more objective demographic categories, differences between users and nonusers of lawyers held with respect to more "subjective" measures of community satisfaction. Comparative studies should be designed which tap into various levels of perceived social integration which are akin to community satisfaction.

In a similar vein, lawyer use might be a reflection of the use of formally recognized third parties in dispute settlements. Once it has been recast in that way, studies can be designed which compare the linkages between these variables in various societies.

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