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THE LAWYER-CLIENT RELATIONSHIP.

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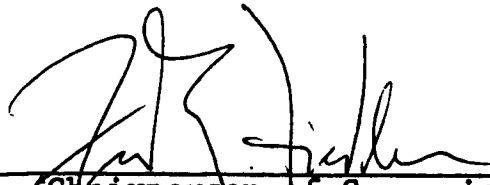
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We have carefully read the dissertation entitled The Lawyer-Client Relationship

Mary Valerie McGuire

submitted by

in partial fulfillment of

the requirements of the degree of Doctor of Philosophy

and recommend its acceptance. In support of this recommendation we present the following joint statement of evaluation to be filed with the dissertation.

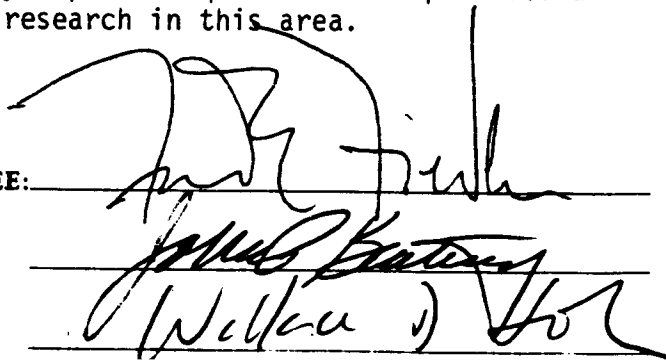
This study represents one of the first attempts to investigate the nature of the lawyer-client relationship and its effect on the perceived outcome of the case. Unlike the psychologist's therapist-client relations which have been extensively investigated, very little is known about the way in which the interactions between lawyer and client affect the legal process which brings these two individuals together. One poorly controlled study has reported that a participative relationship between lawyer and client increases the recovery of damages in personal injury suits. This has led many lawyers to an uncritical acceptance and generalization of the finding that a participative lawyer-client relationship should be adopted.

This dissertation involved the intensive study of a small law firm and a sample of male and female clients selected at random from among cases involving clients the lawyers considered capable of participating. This excluded clients who were illiterate or otherwise incapacitated. A total of six lawyers and 110 clients provided responses evaluating each other and the lawyer-client relationship.

Contrary to previous findings, the effectiveness of a case outcome was found to be unrelated to the extent to which lawyer and client worked together in resolving the client's legal problem. Rather, this research shows a theory of the effectiveness of the lawyer-client relationship should no longer be formulated simply in terms of the extent of participation between lawyer and client. Such a theory should include reference to the particular lawyer involved.

Although this study has some methodological shortcomings, it is a pioneering work inasmuch as lawyers previously had been reluctant to permit researchers access to their clients. The sample of lawyers participating in this research is small, and the question of representativeness, hence the generalizability of the data is limited. The study nevertheless addresses some very important questions and provides a methodological model for future research in this area.

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M. V. M.
November, 1977

Chapter 1

REVIEW OF LITERATURE

Lawyers see the public as playing a critical role in maintaining the legal profession's status and well-being (Blaustein, 1952; Richter, 1965). It is not surprising, therefore, that the legal profession has surveyed the public in order to gather descriptive information about clients and potential clients. The legal literature contains a number of surveys of public opinion of the bar (e.g., Thomason, 1974; Thomforde, 1974), an extensive survey of legal needs of the public (Curran & Spalding, 1974), and several studies of client satisfaction (e.g., Shorter, 1975). The quality of the lawyer-client relationship is a consideration in the discussion of professional ethics, lawyers' competence, and lawyering skills (Benthall-Nietzel, 1975; Steele & Nimmer, 1976). Despite the legal profession's recognition of the importance of the lawyer-client relationship in such contexts and long-standing interest in public opinion and client satisfaction, lawyers have given very little attention to the study of the relationship between lawyer and client.

The lawyer-client relationship presents a number of questions that are of interest to psychologists as well as to lawyers. For example, lawyers may frequently be called upon to provide psychological counseling for their clients, and the lawyer-client relationship shares similar problems and concerns with the therapist-client relationship (Appell & Atta, 1969). Yet even in psychological literature, or in the literature resulting from the interface of psychology and law, there is only a minimum of work dealing directly with the lawyer-client relationship (Appell & Atta, 1969;

Tapp, 1976).

This is in sharp contrast to the medical and mental health professions. Here, a high level of importance has been attached to the role of the therapist-client relationship in the therapeutic process (e.g., Fiedler, 1953). Furthermore, problems surrounding patients' rights, the legality of treatment, and professional ethics have focused much discussion and investigation on the profession-client relationship (e.g., Coyne & Widiger, 1977; Dawidoff, 1973; Szasz, 1965). Thus, psychologists, members of the medical and mental health professions, and students of the sociology of professions have thoroughly investigated the therapist-client, or doctor-patient, relationship (e.g., Goffman, 1961; Szasz, 1965).

In addition to contributing to the literature dealing with the therapist-client relationship, the sociology of professions has included study of the lawyer-client relationship and the legal profession (e.g., Carr-Saunders & Wilson, 1933; Vollmer & Mills, 1966). Writers in this area have suggested that the lawyer and client form a help-centered dyad that can be understood in terms of the division of power and responsibility between the lawyer and client, similar to the relationship between therapist and client, or doctor and patient (Campbell, 1976; Rosenthal, 1974; Rueschemeyer, 1973). Traditionally, the lawyer has dominated the relationship and attained power over the client by virtue of professional expertise (Becker, 1962). Recently, Rosenthal (1974) suggested that an alternative to the traditional lawyer-client relationship may be more effective in personal

injury cases. Rosenthal advocated a participatory relationship in which the lawyer and client share power and work together to resolve the client's legal problem.

This review examines the legal, psychological, and sociological literature that bears on the lawyer-client relationship. It proposes to (1) describe the lawyer-client relationship in reference to past and current approaches to questions about lawyers and their clients and (2) discuss different models of the lawyer-client relationship.

The legal literature dealing with public opinion and client satisfaction has not addressed the lawyer-client relationship directly; it is included, however, in order to illustrate the way in which questions about clients and about lawyers' impact on the public have been answered in the past. Psychological, medical, and sociological literature dealing with the therapist-client relationship is helpful in two respects: it suggests directions that research and discussion of the lawyer-client relationship might take, and it offers an explanation for the lack of interest in the lawyer-client relationship--a contrast to the marked interest that has been shown in the therapist-client relationship. The work dealing directly with the lawyer-client relationship is, of course, most helpful in describing the relationship and suggesting an approach to the study of the relationship; as mentioned above, this work has been carried on primarily by sociologists. Finally, by drawing on this assortment of literature, three models of the lawyer-client relationship are proposed. These models suggest a framework for understanding the

relationship and for guiding further research and discussion of the relationship.

The Main Thrust of the Legal Literature

Legal writers have suggested that the lawyer-client relationship is an important consideration when discussing professional ethics, professional competence, and lawyering skills (Benthall-Nietzel, 1975; Carlin, 1966; Schwartz, 1973; Steele & Nimmer, 1976). Blaustein (1952) and Richter (1965) pointed to the significance that the legal profession attaches to public opinion. Similarly, the wealth of public opinion surveys has suggested that lawyers consider the layperson's attitudes to be of value to the legal profession (e.g., Baker, 1963; Thomason, 1974). Nevertheless, the legal profession has devoted very little attention to the study of the nature of contact between lawyers and clients, or to the impact of that contact on client opinion. In other words, the legal profession, in examining client and public opinion, has explored the effect of lawyer-client contact on the client and the client's and public's views of the legal profession, but it has not explored the lawyer-client relationship itself; the target of investigation has been clients and public, not lawyer-client interaction nor the lawyer-client relationship. Since the legal literature does not deal directly with the lawyer-client relationship, a review of this literature does not lead to a better understanding of the relationship; instead it describes past treatment of lawyers' questions about clients and supports the contention that lawyers are concerned with their public, with clients and potential clients.

It is helpful to divide the legal literature pertaining to clients and potential clients into two categories for discussion: surveys of public opinion and studies of client satisfaction. While a discussion of lawyer and client has been included in papers dealing with professional ethics, professional competence, and lawyering skills, the treatment of the lawyer and client has been peripheral to the main topic of these papers; the papers simply have pointed to the importance of the lawyer-client relationship without dealing with the relationship directly. Therefore, the papers concerning professional competence, ethics, and skills were not reviewed in either category of legal literature discussed below.

Public Opinion

Recent studies of public opinion of the bar have suggested that such research provides a means of assessing the damage of Watergate to the image of the legal profession (cf. Jacobs & Wagoner, 1975). However, long before the 1972 Watergate break-in, members of the legal profession expressed their concern with public image (Blaustein, 1952; "The Image of the Profession", 1965). A survey of the Missouri public and bar, conducted by the Missouri Bar Association and Prentice-Hall (Baker, 1963; Prentice-Hall, 1963; Richter, 1965), is generally heralded as the first definitive study of its kind (Thomason, 1974).

The Missouri Bar survey was conducted in two parts. Initially 350 laypersons and 310 lawyers were interviewed personally (Baker, 1963). Later, 2,500 lay and 2,500 lawyers were surveyed by questionnaire. The laypersons' responses were recorded on

the questionnaire by interviewers; lawyers completed their questionnaires themselves. This survey gathered public and lawyer opinion in eight areas: public acceptance of the bar, competence and satisfaction, selection of the lawyer, legal business taken outside the profession, ethics, facilities and services, the courts, fees and billing. In addition to summarizing public opinion of the bar, the results of this survey pointed to differences between public and lawyer opinion. Perhaps most notable was the finding that clients ranked the way in which they were treated by their lawyer as most helpful and important to client satisfaction; lawyers, on the other hand, indicated that results obtained by the lawyer were most helpful and important in determining client satisfaction (Baker, 1963; Prentice-Hall, 1963; Richter, 1965; Thomason, 1974).

Following the Missouri study, similar statewide surveys of the public and the bar have been conducted in Nebraska (Jacobs & Wagoner, 1975), North Dakota (State Bar Association of North Dakota, 1970), and Texas (Marketing and Research Counselors, 1970). These studies described clients' and potential clients' attitudes toward the state bar, as well as the bar's conceptions of public attitudes. Local surveys of the public have been conducted by personal interviews (Mindes, 1975) and by questionnaire (Thomforde, 1974).

Recently an extensive nationwide survey of the public was conducted by the American Bar Foundation's Special Committee to Survey Legal Needs (Curran & Spalding, 1974). Between September, 1973, and March, 1974, intensive interviews were conducted with

2,064 adults. The research project was designed to accomplish three specific objectives, and the survey was divided into three main subject areas.

First, in order to investigate the incidence of legal problems experienced by American adults, the survey focused on the type of personal legal problem and the frequency with which it was experienced by respondents. Second, in order to determine the manner in which these legal problems were resolved, the survey explored the respondent's contact with lawyers, or other outside resources, concerning personal legal problems. Finally, in order to explore "the factors that influence decisions to use or not use lawyers' services" (Curran & Spalding, 1974, p. 1), the survey assessed respondents' attitudes toward lawyers and the legal system. Thus, the survey gathered detailed information concerning the incidence of legal problems, the type of people using lawyers, frequency of and reasons for contacts with lawyers, and attitudes toward lawyers, legal fees, and the legal system (American Bar Association, 1976; Curran & Spalding, 1974). As in earlier studies, this survey found that respondents ranked personal relationships with their lawyers as more important than lawyers' professional skills as qualities the respondents would look for when selecting a lawyer (American Bar Association, 1976).

Client Satisfaction

As the foregoing discussion suggests, researchers have compiled a substantial body of data describing public opinion of the bar and the public, clients and non-clients. The clients surveyed in these studies provided some information as to how clients per-

ceive their lawyers or the lawyer-client relationship: clients were primarily concerned with personal aspects of the lawyer-client relationship and secondarily concerned with their lawyers' professional skills; most clients were satisfied with the legal services they received (American Bar Association, 1976; Prentice-Hall, 1963). Additionally, several studies have specifically investigated client satisfaction.

A recent study conducted for the Legal Services Corporation addressed the practical and methodological problems of assessing client satisfaction (Vogt, Zamoff, Lancer, White, & Scanlon, 1976). This research tested the relative efficiency of various measurement techniques in an attempt to develop effective procedures for measuring satisfaction with the delivery of legal services to the poor. Vogt et al. (1976) recommended conducting telephone interviews and obtaining client consent to the research during intake at legal service offices.

Past research, however, has generally involved either face-to-face interviews or questionnaires mailed to clients. Typically these studies have focused on a particular client population, such as prisoners (Atkins & Boyle, 1976), users of a particular legal service (Correction Service of Minnesota, 1976), or clients of a particular law firm (Shorter, 1975). Some of the results reported in such client satisfaction surveys contradicted the findings of surveys of the general public. For example, personal interviews with prisoners in South Carolina revealed that prisoners' evaluations of their lawyers were strongly related to the outcome of the case, specifically to the length of

sentence, rather than to the interaction with the lawyer (Atkins & Boyle, 1976).

The results of most client satisfaction studies appeared to be consistent with the public surveys, however, The Correctional Service of Minnesota (1976) found that most users of public defender services (1) had positive attitudes toward their public defenders and (2) felt that one of the most important services provided by the public defenders was "showing concern and respect for the client" (p. 16). Shorter (1975) sent brief questionnaires to clients of his firm at the conclusion of their legal cases. Client responses were generally favorable. Most clients were very satisfied with the legal services they received; negative comments were limited to specific procedural matters, such as the practice of preparing a will for clients without asking their approval of a draft of the will. In Seattle, the firm of Scholfield and Stafford recently mailed one-page questionnaires to clients, to other lawyers, and to judges in an attempt to evaluate the quality of legal services Scholfield and Stafford attorneys have provided. Again, client responses to the questionnaire were very favorable (Thomas D. Frey, personal communication, May 10, 1977).

In summary, it can be seen that the main thrust of the legal literature has involved normative data: the results of survey research designed primarily to yield descriptions of public opinion and client satisfaction. This literature is indicative of the importance attached to the client and to public opinion by lawyers. The literature has suggested that clients perceive their relationships with their lawyers to be very important, and

most clients are satisfied with the quality of legal services they have received (Correctional Service of Minnesota, 1976; American Bar Association, 1976; Prentice-Hall, 1963; Shorter, 1975).

The Therapist-Client Relationship

It is helpful to turn to the therapist-client relationship in an attempt to better understand the lawyer-client relationship for two reasons. First, the therapist-client relationship is a professional relationship very similar to that of the lawyer-client relationship; literature dealing with the therapist-client relationship may be applied to the lawyer-client relationship. Second, a comparison of the therapist-client and lawyer-client relationships offers an explanation as to why there is a wealth of literature dealing with the therapist-client relationship while the lawyer-client relationship has not been the target of much systematic investigation.

The lawyer-client and the therapist-client relationships are structured very similarly. Both are help-centered dyadic relationships; one member of the dyad provides professional services and expertise, the other member seeks and receives those services (e.g., Appell & Atta, 1969; Rosenthal, 1974). Some writers have suggested that the similarity between lawyer and therapist extends to the substantive nature of the services provided. Appell and Atta (1969) proposed that lawyers, as well as therapists, provide psychological counseling for their clients. Saxe and Kuvin (1974) suggested that the lawyer-client relationship is vulnerable to the lawyer's neurotic conflicts, just as the therapist-client relationship is vulnerable to the therapist's conflicts. There

are, of course, differences between the therapist-client and lawyer-client relationships. For example, Rueschemeyer (1973) suggested that the legal profession differs from other professions, particularly the medical profession, in that lawyers' expertise is founded upon normative standards and rules rather than upon a body of scientific knowledge; lawyers, therefore, derive their status and authority more from institutional sources and less from specialized knowledge than do doctors. Despite such differences, similarities are certainly sufficient to warrant an examination of the ways in which the therapist-client relationship has been conceptualized in order to gain insight into the lawyer-client relationship.

In 1956 Szasz and Hollender suggested that there are three models of the doctor-patient relationship. These models vary in terms of the doctor's and patient's relative contributions to the patient's medical treatment. The "activity-passivity" model depicts a completely passive patient; the doctor administers medical treatment to the patient regardless of the patient's behavior. This model is likened to the relationship between a parent and infant. The "guidance-cooperation" model is likened to a parent-child relationship; it is assumed that the patient is able to follow the doctor's instructions and unable to question the doctor's expertise. Szasz and Hollender's third model involves "mutual participation" between the doctor and patient. In order for the doctor and patient to work together under this model, they must have equal power, they must be interdependent, and the relationship must be mutually satisfying.

Szasz and Hollender do not propose that any one model is better than the others. Each model is appropriate and effective under certain circumstances. For example, the activity-passivity model is required when a patient is comotose. The model of mutual participation would be extremely effective in treating a patient with a chronic medical problem, such as diabetes, when treatment would involve training the patient to care for him or herself.

Rosenthal (1974) described the significance of Szasz and Hollender's paper as follows:

The contribution of Szasz and Hollender is in suggesting for the first time that even in the "purest" profession, medicine, the traditional rationale of exclusive professional control was neither the only possible basis for consulting interaction nor necessarily the best basis for all therapeutic situations. (p. 10)

The traditional activity-passivity model is the oldest model of the doctor-patient relationship (Szasz & Hollender, 1956), and it remains the predominant model in the medical and mental health professions today (e.g., Becker, 1962; Solomon, 1977).

The traditional model has been criticized by a number of writers, however (Coyne & Widiger, 1977; Goffman, 1961; Levinson, Merri-field, & Berg, 1967; Schwitzgebel, 1975).

These writers support Szasz and Hollender's contention that the traditional model is not the only means of depicting the doctor-patient relationship. They do not maintain the three-fold model of Szasz and Hollender, however. Rather, they speak only of (1) the traditional model and (2) an alternative to the traditional model which involves increased client participation

in the therapeutic decision-making process. This second model might be considered a combination of Szasz and Hollender's guidance-cooperation and mutual participation models. In criticizing the traditional model, these writers suggest that legal and ethical considerations indicate that the alternate model provides a better foundation for the doctor-patient or therapist-client relationship than the traditional model.

The traditional model requires that the client submit completely to the therapist's authority. Hence, it involves (1) an unequal distribution of power between the professional and the client and (2) unequal bargaining positions of the two parties. Under this model it may be legally impossible to obtain a client's voluntary consent to treatment, and a contract between therapist and client may be unconscionable or voidable for duress or some other mistake (Alexander & Szasz, 1973; Schwitzgebel, 1975). By way of the traditional model, clients and patients have been deprived of their rights to obtain desired treatment (cf. Schwitzgebel, 1975). This situation has resulted in legal actions in tort and contract against psychiatrists and therapists (Alexander & Szasz, 1973; Dawidoff, 1966, 1973; Schwitzgebel, 1975). It creates an ethical dilemma for the professional concerned both with providing the best possible treatment for a client and with protecting that client's individual rights; at times these two concerns are in conflict (Coyne & Widiger, 1977).

In order to remedy these problems, writers such as Coyne and Widiger (1977), Levinson et al. (1967), Schwitzgebel (1975),

Solomon (1977), and Szasz (1965) have advocated moving away from the traditional model of the therapist-client relationship and moving toward the participatory or contractual relationship in which both parties share power and authority. Thus, the professional and the client are in a more equal bargaining position and clients' rights to receive competent, appropriate treatment are better protected.

To summarize, much attention has been given to the therapist-client relationship. The form taken by the relationship has been analyzed with respect to ethical and legal issues, and modifications of the traditional model of the relationship have been proposed in an effort to protect clients' interests.

Therapist-Client and Lawyer-Client Relationships: A Comparison

One striking difference between the legal profession and the medical or mental health profession has already been mentioned: the legal profession has rarely examined the lawyer-client relationship while the therapist-client relationship has been investigated thoroughly. This difference is somewhat puzzling, particularly given the similarities between these two professional-client relationships. Any one of several factors may account for this difference, and a consideration of these factors may help to clear up the "puzzle", that is, to explain why the lawyer-client relationship has been studied as rarely as it has in the past. Furthermore, a consideration of these factors may help to explain why future study of the lawyer-client relationship may be of value.

Reasons for placing emphasis on the therapist-client rela-

tionship, and not on the lawyer-client relationship, may be found in (1) the importance attached to the role of the relationship in the therapeutic process and (2) issues outside the relationship that have called attention to that relationship.

The importance of the therapist-client relationship in the process of psychotherapy does not seem to be a matter in dispute (Fiedler, 1953; Szasz, 1965; Goffman, 1961). The therapist is undoubtedly aware of the importance of establishing a good relationship with a client. The lawyer, however, may not be aware of the value of establishing a good lawyer-client relationship. While interviewing techniques may be considered valuable lawyering skills, they are not stressed in law school programs (Benthall-Nietzel, 1975; Schwartz, 1973). Techniques for establishing a good lawyer-client relationship, and the relationship itself, are seldom discussed (Appell & Atta, 1969). Thus, the mental health profession seems to have a built-in emphasis on the professional-client relationship that the legal profession lacks.

Ethical concerns have sparked consideration of both the lawyer-client (Steele & Nimmer, 1976; Fired, 1976) and the therapist-client (e.g., Coyne & Widiger, 1977) relationships. However, legal considerations have called far more attention to the therapist-client relationship than to the lawyer-client relationship. The vulnerability of therapists and doctors to legal suit and questions of the legality of providing treatment have forced therapists to critically analyze the foundations of the therapist-client relationship (Dawidoff, 1973; Schwitzgebel,

1975). Therapists appear to be protecting their own interests, specifically preventing being sued, as well as showing concern in their clients' interests. Risk of malpractice suit does not appear to have had the same impact on the legal profession. In the courts, the lawyer is traditionally perceived as the client's agent, and lawyer and client are treated as a single party. Thus, a client's right to recover from a lawyer for error is by no means an inalienable right (Mazor, 1968). In the past, lawyers have, for the most part, been protected from legal suits. Lawyers do not appear to have reasons for investigating the lawyer-client relationship that are comparable to those of therapists.

The picture may be very different for lawyers and the lawyer-client relationship in the future. In his analysis of the division of power and responsibility in the lawyer-client relationship, Mazor (1968) suggested that lawyers' immunity from suit may be breaking down. Furthermore, the Legal Services Corporation Act of 1974, amending the Economic Opportunity Act of 1964, called for a study of alternative methods of delivering legal services to the poor; this act underscores the challenge of providing low-cost legal services and has already focused some attention on the lawyer-client relationship (Baron & Hofrichter, 1976; Chicago Council of Lawyers, 1976; Etheridge, 1971, Illinois Institute of Technology, 1976; Resource Center for Consumers of Legal Services, 1976; Vogt et al., 1976).

Consequently, legal considerations and practical questions of the delivery of legal services may be bringing the profes-

sional-client relationship to the same level of importance within the legal profession that it occupies in the mental health field. Even in the absence of academic interest in the lawyer-client relationship, such practical considerations call for further investigation of the lawyer-client relationship.

The Lawyer-Client Relationship

While the legal and psychological literature reveals little work on the lawyer-client relationship, several empirical and theoretical papers have been written about the relationship. These papers appear to have their roots in the sociology of professions and are sociological rather than psychological or legal in nature.

The legal profession is viewed as a traditional help-centered profession, similar to the medical or mental health profession. The lawyer acquires status and power by virtue of professional expertise, as do other professionals. It is assumed that, since this is a help-centered profession, the lawyer will not abuse his or her power over the client, but will act in the client's best interest at all times (Becker, 1962; Etheridge, 1971; Rosenthal, 1974).

In discussing the lawyer-client relationship, two writers suggest alternate means of the lawyer's acquisition of power over the client (Rueschemeyer, 1973; Campbell, 1975). As mentioned previously, Rueschemeyer (1973) suggested that the lawyer's power over the client relies more on institutionalized power than on scientific knowledge, and that lawyers, therefore, differ from other professionals (Chapter 1). Similarly, Campbell

(1975) argued that an understanding of the lawyer-client relationship is dependent upon understanding the source of the lawyer's authority over the client. After describing the development of the sociology of professions as it pertains to the legal profession, Campbell suggested that the lawyer's authority derives from the importance attached to the law by society, not from the lawyer's professional expertise.

Donnell (1970) used the lawyer-client relationship to test the usefulness of applying role theory to the professional-client relationship. He interviewed corporation executives and in-house corporate lawyers in what appears to be the only study examining the lawyer-client relationship from the perspectives of lawyer and client. Donnell identified role conflict and ambiguity in the lawyer-client relationship and used "feedback" meetings between lawyers and corporate executives to ameliorate the problems created by role conflict and ambiguity.

Rosenthal's recent research (1974) is perhaps the most illuminating piece of work dealing directly with the lawyer-client relationship. Rosenthal proposed two models of the lawyer-client relationship. The first model is the now-familiar traditional model of the professional-client relationship; this model assumes that the lawyer has complete power and authority over the client. The second model is the participatory model which, like the participatory model of the therapist-client relationship, assumes that the lawyer and client share power and responsibility for the resolution of the case. The client is seen as an active participant in the relationship.

Rosenthal interviewed 59 plaintiffs in personal injury cases who had won settlements of two thousand dollars or more in New York courts. Clients who reported actively seeking medical care following their injuries, seeking a second legal opinion, and making explicit, persistent demands for their attorney's attention and advice were assumed to have participatory relationships with their lawyers. Clients who were less concerned about receiving medical care, about obtaining a second legal opinion, and about their lawyer's behavior were assumed to have traditional relationships with their lawyers. A panel of five personal injury claim experts rated the dollar value of each of the 59 personal injury claims investigated by Rosenthal. By comparing the average value assigned to each claim by the experts with the actual amount of damages received by the claimant, a measure of the effectiveness of each case result was obtained. Rosenthal found that clients having participatory relationships with their lawyers received better results than clients involved in traditional relationships. Thus, defining the effectiveness of the relationship as the amount of damages received in relation to a panel's judgments of the value of the claim, Rosenthal found that the participatory relationship was more effective than the traditional relationship.

Several limitations, or weaknesses, were present in Rosenthal's research. He investigated personal injury cases only, and therefore his results pertained directly to only one legal problem. His scheme for classifying the lawyer-client relationship as either "participatory" or "traditional" was one-sided;

Rosenthal interviewed clients only--he had virtually no contact with those clients' lawyers. Furthermore, Rosenthal classified relationships as participatory or traditional in terms of the extent to which clients' reported seeking medical attention, a second legal opinion, and their lawyer's advise and attention. The reliability and validity of this classification procedure may be questionable. Rosenthal recognized that doubts may be raised about the behavioral criteria used in classifying relationships as traditional or participatory and suggested that, "in any final sense, only replication of [his] findings using some independent source of data (preferably direct observation) can answer these doubts" (Rosenthal, 1974, p. 193).

Nevertheless, the conclusions to which Rosenthal is led by his data are interesting and provocative. If Rosenthal is correct, lawyers and clients should strive to work together in a more egalitarian fashion than is suggested by the traditional view of the lawyer-client relationship. Yet, the traditional model of the lawyer-client relationship predominates and is well-accepted, as illustrated in a recent reminder to graduating law students that a lawyer "serves [his/her] clients without being their servant. [He/she] serves to further the lawful and proper objectives of the client, but the lawyer must never forget that [he/she] is the master" (Haynsworth, 1976, p. 628).

It has already been mentioned that lawyers concerned with the delivery of high-quality, low-cost legal services have discussed the lawyer-client relationship. Some of these writers are responding directly to Rosenthal's work (Baron & Hofrichter,

1976; Chicago Council of Lawyers, 1976; Illinois Institute of Technology, 1976; Resource Center for Consumers of Legal Services, 1976). They are designing legal service programs that train lawyers and clients to work together in a participatory relationship. These writers have been quick to observe that the traditional lawyer-client relationship should be altered if a participatory relationship yields better results for clients; the fact that these training programs are already being implemented heightens the importance of Rosenthal's work.

It can be seen that, although a minimum of work has been done on the lawyer-client relationship, this work has immediate practical implications for the legal profession. The work also provides a theoretical approach to further study of the lawyer-client relationship.

Models of the Lawyer-Client Relationship

The models of the lawyer-client relationship discussed below are derived from the preceding literature review. It is, therefore, helpful to summarize this literature before turning to a discussion of the models, or theory, of the lawyer-client relationship. The legal literature reviewed here suggests that the legal profession considers the public, clients and non-clients (or potential clients), to be important determinants of the profession's well-being. While acknowledging the importance of clients and their attitudes toward the bar, however, little notice has been taken of the lawyer-client relationship. This is in contrast to the mental health profession, where empirical and theoretical research has often dealt with the therapist-

client relationship, its nature, impact, and implications for the profession. Those writers who have examined the lawyer-client relationship, or the therapist-client relationship, agree that such a relationship can vary in terms of the distribution of power and responsibility between professional and client. Traditionally, all authority is vested in the professional, and the layperson is a powerless, passive member of the professional-client dyad. Alternately, the professional-client relationship is structured so that the professional and the client share power and responsibility for decisions affecting the layperson's problem; the professional's control is reduced and the client's participation in the relationship is increased.

The groundwork has been laid for considering the lawyer-client relationship in terms of the distribution of power. It is proposed here that the lawyer-client relationship should continue to be formulated in terms of the distribution of power between lawyer and client, and that the relationship can best be described by three models. These models are comparable to Szasz and Hollender's (1956) models of the doctor-patient relationship:

1. Maximum control (Activity-passivity): the lawyer has complete control of the lawyer-client relationship and resolves the legal problem independent of any input from the client.

2. Lawyer as counselor (Guidance-cooperation): the lawyer is the dominant member of the lawyer-client dyad, but rather than solving the client's problem independently, the lawyer tells the client what to do; the lawyer acts as the client's

counselor, or advisor, and solves the legal problem with the client's cooperation.

3. Shared power (Mutual participation): the lawyer and client work together to resolve the client's legal problem; decisions affecting the disposition of the case are made jointly by the lawyer and client. The lawyer must fully inform the client of all legal considerations, options, and possible outcomes in order for the lawyer and client to work together in a truly participatory relationship.

It is proposed that all lawyer-client relationships can be described by one of these three models. Two questions can be raised at this point: (1) What criteria should be used in determining which model of the lawyer-client relationship is best, or most desirable? (2) Which model is best? Rosenthal (1974) proposed answers to both of these questions. He proposed answering the first question in terms of the effectiveness of the relationship. The best relationship is the most effective relationship, the relationship that best serves the client's interests as measured by the results of the relationship--the case outcome. This criterion makes excellent sense in a help-centered relationship such as that of lawyer and client.

Rosenthal's answer to the second question, which model is best, was based upon his research findings. Thus, he proposed that the participatory, or shared power, model is more effective than a traditional, maximum control, model with personal injury cases. It seems likely, however, that the type of case might well influence the effectiveness of the models of the

lawyer-client relationship, just as the nature of a patient's illness influences the effectiveness of each of Szasz and Hollender's (1956) models of the doctor patient relationship. Thus, although the shared power model may be more effective than other models in working with personal injury cases, it might be less effective with criminal cases. Other factors might influence the effectiveness of a particular model of the lawyer-client relationship as well. No apparent reason is found in past research, theory, or in common sense for believing that any one of the three proposed models would always be superior to the other two models in creating an effective, satisfying lawyer-client relationship. On the contrary, all three models should be appropriate and effective at times.

Many situational and personal factors must contribute to the effectiveness of the lawyer-client relationship, but the literature suggests that three factors stand out as likely candidates for playing a significant role in determining the effectiveness of the lawyer-client relationship. First, as mentioned above, the type of case would very likely affect the relationship. Second, the type of client could place restrictions on the effectiveness of the relationship. Third, the particular lawyer's type of practice and abilities would almost certainly influence the lawyer-client relationship.

In his historical analysis of the division of power and responsibility in the lawyer-client relationship, Mazor (1968) suggested that "The extent to which the lawyer rather than the client makes the crucial choices [of deciding on a course of

action in litigation] may depend in large measure on the character of the client and the type of litigation" (p. 1138). The Correctional Service of Minnesota's (1976) survey of users of public defender services reported that felons and misdemeanants responded differently on several measures. For example, more misdemeanants than felons said they would refer a friend to a public defender; also, while overall the most important services provided by public defenders were thought to be showing concern for the client and winning, felons felt that the most important services were achieving justice and fairness. Atkins and Boyle (1976) found that prisoners' satisfaction with their lawyers was closely related to the length of sentence; on the other hand, the survey of legal needs found that the general public perceived personal relations with their lawyer to be most important (American Bar Association, 1976). In all of this work, differences in type of case and in type of client are confounded: criminal cases are coupled with criminal clients; a felony is committed by a felon. Nevertheless, these findings support the contention that type of case and type of client influence the effectiveness of the lawyer-client relationship. At the very least, they suggest that clients involved in different types of litigation measure effectiveness or desirability of the lawyer-client relationship differently.

Another aspect of the client may influence the effectiveness of the lawyer-client relationship: special characteristics of the client, the client's strengths or weaknesses, may dictate the effectiveness of a particular type of lawyer-client relation-

ship. Similarly, the lawyer's particular abilities, strengths, and weaknesses may come into play.

The lawyer's type of practice also seems significant. An in-house corporate lawyer's relationship with corporation executives would very likely differ from a public defender's relationship with a client assigned to the public defender. This sort of distinction is supported by the finding that clients' attitudes toward public defender services were noticeably more favorable following contact with the public defender than prior to such contact (Correctional Service of Minnesota, 1976); contrary to this, public surveyed by the Missouri Bar Association and Prentice-Hall (1963) indicated less favorable attitudes toward lawyers following contact with a lawyer, although they generally felt favorable toward their own lawyer. Additionally, Donnell (1970) hinted at differences in the lawyer-client relationship that result from different types of legal practice. Donnell successfully applied role theory and analysis to the corporate counsel-executive client relationship, but he cautioned that differences in other lawyer-client relationships may make the application of role theory difficult or impossible.

There is an indication that type of case, type of client, and type of lawyer would influence the effectiveness of a model of the lawyer-client relationship. Past research does not permit the separation and direct comparison of these three factors in order to examine the effectiveness of various lawyer-client relationships. With further research, however, much could be learned about the effectiveness of the different models and the

impact of situational and individual factors, such as type of case, lawyer, and client, on those models.

It is important to remember that the effectiveness of a lawyer-client relationship is not the only consideration in determining which model should be established. Whatever the most effective relationship may be, qualities of the particular lawyer and client or social constraints may be final determinants of the nature of the relationship that develops. For example, a client with a good understanding of the law may prevent a lawyer from establishing a traditional, maximum power relationship, even if that relationship would best serve the client's interests. Perhaps a more significant constraint on the type of relationship that may be established, however, is found in societal values. Traditionally, the lawyer has had complete control of the relationship; this may well reflect underlying societal values and social structures (Campbell, 1975; Rueschemeyer, 1973). It is possible that there is now "a renewed consciousness of the importance of meaningful participation in matters concerning one's own fate" (Mazor, 1968, p. 1139); the number of papers stressing participatory therapist-client relationships may be indicative of this. Effectiveness aside, the participatory model may be growing more fashionable and acceptable due to a shift of social values; the participatory model may be applied more frequently in the future simply because of these changing values. At any rate, a determination of the effectiveness of differing models of the lawyer-client relationship may be greatly influenced, or totally determined, by pre-

dominant social and political values.

Finally, it should be noted that models of the lawyer-client relationship do not have to be based on the division of power and responsibility between lawyer and client. Other variables could be used to describe the relationship and, most certainly, such variables should be investigated. However, there are a number of reasons for placing priority on fully investigating the impact of the division of power and responsibility between lawyer and client before turning to alternate approaches to the relationship.

Past research has utilized power and responsibility as the basic variable in different models of the lawyer-client relationship; the research has demonstrated the usefulness of this variable in determining the effectiveness of the lawyer-client relationship. A body of knowledge is beginning to develop based upon this approach to the lawyer-client relationship, and, on the basis of this research, programs are already being implemented to train lawyers and clients to work together in participatory relationships. Thus, the impact of work dealing with the lawyer-client relationship can already be seen in the legal profession. This points to the immediate practical implications of past research and to the important practical reasons for further investigation of the lawyer-client relationship along these lines. In addition to such practical considerations, further research is called for in order to develop a more complete theory of the lawyer-client relationship.

Chapter 2

THE FIELD RESEARCH: PURPOSE AND HYPOTHESES

A survey of a group of lawyers and a sample of their clients was conducted primarily to (1) carefully examine Rosenthal's (1974) hypothesis that the participatory lawyer-client relationship is more effective as measured by case outcome or results than is a traditional relationship and (2) further our understanding of the lawyer-client relationship and the social psychological factors that influence that relationship.

The lawyers participating in this research were interested in assessing their clients' satisfaction with the legal services provided by the lawyers. Thus, in addition to exploring broader questions concerning the lawyer-client relationship, this research was conducted to provide the lawyers with an assessment of their clients' satisfaction. In other words, this study, in part, consisted of a client satisfaction survey similar to those that have been conducted in the past (see pp. 7-10).

Of greater importance here than the client satisfaction survey was the investigation of the lawyer-client relationship and factors influencing that relationship. As the preceding discussion of literature reveals, Rosenthal (1974) is one of the few researchers to tackle this problem directly, and his research was limited to interviewing clients involved in personal injury litigation. Although Donnell (1970) worked with both corporate-executive clients and in-house corporate counsel, a careful search of the literature has failed to reveal studies outside the corporate setting that have involved both lawyers and clients, or studies directly exploring the lawyer-client relation-

ship that have investigated both the lawyer's and the client's views of the relationship.

This research was designed to explore the lawyer-client relationship by examining both the lawyer's and the client's perceptions of the relationship. The research, therefore, sought information concerning the lawyer-client relationship that has previously been unavailable. The specific questions concerning the lawyer-client relationship explored in this research were formulated in seven hypotheses.

Factors Influencing the Effectiveness of the Relationship

The first hypothesis tested by this research was based directly on Rosenthal's (1974) prediction that the participatory lawyer-client relationship is more effective in terms of case outcome than the traditional relationship. It is important to remember, however, that this research extended Rosenthal's work in two respects: it examined both lawyers' and clients' perceptions of the lawyer-client relationship, and it examined the lawyer-client relationship for several types of cases other than personal injury cases. The first hypothesis is as follows:

Hypothesis I. The participatory lawyer-client relationship is more effective than the traditional relationship.

It was suggested in Chapter 1 that, while many situational and personal factors may contribute to the effectiveness of differing lawyer-client relationships, three factors--type of case, type of client, and type of lawyer--play a key role in determining the effectiveness of a relationship (pp. 24-27). These considerations led to the next three hypotheses that were

explored in this research:

Hypothesis II. Type of case influences the effectiveness of differing types of lawyer-client relationships.

Hypothesis III. Client characteristics influence the effectiveness of differing types of lawyer-client relationships.

Hypothesis IV. The individual lawyer influences the effectiveness of differing types of lawyer-client relationships.

Tests of the four preceding hypotheses were designed to provide a means of assessing the feasibility and meaningfulness of classifying the lawyer-client relationship in terms of the division of power and responsibility between lawyer and client.

Other Aspects of the Lawyer-Client Relationship

This research also explored the usefulness of three approaches to the study of the lawyer-client relationship other than that of the division of power and responsibility between lawyer and client.

First, the similarity in lawyer's and client's perceptions of their relationship and of the client's case was explored. Both lawyer and client completed a series of bipolar adjective scales describing their relationship. Several other items concerning the client's case were also common to both the lawyer and client questionnaires. The similarity between lawyer's and client's responses to these questionnaire items was examined in order to assess the relation between extent of lawyer-client agreement and effectiveness of the relationship. The fifth hypothesis is as follows:

Hypothesis V. Amount of agreement between lawyer and client in describing the lawyer-client relationship is related to the effectiveness of the relationship.

Second, the usefulness of employing equity theory to describe the lawyer-client relationship was examined. Unlike the bulk of equity theory research, the proposed research did not involve producing inequity in inputs and/or outputs to the relationship and measuring participants' attempts to reduce the inequity (Adams & Freedman, 1976). However, this research provided an opportunity to examine the extent to which lawyers and clients perceive their relationship to be equitable and, hence, to examine the relationship between perceived equity and distress.

Walster, Berscheid, and Walster (1973) proposed that involvement in inequitable relationships leads to distress. This proposal was tested here. It was hypothesized that clients' affect, their liking for their attorneys and the pleasantness of the lawyer-client relationship, is related to the degree to which clients perceive the relationship to be equitable. Likewise, lawyers' affect was hypothesized to be related to their perceptions of the equity of the relationship. It was assumed here that affect is an indicator of distress; negative affect is associated with a high degree of distress and positive affect with a low degree of distress.

Hypothesis VI. A relationship's perceived amount of equity is positively related to lawyer's and client's affect, to their feelings about each other and their relationship.

If Walster et al.'s (1973) proposal is correct, a high degree of perceived equity would be associated with lawyers' and clients' positive affect.

Finally, the usefulness of attribution theory in understanding clients' perceptions of their lawyers was considered.

Clients were asked to make causal attributions for the outcome of their cases and to indicate the extent to which the outcome was expected. Attribution researchers have found that attributions differ for expected and unexpected outcomes (e.g., Frieze & Weiner, 1971). It was anticipated that expected outcomes would be attributed to stable factors, ability and difficulty of the case, while unexpected outcomes would be attributed to variable factors, lawyer's effort and chance.

Hypothesis VII. Clients attribute an expected case outcome to their lawyers' ability and to the difficulty of the case; clients attribute an unexpected case outcome to their lawyers' effort and to chance.

Chapter 3

METHODS AND PROCEDURE

Members of a small law firm in Seattle participated in this research. The firm is comprised of six lawyers, one woman and five men.¹ These lawyers cooperated in and facilitated a survey of their clients. They also completed brief questionnaires describing each of the clients participating in the research.

As mentioned previously, these lawyers were interested in conducting a survey of their clients in order to assess satisfaction with the legal services provided by the lawyers. Their interest in client satisfaction and the lawyer-client relationship and their willingness to participate in this research were instrumental in creating an opportunity to conduct this research project.

Selection of Clients

Two steps were involved in selecting clients to receive the client questionnaire. First, lawyers indicated which of their current and former clients had sufficient contact with the firm to evaluate it, were capable of completing the questionnaire, and (ordinarily in the case of former clients only) have had contact with the firm during the last two or three years.

In making their selections, lawyers were aware of the possibility of creating a biased sample of clients. They consciously attempted to select only on the basis of the client's ability to

¹A seventh lawyer, renting office space from the firm, also participated in the research. The number of client questionnaires returned for bad address is not known for this lawyer, and the response rate of his clients cannot be determined. Therefore, data collected from this lawyer and his clients were used only in calculating the reliabilities of the lawyer and client questionnaires.

complete the questionnaire, eliminating clients having only minimal contact with the firm and clients who were illiterate, and on the basis of the client's availability, eliminating those clients who were known to have moved leaving no forwarding address. The lawyers also consciously attempted to ensure that selection was not based on liking for the client, nor on lawyers' perceptions of their clients' liking for them. Lawyers' estimates of the percentage of clients eliminated by this selection procedure ranged from 17 to 40. (Lawyers A, D, and E: 15-20% of clients excluded from sample of potential recipients; Lawyers B and C: 25-30% excluded; Lawyer E: 30-40% excluded.)

Second, a random sample of clients was drawn from those clients designated by their lawyers as being potential respondents. Questionnaires were mailed to this sample of 355 clients. The sample was stratified with respect to three variables: lawyer, status of client (current or former), and sex of client. Questionnaires were mailed to approximately 20 of each lawyer's current clients and 40 of each lawyer's former clients; approximately half the sample was comprised of women, half of men.

When questionnaires were returned for inaccurate address, an attempt was made to correct or update the address and to mail the questionnaires a second time. This was achieved for only six of the 60 questionnaires returned for bad address. No further sampling was done. Clients responding to the questionnaire and client response rates are discussed with the results of this research.

Questionnaires

Two questionnaires were developed for use in this research. A six-page client questionnaire was designed to assess clients' opinions of their lawyer, their relationship with the lawyer, and the legal services provided by the law firm. A one-page lawyer questionnaire was designed to assess lawyers' opinions of their client, their relationship with the client, and the client's case. (Copies of the lawyer and client questionnaires are found in Appendix A.)

Client Questionnaires

The client questionnaire covered seven areas of inquiry: background information, attitudes toward the firm, outcome of the case, attitudes toward the lawyer, perceptions of the lawyer-client relationship, fees and billing, and importance of various legal services. Since the lawyers were primarily concerned with assessing client satisfaction, a number of the items on the client questionnaires were specifically designed to measure satisfaction with the firm, the lawyer, fees, and the legal services provided.

Background information. The client questionnaire collected a variety of information concerning the client and the client's case. Clients described their legal problem, their status as either current or former clients, the extent of their contact with other lawyers, and several demographic characteristics (age, sex, race/ethnic identification, work, education, income, and number in household). These items provided information relevant to testing Hypotheses II and III. Several additional

items provided the lawyers with a description of when and how their clients initially contacted the firm and how recently the clients have had contact with the firm.

Attitudes toward the firm. A number of items asked clients to indicate their feelings about the law firm, its staff, the paralegals, and the law offices. Responses to these items were used in assessing client satisfaction with the firm.

Outcome of the case. Several items asked former clients, clients whose legal problems were resolved, to evaluate the resolution and outcome of the case (items 7-16, p. 3). These items were designed to tap the extent to which the client was pleased with the outcome, the extent to which the outcome was expected, client perceptions of the cause of the outcome, and the speed with which the problem was resolved. These items were used to determine (1) a measure of the effectiveness of the case outcome,² (2) clients' causal attributions tested in Hypothesis VII, and (3) client satisfaction with the case outcome.

Attitudes toward lawyers. Questionnaire items investigating clients' attitudes toward, or opinions of, their lawyers included evaluations of the lawyers' work, availability, skills, and personality characteristics. Many of these items were suggested by the lawyers or by previous surveys in order to assess client satisfaction with the lawyer. For example, "Did your attorney return your phone calls?" and "Does your attorney explain matters

²Table 7, page 57 and the discussion on pages 58-60 describe the items used and method of computing the measures of the effectiveness of case outcome.

in understandable terms?" (items 19 and 23, p. 4) were suggested by the lawyers. A number of these items were also used in measuring client affect and causal attributions (Hypotheses VI and VII).

Perceptions of the lawyer-client relationship. A series of nine bipolar adjective scales evaluated clients' perceptions of their relationships with their lawyers. One of these items, "Lawyer dominated the relationship"--"Lawyer and client worked together", directly assessed the division of power between lawyer and client and was used in determining the extent to which a relationship was traditional or participatory. The items were also used in examining the similarity between lawyer and client descriptions of their relationship (Hypothesis V) and in assessing client affect (Hypothesis VI).

Fees and billing. As might be anticipated, a series of items dealing with the clients' feelings about lawyers' fees and the method of billing was included largely to assess client satisfaction. Additionally, one of these items was used as an indicator of clients' perceived equity of the lawyer-client relationship (Hypothesis VI). This item asked clients whether their attorney deserved the entire fee.

Importance of various legal services. Finally, the questionnaire asked clients to evaluate the importance of different aspects of legal services. The items were included in order to provide the lawyers with an indication of what legal services are most important to their clients.

Lawyer Questionnaires

The one-page lawyer questionnaire assessed the lawyer's opinion of the case, the client, and the lawyer-client relationship.

The case. Several items asked lawyers to evaluate the outcome of the case and their handling of the case. These items provided additional measures of the effectiveness of the case outcome and were used in assessing the similarity between lawyer and client evaluations of the case outcome (Hypothesis V).

The client. Two items dealt specifically with the lawyer's view of the client. The lawyer's personal liking for the client is a measure of lawyer affect (Hypothesis VI). The lawyer's judgment of the client's knowledge of legal matters is a measure of a client characteristic used in testing Hypothesis III.

The relationship. Lawyers were asked to indicate the extent to which they worked closely with the client and to describe the lawyer-client relationship on a series of bipolar adjective scales. As with the client questionnaires, responses to these items were used as a means of classifying the lawyer-client relationship as participatory or traditional, in assessing lawyer affect (Hypothesis VI), and in examining the similarity between lawyer's and client's perceptions of the relationship (Hypothesis V).

Procedure

As mentioned previously, questionnaires were mailed to a random sample of those clients designated by their lawyers as being potential participants in the research. The lawyers

completed a questionnaire for each client returning a client questionnaire. The procedure followed in accomplishing this survey of clients and lawyers was designed to ensure the confidentiality of respondents and of the lawyer-client relationship while matching each client questionnaire to the corresponding lawyer questionnaire.

Following the selection of clients, client questionnaires were numbered. The same number was recorded on a lawyer questionnaire, and the client's name was written at the top of the lawyer questionnaire. Lawyer questionnaires, with client names and code numbers, were stored in the lawyers' offices.

Client questionnaires were then mailed to clients from the law offices with a cover letter from the client's lawyer and a postage-paid envelope addressed to the University of Washington. (Appendix B contains a copy of the cover letter.) As mentioned earlier, questionnaires returned to the law offices for inaccurate address were remailed to clients if a more accurate address was available.

Completed questionnaires were mailed to the University of Washington by those clients choosing to participate in the research. Completed questionnaires were kept in a locked file cabinet at the University. Upon receipt of the completed client questionnaires, the client code numbers were reported to the law firm. The respondents' lawyers then completed the lawyer questionnaires with matching code numbers. The client's name was removed from all lawyer questionnaires prior to any coding or analysis of the lawyer's responses.

Special Methodological Considerations

Two aspects of the research methods employed in this research raised important methodological issues. First, methods of sample selection raised the issue of the external validity, or representativeness, of this research. Second, the use of questionnaires as measuring instruments raised the issues of the reliability and validity of measurement. A consideration of these methodological problems is essential in assessing the strength of the results and conclusions that may be drawn from this research.

Validity of the Research Design

Campbell and Stanley (1963) proposed that four factors jeopardize the external validity, or representativeness, of research designs. Three of these factors pertain primarily to experimental rather than to correlational designs, and, hence, are of less concern to the research conducted here. These factors are the reactive or interaction effect of testing, the reactive effects of experimental arrangements, and multiple-treatment interference. The fourth factor jeopardizing external validity, the interaction effects of selection biases and the experimental variable, suggests an important potential source of invalidity for this research. According to Campbell and Stanley, this fourth source of invalidity poses a problem when "the effects validly demonstrated hold only for that unique population from which the [participants] were selected" (p. 19).

Selection biases operated in this research both in the selection of the sample of lawyers and in the selection of those

lawyers' clients. Lawyers and clients participated in this research because they were willing to partake in the project. The sample of participants was not random, and hence the risk of invalidity due to the interaction effects of selection biases and the experimental variable was high. The generalizability of the sample was limited.

The risk of invalidity is a serious problem, but it is familiar to research projects exploring a new area or employing new methodologies. Early research involving the therapist-client relationship suffered from the same limitations. In Rogers' (1942) early work utilizing phonographically recorded therapy sessions to investigate the therapeutic process, participants were "selected" because they were willing and available to participate in the research. Likewise, the participants in this research were "selected" on the basis of their willingness and availability to participate. The fact that these lawyers and clients, or the lawyer-client relationships described here, may not be typical of all lawyer-client relationships is, in Rogers' words, "not a matter for apology" (p. 262) in research of this sort. These lawyers and clients have provided a valuable body of data, an opportunity to examine the lawyer-client relationship from the perspectives of both lawyer and client, and a means of increasing our understanding of the lawyer-client relationship. Furthermore, even if the lawyer-client relationships described here are not representative of all lawyer-client relationships, they are, at the very least, representative of some of the relationships experienced by these lawyers. It seems

likely, however, that these relationships are typical of the lawyer-client relationships experienced by some other lawyers and clients as well.

Reliability and Validity of Measurement

The methodological strength of this research may also be jeopardized by the unreliability or invalidity of the questionnaires used as measuring instruments. A measure is unreliable if it is inconsistent, if it yields different results on different occasions; it is invalid if it does not measure what it is intended to measure (Magnusson, 1966; Fishbein & Ajzen, 1975).

Cronbach's alpha, a measure of internal consistency, was used to assess the reliability of two sets of subscales formed from items on the lawyer or client questionnaires (Magnusson, 1966; Specht, 1977). One set of subscales was formed by grouping together items that were intended to measure the same concept. These concepts, or topics, representing the areas of inquiry covered by the questionnaires, and the reliabilities of the subscales formed on the basis of these concepts are reported in Table 1. (See also pages 37-39 for a discussion of the topics covered by the questionnaires.) A second set of subscales was formed by grouping together items loading heavily on the first eight factors resulting from a principal components factor analysis with a varimax rotation (Nie, Hull, Jenkins, Steinbrenner, & Bent, 1975). Reliabilities for the subscales based on the factor analysis are reported in Table 2. Reliabilities of all subscales were based upon the responses of all lawyers and clients completing the relevant questionnaire items; the data

Table 1
Reliabilities: Subscales Based on Concepts
Questionnaire Items Were Intended to Measure

Subscale	Item Number	Page Number	Cronbach's Alpha
Client evaluations of:			
Firm	1-6	2-3	.860
Case outcome	7-16	3	.728
Lawyer	17-27 29, part 1	3-4 5	.925
Lawyer-client relationship	28	5	.643
Fees	29, part 2-4	5	.570
Importance of legal services	1-10	6	.688
Lawyer evaluations of:			
Case	1-6, 8		.590
Client	9, 10		.421
Lawyer-client relationship	11		.707

Table 2Reliabilities: Subscales Based on Factor Analysis

Subscale	Item Number	Page Number	Cronbach's Alpha
Client evaluations of:			
Personal qualities of lawyer and of relationship with lawyer	27a	4	.960
	27b, part 1-7	4	
	28, part 1-6	5	
Lawyer's work and legal services provided	1, 2, 10, 22, 26, 27b, part 8, 10-13	2-4 4	.907
Speed with which legal problem was resolved	14-16	3	.885
Office staff	4-6	2-3	.849
Effectiveness of case outcome	7, 8, 13	3	.832
Lawyer evaluations of:			
Personal qualities of client and of relationship with client	7-9	11, part 1-7	.947
	11, part 1-7		
Case difficulty	4, 5		.884
Effectiveness of case outcome	1, 2, 3		.825

base, therefore, included responses of the six members of the law firm, a seventh lawyer renting office space from the firm, 110 clients of the firm, and 11 clients of the seventh lawyer (cf. note, p. 34).

As can be seen from Table 2, questionnaire subscales based on the factor analysis had reliabilities ranging from .823 to .960. Reliabilities of the subscales formed on the basis of what the questionnaire items were intended to measure were not as high as the reliabilities reported in Table 2. Still, with the possible exception of the lawyer evaluations of the client (Table 1), a fairly high degree of internal consistency, or reliability, was apparent in Table 1 as well as in Table 2. With respect to the reliability of the lawyer evaluations of client (Table 1, $\alpha = .421$), it should be noted that this subscale was composed of only two questionnaire items: item 9, which asked whether the lawyer personally liked the client, and item 10, which asked how knowledgeable the client was in legal matters. Although both items asked the lawyers to make judgments about the client and were, therefore, grouped into a subscale, these items asked the lawyer for very different judgments of the client. Hence, the low reliability of this subscale was not too surprising.

Reliability sets the upper bound of convergent validity (cf. Fishbein & Ajzen, 1975). Thus, the high reliabilites found, particularly with the factor-analytic based subscales, suggested that a high degree of convergent validity may exist; at least these reliabilities did not preclude a high level of validity

in the lawyer and client questionnaires. However, the most serious methodological shortcoming of this research may be its inability to directly assess the validity of the measuring instruments.

The results of this research were based entirely on lawyer and client responses to the questionnaires. In assessing lawyer and client attitudes or feelings this reliance on self report was not too worrisome, but when assessing matters such as the favorableness of a case outcome, the absence of objective measures to validate lawyer and client responses created a serious problem. Furthermore, most of the questionnaire items employed five-point scales to measure responses. Thus, response bias or method variance may be, in part, responsible for the ensuing results. The inability to assess the validity of the measuring instruments, that is, the inability to determine the extent to which the questionnaires measure what they are intended to measure, was a shortcoming of this research that cannot be remedied since the questionnaires provided the only means of data collection in this research.

It should be mentioned that, even if data could be collected from other sources, it might be difficult to determine what objective measures or additional information should be used to validate these questionnaires. The example of a measure of the favorableness of a case outcome illustrates some of the difficulties of validating these questionnaires. Appropriate objective measures of favorableness of a case outcome might be damages awarded in personal injury cases or verdict and sentence

in criminal cases. However, when the legal problem involves no litigation, such as a will and many divorces, appropriate "objective" measures of the favorableness of a case outcome are not readily apparent. In other words, there is no single body of information that would enable validation of this questionnaire item alone; rather, the source of validating information (court records, contract terms, etc.) would depend upon the nature of the legal problem. Problems of validating the questionnaires would not be easily resolved, even with access to a variety of sources of information.

Although the limited sources of information relied upon by this research precluded assessment of convergent validity, the questionnaires appear to have content validity. A careful reading of the questionnaires suggests that they inquire into the areas of concern and interest to this research: the lawyer, the client, their relationship, the outcome of the client's case, and the legal services provided.

In conclusion, the questionnaires used in this research were shown to have fairly high reliabilities as measured by Cronbach's alpha. Since reliability sets the upper bound for convergent validity, it is possible that these questionnaires also have high validity; they appear to have content validity. However, no additional measures or sources of information are available with which to directly assess the validity of these questionnaires.

Chapter 4

RESULTS

An examination of the questionnaires used in this research (Appendix A) points to a number of theoretical and practical factors that could be explored with the data they provided. The questionnaires were designed primarily to serve two purposes: (1) to provide the lawyers participating in the research with information concerning their clients and their clients' satisfaction with the legal services provided and (2) to explore the relationship between lawyer-client participation and the effectiveness of the lawyer-client relationship as measured by case outcome. The results discussed below speak primarily to the second purpose and focus on testing the seven research hypotheses proposed earlier. Thus, there is much information that was collected but is not discussed here; to do so would cloud the issues of importance to this paper.

Following a discussion of the response rate is a description of the clients participating in this research. Next, the initial factor analysis is discussed. This is followed by a brief overview of the nature of client responses. Finally, the results relevant to the seven hypotheses are presented.

Client Response Rate

A total of 355 questionnaires were mailed to clients of the law firm. Table 3 breaks down the total number of questionnaires by lawyer and illustrates the response rate for each lawyer as well as the total response rate. As can be seen in Table 3, the client response rate varied considerably from one lawyer to another, ranging from 20.0 percent to 49.1 percent.

Table 3

Client Response Rate

<u>Questionnaires</u>	<u>Lawyer</u>						<u>Total</u>
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	
mailed	61	59	60	59	56	60	355
returned for bad address	18	7	15	11	3	6	60
remained with address corrected		6					6
returned by clients	15	28	9	11	26	21	110
received but not returned	28	30	36	37	27	33	191
response rate (% clients responding of those who received questionnaires)	34.9%	48.3%	20.0%	22.9%	49.1%	38.9%	36.5%

The response rate was particularly low for two of the six lawyers; only 20.0 percent of Lawyer C's clients and 22.9 percent of Lawyer D's clients responded. A chi-square comparing the questionnaires returned and not returned by clients revealed that the rate of return differed significantly among lawyers, with the unusually low response rates of Lawyers C and D accounting for much of the difference ($\chi^2=16.35$, $p<.01$).

When Lawyers C and D were dropped from Table 3, the overall response rate increased from 36.5 percent to 43.3 percent. The chi-square comparison of returned and not returned questionnaires was no longer significant ($\chi^2=2.97$, $p<.50$).

As mentioned previously, response rate may be indicative of self-selection, or sampling, biases. Therefore, there was reason to suspect that these biases were greater for the clients of Lawyers C and D than for the other lawyers' clients. Consequently, when subsequent analyses involved examining lawyer-client dyads without respect to lawyer, responses from Lawyers A, B, E, and F and their clients were pooled. When analyses were broken down by individual lawyer, all six lawyers and their clients were included in the discussion.

Respondents

It will be recalled that questionnaires were mailed to approximately equal numbers of women and men. As illustrated in Table 4, slightly more women returned questionnaires than did men. The ratio of female to male respondents varied for the six lawyers, but a majority of the respondents were women for five lawyers.

Table 4

Sex of Respondents

	<u>Lawyer</u>						Total
	A	B	C	D	E	F	
Female	3	17	5	5	13	15	58 (52.7%)
Male	12	10	4	4	12	4	46 (41.8%)
Female and male completed questionnaire jointly	1			2	1	2	6 (5.5%)
Total	15	28	9	11	26	21	110

Table 5

Current and Former Clients

	<u>Lawyer</u>						Total
	A	B	C	D	E	F	
Current (still seeing lawyer)	8	8	4	1	8	4	33 (30.6%)
Former (legal problem resolved)	7	19	5	9*	18	17*	75 (67.6%)
Total	15	27	9	10	26	21	108

*One of these clients is seeing a different attorney concerning the legal problem.

The sample of clients selected to receive questionnaires was stratified for clients' status (current or former clients) as well as for clients' sex. Approximately two-thirds of the questionnaires were mailed to former clients whose legal problems were resolved according to attorneys' records. About one-third of the questionnaires were mailed to current clients whose legal problems were still pending at the time of mailing. Table 5 shows clients' descriptions of the status of their legal problem at the time the questionnaires were completed and returned. As would be expected given the selection procedures, the majority of respondents were former clients whose legal problems had been resolved. The ratio of former to current clients varied for the six lawyers, much as the ratio of female to male clients varied.

Clients' descriptions of their legal problems are shown in Table 6. The type and frequency of legal problems reported by clients differed among lawyers, but the type of legal problems typically handled by these lawyers also differed. The lawyers have indicated that the distribution of legal problems reported in Table 6 is not atypical of the distribution of problems ordinarily handled by the lawyers. Clients indicated that "Other" legal problems included bankruptcy, property settlement or sale, sex or age discrimination, immigration, foster care payments, criminal charges, an administrative law problem, and divorce-related problems such as child support payments.

Clients also described their age, education, income, the number of people in their household, type of work,

Table 6

Clients' Legal Problems

	<u>Lawyer</u>						
	A	B	C	D	E	F	Total
Divorce	5	9		2	7	5	28 (25.7%)
Will	2	6			2	3	13 (11.9%)
Probate or guardianship		4			6	1	11 (10.1%)
Personal injury			7	4		2	13 (11.9%)
Business related matter	6	7	1	1	6	2	23 (21.1%)
Criminal matter				1		3	4 (3.7%)
Other	2	2	1	2	5	5	17 (15.6%)
Total	15	28	9	10	26	21	109

or ethnic identification. The average age of clients was 44. The majority of clients (84.3%) have completed at least one year of college or trade school, and 43.5 percent of the clients have completed at least four years of college or trade school. The household income for 55.2 percent of the clients was at least 15,000 dollars per year. The average number of people in the clients' households was 3.1. The most frequently reported type of work was professional. The majority of respondents (84.1%) were white.

These demographic characteristics of clients are described in more detail in Appendix C. As can be seen from the tables in Appendix C, the only characteristic for which there was much variability between the lawyers was race or ethnic identification. A higher proportion of Lawyer C's and Lawyer D's clients were black than were the clients of other lawyers. For the most part, however, the clients responding for all six lawyers appeared very similar in terms of these demographic characteristics.

Initial Factor Analysis

Initially, every item measuring responses on five-point scales was included in a principal component factor analysis with a varimax rotation (Nie et al., 1975). A total of 63 items from the client questionnaire and 20 items from the lawyer questionnaire were included in this analysis. Each lawyer-client dyad comprised one case. This analysis was based on 90 cases since lawyer-client dyads for Lawyers A, B, E, and F were pooled for the factor analysis.

The first 22 factors had eigenvalues greater than one and accounted for 83.7 percent of the variance. Between two and 14 items loaded heavily on the first eight factors, but many of the remaining factors had only one questionnaire item with a large factor loading. This suggests that many of the questionnaire items measured concepts relatively unrelated to those measured by other questionnaire items (Edwards, 1970). Questionnaire items loading heavily on the first eight factors were used to construct subscales in order to measure internal consistency, as discussed previously (supra, pp. 43-46). The results of this factor analysis were also used to guide the selection of measures of lawyer-client participation and the effectiveness of case outcome. Questionnaire items used to measure participation and effectiveness of case outcome are described in Table 7.

Participation. One questionnaire item directly measured client perceptions of the extent to which the lawyer and client worked together (last part, #28, p. 5, "Please describe your relationship with your attorney in terms of the item. . . Lawyer dominated the relationship--Lawyer and client worked together"). The same item appeared on the lawyer questionnaire and directly measured lawyer perceptions of the extent to which lawyer and client worked together (last part, #11). The factor analysis revealed that neither of these items loaded heavily on any of the first 30 factors. An examination of the correlation matrix of all items also suggests that these items are not highly correlated with each other ($r = -.06$) or with any other item. The client measure of participation correlated most with clients'

Table 7

Questionnaire Items Used to Measure Participation
and Effectiveness of Case Outcome

<u>Measures of Participation</u>	<u>Item Number</u>	<u>Description of Item</u>
<u>Client</u>	28 (p. 5)	Extent to which lawyer dominated the relationship or the lawyer and client worked together.
<u>Lawyer</u>	11	Extent to which lawyer dominated the relationship or the lawyer and client worked together.
<u>Measures of Effectiveness of Case Outcome</u>	<u>Item Number</u>	<u>Description of Item</u>
<u>Client</u>	7 (p. 3)	"Was the outcome of your legal matter in your favor?"
	8 (p. 3)	"Were you pleased with this outcome?"
	13 (p. 3)	"To what degree do you feel your attorney was responsible for the outcome of your case?"
<u>Lawyer</u>	1	"Was the outcome of the case favorable for the client?"
	2	"How promptly was the case resolved?"
	3	"How successful do you feel you were in handling this case?"

ratings of the degree to which the relationship was casual or formal ($r=.37$, $n=77$, $p<.001$). Similarly, the lawyer measure of participation correlated most with lawyers' ratings of the extent to which the relationship was casual or formal ($r=.50$, $n=88$, $p<.001$). These correlations were large enough to differ significantly from zero given the large number of cases upon which they were based. However, the strength of the relationship was judged too small to justify pooling these, or any other items, in order to produce a more accurate aggregate measure of participation.

Therefore, for the purpose of subsequent analyses, the measure of lawyer-client participation as perceived by clients has been based on the last item in the series of items describing the lawyer-client relationship on the client questionnaire (#28, p. 5); the measure of lawyer-client participation as perceived by lawyers has been based on the last item in the series of items describing the relationship (#11, lawyer questionnaire).

Effectiveness of case outcome. One item directly measured clients' evaluations of the favorableness of the case outcome (#7, p. 3, "Was the outcome of your legal matter in your favor?"), and one item directly measured lawyers' evaluations of the favorableness of the case outcome (#1, "Was the outcome of the case favorable for the client?"). Each of these items loaded heavily on one factor resulting from the factor analysis.

In addition to the lawyers' evaluations of the favorableness of case outcome, two items loaded heavily on the fifth

factor resulting from the factor analysis. These items were (1) lawyers' evaluations of how successful they were in handling the case (item 3) and (2) lawyers' evaluations of how promptly the case was resolved (item 2). These items, summarized in Table 7 (page 57), were highly correlated: favorableness and success $r=.77$, $n=81$, $p<.001$; favorableness and promptness $r=.53$, $n=84$, $p<.001$; success and promptness $r=.72$, $n=81$, $p<.001$. Due to these fairly high intercorrelations and the results of the factor analysis, these three items were summed to obtain an aggregate measure of lawyers' evaluations of the effectiveness of the case outcome.

Three items also loaded heavily on the eighth factor emerging from the factor analysis. In addition to clients' judgments of the favorableness of the case outcome, the following two items loaded heavily on this factor: (1) clients' judgments of how pleased they were with the outcome (item 8, p. 3) and (2) clients' judgments of the extent to which the attorney was responsible for the case outcome (item 13, p. 3). These items, also described in Table 7, were highly correlated: favorable and pleasing $r=.89$, $n=71$, $p<.001$; favorable and attorney's responsibility $r=.69$, $n=70$, $p<.001$; pleasing and attorney's responsibility $r=.67$, $n=70$, $p<.001$. As with the lawyer measures of effectiveness, these three items were summed to obtain an aggregate measure of clients' evaluations of the effectiveness of case outcome.

Thus, for the purpose of subsequent analyses, pooled measures of clients' and lawyers' evaluations of the effectiveness

of case outcome were formed by summing the three items loading heavily on the eighth and the fifth factors resulting from a factor analysis, as described above. In subsequent discussions, "client, or lawyer, measure of effectiveness of outcome" refers to these pooled measures.

Overview of Client Responses

In general, clients' evaluations of their lawyers and the legal services provided were very favorable. Clients' responses to several questionnaire items illustrate this point. When asked, "Do you think your attorney is a good attorney?" (item 26, p. 4), 83 of the 106 clients responding to this question said their attorney was "Very good", rating the attorney at the top of the five-point scale. Pooling clients' responses for Lawyers A, B, E, and F, the mean response on this item was 1.3 and the standard deviation was .6 (1=Very good). Responses were similarly favorable to the question, "Do you think this law firm is a good firm?" (item 1, p. 2); the mean response on this item was 1.4 with a standard deviation of .7 (Lawyers A, B, E, F). The client measure of the effectiveness of case outcome, formed by pooling responses to three items as discussed above (extent to which (1) outcome was favorable, (2) outcome was pleasing, (3) attorney was responsible for outcome), had a mean of 3.7 and a standard deviation of 2.1. Since this measure is the sum of three items, the most favorable response possible is three, least favorable is 15; a mean response of 3.7 is indicative of very favorable responses. The tendency to evaluate favorably lawyers and the legal services provided was found in client

responses throughout the questionnaire.

It is interesting to note that all the legal services evaluated in Part III (p. 6) of the client questionnaire were judged to be important by most respondents. At least 48 percent of the respondents evaluated each service as being "Very important". These services can be ranked in importance on the basis of the mean response and the percentage of respondents indicating that the service was "Very important". The resulting rank order suggests that the two services most important to clients were that their attorney explain matters in understandable terms and keep the clients well informed of the progress of their case. Also extremely important to clients was that the client's case be resolved promptly. Next and of approximately equal importance were reasonable fees, pleasant and courteous office staff, being able to reach the attorney at all times, participating in solving the legal problem, and the attorney's ability to provide all the legal services needed by the client. Few clients felt that it was very important to personally like the attorney, and least important was that the law firm be well regarded in the community.

Participation and Effectiveness of Outcome

The correlations between participation and effectiveness for each lawyer and the results of tests of significance of these correlations are shown in Table 8 (Nie et al., 1975). The strength and direction of these correlations varied from lawyer to lawyer for both client measures and lawyer measures of participation and effectiveness. Only for Lawyer A was the correla-

Table 8

Correlations Between Measures of Participation and

Effectiveness for Clients and Lawyers

Correlations Between Client Measures of Participation and Effectiveness

Correlations Between Lawyer Measures of Participation and Effectiveness

Lawyer	r	n	p	r	n	p
A	.70	12	.011	.08	15	.766
B	.08	21	.739	.12	28	.544
C	.33	9	.385	-.34	9	.377
D	.54	10	.107	.12	11	.736
E	.10	25	.632	r cannot be computed ^a		
F	-.14	20	.551	.55	20	.012
Mean r	.27			.11		
Median r	.22			.12		
χ^2	18.103, p<.25			18.307, p<.25		

^aThere is no variance in Lawyer E's measure of participation.

tion between client measures of participation and effectiveness significantly different from zero. The correlations between client measures of participation and effectiveness were positive for five of the six lawyers. Similarly, for only one lawyer was the correlation between lawyer measures of participation and effectiveness significantly different from zero (Lawyer F). Four of the five correlations between lawyer measures of participation and effectiveness were positive.

For most lawyers, the correlation between participation and effectiveness was positive, and the two correlations differing significantly from zero were positive. Nevertheless, the chi-square test of significance for a set of results revealed that this trend toward positive correlations was non-significant for both lawyer and client measures (Edwards, 1954; Fisher, 1948). Hence, this research failed to offer support for Hypothesis I, which predicted that the participatory lawyer-client relationship is more effective than the traditional relationship.

Little support was found for Hypotheses II and III, which involved the relationships between effectiveness, participation, and type of case (Hypothesis II) and client characteristics (Hypothesis III). Support was found for Hypothesis IV, concerning the influence of lawyer on the relationship, however. The dependent variable, that is the variable being predicted, in regression analyses used to test these hypotheses was effectiveness of outcome as perceived by clients. A comment should be made on the decision to use the client measure of effectiveness in these analyses.

Table 9
Correlations Between Lawyer and Client
Measures of Effectiveness

<u>Lawyer</u>	<u>r</u>	<u>n</u>	<u>P</u>
A	.42	15	.115
B	.08	28	.678
C	.19	9	.616
D	-.06	11	.872
E	.12	26	.551
F	.49	21	.024
Mean r	.21		
Median r	.16		
χ^2	14.989, $p < .25$		

As illustrated in Table 9, the correlation between client and lawyer measures of effectiveness of outcome was positive for five of the six lawyers, but this set of results was not significant. Furthermore, as discussed below, clients tended to evaluate the case outcome and the lawyer-client relationship more favorably than did lawyers. Clearly, the relationship between lawyer and client measures was too weak to suggest combining the measures in an attempt to obtain a more accurate aggregate measure of effectiveness. Both client and lawyer measures of effectiveness of outcome may be biased, but the client selects the lawyer and buys the legal services. Viewing the client as a consumer of legal services, the client's satisfaction with, or evaluation of, the case outcome becomes more important than the lawyer's evaluations. An analogy may clarify this

reasoning: In assessing the usefulness or efficiency of a product, researchers would not, it seems turn to the manufacturer's assessment of the product; rather, researchers would look to the consumer who purchases and uses the product in an effort to evaluate the product's usefulness. It was, therefore, decided to use the client measure of effectiveness in regression analyses testing Hypotheses II through IV. Likewise, when these analyses called for a measure of participation, the client measure of participation was used.

Type of case (Hypothesis II). A one-way analysis of variance (ANOVA) breaking each lawyer's clients down by type of case, that is by the nature of the client's legal problem, revealed no differences in client measures of effectiveness of case outcome. In other words, forming groups on the basis of client's legal problem, no differences were found between groups in client measures of effectiveness.

An examination of the multiple regression equations predicting effectiveness from participation and type of case (dummy coding type of case, Nie et al., 1975) revealed that type of case and extent of participation were good predictors of effectiveness for only one lawyer (Lawyer A: $R=.983$, $R^2=.965$, regression $F=47.76$, $p<.001$). The strength of this correlation for Lawyer A was due largely to the relationship between client measures of participation and effectiveness for this lawyer (Table 8, $r=.70$). For the most part, then, type of case was not found to be strongly related to effectiveness of outcome, either alone or in combination with the client measure of participation.

(Analysis of variance summary tables and results of regression analyses are reported in Appendix D.)

Client characteristics (Hypothesis III). The relationships between effectiveness of outcome, participation, and virtually all measures of client characteristics were found to be very weak. Correlation coefficients and one-way ANOVAS, when appropriate, were used to test the relationship between the client measure of effectiveness of outcome and client's age, sex, income, experience with other lawyers, knowledge of legal matters (as rated by client's lawyer), and client's status as current or former client (legal problem pending or legal problem resolved).

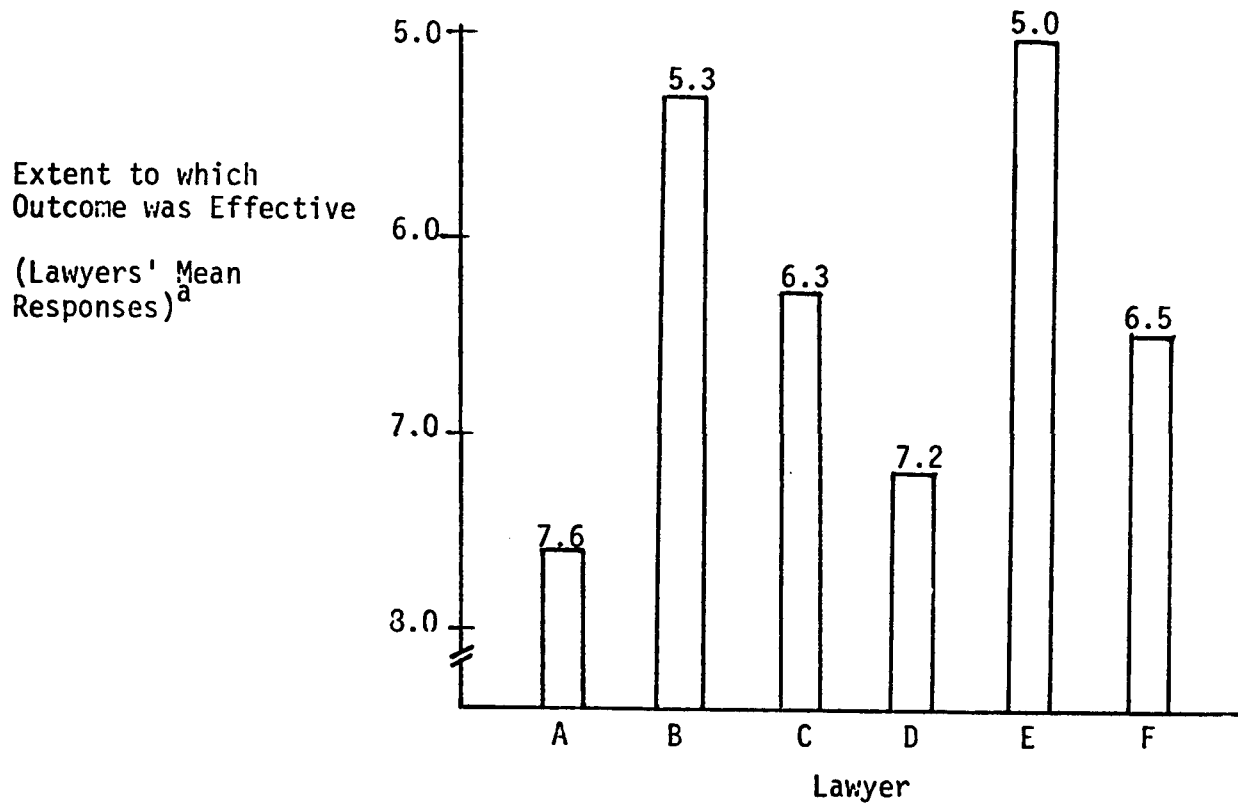
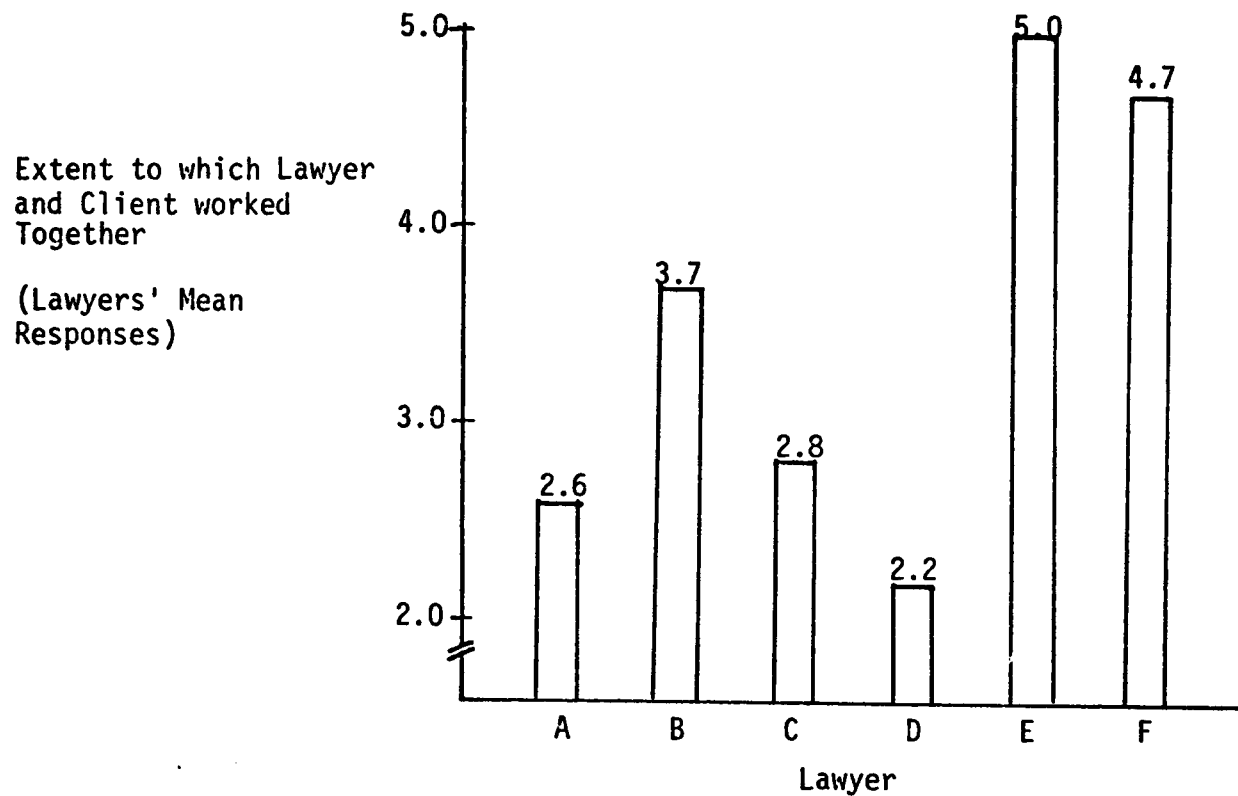
The correlation coefficients between (1) age and effectiveness, (2) income and effectiveness, and (3) knowledge of legal matters and effectiveness were non-significant for all six lawyers. Likewise, one-way ANOVAS comparing female and male clients' measures of effectiveness were non-significant for all six lawyers. The one-way ANOVA breaking clients down in terms of their experience with other lawyers and comparing client measures of effectiveness was significant for only one lawyer (Lawyer D: $F=12.70$, 3,5 df, $p<.009$). The one-way ANOVA comparing current and former clients' measures of effectiveness was also significant for Lawyer D only ($F=9.00$, 2,6 df, $p<.016$).

Combining these client characteristics with participation to predict effectiveness, dummy coding the client characteristic when necessary, also failed to offer support for Hypothesis III. Several of the 36 resulting regression equations had fairly good

predictive power, suggesting that for some lawyers, some client characteristics had bearing on effectiveness, but no systematic patterns emerged from these results across lawyers. (The results of these regression analyses and analysis of variance summary tables are reported in Appendix D.)

Lawyer (Hypothesis IV). Client measures of effectiveness of outcome did not differ significantly for the six lawyers (one-way ANOVA, $F=1.85$, $p<.109$). Nor did client measures of participation differ between lawyers ($F=.94$, $p<.458$). The multiple regression equation using lawyer and extent of participation to predict effectiveness had fairly poor predictive power ($R=.331$, $R^2=.109$, regression $F=1.84$, $p<.100$). It is interesting to note, however, that lawyer measures of effectiveness of outcome and extent of participation differed from one another. Both the one-way ANOVA comparing lawyer measures of effectiveness for each case ($F=3.85$, $p<.003$) and the one-way ANOVA comparing lawyer measures of participation for each relationship ($F=42.57$, $p<.001$) were significant. Lawyers' mean responses on measures of effectiveness and participation are shown in Figure 1. As can be seen from this figure, Lawyer E's mean responses were higher than the other lawyer's mean responses on both measures. (Analysis of variance summary tables are reported in Appendix D.)

Furthermore, the analyses relating to Hypothesis I, II, and III all suggested that the lawyer influenced the nature of the correlations between participation, effectiveness, type of case, and client characteristics; the strength and direction of these



^aSince smaller values are indicative of greater perceived effectiveness, values on this ordinate are shown in inverted order.

Figure 1. Lawyers' mean responses on measures of participation and effectiveness.

correlations varied by lawyer.

Similarity in Lawyer and Client Responses

A measure of the extent of agreement between lawyer and client was found by computing the distance or dissimilarity, between lawyer's and client's responses to the questionnaire items common to both the lawyer and client questionnaires. Distance was computed according to the semantic differential generalized distance formula of Osgood, Suci, and Tannenbaum; thus, distance is the sum of the squared differences between lawyer's and client's responses on each measure ($D = \sum d_i^2$; Fishbein & Ajzen, 1975).

The items common to both the lawyer and client questionnaires are listed in Table 10. Before proceeding to a discussion of the relationships between similarity, participation, and effectiveness (Hypothesis V), it is interesting to note that the general level of agreement between lawyer and client was not high. Paired groups t-tests were performed on lawyers' and clients' responses to the 13 items listed in Table 10 (Nie et al., 1975). Collapsing across Lawyers A, B, E, and F, lawyer and client mean responses differed significantly for nine of the 13 items. As illustrated in Figure 2, client responses were more favorable than lawyer responses for 11 of the 13 items. Thus, the means of client evaluations of the favorableness of case outcome, of lawyer's effort, and of all measures of the lawyer-client relationship were higher than the means of the lawyer evaluations of these items. Lawyers perceived the case as being resolved slightly more promptly and as being slightly more

difficult than did clients; lawyers' responses on these items were not significantly different from client responses on these two items, however.

Table 10
Similarity Between Lawyer and Client Responses
(Lawyers A, B, E, F)

Measure	t	df	r
Favorable outcome	2.03*	68	.41**
Case resolved promptly	.69	74	-.13
Case difficulty	.98	83	-.32*
Lawyer's effort	6.58**	73	.10
Extent to which lawyer-client relationship was:			
Pleasant	5.26**	85	.21
Satisfying	3.32**	83	.17
Trusting	3.83**	84	.33*
Cooperative	3.39**	84	.15
Open	3.84**	83	.10
Supportive	3.39**	84	-.06
Casual	.79	79	.20
Intense	2.56*	78	.09
Lawyer-dominated	1.83	76	-.06

*p < .05
**p < .002

The correlations between lawyer and client responses on each item were typically fairly small. While several of these corre-

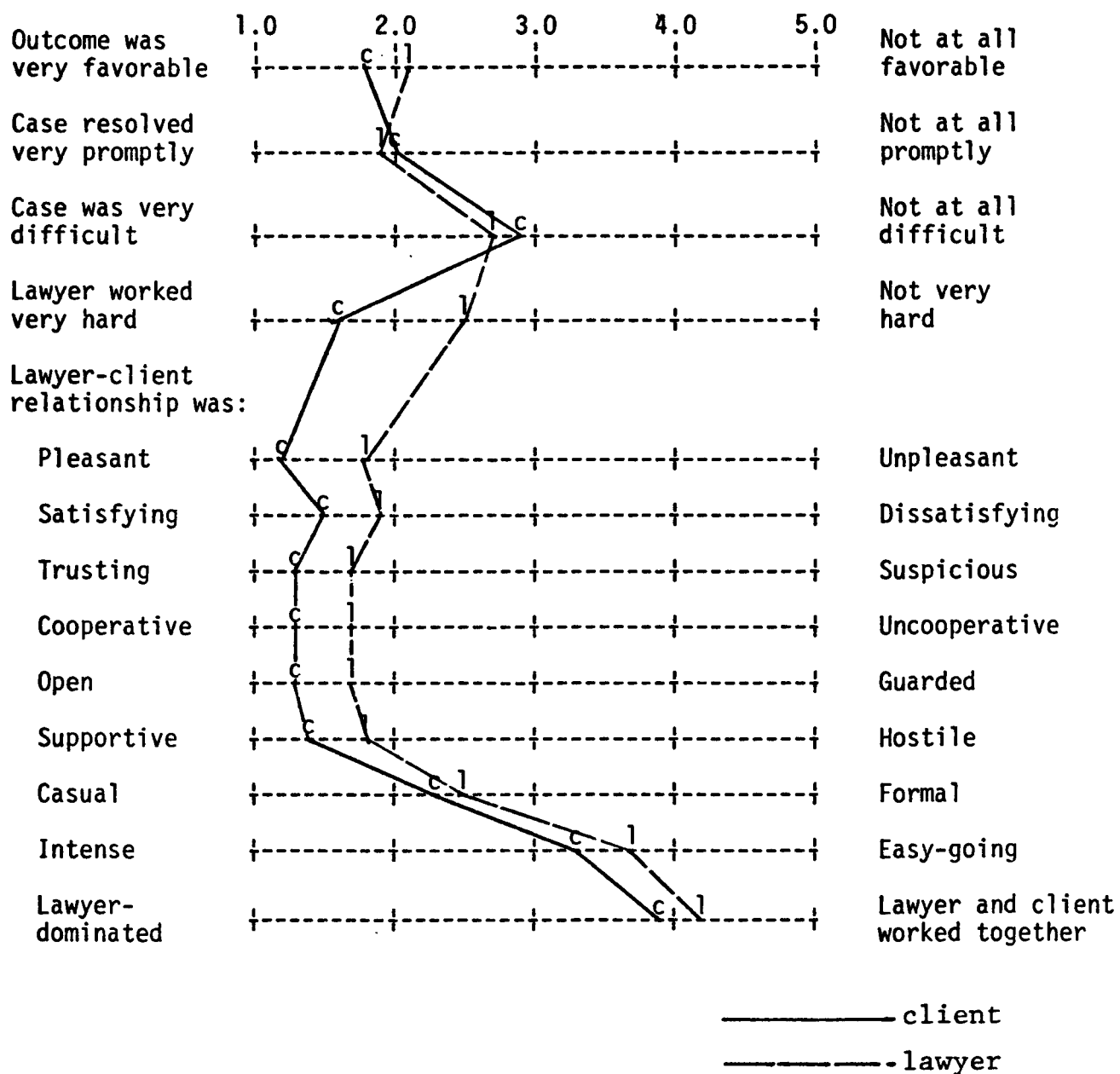


Figure 2. Lawyer and client mean responses.

lations were large enough to differ significantly from zero given the large sample sizes resulting from collapsing across lawyers, the largest correlation was .41; thus, at most, 16.8 percent of the variance was common to lawyer and client responses on an item (i.e., $r^2 \leq .168$ for all items). The correlation coefficients and the results of the t-tests are reported in Table 10.

The results reported in Table 10 collapse responses across the four lawyers with similar response rates, as mentioned above. These overall results are more easily visualized than the corresponding test results for each of the six lawyers, which involve 78 t-tests (13 t-tests for each of the six lawyers). An examination of the t-tests by lawyer, however, also revealed that lawyer and client responses tended to differ significantly. The chi-square test of significance for a set of results revealed that the trend toward lawyer-client differences approached significance for two of the 13 items (case difficulty and intense relationship: $p < .100$) and that the trend toward lawyer-client differences was significant for the 11 remaining items (favorable outcome: $p < .025$; all other items: $p < .001$).

After computing the distance scores (D) for each lawyer-client dyad, Pearson product moment correlations were computed between the distance scores, the measures of similarity in lawyer-client responses and (1) client judgments of the effectiveness of the case outcome and (2) lawyer judgments of the effectiveness of the case outcome. The resulting correlations differed markedly for individual lawyers, as revealed in Table 11.

Table 11

Correlations Between Similarity in Lawyer-Client Responses
and Measures of Effectiveness for Lawyers and Clients

Lawyer	Correlations between Similarity and Client Measure of Effectiveness			Correlations between Similarity and Lawyer Measure of Effectiveness		
	r	n	P	r	n	P
A	.26	15	.343	.64	15	.011
B	-.20	28	.298	.18	28	.361
C	.49	9	.180	.36	9	.346
D	-.26	11	.437	-.37	11	.257
E	.35	26	.085	-.03	26	.892
F	.38	21	.092	.09	21	.690
Mean r	.17			.15		
Median r	.31			.14		

The direction of these correlations was not consistent, and hence it was inappropriate to apply a test for the significance of a set of results (Edwards, 1954). These results offered no support for Hypothesis V, which predicted that amount of agreement between lawyer and client is related to the effectiveness of the case outcome.

The correlations between distance scores and both lawyer measures and client measures of participation were also examined. As with measures of effectiveness of outcome, the correlations between distance, measures of similarity in lawyer-client responses, and measures of participation were found to differ markedly for individual lawyers. No trends in these correlations could be ascertained.

Equity Theory

Support for the hypothesis that perceived equity is positively correlated to affect was found for client measures of equity and affect, but not for lawyer measures of equity and affect.

One item on the client questionnaire directly measured client perceptions of the equity of the lawyer-client relationship. This item asked the client to indicate the extent to which the attorney deserved the entire fee (#29, part 1, p. 5). Two items were used as measures of affect in testing the relationship between equity and affect: clients' liking for their attorneys (#27a, p. 4) and clients' judgments of the extent to which their relationship with their attorney was pleasant (#28, part 1, p. 5). The correlations between perceived equity and

both measures of client affect were positive for all six lawyers. These correlations are reported in Table 12. Seven of the 12 correlations reported were large enough to differ significantly from zero. The chi-square test of significance for a set of results indicated that the trend of positive correlations was highly unlikely for both sets of correlations.

One item on the lawyer questionnaire directly measured lawyer perceptions of the equity of the lawyer-client relationship. This item asked lawyers to indicate whether the fees charged were too high or too low given the services provided and the nature of the case (item 6). Two items were again used as measures of affect: Lawyers' liking for their clients (item 9) and lawyers' judgments of the extent to which their relationships with their clients were pleasant (item 11, part 1). An examination of the correlations between lawyer measures of equity and affect revealed that the correlations were significant for only one of the six lawyers (Lawyer F). A number of the correlations were negative, and hence there was no indication of a trend of results here. The correlations between lawyer measures of equity and affect are shown in Table 13.

Attribution Theory

No support was found for the hypothesis that clients will attribute an expected case outcome to stable factors, ability and case difficulty, and will attribute an unexpected case outcome to variable factors, effort and chance (Hypothesis VII). Clients made attributions to chance, case difficulty, attorney's effort, and attorney's responsibility for the case outcome and

Table 12

Correlations Between Client Measures of Equity and Affect

<u>Lawyer</u>	Correlations Between Equity and Liking for Attorney			Correlations Between Equity and Pleasantness of Relationship		
	<u>r</u>	<u>n</u>	<u>P</u>	<u>r</u>	<u>n</u>	<u>P</u>
A	.79	11	.001	.43	13	.142
B	.48	24	.018	.26	24	.215
C	.82	8	.013	.58	8	.134
D	.95	9	.001	.87	9	.003
E	.44	23	.035	.58	24	.003
F	.21	19	.279	.26	19	.274
Mean r	.62			.50		
Median r	.64			.50		
χ^2	50.837, p<.001			36.818, p<.001		

Table 13

Correlations Between Lawyer Measures of Equity and Affect

Lawyer	Correlations Between Equity and Liking for Client			Correlations Between Equity and Pleasantness of Relationship		
	r	n	p	r	n	p
A	-.47	15	.074	-.51	15	.054
B	-.13	28	.509	.01	28	.940
C	-.60	6	.205	r cannot be computed ^a		
D	.06	11	.870	-.15	11	.666
E	-.03	26	.892	-.04	26	.846
F	.51	19	.026	.51	19	.025
Mean r	-.11			-.03		
Median r	-.08			-.04		

^aThere is no variance in Lawyer C's measure of pleasantness of relationship.

completed three measures of attorney's ability (attorney's skill in solving legal problem, extent to which attorney is a good attorney, and extent to which attorney is effective). The correlations between these measures and the extent to which an outcome was expected are shown in Table 14.

Only a few of the correlations were significantly different from zero. There was some variation in the direction as well as the strength of these correlations. The chi-square test of significance for a set of results was applied wherever the correlations tended to be in the same direction, but at no time did this test achieve significance. Therefore, there was no indication that causal attributions vary with the extent to which an outcome is expected.

Table 14

Correlations Between Extent to Which Outcome is Expected

and Causal Attributions

(Based on Client Responses)

<u>Lawyer</u>	Chance/ Outcome Expected		Case Difficulty/ Outcome Expected		Effort/ Outcome Expected		Skill in Solving Legal Problems/ Outcome Expected	
	r	n	r	n	r	n	r	n
A	-.12	14	-.31	14	.57*	13	0	13
B	-.15	23	-.27	24	.27	24	.22	24
C	.03	7	.68	7	-.13	7	-.03	7
D	-.29	8	.24	10	.78*	9	.61	9
E	-.08	20	.06	20	.01	19	.21	19
F	-.15	15	.29	15	.28	14	.61*	15
Mean r	-.13		.12		.30		.27	
Median r	-.14		.15		.28		.22	
χ^2	5.33, p<.95		--		20.94, p<.10		17.69, p<.25	

*p<.05

Table 14 (Continued)

Correlations Between Extent to Which Outcome is Expected

and Causal Attributions

<u>Lawyer</u>	<u>Good Attorney/ Outcome Expected</u>		<u>Effective Attorney/ Outcome Expected</u>		<u>Attorney's Responsibility/ Outcome Expected</u>	
	r	n	r	n	r	n
A	.33	13	.28	11	-.01	14
B	.12	24	.25	24	.21	24
C	-.38	7	.14	7	.08	7
D	.48	10	.61	9	.44	10
E	.29	20	.35	20	-.24	20
F	.31	15	.54*	15	.50	15
Mean r	.19		.36		.16	
Median r	.30		.32		.15	
χ^2	14.97, p<.25		20.73, p<.10		--	

*p<.05

Chapter 5

DISCUSSION OF RESULTS

Factors Relating to the Effectiveness of the Lawyer-Client Relationship

This research offered no support for the assertion that the extent of participation between lawyer and client is positively correlated with the effectiveness of case outcome; the tests of Hypothesis I failed to achieve significance. Although for a number of lawyers the correlation between participation and effectiveness was positive, the correlations tended to be very weak. These findings, therefore, were not consistent with Rosenthal's (1974) findings of a strong positive relationship between extent of participation and effectiveness of outcome.

An examination of the literature dealing with the lawyer and client led to three hypotheses concerning situational and personal factors that may well be related to the effectiveness of a lawyer-client relationship. Hypothesis II proposed that type of case is related to the effectiveness of differing types of lawyer-client relationships. Hypothesis III proposed a relationship between client characteristics and the effectiveness of differing types of lawyer-client relationships. Hypothesis IV suggested that the lawyer would influence the effectiveness of differing types of lawyer-client relationships. Implicit in all three of these hypotheses derived from the literature were two separate propositions. First, it was proposed that the factor being tested (type of case, client, or lawyer) influenced the effectiveness of the outcome; this was tested with simple correlations or one-way ANOVAS. Second, it was proposed that

the factor combines with extent of lawyer-client participation to predict the effectiveness of case outcome; this was tested with multiple regression analyses, dummy coding variables when necessary. Virtually no support was found for the second and third hypotheses, but Hypothesis IV, concerning the influence of lawyer on the lawyer-client relationship, was supported.

No significant differences were found in client measures of effectiveness for different types of cases. Multiple regression analyses revealed that type of case and extent of lawyer-client participation were good predictors of effectiveness for only one of six lawyers. Thus, this research did not support Hypothesis II: type of case, the client's legal problem, is for most lawyers unrelated to the effectiveness of differing types of lawyer-client relationships.

Hypothesis III was tested for a number of different client characteristics. It was found that client's sex, age, income, experience with other lawyers, knowledge of legal matters, and status as current or former clients have virtually no relationship with effectiveness of case outcome. Furthermore, these factors were generally not good predictors of effectiveness when combined with measures of participation. Thus, this research offered no convincing support for the influence of client characteristics on the effectiveness of differing lawyer-client relationships (Hypothesis III).

The tests of Hypothesis IV also failed to reveal significant results for client judgments of participation and effectiveness. Client judgments of effectiveness did not differ between

lawyers, and lawyer and participation were not good predictors of effectiveness. The differences reported between lawyer measures of participation may simply be indicative of differences in lawyer response sets. However, in testing all seven hypotheses, analyses revealed that the strength and direction of relationships reported varied among the lawyers. When these analyses were taken as tests of the influence of lawyer, there was strong support for the contention that lawyer does influence the nature of the lawyer-client relationship.

The correlations between client measures of effectiveness and participation and the correlations between lawyer measures of effectiveness and participation were significantly different from zero for one lawyer; while most of these correlations were positive, the correlation between client measures of effectiveness and participation was negative for one lawyer, as was the correlation between lawyer measures of effectiveness and participation. Participation and type of case were good predictors of effectiveness for only one lawyer (Lawyer A). Likewise, the relationships between (1) participation and different client characteristics, (2) similarity of lawyer and client responses and measures of effectiveness of outcome, (3) similarity of lawyer and client responses and measures of participation, (4) lawyer measures of equity and affect, and (5) attributions of causality and the extent to which an outcome was expected all revealed variations by lawyer. On the one hand this variability between lawyers was frustrating to an effort to reach overall conclusions about the results of this research. On the other

hand such variability pointed to the very important finding that effectiveness of the lawyer-client relationship was influenced by different factors for different lawyers. There was no universal formula for a maximally effective case outcome; rather, a formula for effectiveness appeared to depend upon the individual lawyer involved.

Similarity Between Lawyer and Client Responses

The fifth hypothesis proposed that similarity between lawyer and client responses is related to the effectiveness of the lawyer-client relationship. Using an aggregate measure of similarity in responses, Osgood et al.'s measure of distance (D), no support was found for this hypothesis.

Overall the extent of lawyer-client agreement was found to be fairly low, and for most measures client evaluations were more favorable than lawyer evaluations. This finding has serious implications for research concerning the lawyer-client relationship. The lawyer and the client perceive their relationship and the client's case differently and will provide researchers with different information. Researchers must decide whether to rely upon the lawyer's or the client's perceptions; it should be determined whether one view is more accurate or preferable than the other, or whether the two viewpoints may be reconciled. In this research, it was decided to rely primarily upon client measures of effectiveness and participation, elevating the judgments of the consumer of legal services to a more important position than the judgments of the lawyer who provides those services. It seems that a determination of this sort would vary depending

upon the focus or purpose of a research investigation. For example, a lawyer, by virtue of professional training and experience, is most certainly in a better position to evaluate matters pertaining to the law than is the client. Ultimately, if research in this area is to progress, it seems that factors contributing to the differential evaluations of lawyers and clients must be better understood. These problems may well merit empirical investigation. At the very least, however, researchers should be alerted to the impact of the source of information concerning the lawyer-client relationship.

In light of the differing views of lawyers and clients, it would be desirable to look to other sources of information for measures of variables such as participation and effectiveness. It seems likely that, for example, observing and coding the nature and extent of lawyer-client interaction might lead to a more exact measure of participation than lawyer and client reports. Such sources of information were unavailable to this research project.

Equity Theory

The hypothesis that perceived equity and affect are positively correlated was supported for client judgments of equity and affect, but not for lawyers. For the client, who receives legal services in exchange for money, the perceived equity of this exchange was positively correlated with liking for the lawyer and with the pleasantness of the lawyer-client relationship. Equity theory's predictions were borne out for clients. However, virtually no correlation was found between lawyer measures

of equity and affect. These "negative results" are difficult to interpret. It is possible that the predictions of equity theory are inappropriate for these lawyers. It is also possible that equity as perceived by lawyers is not determined by the exchange of money for their labors. Foa and Foa (1974), for example, have suggested that exchanges take place in a variety of commodities: goods, services, money, status, information, and love; the lawyers' perceptions of equity may be determined by the exchange of commodities other than money and services. At any rate, this research offered no support for the predictions concerning the equity of the obvious exchange in the lawyer-client relationship (money for services) and lawyers' affect.

Attribution Theory

Hypothesis VII, based upon the work of attribution theorists investigating cue utilization in attributions for success and failure predicted that clients attribute an expected case outcome to stable factors, lawyer's ability and the difficulty of the case, and attribute an unexpected outcome to variable factors, lawyer's effort and chance. This hypothesis was not supported. Causal attributions were not found to vary with the extent to which a case outcome was expected. The predictions based on the work of experimental social psychologists were not borne out in this field study.

Chapter 6

CONCLUSIONS AND IMPLICATIONS FOR THEORY AND RESEARCH ON THE LAWYER-CLIENT RELATIONSHIP

The lawyer-client relationship has been described as a help-centered profession in which the lawyer acquires status and power by virtue of professional expertise, as do other professionals (supra p. 17). At the outset of this paper, it was suggested that the lawyer-client relationship can be viewed in terms of the distribution of power between lawyer and client. Three models of the lawyer-client relationship were proposed; these models differed in terms of the distribution of power between lawyer and client, or the extent to which the lawyer and client worked together in a participatory fashion to resolve the clients' legal problem. Past research has laid the ground work for this taxonomy of lawyer-client relationships, and one piece of research has proposed that more participatory relationships are more effective than less participatory, more traditional relationships (Rosenthal, 1974). This research was undertaken, in part, to test Rosenthal's contention that more participatory relationships are more effective than traditional relationships, i.e., to determine which model of the lawyer-client relationship is best or most effective. This research had the additional purpose of increasing our understanding of the lawyer-client relationship and factors that influence that relationship.

This research offers virtually no support for Rosenthal's (1974) contention that the extent of participation between lawyer and client is positively correlated with the effectiveness of that relationship, with the effectiveness of the case out-

come. There was a significantly large positive correlation between participation and effectiveness for only one of the six lawyers participating in this research. This research suggests, therefore, that the relationship between participation and effectiveness depends upon the lawyer involved in the relationship. In general, client characteristics and type of case were not found to be important determinants of the effectiveness of a lawyer-client relationship, contrary to the predictions of previous researchers (e.g., Mazor, 1968). For some lawyers, however, client characteristics and type of case were found to influence the effectiveness of a case outcome.

This research investigated lawyer-client relationships for only six lawyers, five men and one woman. This is too small a sample of lawyers to begin a determination of what factors lead to a maximally effective relationship for different types of lawyers; the sample is large enough, however, to conclude that different factors are at work for different lawyers. Thus, a theory of the relationship between participation and effectiveness of a lawyer-client relationship now seems incomplete without reference to the lawyer involved.

This research provided a unique opportunity to examine both the client's and the lawyer's evaluations of the lawyer-client relationship and the client's case. While no correlation was found to exist between the extent of lawyer-client agreement and measures of participation or of effectiveness, there was generally a fairly low degree of agreement between lawyer and client. This finding suggests that a problem is inherent in any attempt

to determine what model of the lawyer-client relationship is most effective: the description of the lawyer-client relationship and judgments of its effectiveness may vary depending upon whether the lawyer or the client is consulted. It would, therefore, be highly desirable to turn to other sources of information concerning the lawyer-client relationship and its outcome. Hence, the reliance of this research on lawyer and client reports is a serious shortcoming.

Finally, this research lends itself to making several statements about clients' judgments of their lawyers. Clients perceive their lawyers and their relationship with their lawyers in a fairly positive light, as suggested by the findings of past public opinion and client satisfaction surveys (e.g., American Bar Association, 1976; Shorter, 1975). In fact, client judgments were found to be more favorable than lawyer judgments for most measures. A more equitable relationship, as perceived by clients, is associated with more positive affect, such as liking for the lawyer, than is a less equitable relationship; hence principles of equity theory appear to apply to the lawyer-client relationship as it is perceived by the client. Attribution theory, however, does not appear to be helpful in interpreting clients' perceptions of their lawyers.

In conclusion, it is proposed here that a theory of the effectiveness of the lawyer-client relationship should not be formulated simply in terms of extent of participation between lawyer and client. Such a theory is incomplete without reference to the particular lawyer involved. In order to fully

develop a theory of the lawyer-client relationship, researchers should turn to an investigation of the exact nature of the lawyer's influence on that relationship and to the factors leading to a maximally effective relationship for different types of lawyers. Until further information is gathered, the general suggestions put forth by Rosenthal should be considered with skepticism. The majority of correlations between participation and effectiveness observed in this research were positive. It should be remembered, however, that these positive correlations were weak, the correlation was significantly large for only one lawyer, and hence some lawyers and clients may suffer from an attempt to impose a participatory relationship upon them.

Differences between lawyers were also found in terms of the influence of type of case and client characteristics on the effectiveness of the lawyer-client relationship. When combined with measures of participation, type of case and some client characteristics were found to be good predictors of effectiveness of case outcome for some lawyers. Overall, however, type of case and client characteristics of sex, age, income, experience with other lawyers, knowledge of legal matters, and status as current or former client were found to have no relationship with effectiveness of case outcome. Thus, negative findings here seem important in suggesting that the literature proposing that these factors have impact on the lawyer-client relationship is largely unfounded.

Lawyers and clients evaluate their relationship and the client's case differently, with client evaluations tending to be

more favorable than lawyer evaluations. This factor should be borne in mind in evaluating or undertaking research dealing with the lawyer-client relationship. As suggested by previous surveys, however, clients tend to view their lawyers, their relationship with the lawyers, and the legal services provided by the lawyers favorably. Finally, although attribution theory is of little consequence here, equity theory offers some additional insight into clients' perceptions of their lawyers. More equitable relationships are associated with more liking for the lawyer and more pleasant lawyer-client relationships than are less equitable relationships.

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Appendix A

Client Questionnaire and Lawyer Questionnaire

QUESTIONNAIRE

Part I.

1. How did you select this attorney or this law office?

An attorney referred me

A former client of the attorney referred me

An acquaintance of the attorney referred me

Bar Association referred me

Other (please explain) _____

2. When did you first contact this attorney?

Within the last six months

Within the last year

Within the last two years

More than two years ago

3. When was the last time you had a meeting or conference with your attorney?

Within the last three months

Within the last six months

Within the last year

Over a year ago

4. Is your legal matter still pending? That is, are you still seeing your attorney about your legal problem, or has it been resolved?

Still seeing attorney

Legal problem resolved

5. What legal problem or questions did you have when you first contacted your attorney?

Divorce

Will

Probate or guardianship

Personal injury

Business related matter

Criminal matter

Other (please explain) _____

6. If you were to need an attorney in the future for this sort of legal problem would you contact this attorney again?

Yes

No

7. If you were to need an attorney in the future for a different legal problem would you contact this attorney or this firm (Lundin, Estep, Sindell and Haley)?

Yes

No

8. Have you had any contact with the paralegal assistants in this office?

___ Yes ___ No

9. If you had contact with a paralegal assistant:

(a) Did you like working with the paralegal? ___ Yes ___ No

(b) Did you prefer working with the attorney or the paralegal?

___ Preferred attorney ___ Preferred paralegal

(c) Did the paralegal handle matters as well as you think an attorney would have handled matters?

___ Yes ___ No

(d) What advantages (or disadvantages) do you see in working with the paralegals? _____

10. Have you had dealings with attorneys outside this law firm?

___ Yes, before contacting this firm

___ Yes, after contacting this firm

___ No

Part II.

Many of the remaining questions are followed by a pair of words or phrases which are opposite in meaning, such as "Very neat" and "Not at all neat." Between each pair of words are five blanks to form a scale. Please answer each question by placing an "X" in the space on the scale that best describes your feelings about the question.

For example, in answering the question, "How neat are the law offices?", you would place an "X" in the first space if you think the offices are very neat, like this:

Very neat X : _____ : _____ : _____ : _____ : _____ Not at all neat
 Very Somewhat Neither neat Somewhat Very
 Neat Neat nor untidy Untidy Untidy

If you think of the law offices as being somewhat untidy, or not neat, you would put your "X" in the fourth space, like this:

Very neat _____ : _____ : _____ : X : _____ Not at all neat

Please follow this procedure in answering the questions below.

1. Do you think this law firm is a good firm?

Very good _____ : _____ : _____ : _____ : _____ Not at all good

2. How well organized is this law firm?

Very well organized _____ : _____ : _____ : _____ : _____ Very poorly organized

3. Are the law offices attractive?

Very attractive _____ : _____ : _____ : _____ : _____ Very unattractive

4. Is the law firm's staff helpful and responsive?

Very helpful and responsive _____ : _____ : _____ : _____ : _____ Not at all helpful and responsive

5. Was the staff courteous on the telephone?

Very courteous _____ : _____ : _____ : _____ : _____ Not at all courteous

-3-

6. Was the staff courteous in the waiting room?

Very courteous _____ : _____ : _____ : _____ : _____ Not at all courteous

Questions 7 through 16 deal with cases which are essentially completed. If your legal problem has not been resolved (if it is still pending) you may not be able to complete all of these questions. Please complete as many as you can.

7. Was the outcome of your legal matter in your favor?

Very much in my favor _____ : _____ : _____ : _____ : _____ Not at all in my favor

8. Were you pleased with this outcome?

Very pleased _____ : _____ : _____ : _____ : _____ Not at all pleased

9. Did you expect this outcome?

Outcome was exactly what I expected _____ : _____ : _____ : _____ : _____ Outcome was not at all what I had expected

10. To what extent do you think this outcome was caused by your attorney's effort and hard work? That is, how hard did your attorney try to solve your problem?

Tried very hard _____ : _____ : _____ : _____ : _____ Did not try very hard

11. To what extent do you think the outcome of your case was just due to chance?

Very much by chance _____ : _____ : _____ : _____ : _____ Not at all by chance

12. Do you think your legal problem was very difficult (or very easy) to resolve?

Not at all difficult _____ : _____ : _____ : _____ : _____ Very difficult

13. To what degree do you feel your attorney was responsible for the outcome of your case?

Very responsible _____ : _____ : _____ : _____ : _____ Not at all responsible

14. How promptly was your legal problem solved?

Very promptly _____ : _____ : _____ : _____ : _____ Not at all promptly

15. Was your legal problem solved as promptly as you had expected it would be solved before you saw your attorney for the first time?

As promptly as I expected _____ : _____ : _____ : _____ : _____ Not nearly as promptly as I expected

16. Was your legal problem solved as promptly as you had expected it would be solved after discussing the matter with your attorney?

As promptly as I expected _____ : _____ : _____ : _____ : _____ Not nearly as promptly as I expected

17. Did your attorney cause any substantial delay in solving your legal problem?

Attorney caused substantial delay _____ : _____ : _____ : _____ : _____ Attorney caused no substantial delays

18. Were you able to reach your attorney when necessary?

Always able to reach attorney _____ : _____ : _____ : _____ : _____ Almost never able to reach attorney

19. Did your attorney return your phone calls?
 Always returned phone calls _____:_____:_____:_____:_____ Rarely returned phone calls
20. Did your attorney keep you well informed of the progress of your case?
 Kept me very well informed _____:_____:_____:_____:_____ Did not keep me at all well informed
21. Did your attorney seek your participation in handling your legal problem?
 Often sought my participation _____:_____:_____:_____:_____ Rarely sought my participation
22. How skillful was your attorney in solving your legal problem?
 Very skillful _____:_____:_____:_____:_____ Not at all skillful
23. Does your attorney explain matters in understandable terms?
 Explains matters very well _____:_____:_____:_____:_____ Does not explain matters well
24. Did your attorney provide the legal services you needed?
 Provided all services _____:_____:_____:_____:_____ Did not provide many services
25. Do you feel that your attorney was acting in your best interest at all times?
 Always acted in my best interest _____:_____:_____:_____:_____ Almost never acted in my best interest
26. Do you think your attorney is a good attorney?
 Very good _____:_____:_____:_____:_____ Not very good
27. Do you like your attorney?
 Very much _____:_____:_____:_____:_____ Not at all
27. Please describe your attorney in terms of the items listed below:
- | | |
|---|--|
| Very nice _____:_____:_____:_____:_____ | Not at all nice |
| Considerate _____:_____:_____:_____:_____ | Inconsiderate |
| Understanding _____:_____:_____:_____:_____ | Not at all understanding |
| Friendly _____:_____:_____:_____:_____ | Unfriendly |
| Cooperative _____:_____:_____:_____:_____ | Uncooperative |
| Honest _____:_____:_____:_____:_____ | Dishonest |
| Ethical _____:_____:_____:_____:_____ | Unethical |
| Effective _____:_____:_____:_____:_____ | Ineffective |
| Modest _____:_____:_____:_____:_____ | Arrogant |
| Intelligent _____:_____:_____:_____:_____ | Unintelligent |
| Well prepared _____:_____:_____:_____:_____ | Not well prepared |
| Aggressive _____:_____:_____:_____:_____ | Retiring |
| Bold _____:_____:_____:_____:_____ | Favors conservative approach in solving problems |

28. Please describe your relationship with your attorney in terms of the items listed below:

Pleasant _____	:	_____	:	_____	:	_____	:	_____	Unpleasant
Satisfying _____	:	_____	:	_____	:	_____	:	_____	Dissatisfying
Trusting _____	:	_____	:	_____	:	_____	:	_____	Suspicious
Cooperative _____	:	_____	:	_____	:	_____	:	_____	Uncooperative
Open _____	:	_____	:	_____	:	_____	:	_____	Guarded
Supportive _____	:	_____	:	_____	:	_____	:	_____	Hostile
Casual _____	:	_____	:	_____	:	_____	:	_____	Formal
Intense _____	:	_____	:	_____	:	_____	:	_____	Easy-going
Lawyer dominated the relationship _____	:	_____	:	_____	:	_____	:	_____	Lawyer and client worked together

29. How do you feel about the fees charged by your attorney? (Please check each of the following scales.)

Attorney deserved entire fee _____	:	_____	:	_____	:	_____	:	_____	Attorney did not deserve the entire fee
Fees were more than I expected _____	:	_____	:	_____	:	_____	:	_____	Fees were less than I expected
Fees were too high _____	:	_____	:	_____	:	_____	:	_____	Fees were too low
I could not afford to pay the fees _____	:	_____	:	_____	:	_____	:	_____	I could pay the fees easily

30. Did your attorney discuss fees when you first started seeing him/her?

___ Yes, in specific terms
 ___ Yes, in a general way
 ___ No

31. Were you billed at regular intervals by your attorney?

___ Yes ___ No

32. Were you billed too often (or too rarely) by your attorney?

Billed too often _____ : _____ : _____ : _____ : _____ Billed too rarely

33. Did you have a written fee agreement with your attorney?

___ Yes ___ No

34. Would you prefer a written fee agreement with your attorney?

___ Prefer written agreement
 ___ Prefer some other arrangement

35. Do you have any suggestions as to how your attorney could improve the way in which fees are set and billed?

Lawyer Questionnaire

Client Number _____

Client Name _____

Type of Case _____

1. Was the outcome of the case favorable for the client?
 Very favorable _____:_____:_____:_____:_____ Not at all favorable
2. How promptly was the case resolved?
 Very promptly _____:_____:_____:_____:_____ Not at all promptly
3. How successful do you feel you were in handling this case?
 Very successful _____:_____:_____:_____:_____ Not at all successful
4. How difficult was this case?
 Very difficult _____:_____:_____:_____:_____ Not at all difficult
5. How hard did you work on this case?
 Extremely hard _____:_____:_____:_____:_____ Not very hard
6. Given the services you provided and the nature of the case, how do you feel about the fees charged?
 Fees were too high _____:_____:_____:_____:_____ Fees were too low
7. How closely did you work with this client?
 Worked very closely with client _____:_____:_____:_____:_____ Did not work closely with client at all
8. Did you enjoy this case?
 Enjoyed case very much _____:_____:_____:_____:_____ Did not enjoy case at all
9. Do you personally like this client?
 Very much _____:_____:_____:_____:_____ Not at all
10. How knowledgeable is this client in legal matters?
 Very knowledgeable _____:_____:_____:_____:_____ Not at all knowledgeable
11. Please describe your relationship with this client in terms of the items listed below:

Pleasant _____:_____:_____:_____:_____	Unpleasant
Satisfying _____:_____:_____:_____:_____	Dissatisfying
Trusting _____:_____:_____:_____:_____	Suspicious
Cooperative _____:_____:_____:_____:_____	Uncooperative
Open _____:_____:_____:_____:_____	Guarded
Supportive _____:_____:_____:_____:_____	Hostile
Casual _____:_____:_____:_____:_____	Formal
Intense _____:_____:_____:_____:_____	Easy-going
Stressful _____:_____:_____:_____:_____	Not stressful
Lawyer dominated the relationship _____:_____:_____:_____:_____	Lawyer and client worked together

Appendix B

Cover Letter to Clients

February 21, 1977

Dear Client:

Our firm is cooperating with a doctoral student in the Department of Psychology at the University of Washington to gather and analyze clients' feelings about the firm and the legal services we are providing. We hope this will enable us to better serve you and all our clients in the future.

We would greatly appreciate your completing the enclosed questionnaire and returning it to Mary McGuire, Department of Psychology, University of Washington, in the enclosed envelope.

Your responses on this questionnaire will be completely confidential. Your name will not appear on the questionnaire and we will never know how you, or any client, answered the items on the questionnaire. We will not handle the questionnaires directly. Ms. McGuire will receive the completed questionnaires and analyze and summarize them for our law firm. She may also use the results of the survey in her doctoral research on the attorney-client relationship. The questionnaires are numbered for purposes of record keeping and analysis of data, but at no time will this involve the identity of the specific attorney or client.

You are under no obligation to complete the questionnaire, but we hope you will find the time to do so to help us evaluate and improve our services.

Thank you very much for your time and help.

Very truly yours,

Enclosure

Appendix C

Clients' Demographic Characteristics

CLIENTS' AGE

Lawyer

<u>Age</u>	A	B	C	D	E	F	Total
Under 30 (22-29)	1	1	2	3	1	3	11 (10.2%)
30-34	2	8		2	1	2	15 (13.9%)
35-39	3	1			8	3	15 (13.9%)
40-44	2	5	3	1	4	3	18 (16.7%)
45-49	4	3	1		5	2	15 (13.9%)
50-54	1	5	1	1	5	2	15 (13.9%)
55-59	1	1	1	2	1	1	7 (6.5%)
60-64	1	2			1	3	7 (6.5%)
Over 64 (65-82)		2		1		2	5 (4.6%)
Total	15	28	8	10	26	21	108
Average Age	43.1	44.7	40.6	42.9	43.6	46.3	44.1

CLIENTS' RACE/ETHNIC IDENTIFICATION

<u>Race/Ethnic Identification</u>	<u>Lawyer</u>						Total
	A	B	C	D	E	F	
White	14	25	5	5	23	18	90 (84.1%)
Black		2	2	6			10 (9.3%)
Asian		1			3	3	7 (6.5%)
Total	14	28	7	11	26	21	107

CLIENTS' ANNUAL HOUSEHOLD INCOME

<u>Income</u>	<u>Lawyer</u>						Total
	A	B	C	D	E	F	
Less than \$4999	1		1	2	1		5 (4.8%)
\$5000 - \$9999	1	5	1	4	5	5	21 (20.0%)
\$10000 - \$14999	3	5	1	2	4	6	21 (20.0%)
\$15000 - \$19999	2	4	2	1	4	4	17 (16.2%)
\$20000 - \$29999	1	7		1	5	3	17 (16.2%)
More than \$30000	6	7	2	1	6	2	24 (22.9%)
Total	14	28	7	11	25	20	105

NUMBER OF PEOPLE IN CLIENTS' HOUSEHOLD

Lawyer

<u>Number of People</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>Total</u>
1	1	5	2	3	7	2	20 (19.6%)
2	3	7	2	3	1	6	22 (21.6%)
3	3	7		2	4	6	22 (21.6%)
4	3	3	2		4	2	14 (13.7%)
5	3	2	1	1	5	1	13 (12.7%)
6	1	3			4		8 (7.8%)
7			1	1		1	3 (2.9%)
Total	14	27	8	10	25	18	102
Average	3.5	3.0	3.3	2.7	3.4	2.9	3.1

CLIENTS' TYPE OF WORK

Type of Work	Lawyer						Total
	A	B	C	D	E	F	
Unskilled	1	3	2	3	3	3	15 (14.4%)
Semiskilled	3	5	1	4	2	1	16 (15.4%)
Skilled	1	4			6	3	14 (13.5%)
Business	6	6	2	1	2	1	18 (17.3%)
Professional	1	5		1	9	8	24 (23.1%)
Self-employed	1	2	1		2		6 (5.8%)
Unemployed					1	1	2 (1.9%)
Student		2	1				3 (2.9%)
Retired		1		1	1	3	6 (5.8%)
Total	13	28	7	10	26	20	104

CLIENTS' EDUCATION

Lawyer

<u>Last grade of school completed</u>	<u>Lawyer</u>						<u>Total</u>
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	
8		2					2 (1.9%)
9				1			1 (0.9%)
10				1			1 (0.9%)
11	1			1			2 (1.9%)
12	1	3	1	1	3	2	11 (10.2%)
13	2	3	1	1	5	4	16 (14.8%)
14	2	4		2	3	2	13 (12.0%)
15	1	7	2	2	1	2	15 (13.9%)
16	3	3	1		9	4	20 (18.5%)
17			2	1	1	2	6 (5.6%)
18	3	2			3	1	9 (8.3%)
19		1				1	2 (1.9%)
20	1	3	1	1	1	3	10 (9.3%)
Total	14	28	8	11	26	21	108
Average	15.3	14.8	15.6	13.6	15.1	15.7	

Appendix D
Data Summary Tables

TESTS OF HYPOTHESIS II

Impact of Type of Case on Client Measure of Effectiveness

One-way Analysis of Variance: Groups = Type of Case

	Source of Variation	Sum of Squares	df	Mean Square	F	p
<u>Lawyer</u> A	Between Groups	4.99	3	1.66	.29	.835
	Within Groups	63.99	11	5.82		
	Total	68.98	14			

B	Between Groups	40.44	4	10.11	2.04	.123
	Within Groups	114.26	23	4.97		
	Total	154.70	27			

C	Between Groups	14.12	2	7.06	1.06	.403
	Within Groups	39.84	6	6.64		
	Total	53.96	8			

D	Between Groups	43.30	4	10.83	.92	.518
	Within Groups	58.77	5	11.75		
	Total	102.07	9			

E	Between Groups	5.66	4	1.42	.24	.915
	Within Groups	126.18	21	6.01		
	Total	131.84	25			

F	Between Groups	133.87	6	22.31	2.44	.079
	Within Groups	127.93	14	9.14		
	Total	261.80	20			

TESTS OF HYPOTHESIS II

Using Type of Case (Dummy Coded) and Extent of Participation to
Predict Client Measure of Effectiveness

Multiple Regression Analyses

Lawyer	Multiple R	R ²	Regression F	p
A	.982	.965	47.76	.000
B	.539	.291	1.23	.343
C	.560	.314	.76	.562
D	.804	.646	1.46	.368
E	.296	.088	.36	.866
F	.737	.543	2.03	.134

TESTS OF HYPOTHESIS III

Correlations Between Client Characteristic and
Client Measure of EffectivenessClient Characteristic: Age

<u>Lawyer</u>	<u>r</u>	<u>n</u>	<u>p</u>
A	.06	15	.838
B	-.02	27	.907
C	.06	8	.885
D	-.01	9	.988
E	.00	25	.998
F	-.45	19	.054

Client Characteristic: Income

<u>Lawyer</u>	<u>r</u>	<u>n</u>	<u>p</u>
A	.47	14	.091
B	.14	27	.471
C	-.20	7	.670
D	.22	9	.575
E	-.05	25	.803
F	.17	18	.493

Client Characteristic: Knowledge of Legal Matters

<u>Lawyer</u>	<u>r</u>	<u>n</u>	<u>p</u>
A	.04	15	.895
B	-.31	27	.111
C	-.67	8	.068
D	.18	9	.651
E	.23	25	.260
F	-.07	19	.764

TESTS OF HYPOTHESIS III

Impact of Client Characteristic on Client Measure of Effectiveness

One-way Analysis of Variance

Client Characteristic: Sex (Groups = Males, Females)

<u>Lawyer</u>	Source of Variation	Sum of Squares	df	Mean Square	F	p
A	Between Groups	3.13	1	3.13	.62	.446
	Within Groups	65.85	13	5.07		
	Total	68.98	14			
B	Between Groups	.11	1	.11	.02	.90
	Within Groups	154.58	25	6.18		
	Total	154.69	26			
C	Between Groups	13.19	1	13.19	2.27	.176
	Within Groups	40.77	7	5.82		
	Total	53.96	8			
D	Between Groups	7.99	1	7.99	.91	.373
	Within Groups	61.72	7	8.82		
	Total	69.71	8			
E	Between Groups	7.55	1	7.55	1.44	.243
	Within Groups	120.95	23	5.26		
	Total	128.50	24			
F	Between Groups	29.74	1	29.74	2.26	.151
	Within Groups	223.31	17	13.14		
	Total	253.05	18			

Tests of Hypothesis III

Impact of Client Characteristic on Client Measure of Effectiveness

One-way Analysis of Variance--Continued

Client Characteristic: Experience with Other Lawyers (Groups =
Amount of Experience with Other Lawyers)

	Source of Variation	Sum of Squares	df	Mean Square	F	p
<u>Lawyer</u> A	Between Groups	14.00	3	4.67	.93	.457
	Within Groups	54.97	11	5.00		
	Total	68.97	14			
B	Between Groups	27.34	3	9.11	1.65	.206
	Within Groups	127.35	23	5.54		
	Total	154.69	26			
C	Between Groups	11.81	2	5.91	.84	.477
	Within Groups	42.15	6	7.03		
	Total	53.96	8			
D	Between Groups	61.62	3	20.54	12.70	.009
	Within Groups	8.09	5	1.62		
	Total	69.71	8			
E	Between Groups	2.66	2	1.33	.23	.794
	Within Groups	125.83	22	5.72		
	Total	128.49	24			
F	Between Groups	59.80	3	19.93	1.55	.243
	Within Groups	193.25	15	12.88		
	Total	253.05	18			

Tests of Hypothesis III

Impact of Client Characteristic on Client Measure of Effectiveness

One-way Analysis of Variance--Continued

Client Characteristic: Status as Current or Former Client(Groups = Current, Former Clients)

<u>Lawyer</u>	Source of Variation	Sum of Squares	df	Mean Square	F	p
A	Between Groups	5.68	1	5.68	1.17	.300
	Within Groups	63.30	13	4.87		
	Total	68.98	14			
B	Between Groups	9.01	1	9.01	1.56	.224
	Within Groups	138.72	24	5.78		
	Total	147.73	25			
C	Between Groups	6.69	1	6.69	.99	.353
	Within Groups	47.27	7	6.75		
	Total	53.96	8			
D	Between Groups	52.28	2	26.14	9.00	.016
	Within Groups	17.43	6	2.90		
	Total	69.71	8			
E	Between Groups	.21	1	.21	.04	.847
	Within Groups	128.28	23	5.58		
	Total	128.49	24			
F	Between Groups	27.42	2	13.71	.97	.400
	Within Groups	225.63	16	14.10		
	Total	253.05	18			

TESTS OF HYPOTHESIS III

Using Client Characteristic and Extent of Participation to Predict
 Client Measure of Effectiveness
 Multiple Regression Analyses

Client Characteristic: Age

Lawyer	Multiple R	R ²	Regression F	P
A	.712	.506	4.62	.042
B	Correlation between age and other variables (participation and effectiveness) is insufficient to warrant computation of multiple regression equation.			
C				
D	.555	.309	1.34	.331
E	.138	.019	.20	.818
F	.540	.291	2.88	.090

Client Characteristic: Income

Lawyer	Multiple R	R ²	Regression F	P
A	.781	.610	7.04	.014
B	.157	.025	.23	.798
C	.376	.141	.33	.737
D	.590	.348	1.60	.277
E	.139	.019	.21	.815
F	.263	.069	.52	.606

Hypothesis III

Using Client Characteristic and Extent of Participation to Predict
Client Measures of Effectiveness

Multiple Regression Analyses--Continued

Client Characteristic: Knowledge of Legal Matters

Lawyer	Multiple R	R ²	Regression F	P
A	.712	.507	4.62	.042
B	.342	.117	1.19	.326
C	.710	.504	2.54	.173
D	.558	.311	1.35	.327
E	.268	.072	.81	.458
F	.198	.039	.31	.740

Client Characteristic: Sex (Dummy Coded)

Lawyer	Multiple R	R ²	Regression F	P
A	.703	.494	4.39	.047
B	.100	.010	.09	.914
C	.501	.251	.67	.561
D	.566	.321	1.42	.314
E	.333	.111	1.31	.291
F	.431	.186	1.60	.237

Hypothesis III

Using Client Characteristic and Extent of Participation to Predict
Client Measures of Effectiveness

Multiple Regression Analyses--Continued

Client Characteristic: Experience with Other Lawyers (Dummy
Coded)

<u>Lawyer</u>	<u>Multiple R</u>	<u>R²</u>	<u>Regression F</u>	<u>p</u>
A	.761	.580	2.42	.146
B	.422	.178	.86	.506
C	.652	.425	.99	.484
D	.992	.985	65.19	.001
E	.218	.047	.52	.601
F	.502	.252	1.09	.400

Client Characteristic: Status as Current or Former Client (Dummy
Coded)

<u>Lawyer</u>	<u>Multiple R</u>	<u>R²</u>	<u>Regression F</u>	<u>p</u>
A	.728	.530	5.08	.033
B	.212	.045	.90	.355
C	.459	.211	.67	.553
D	.808	.653	5.64	.042
E	.137	.019	.20	.820
F	.330	.109	.92	.421

TESTS OF HYPOTHESIS IV

One-way Analysis of Variance: Groups = Lawyer

Impact of Lawyer on Client Measure of Effectiveness

Source of Variation	Sum of Squares	df	Mean Square	F	p
Between Groups	69.69	5	13.94	1.85	.109
Within Groups	782.53	104	7.52		
Total	852.22	109			

Impact of Lawyer on Lawyer Measure of Effectiveness

Source of Variation	Sum of Squares	df	Mean Square	F	p
Between Groups	99.72	5	19.94	3.85	.003
Within Groups	538.69	104	5.18		
Total	638.41	109			

Impact of Lawyer on Client Measure of Participation

Source of Variation	Sum of Squares	df	Mean Square	F	p
Between Groups	7.05	5	1.41	.94	.458
Within Groups	136.21	91	1.50		
Total	143.26	96			

Impact of Lawyer on Lawyer Measure of Participation

Source of Variation	Sum of Squares	df	Mean Square	F	p
Between Groups	113.86	5	22.77	42.57	.000
Within Groups	55.10	103	.53		
Total	168.96	108			

Vita

Mary Valerie McGuire was born May 13, 1952. She received an A.B. in psychology from Stanford University in 1974 and a M.S. in psychology from the University of Washington in 1976.