

## **INFORMATION TO USERS**

This manuscript has been reproduced from the microfilm master. UMI films the text directly from the original or copy submitted. Thus, some thesis and dissertation copies are in typewriter face, while others may be from any type of computer printer.

**The quality of this reproduction is dependent upon the quality of the copy submitted.** Broken or indistinct print, colored or poor quality illustrations and photographs, print bleedthrough, substandard margins, and improper alignment can adversely affect reproduction.

In the unlikely event that the author did not send UMI a complete manuscript and there are missing pages, these will be noted. Also, if unauthorized copyright material had to be removed, a note will indicate the deletion.

Oversize materials (e.g., maps, drawings, charts) are reproduced by sectioning the original, beginning at the upper left-hand corner and continuing from left to right in equal sections with small overlaps. Each original is also photographed in one exposure and is included in reduced form at the back of the book.

Photographs included in the original manuscript have been reproduced xerographically in this copy. Higher quality 6" x 9" black and white photographic prints are available for any photographs or illustrations appearing in this copy for an additional charge. Contact UMI directly to order.

# **UMI**

A Bell & Howell Information Company  
300 North Zeeb Road, Ann Arbor MI 48106-1346 USA  
313/761-4700 800/521-0600



**The Impact of Lawyer Encounters on Support for the Legal and Political Systems**

**A Dissertation**

**Submitted to the Graduate Faculty of the University of New Orleans in partial  
fulfillment of the requirements for the degree of**

**Doctor of Philosophy**

**in**

**Political Science**

**by**

**Stephen Scott Meinhold**

**B.A., The University of Missouri-St. Louis, 1990**

**M.A., The University of New Orleans, 1992**

**May, 1995**

**UMI Number: 9717084**

**Copyright 1997 by  
Meinhold, Stephen Scott**

**All rights reserved.**

---

**UMI Microform 9717084  
Copyright 1997, by UMI Company. All rights reserved.  
This microform edition is protected against unauthorized  
copying under Title 17, United States Code.**

---

**UMI**  
300 North Zeeb Road  
Ann Arbor, MI 48103

**EXAMINATION AND THESIS REPORT**

**Candidate:** Stephen Scott Meinhold

**Major Field:** Political Science


**Title of Thesis:** The Impact of Lawyer Encounters on Support for the Legal and Political Systems

**Approved:**

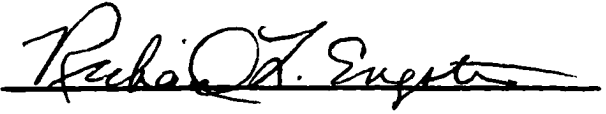
  
\_\_\_\_\_  
Major Professor and Chairman

  
\_\_\_\_\_  
Dean of the Graduate School

**EXAMINING COMMITTEE:**

  
\_\_\_\_\_  
Steven Shull

  
\_\_\_\_\_  
Dennis W. Decker

  
\_\_\_\_\_  
Richard A. Engstrom

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Date of Examination:**

May 2, 1995

## ACKNOWLEDGEMENT

The idea for this dissertation emerged two years ago (1993) after I read Tom Tyler's (1990), *Why People Obey the Law*. The research proposal was simple; to conduct an examination of the way people react to using a lawyer. Along the way, many people have contributed to my writing and thinking on this subject. Throughout the project my dissertation committee gave me sage advice, they are: Richard L. Engstrom, Dennis W. Gleiber, Charles D. Hadley, and Steven A. Shull. My major professor, David W. Neubauer, bears special note for giving me the freedom to tackle the subject. I must also thank Dennis Gleiber who, two years ago, agreed to co-sponsor and split the cost for one pilot study; a decision that now has him enmeshed in a five year project. Spending his own money, and giving me more time than I probably deserved, Dr. Gleiber has made an impression on me and an impact on this research that will last forever. Finally, I want to thank my wife, Jennifer Horan who, despite having heard all of this stuff multiple times, has continued to make valuable comments, right up to the end.

## TABLE OF CONTENTS

ACKNOWLEDGEMENT	ii
LIST OF TABLES	vii
LIST OF FIGURES	ix
ABSTRACT	x
CHAPTER 1	1
INTRODUCTION	1
WHY STUDY LAWYER ENCOUNTERS? 2	
The Absence of Previous Research 2	
The Frequency of Lawyer Encounters 3	
The Dual Role of Lawyers 3	
THE EFFECTS OF LAWYER ENCOUNTERS 5	
THE IMPORTANCE OF LAWYER ENCOUNTERS AND ATTITUDES 9	
THE LEGAL ACTORS SURVEY 11	
STRUCTURE OF THE DISSERTATION 15	
CONCLUSION 17	
NOTES 18	
CHAPTER 2	20
SUPPORT FOR THE LEGAL AND POLITICAL SYSTEMS	20
THE LEGAL PROFESSION 21	
Previous Research 22	
Results from the Legal Actors Survey 29	
THE LEGAL SYSTEM 33	
The United States Supreme Court 37	
Public Support for the U.S. Supreme Court 37	
Results from the Legal Actors Survey 38	
Courts and Judges 39	
Public Support for Courts and Judges 39	
Results from the Legal Actors Survey 40	
The Police 43	
Public Support for the Police 43	
Results from the Legal Actors Survey 44	
THE INTERRELATIONSHIPS AMONG LEGAL ATTITUDES 47	
The Empirical Relationship Between Legal Attitudes 47	

The Political System	51	
Support for National Political Institutions	52	
CONCLUSION	53	
NOTES	56	
<b>CHAPTER 3</b>		<b>61</b>
<b>THE THEORETICAL FRAMEWORK</b>		<b>61</b>
SOURCES OF LEGITIMACY AND SUPPORT	62	
DIFFUSE SUPPORT FOR LEGAL AND POLITICAL INSTITUTIONS	64	
The Salience of the Event	65	
The Salience of Lawyer Encounters	66	
The Political Content of an Event	69	
Lawyer Encounters as Political Events	69	
ANALYTIC FRAMEWORK	71	
Instrumental Model	72	
Results from the Legal Actors Survey	73	
Procedural Justice Model	76	
Results from the Legal Actors Survey	77	
AN INTEGRATED MODEL OF LAWYER ENCOUNTERS	80	
Hypotheses	81	
CONCLUSION	82	
NOTES	85	
<b>CHAPTER 4</b>		<b>87</b>
<b>THE LEGAL PROFESSION</b>		<b>87</b>
PREVIOUS RESEARCH	88	
Sociodemographic Characteristics and Support for Lawyers	88	
Political and Legal Attitudes and Support for Lawyers	91	
Political Attitudes	91	
Legal Attitudes	93	
THE EFFECTS OF LAWYER ENCOUNTERS ON SUPPORT FOR LAWYERS	99	
Experience Effects	106	
CONCLUSION	108	
NOTES	110	
<b>CHAPTER 5</b>		<b>111</b>
<b>COURTS AND JUDGES, THE POLICE, AND THE U.S. SUPREME COURT</b>		<b>111</b>
SUPPORT FOR COURTS AND JUDGES	112	



Sociodemographic Characteristics and Support for Courts and Judges	112
Political and Legal Attitudes and Support for Courts and Judges	114
Experience Effects	120
SUPPORT FOR THE POLICE	124
Sociodemographic Characteristics and Support for the Police	124
Political and Legal Attitudes and Support for the Police	127
Experience Effects	132
SUPPORT FOR THE U.S. SUPREME COURT	140
Sociodemographic Characteristics and Support for the U.S. Supreme Court	142
Political and Legal Attitudes and Support for the U.S Supreme Court	143
Experience Effects	146
CONCLUSION	150
NOTES	152
<b>CHAPTER 6</b>	<b>154</b>
<b>THE POLITICAL SYSTEM</b>	<b>154</b>
SUPPORT FOR THE POLITICAL SYSTEM	155
Sociodemographic Characteristics and Support for the Political System	156
Political and Legal Attitudes and Support for the U.S. Supreme Court	158
Experience Effects	162
CONCLUSION	165
NOTES	167
<b>CHAPTER 7</b>	<b>168</b>
<b>CONCLUSION</b>	<b>168</b>
THE DIRECT AND INDIRECT EFFECTS OF LAWYER ENCOUNTERS	168
FUTURE RESEARCH	174
LAWYER ENCOUNTERS AND PROCEDURAL JUSTICE	177
NOTES	180
<b>REFERENCES</b>	<b>181</b>
<b>LIST OF CASES</b>	<b>192</b>

APPENDIX I	
1993 LEGAL ACTORS SURVEY INSTRUMENT	193
APPENDIX II	
1994 LEGAL ACTORS SURVEY INSTRUMENT	198
APPENDIX III	
INSTRUCTIONS FOR LEGAL ACTORS SURVEY PARTICIPANTS	205
VITA	206

## LIST OF TABLES

TABLE 2-1. Public Attitudes Regarding Lawyers 1973-74	23
TABLE 2-2. Ratings of the Honesty and Ethics of Lawyers 1976-1988	28
TABLE 2-3. Distribution of Support for the Legal Profession	31
TABLE 2-4. Distribution of Support for Courts and Judges	41
TABLE 2-5. Distribution of Support for the Police	45
TABLE 2-6. The Relationship Between Support for Lawyers, the U.S. Supreme Court, Courts and Judges, and the Police	49
TABLE 2-7. The Relationship Between Support for Lawyers, the U.S. Supreme Court, Courts and Judges, and the Police (Among African-Americans)	49
TABLE 2-8. Average Level of Support for the Legal Profession, the U.S. Supreme Court, Courts and Judges, and the Police	51
TABLE 2-9. Distribution of Support for Congress and the President	53
TABLE 3-1. Types of Legal Problems in the Legal Actors Survey	68
TABLE 3-2. Satisfaction With Outcome of the Problem and Performance of the Attorney by Problem Type	74
TABLE 3-3. Procedural Evaluations of Lawyer Encounters	78
TABLE 3-4. The Relationship Between Procedural Evaluation, Satisfaction with the Outcome of the Problem and the Performance of the Attorney	80
TABLE 4-1. Regression Analysis of Support for the Legal Profession on Sociodemographic Characteristics	90
TABLE 4-2. Regression Analysis of Support for the Legal Profession on Political and Legal Attitudes	97
TABLE 4-3. Regression Analysis of Support for the Legal Profession on Sociodemographic Characteristics and Political and Legal Attitudes	104

TABLE 5-1. Regression Analysis of Support for Courts and Judges on Sociodemographic Characteristics	114
TABLE 5-2. Regression Analysis of Support for Courts and Judges on Political and Legal Attitudes	117
TABLE 5-3. Regression Analysis of Support for Courts and Judges on Sociodemographic Characteristics and Political and Legal Attitudes	121
TABLE 5-4. Regression Analysis of Support for the Police on Sociodemographic Characteristics	126
TABLE 5-5. Regression Analysis of Support for the Police on Political and Legal Attitudes	129
TABLE 5-6. Regression Analysis of Support for the Police on Sociodemographic Characteristics and Political and Legal Attitudes	134
TABLE 5-7. Regression Analysis of Support for the U.S. Supreme Court on Sociodemographic Characteristics	143
TABLE 5-8. Regression Analysis of Support for the U.S. Supreme Court on Political and Legal Attitudes	145
TABLE 5-9. Regression Analysis of Support for the U.S. Supreme Court on Sociodemographic Characteristics and Political and Legal Attitudes	148
TABLE 6-1. Regression Analysis of Support for the Political System on Sociodemographic Characteristics	157
TABLE 6-2. Regression Analysis of Support for the Political System on Political and Legal Attitudes	160
TABLE 6-3. Regression Analysis of Support for the Political System on Sociodemographic Characteristics and Political and Legal Attitudes	163
TABLE 7-1. Direct, Indirect, and Total Effects of Lawyer Encounters on Support for the Legal and Political Systems	172

## LIST OF FIGURES

FIGURE 4-1.	The Effects of Previous Support and Lawyer Encounters on Support for Lawyers	108
FIGURE 5-1.	The Effects of Previous Support and Lawyer Encounters on Support for Courts and Judges	123
FIGURE 5-2.	The Causal Pathways Among Legal Attitudes	131
FIGURE 5-3.	The Effects of Previous Support and Lawyer Encounters on Support for the Police	137
FIGURE 5-4.	The Effects of Previous Support and Lawyer Encounters on Support for the U.S. Supreme Court	149
FIGURE 6-1.	The Effects of Previous Support and Lawyer Encounters on Support for the Political System	165
FIGURE 7-1.	A Model of Direct, Indirect, and Total Effects of Lawyer Encounters on Support for the Legal and Political Systems	170

## ABSTRACT

This dissertation examines the ways in which experiences with lawyers affect legal and political attitudes. Lawyers play an important role in mediating experience with the legal system. Thus, it is important that we understand how individuals react to their use of lawyers. This research describes and tests two competing explanations for the way individuals evaluate their initial experiences with lawyers. A procedural justice perspective posits that clients are interested in normative aspects of their encounters, such as the personal integrity of the lawyer and the degree to which the lawyer keeps him/her informed about what is going on. In contrast to the procedural justice perspective, an instrumental approach assumes that clients are only interested in obtaining a favorable outcome. An examination of initial lawyer encounters is used to test the utility of these two perspectives. The results indicate that evaluations of lawyer encounters have an impact on attitudes toward the legal and political systems. How a client evaluates his/her lawyer encounter effects support for other lawyers and the police directly, and support for the U.S. Supreme Court, courts and judges, and the political system indirectly. The most important predictor of these changes in support is the client's normative assessment of the encounter. Clients who felt their lawyer was honest, polite, hard working, etc., were more supportive of the legal profession and the police than they were before the encounter. The results of the analysis indicate that members of the bar should be concerned about the way clients evaluate their performance. Positive evaluations of the way a lawyer handled a case tend to spill over into positive attitudes toward lawyers generally and the police. Thus, lawyers can play an important role in facilitating support for their own profession and support for other aspects of the legal and political systems.

## CHAPTER 1

### INTRODUCTION

This research examines the ways in which experiences with lawyers affect public support for the legal and political systems. Americans believe that laws are important and that they should generally be followed. We view our legal system as legitimate and have more confidence in it than we do in many of our other political institutions. The authorities that comprise the legal system also have considerable public support. The legitimacy of legal authorities such as judges (to hand down decisions), police (to make arrests), and lawyers (to give advice on legal matters), is widely accepted.

Although our legal institutions are typically held in high regard by the general public it is not a given that they will be able to maintain this high level of support. Courts, police and lawyers can and sometimes do lose favor with the public. In this regard, lawyers appear to be in a particularly difficult position. The legal profession is sometimes praised but more often despised. When the legal profession is compared to other occupations, it is perceived quite favorably by the public, but as a group it often is blamed for many of the ills of the legal system. The result is that citizens are often faced with conflicting information about the legal profession. Individuals are encouraged to consult with a lawyer about almost any problem encountered, and yet they are continually reminded by society of what scoundrels lawyers "*really*" are. These contrasting perceptions of the legal profession are particularly noteworthy because most of us will consult with a lawyer at some point in our lives. At that point, we will be faced with comparing our initial attitudes about the legal profession to the actual performance of an attorney. Experience with a lawyer might confirm

what Art Buchwald once wrote, "It isn't the bad lawyers that are screwing up the justice system in this country--it's the good lawyers", or perhaps you will be pleasantly surprised that attorneys are not the "ambulance chasers" and "shysters" that you initially thought they would be. These *reactions* to encounters with lawyers are the focus of this research. My goal more specifically, is to examine the effects of encounters with lawyers on attitudes about the legal profession, the legal system and the political system.

### **WHY STUDY LAWYER ENCOUNTERS?**

Lawyer encounters were chosen as the focus of this study for three reasons: 1) the absence of any systematic knowledge about how people react to their experiences with lawyers; 2) contact with lawyers is the second most frequent type of contact with the legal system; and, 3) lawyers play a dual role in our legal system that makes encounters with them an interesting venue for studying the effects of experience with the legal system on legal and political attitudes.

### **The Absence of Previous Research**

There is a rich scholarly tradition of studying the effects of experiences with the police on attitudes toward the legal system (see Chapter 2). This attention is a function of the central role police play in the legal system and also a function of the fact that they are the most coercive of our legal institutions. Other legal institutions and actors (e.g., courts, judges, and lawyers) have received far less attention. A few serious examinations of the impact of experience with other aspects of the legal system on legal attitudes exist (e.g., Tyler 1990; Walker et al. 1972), but, on the whole, the attention to encounters with aspects of the legal system besides the police



has been minimal. The gap in the literature on this subject is particularly conspicuous given the prominent role legal actors such as lawyers play in our society.

### **The Frequency of Lawyer Encounters**

Lawyers play a vital role in our legal system. There are approximately 650,000 lawyers in the United States (Curran 1986). With perhaps the exception of the police, lawyers are the legal actors with which citizens are most likely to come into personal contact. A complete understanding of the level of public support for the legal system and its various components is not possible without considering the frequency with which individuals use lawyers. Citizens consult with lawyers about a variety of legal matters, often as many as three to four times during their lives; and some individuals even keep a personal lawyer on retainer. Such frequent contact makes it probable that individual attitudes about the law, legal institutions, and the legal system will be shaped by these encounters.

### **The Dual Role of Lawyers**

A third reason for studying the effects of lawyer encounters originates from the unique role that lawyers play in our legal system. Virtually no legal claim is pursued without the assistance of an attorney. But, helping clients traverse the legal system is not the only function lawyers perform. They also provide important advice to their clients on many business and personal issues. One reason lawyer encounters are interesting is that, unlike encounters with police and judges, encounters with lawyers are almost always initiated by the individual (client) and they are not necessarily for adversarial types of problems (e.g., suing someone, criminal defense).

Citizens tend to seek out lawyers rather than *vice versa*. Although lawyers are an essential part of going to court, not all of their work is characterized by helping clients pursue legal action. In fact, many encounters with a lawyer are characterized by a counseling rather than an advocacy relationship with the client. Lawyers are often hired or consulted with to help on transactions of real property, writing wills, establishing trusts, etc. (Curran and Spalding 1974). The common theme in these types of encounters is that the assistance of a lawyer is required not so much in order to win, recover something, or clear one's name, but instead to help the individual comply with the legal issues surrounding their particular situation.

Defending alleged criminals and pursuing litigation, on the other hand, are the traditional kinds of activity associated with lawyers. Mounting a criminal defense requires the skills of an attorney, and very few individuals are able to pursue legal claims of any kind without the assistance of a lawyer. These conflicting roles that lawyers perform can be classified as advocate versus counselor. As an advocate the role of the attorney is aimed at helping the client win a favorable resolution to his/her problem. The lawyer's posture is predatory and the desired outcome expected by the client is to win. In contrast, as counselors, lawyers are called upon by their clients to draw on their legal training for advice on many legal matters. Setting up a business, establishing a trust, writing a will, and buying or selling real estate are all examples of encounters with lawyers in which the expectation of the client is considerably different than in situations where an advocate is needed.<sup>1</sup> These contrasting roles and expectations suggest that, unlike the case with other legal authorities (e.g., police and judges), there is no universal expectation about the way legal authorities will conduct

themselves (i.e., impartial, fair, etc.). Lawyer encounters can take on a variety of different conditions, thus making for an interesting avenue to examine the effects of encounters with this aspect of the legal system on support for the legal system and legal authorities. Together, these three reasons make this project timely and relevant for understanding the ways in which citizens respond to their experiences with one aspect of the legal system.

### **THE EFFECTS OF LAWYER ENCOUNTERS**

There are several ways that encounters with lawyers might affect individual legal and political attitudes. One possibility is that encounters with lawyers only function to reinforce pre-existing attitudes toward the legal and political systems. Individuals possess legal attitudes before they have an encounter with a lawyer and the result of the encounter may simply serve to confirm these previously held attitudes. Not only does the presence of pre-existing attitudes make a difference in the degree to which we might expect an encounter to have an effect on support, but the strength with which these attitudes are held may also be important. If an individual steadfastly supports the legal profession and its various institutions, we would not expect a single negative encounter with a lawyer to have much of an impact on his/her level of support, no matter what its characteristics. If most citizens held such firm attitudes about the legal system and legal authorities then there would be little interest in the way experience with the legal system affects their attitudes. On the other hand, if legal and political attitudes change as a function of experience with legal authorities, it is paramount to understand how this happens and what aspects of a legal encounter are important.

Legal encounters, such as using a lawyer, may change individual perceptions of the legal and political systems. Negative experiences may reduce individual support for legal and political institutions just as positive experiences may enhance public support. Previous research has demonstrated that encounters with police and courts have important consequences for individuals' legal attitudes. For example, when response time by police to a call for service is short, caller satisfaction with police performance improves (Percy 1980). Also, when participants in court feel the judge gave them a fair and impartial hearing and let them tell "their side of the story," they are more likely to be satisfied with their legal experience (Tyler 1984). This research extends this line of inquiry to encounters with lawyers, asking the fundamental question: do individuals who use a lawyer use their evaluation of that experience to determine their public support for legal and political institutions?

There are three kinds of attitudes that might change as a consequence of an encounter with a lawyer. The most obvious result of a lawyer encounter is that attitudes toward the legal profession as a whole might change as a function of an experience with a particular lawyer. Whether they like it or not, members of the bar are seen as an occupational category. It would be natural for individuals to consider their own experience when generalizing their support to the rest of the legal profession.

Individual's encounters with lawyers also could have consequences for their level of support for other aspects of the legal system. Since many encounters with lawyers happen in conjunction with encounters with the police or courts, it would be

natural for an individual to alter his/her existing attitudes about these and other legal authorities to conform with the evaluation of their experience with a lawyer.

The third set of attitudes that might change as the result of a lawyer encounter is an individual's level of support for the political system and its associated institutions. To the extent that lawyers are seen as part of the larger political system, or if the encounter with a lawyer brought you into contact with an aspect of the political system (e.g., a bureaucracy), your evaluation of the lawyer encounter may affect your support for the political system and its institutions. These kinds of changes in support for the political system would be a direct result of the lawyer encounter; there also may be indirect effects.

Support for the political system also may change as a result of the way lawyer encounters affect support for other aspects of the legal system, aspects which are related to support for the political system. To the extent that evaluations of lawyer encounters affect support for any aspect of the legal system, in turn related to support for the political system, there are likely to be indirect effects of the encounter on support. For example, support for the police may be intricately linked to support for the more general political system. Lawyer encounters may not have a direct effect on support for the political system, but still affect support for the political system via any effect that they have on support for the police. These kinds of effects are indirect, but no less important.

Each of these sets of attitudes is nested--the legal profession is part of the legal system and the legal system is part of the political system--but it is useful to think of them as analytically distinct. It is quite possible that an experience with a lawyer may

alter a person's level of support for the legal profession but not his/her level of support for the entire legal system. The reverse is also true. After a lawyer encounter, a person may be more supportive of the legal profession (because his/her lawyer did a good job) but less supportive of the legal system (perhaps because he/she associates a negative outcome with other legal actors that may have been involved in his/her problem, and not the lawyer). These three attitudes are the principal focus of my examination of the effects of lawyer encounters.

There are two competing ways of thinking about how experience with legal authorities (e.g., lawyers) affects legal and political attitudes. This research compares the utility of these two approaches. The first strategy is labeled the instrumental approach; it assumes individuals will evaluate their experience with legal authorities in a purely win/lose fashion. Instrumental models rely on public choice theory as a foundation; they assume the motivations of individuals are aimed at maximizing personal gain (Laver 1981). Thus, any effects from a lawyer encounter on legal and political attitudes will be the result of the individual's (dis)satisfaction with the outcome of the encounter.<sup>2</sup>

The competing model is referred to as the procedural justice model; it has at its center the very simple notion that individuals are more concerned about the way in which they are treated during encounters with legal authorities than they are with the outcome of the encounter (see generally Tyler 1990). According to procedural justice theories, individuals are interested in the degree to which they have control over the outcome they receive in a legal encounter (Thibaut and Walker 1975, 1978). They also are interested in the normative aspects of their encounter such as "neutrality, lack

of bias, honesty, efforts to be fair, politeness, and respect for citizens' rights" (Tyler 1990, 7). The procedural justice and instrumental approaches are contrasted throughout this research. In Chapter 3, I offer a complete articulation of how the procedural justice and instrumental models apply to support for the legal and political systems.

### **THE IMPORTANCE OF LAWYER ENCOUNTERS AND ATTITUDES**

The relationship between experience with legal authorities and support for the legal system should be of fundamental interest to citizens, as well as to representatives of the legal system. In a democracy, citizens should be interested in the level of public support for the legal system and legal authorities because the activity of the legal system affects their daily lives in diverse ways. Sometimes the effects are direct, as when one is stopped by a policeman or when one is served papers to appear in court. Other times, the way the legal system affects us is less noticeable, as when a lawyer gives a client advice about how to plan his/her estate or when a judge sentences a convicted criminal to prison, thereby keeping him/her from committing another crime. In both cases, the legal system and legal authorities are involved in making decisions that affect our lives. Thus, it is important to understand the way in which the legal system and legal authorities are perceived and the kinds of factors that influence the level of public support for legal authorities and the legal system.

Legal authorities also should be interested in the relationship between experience with the legal system and public support. In order to function effectively, legal authorities rely on the belief that their decisions will be complied with. Judges expect people appearing in their courts to abide by their decisions; police expect

traffic offenders to pull off of the road when signaled; and, lawyers expect clients to follow their advice. Compliance with legal decisions is an important element in the ability of the legal system to maintain social order. If support for the legal system is related to people's willingness to comply with legal authorities, then legal authorities should be particularly interested in how the public views them and how their actions effect those views.

As with legal authorities, the general public also has an interest in making sure their fellow citizens comply with legal decisions. A reason people prefer to use the legal system to settle disputes is the expectation that its decisions will be binding, as they carry the authority of the state. In contrast to this approach, alternative forms of mediation and dispute resolution exist where participation may be voluntary. For example, plaintiffs have an interest in whether defendants in court follow the rulings of a judge and/or jury; and, pedestrians and motorists are interested in removing reckless motorists from the roadways.

A final reason to be interested in the level and correlates of public support for the legal system is that our legal system is predominately reactive. Legal authorities are primarily reactive. Unlike legislatures and executives, legal authorities cannot make public policy proactively (to avoid a problem) nor can they choose not to act at all. Legal authorities spend most of their time responding to the demands from their environment. Courts and judges are viewed as the quintessential reactive institution because they have no control over determining which cases will come before them.<sup>3</sup> Once a case is properly filed, a judge must act; he/she cannot choose to ignore a case for political or policy reasons. Other aspects of the legal system are also reactive.



Upwards of 70% of all police activity is citizen-initiated (Black 1970). As with the courts and the police, the practice of law is also predominately reactive because most problems are brought to a lawyer rather than the reverse.<sup>4</sup> Therefore, citizens are an important part of identifying, shaping and promoting the activity of the legal system. As a consequence, both legal authorities and citizens should be concerned about the relationship between the public and legal authorities. Low public support for the legal system may cause people to believe that it is either unable to do anything about their problem or is not the appropriate place to resolve disputes.<sup>5</sup> Such decisions not to pursue legal activity keep the legal system from becoming involved in these situations; they insulate the legal system and legal authorities from society. For these reasons, understanding the level of public support for the legal system and the kinds of factors that influence it are important.

### **THE LEGAL ACTORS SURVEY**

This dissertation relies on data collected from a sample of students attending the University of New Orleans, New Orleans, Louisiana. The Legal Actors Survey is a five year research project aimed at obtaining student attitudes toward a variety of legal and government authorities, and at gathering information about encounters with lawyers. The primary purpose of project is to conduct an annual survey of all undergraduate students enrolled in political science courses during each Spring semester. Phase 1, conducted in 1993, involved a survey of 530 political science undergraduates during the first two weeks of February. The survey population for 1993 was 734, and yielded a response rate of 72%. Phase 2 of the project was conducted during the last week of February and the first week of March 1994. An

almost identical survey instrument to the one used in 1993 was answered by 423 undergraduates in political science courses. The population in 1994 was 765 and the 423 completed surveys represented a 55% response rate. Students who had taken the survey the previous year were encouraged to take it again; those who took it in another class were asked to abstain.<sup>6</sup> In both years, the paper and pencil instruments were administered by faculty members and graduate teaching assistants who read a uniform set of instructions to the students. Both the survey instruments and the instructions can be found in Appendices I through III. Before moving to the analysis of these data several considerations warrant attention.

The central hypothesis of this research is that encounters with lawyers will have consequences for an individual's level of support for the legal profession, legal system and the political system. The most appropriate way to test this hypothesis is to obtain observations of the characteristics of interest (e.g., support for the legal profession) prior to and just after an encounter with a lawyer. In survey research this design would be referred to as a panel study (Backstrom and Hursh-Cesar 1981) and in experimental research as the classic pre-test/post-test (Campbell and Stanley 1963). In a panel study, any change in the characteristic of interest from time 1 to time 2 (e.g., support for the legal profession before and after an encounter with a lawyer) is assumed to be a function of the experimental treatment or event, in this case using a lawyer. Unfortunately research constraints made conducting a full scale panel study impossible. Though the Legal Actors Survey was initially planned as a panel study, only 66 individuals could be identified after Phase 2 as respondents for whom responses were obtained in 1993 and 1994. Of these 66, only 25 had ever used a

lawyer and only 10 of the 66 did so in the one year interval between Phase 1 and Phase 2. Such a small number of respondents was unlikely to be representative of the other students in the sample or the entire student body; therefore, the responses by these 66 individuals to Phase 2 were excluded from the dataset that is used here.<sup>7</sup> Despite the fact that a panel study could not be conducted, it is still possible to say something about the effect of encounters with a lawyer on the attitudes of interest. Chapter 4 describes a method to mitigate the limitations of the cross-sectional data available from the Legal Actors Survey.

A second concern is with the generalizeability of findings based on an analysis of data collected from college students. The use of students as subjects has a long history in political science and other social sciences (related to this topic and in political science see: Gibson 1967; Jaros and Roper 1980; Rodgers and Lewis 1974; Craig and Wald 1985; Schwartz 1973; Worchel, Hester, and Kopala 1974; Silberman 1976; Tittle 1980; Bass and Thomas 1984; Mondak 1991). Normally, concerns about generalizeability often emerge because the goal of the research is to be able to generalize from a sample to the entire population. Such concerns over external validity in this particular project are allayed for several reasons.

First, the kind of information of interest makes a sample of college students a desirable group to study. A random sample of the public is normally the preferred source of data for a project of this sort so that one may generalize to the public at-large. However, a mass public sample also would have a number of disadvantages for studying the effects of lawyer encounters on attitudes. National studies suggest that around two-thirds of the public have used a lawyer sometime during their life

(Curran and Spalding 1974). Therefore, it would be virtually impossible to get a measure of characteristics, such as legal attitudes, that are not partly a function of these previous encounters. Many of the individuals that would be interviewed in a random sample of the public will have had two or more previous encounters with lawyers. To the extent that their attitudes are a function of previous experiences, it will be impossible to get an attitudinal measure uncontaminated by the previous use of a lawyer. And since using a lawyer is conceptualized as an experimental treatment, we would prefer to examine a younger sample for whom first encounters are the quasi-experimental treatment.

Most teenagers are not confronted with the need for a lawyer until they reach the age of eighteen. Up until then, whatever need they may have had for a lawyer probably involved their parents or another adult. Thus, college students represent a very fitting sample in which to observe the effects of first time encounters with lawyers. Very few students will have had earlier encounters with a lawyer, hence we can attribute any changes in opinion identified in the survey to a first lawyer encounter.

Despite the appropriateness of the sample for this kind of study, it is not a random sample of students at the University of New Orleans nor is it a random sample of young adults nationwide. Therefore, we must be cautious in generalizing any findings from the Legal Actors Survey to the rest of college students at the University of New Orleans or to all college students nationally. However, it should be noted that, as an urban campus, the student body at the University of New Orleans is more diverse with respect to age and income than many other student samples.

Furthermore, comparisons will be made between the students responding to the Legal Actors Survey and other research that utilizes state and national samples. Throughout the dissertation, where appropriate, data from the Legal Actors Survey are used to describe the legal and political attitudes of the sample and to offer empirical tests of the hypotheses.

## **STRUCTURE OF THE DISSERTATION**

Chapter 2 presents a conceptualization of the legal system. A definition of the legal system is provided and the role of public support in the legitimacy of the legal system is discussed. Four aspects of the legal system are considered in detail: the legal profession; the United States Supreme Court; courts and judges; and, the police. Previous research on each of these legal institutions is reviewed and results from the Legal Actors Survey are presented.

Chapter 3 reviews the various ways that legal and political attitudes are formed. It then offers a theory to account for changes in support for the legal profession, legal system and political system as a result of experience with a lawyer. The theoretical framework relies heavily on work from the area of procedural justice. The essential element of the theory is that normative expectations about the fairness, equity, honesty, etc., of experience with the legal system are the key to explaining how encounters affect support. Four general hypotheses, tested in Chapters 4 through 6, are stated at the end of Chapter 3.

Chapter 4 is an analysis of the effect of using a lawyer on support for the legal profession. The instrumental and procedural justice models are compared and hypotheses derived from the theory articulated in Chapter 3 are tested and explored.

The results indicate that procedural evaluation (i.e. normative expectations) is an important predictor of support for the legal profession. This is the first systematic evidence that indicates experience with a lawyer can have a positive effect on individual support for the bar.

Chapter 5 is similar in form to Chapter 4 but focuses on whether lawyer encounters affect public support for other aspects of the legal system besides lawyers. Three legal institutions are considered: courts and judges, the police, and the U.S. Supreme Court. There are no effects of lawyer encounters on support for courts and judges or the U.S. Supreme Court. However, there are effects of lawyer encounters on support for the police. Support for the police is affected by positive evaluations of the way an attorney handled his/her client's case, as well as the outcome and type of problem.

Chapter 6 examines the affect of lawyer encounters on public support for the political system. The political system is the most general referent for which an encounter with a lawyer could have consequences. The political system is operationalized as confidence in national political institutions. An effect of a lawyer encounter on support for the political system, although unlikely, would be of particular interest to political scientists. If encounters with a very remote aspect of the political system, such as the legal profession, can have any consequences for citizens support for the governing regime, then both the legal actor and citizens should be concerned about the way individuals interact with the various aspects of our political system. It turns out that lawyer encounters do not have any appreciable effect on support for the political system.

Chapter 7 begins by considering the direct, indirect and total effects of evaluations of lawyer encounters on all of the aspects of the legal and political systems considered in Chapters 4 through 6. It is shown that evaluations of lawyer encounters have their greatest effect on support for the legal profession, followed by support for the police. Chapter 7 also shows that there are indirect effects of these lawyer encounters on support for courts and judges, the U.S. Supreme Court, and the political system. Evaluations of a lawyer encounter effect support for the political system indirectly through many of these other attitudes. Finally, it provides a summary of the findings and some thoughts about the future direction of research on legal attitudes.

## **CONCLUSION**

Lawyer encounters are frequent and important. Consulting with a lawyer signifies the importance of a particular problem to an individual and represents the point at which a previously private dispute becomes public. This study focuses on whether lawyer encounters have any consequences for individual level support for the legal profession, the legal system, and the political system. In so doing, it contrasts an instrumental perspective that claims the individual is only interested in the outcome of an encounter with a lawyer, and a procedural justice perspective which asserts that individuals are more concerned with normative aspects of the encounter (e.g., fairness and impartiality). The data used to test these propositions are from the Legal Actors Survey conducted at the University of New Orleans.

## NOTES

1. Others make distinctions among lawyers based on what kinds of activities they engage in (e.g., litigating, representing, negotiating, drafting documents, and counseling) (Neubauer 1991, 116-18). I have narrowed this larger group of activities down to two contrasting roles clients expect lawyers to play. It is possible, in fact quite probable, that most lawyer encounters will involve both advocacy and counseling functions on the part of the lawyer. But, my point here is that a useful analytic distinction can be made between consulting with a lawyer to help with a real estate transaction and hiring a lawyer because you caused an automobile accident or were accused of a crime.

2. There are, of course, other criteria besides winning that clients might use to determine their satisfaction with a lawyer encounter. Individuals may hire a lawyer to impose legal costs on another party, or may take a case to court even though they expect to lose because it fulfills some irrational desire. Such instances are likely to be rare. Most individuals behave rationally and are interested in a satisfactory resolution to their problems.

3. Most courts have limited control over their docket. However, some appellate courts of last resort such as the United States Supreme Court, and some state supreme courts have an essentially discretionary docket. That is, they have the authority to choose which cases they will hear.

4. Until the Supreme Court ruled in *Bates v. State Bar of Arizona* (1977) that restrictions on advertising by lawyers are unconstitutional, waiting for a client to come to their office could be said to have been the primary way that lawyers got their



business. However, it was certainly the case that while advertising per se was illegal, word of mouth, referrals, networking and other means of "finding" clients have always been used by lawyers. This does not diminish the fact that most encounters with lawyers were and continue to be initiated by the client, not the other way around.

5. There are many other possible consequences including feeling that the system is fair or that it is impossible to win.

6. These data will be available from the author after 2000.

7. The Phase 2 responses were dropped to avoid any effect of testing on the results (Campbell and Stanley 1963). Students who answered the questionnaire both times may have been trying to replicate their responses to the first survey during the second interview. Using only the information from Phase 1 for these individuals assures that the results are not being adversely affected by testing.

## CHAPTER 2

### SUPPORT FOR THE LEGAL AND POLITICAL SYSTEMS

Chapter 1 emphasized the unique role that lawyers play in our legal system and the importance of understanding how experience with a lawyer affects citizens' support for the legal profession, the legal system and the political system. It is important that citizens maintain a certain level of support for the legal profession because lawyers are intricately involved in mobilizing the legal system.<sup>1</sup> Should individuals lose faith in the role or legitimacy of the legal profession they may become less inclined to consult with a lawyer about a problem. Therefore, they may be less likely to activate the machinery of the legal system.<sup>2</sup>

Public support for the legal system and other legal authorities (e.g., police, courts and judges) is also important. Legal authorities depend on being perceived as legitimate and authoritative in order to maintain social control. Thus, they have an interest in how the public views them. Our legal system depends heavily on citizen input; therefore, it is important to view our legal system and law as legitimate (Friedman 1977, 7). Legal authorities depend on citizens to initiate most of their business. As a result, the level of support for the legal system may determine the willingness of individuals to mobilize the law (Black 1973).

Citizens must perceive the legal system as legitimate to maintain their confidence in legal authorities. They also must view the larger political system of which it is a part as legitimate. The legal system is only one part of the larger political system. Thus, we should be interested in whether lawyer encounters have any effects on support for other aspects of the political system. In this chapter I

define what is meant by the terms, legal profession, legal system, and political system and discuss the relationship between these institutions and their level of public support.

### **THE LEGAL PROFESSION**

The United States has an unusually large and diverse bar. With a membership of over 650,000, the American bar represents nearly 35% of the world's lawyers (Galanter 1992, 71). One scholar estimates that there is approximately one lawyer for every 365 citizens (Curran 1986). The American bar also is very eclectic, ranging from solo practitioners to Wall Street lawyers (Heinz and Laumann 1982; Wice 1978; Carlin 1961). Given this diversity, it is reasonable to ask whether it is appropriate to think of *the legal profession* as a single entity. Members of the bar are likely to argue that there are so many different categories of lawyers (e.g., solo practitioners, corporate counsel, Wall Street) that we should be cautious in making generalizations about all members of the legal profession. But it is not clear that the public actually perceives such fine gradations in the work of lawyers. Throughout history, law schools have focused on training law students as generalists and teaching them how to think like a lawyer (Neubauer 1991, 109). Moreover, the popular cultural version of the lawyer remains the generalist who is often a trial advocate, not a corporate counsel for a multimillion dollar business. Therefore, it is likely that the public views all lawyers as part of the same occupational category. It would require considerable cognitive sophistication for an individual to form a separate opinion of criminal lawyers, solo practitioners, Wall Street lawyers and corporate lawyers. An alternative to holding views about various aspects of the legal profession is that individuals hold

a single set of generalized attitudes about lawyers. In this study the legal profession is treated as a single occupational group and is defined as *all practicing members of the bar*.

### **Previous Research**

The first comprehensive examination of public support for the legal profession was conducted in 1973-74 by the National Opinion Research Center for the American Bar Association's (ABA) Special Committee to Survey Legal Needs and the American Bar Foundation (ABF). The survey was aimed primarily at obtaining information about the extent of legal problems and the use of legal services; however, it did include some questions that illuminate how Americans viewed the legal profession. The survey presented a national sample of 2,064 individuals with 19 statements about the legal profession. Table 2-1 displays the responses to 14 of these statements.<sup>3</sup>

Despite what many people may think, the public held a generally favorable view of the legal profession two decades ago. About 80% of Americans believed that lawyers could be trusted, that they tried to understand their clients, that they were frank and open, and that they tried to solve their clients' problems without going to court (see Table 2-1). Furthermore, unfavorable responses outnumber the favorable responses response to only four of the statements in Table 2-1. The four statements are: 1) lawyers are prompt about getting things done; 2) lawyers are generally very good at keeping their clients informed of progress on their cases; 3) lawyer's fees are usually fair to their clients, regardless of how they figured the fee; and, 4) lawyers will work as hard for poor clients as for clients who are rich and important. In two of these instances, lawyers keep their clients informed and their fees are fair, the split

**TABLE 2-1****Public Attitudes Regarding Lawyers 1973-74**

Statement	Agree <sup>a</sup>	Don't Know <sup>b</sup>	Disagree <sup>c</sup>
Lawyers can be trusted to keep their clients secrets	82	3	15
Lawyers will take a case only if they feel sure they know enough about that area of the law to handle the case well	64	5	32
Lawyers [don't] really try to understand what their clients want <sup>d</sup>	76	5	20
Lawyers are prompt about getting things done	39	4	57
Lawyers are [not] concerned about doing [anything] something about the bad apples in the legal profession <sup>d</sup>	54	8	38
Lawyers are generally very good at keeping their clients informed of progress on their cases	44	12	45
Lawyer's fees are usually fair to their clients, regardless of how they figured the fee	44	9	47
Lawyers usually try to be frank and open with their clients	78	4	17
Lawyers [do not] care whether their clients full understand what needs to be done and why <sup>d</sup>	60	6	34
Lawyers try hard to solve their clients' problems without having to go to court	82	5	13
Lawyers work harder at serving their clients than in getting them	61	9	29
Lawyers needlessly complicate clients' problems	64	8	28
Lawyers will work as hard for poor clients as for clients who are rich and important	38	5	56
Most lawyers [would] wouldn't engage in unethical or illegal activities to help a client in an important case <sup>d</sup>	58	6	36

<sup>a</sup> Agree is composed of responses to agree strongly and agree slightly.

<sup>b</sup> Don't know is composed of responses to don't know and can't decide.

<sup>c</sup> Disagree is composed of responses to disagree strongly and disagree slightly.

<sup>d</sup> Statement appeared with a negative valence in the original survey. The words in brackets indicate the original wording of the statement.

**Source: Curran and Spalding (1974, 94-96)**

is almost 50/50 with about 44% of the respondents agreeing with the statement while slightly more disagreed with it. Moreover, the statement regarding promptness might be considered an evaluation of a specific encounter rather than a general attitude toward the entire legal profession. This leaves only the statement that refers to how hard lawyers would work for poor clients, as a statement to which a majority of people disagreed. Such a gap in the quality of legal services is a longstanding characteristic of the American legal system. Thus, it is probably more reflective of the public's desire for equality than an assessment of general support for lawyers. Overall, when statements that appear to refer to specific encounters with lawyers are discounted, there was substantial support for the legal profession during this period.

Unfortunately, the Survey of the Legal Needs of the Public was underutilized by social scientists interested in legal attitudes and it now suffers from being out of date. A second problem is that the instrument did not incorporate any questions to elicit other social and political attitudes commonly employed by social scientists; thus, this very rich dataset has only limited utility for addressing the role of experience with a lawyer on support for aspects of the legal and political systems. Subsequent to the joint ABA/ABF project there has been only one other comprehensive examination of support for and use of lawyers.

In 1992, nearly 20 years after the Survey of the Legal Needs of the Public, the American Bar Association commissioned a comprehensive study of the public's perception of the legal profession. A national random sample of 1,202 adults were interviewed about their views of attorneys by Peter D. Hart Research Associates.

Focus groups composed of adults who had used a lawyer and those who had not were also conducted.

The results of this survey provide a more contemporary view of the public's perceptions of lawyers. A large number of respondents, nearly two-thirds, viewed lawyers as smart and knowledgeable. Among those who had retained a lawyer, two-thirds of them were satisfied with the attorney's performance. The most favorable impressions of lawyers were held by groups least likely to have had an experience with a lawyer. African-Americans, Hispanics, women, families with incomes less than \$20,000, young adults (age 18 to 29) and lower socioeconomic groups had more favorable views of lawyers (Hengstler 1993).

The survey also uncovered some very negative feelings toward lawyers. The most critical views were held by men, the college educated, those who knew a lot about the legal system, and those with higher socioeconomic status. The complaints about lawyers were grouped into four categories: (1) lack of caring and compassion; (2) poor ethical standards and enforcement; (3) greed; and, (4) a distaste for lawyers' advertising" (Hengstler 1993, 62). Unfortunately, the original survey data are not yet available for secondary analysis and its findings are limited to marginal distributions in a single published report.

An important conclusion from this survey is that despite wide-spread agreement on the importance of lawyers in our legal system, there is considerable displeasure among the public with the way lawyers *handle* both clients and their practice of law. Only two professions (stockbrokers and politicians) had lower

favorability scores than lawyers; while teachers, pharmacists, police officers, doctors, accountants, and bankers were all seen in a more favorable light.

The ABA's 1992 study does allow for a limited comparison of the changes in the level of support for the legal profession over time. Since 1973, Louis Harris and Associates has periodically asked a national sample of adults about their degree of confidence in law firms. The 1992 ABA survey also asked this question. Public confidence in law firms has dropped monotonically over the twenty-year period this question was asked. In 1973, 24% of the public expressed "great confidence" in law firms but by 1992 this level of confidence was but 8%. However, using this question as a cumulative index of public dissatisfaction with lawyers may be inappropriate because the referent is "law firms" and not lawyers or the legal profession. It is possible that these views of law firms are generalizable to lawyers, but other results from the survey suggest that somewhere around half of the public views lawyers favorably. Thus, while about half of the public views lawyers favorably, only 8% have "great confidence" in law firms. One potential explanation for this finding is that lawyers affiliated with law firms are associated with being greedy, etc.; thus, they have a more negative public image than do other members of the bar. An alternative interpretation is similar to the "I love my Congressman, but hate Congress" phenomenon (Fenno 1978). Individual lawyers may be viewed as an important component of the legal system, whereas law firms are seen as unnecessarily complicating business and private life.

The only other national survey to include questions about support for lawyers stems from a project conducted by the National Center for State Courts (NCSC). The



survey was conducted by Yankelovich, Skelly and White, Inc., for the NCSC. Respondents were asked about the seriousness of some problems that relate to lawyers. Consistent with the results from the Survey of the Legal Needs of the Public, approximately 77% of the public believed lawyers to be more interested in their clients than in themselves; 83% thought that lawyers inform their clients of the progress of their cases; although 44% of the respondents thought that lawyers are too expensive. These results also reflect a general level of support for the legal profession.

In addition to the three national studies, there have been surveys conducted sporadically by state judicial bodies (e.g., Commission on Justice in the Twenty-First Century 1991; Supreme Judicial Court Commonwealth of Massachusetts 1992; Supreme Court of Virginia 1994), insurance organizations (Harris and Associates 1987), and bar associations (What the Public Thinks of Lawyers 1964; Missouri Bar-Prentice Hall 1963; Blashfield 1954) that ask questions about public approval of lawyers. These studies, however, tend to suffer from a variety of problems including, but not limited to, sampling, questionnaire design, and question development, making generalization from their findings virtually impossible.<sup>4</sup> From time to time, other national polling organization such as the Roper Center, the national television networks, and The Gallup Organization ask questions that try to ascertain the publics' level of support for, or confidence in, lawyers. The most recurring question is one asked by The Gallup Organization on a semi-regular basis about the honesty and ethical standards of lawyers. Table 2-2 displays the ratings of lawyers for the period 1976-94.

**TABLE 2-2****Ratings of the Honesty and Ethics of Lawyers 1976-1988 (in percent) <sup>a</sup>**

	Year										
	76	77	81	83	85	88	90	91	92	93	94
Very High/High	25	26	25	24	27	18	22	22	18	16	17
Average	48	44	41	43	40	45	43	43	43	41	36
Low/Very Low	26	26	27	27	30	33	31	30	36	41	46
No opinion	1	4	7	6	3	4	4	5	3	2	1

<sup>a</sup> In response to the question: How would you rate the honesty and ethical standards of people in these different fields—very high, high, average, low or very low: lawyers?

Source: Gallup 1994.

Table 2-2 shows that public perceptions of the honesty and ethics of lawyers have declined over the last two decades. The public viewed lawyers as most honest and ethical in the late 1970s and early 1980s. Since then, support has waned considerably. The latest data indicate that only 17% of the public views lawyers as "honest" or "very honest" (see Table 2-2). Although it is impossible to determine precisely the cause of this drop in support, it does come at a time when the President and Vice-President of the United States and other politicians were decrying the large number of lawyers and the amount of civil litigation (Bush 1992; Quayle 1991). Despite their perceived lack of honesty and ethics, lawyers, when compared to other public officeholders, fair quite well. In the most recent Gallup survey, state officeholders, senators and congressmen are all seen as less ethical and honest than lawyers. Only policemen fair significantly better than lawyers, probably the result of a belief that policemen perform a core service to the community (Ostrom 1973).

Lawyers are not viewed as ethical when compared to clergymen, college teachers, doctors or dentists, in contrast, they do pretty well when compared to other legal actors.

What can we learn from these disparate studies of support for the legal profession? Two conclusions stand out. First, there appears to be a sizeable amount of public support for lawyers. The public views lawyers as smart and knowledgeable and believes lawyers work hard for their clients. At the same time, however, the public is concerned about the cost of legal services, access to lawyers, the growth and nature of law-firms, and the honesty and trustworthiness of the legal profession.

#### **Results from the Legal Actors Survey**

One goal in developing the questionnaire for the Legal Actors Survey was to measure the level of *diffuse support* individuals have for the legal profession, experience with a lawyer and its affects on overall support for the legal profession as part of our legal system.<sup>5</sup> Caldeira and Gibson (1992) refer to this kind of support as "institutional legitimacy." Although the referent in their study is the U.S. Supreme Court, their concept of "institutional legitimacy" is appropriate here where we are trying to ascertain the support individuals have for the legal profession in our legal and political system. Having this goal in mind meant that many of the items used previously to gauge support for lawyers were unacceptable. To measure the institutional legitimacy of lawyers, it is necessary to tap feelings that are not reactions to particular lawyers the respondents knew or had used before. To do this I developed a series of eight statements designed to gauge the level of diffuse support (or institutional legitimacy) for the legal profession. The syntax of the statements relies heavily on the scholarly

work of Tyler (1990). Table 2-3 presents the eight statements and the responses from the Legal Actors Survey.

The results in Table 2-3 suggest there is a fair level of support for the legal profession among the respondents to the Legal Actors Survey. Over half of the respondents felt lawyers provide the public with a useful service, believed the basic rights of citizens are better protected because of lawyers, thought lawyers are honest, and thought lawyers are doing a good job. Moreover, the number of respondents unsupportive of lawyers is generally quite low, and never exceeds the number of individuals who are supportive. Although these statements are not directly comparable to previous statements used to measure public support for the legal profession, they produce similar results and suggest there is a sizeable portion of the public that views lawyers positively.

Despite the fairly positive evaluations of the legal profession displayed in Table 2-3, these figures do not indicate the level of support for lawyers among various subgroups of the population. In virtually every study of legal attitudes, race has played an important role. Sometimes African-Americans are more supportive of law and legal institutions (Hirsch and Donohew 1968; Murphy, Tanenhaus, and Kastner 1973; Neubauer and Meinhold 1994); at other times, they exhibit the same or less support than whites (Handberg and Maddox 1982; Sigelman 1979). The importance of race in these previous studies suggests it should be considered when examining support for any legal authority or institution.

A difference of means (t-test) was conducted for each of the statements in Table 2-3, comparing the average level of support (%) among African-Americans and

**TABLE 2-3****Distribution of Support for the Legal Profession**

Statement	Support for the Legal Profession			Factor Loadings <sup>a</sup>
	Percent Supportive	Percent Unsure	Percent Unsupportive	
Generally, attorneys provide the public with a useful service	87	6	7	.66
The basic rights of citizens are better protected because of attorneys	72	12	16	.65
On the whole, attorneys are [dis]honest <sup>b</sup>	62	23	15	.62
Attorneys do their best to be fair	42	26	32	.65
Overall, attorneys are doing a [bad] good job <sup>b</sup>	65	24	11	.70
In general, people are satisfied with the way attorneys help with legal problems	45	28	27	.49
When attorneys become involved in disputes between people, they improve the situation	37	30	33	.57
Overall, attorneys treat people fairly	47	28	25	.74
Percent of Variance				41

Note: Minimum  $N = 851$ . These statements were adapted from Tyler (1990).

<sup>a</sup> Factor loadings are from the first unrotated solution of a principal components factor analysis. The item to scale correlations are .43, .42, .38, .42, .49, .24, .32, .55, respectively.

<sup>b</sup> Statement appeared with a negative valence in the original survey. The words in brackets indicate the original wording of the statement.

whites. In only one instance was there a statistically significant difference between the average level of support among African-Americans and whites. African-Americans indicated slightly more support for the job lawyers are doing than did whites. This finding is consistent with other research that finds African-Americans more supportive of lawyers than whites (Hengstler 1993). In the absence of any other evidence, it should be interpreted with caution because of the relatively small number of African-American respondents and because of the highly educated sample.

Another way to gauge the level of support for lawyers is to look at the number of respondents who gave a supportive response to each of the eight statements in Table 2-3. Ten percent of white students and 7% of African-American students gave supportive responses to each statement, a small number of the respondents. If we look exclusively at the four statements that received the most favorable responses, we find that these figures increase to 37% for whites and 36% for African-Americans. The overall conclusion is that the legal profession has considerable support among the college students responding to the Legal Actors Survey.

To test whether the eight statements in Table 2-3 actually tap the same underlying concept (support for lawyers) a confirmatory factor analysis was conducted.<sup>6</sup> The results of the factor analysis indicate that a one factor solution fits the data best.<sup>7</sup> A single factor accounts for 41 percent of the variance in support for lawyers. The factor loadings from the pattern matrix and the item-to-scale correlations are displayed in Table 2-3. In the remainder of this study, level of

support for the legal profession is measured by the factor score from the first unrotated factor of a principal components analysis of the eight statements in Table 2-3.

### **THE LEGAL SYSTEM**

Defining what is meant by the term *legal system* is a more difficult task than defining what we mean by the legal profession. One problem is that the concept--legal system--is so enmeshed in our everyday discourse. It is much easier for most of us to identify what is *not* part of the legal system than it is for us to identify what *is* part of the legal system (Friedman 1977, 9). A universally accepted definition of the legal system is neither possible nor necessary for the purposes of this study. However, it is necessary to have some definition of what constitutes the object of this attitude because of the interest in how lawyer encounters affect support for the legal system.

Definitions of the legal system usually include three elements: law, institutions, and process. The legal system can be distinguished from the rest of the political system and other social systems by its relationship to law. Law is defined as, "a body of rules, enacted by public officials in a legitimate manner and backed by the force of the state" (Neubauer 1991, 6). Law is a useful starting point for defining the legal system. Requiring actors and institutions to intersect with rules enacted by public officials in order for them to be considered part of the legal system immediately excludes some kinds of institutions and behavior. For instance, the rules that regulate social group membership and classroom conduct do not, according to this definition, constitute part of the legal system. Whereas, judges who interpret laws and police that enforce them are clearly components of the legal system.

The second element of most definitions of the legal system refers to institutions. Courts, police and judges are all easily identified as part of the legal system. Friedman (1977) refers to these institutions as the structure of the legal system. Legal institutions in the United States include courts and the criminal justice system. But the legal authorities within these institutions (e.g., judges, police, lawyers, prosecutors, etc.) also deal with law and should be considered part of the legal system.

The final aspect of the legal system represents its dynamic nature. The legal system depends on inputs and produces outputs (Friedman 1977; Easton 1965). The legal system is constantly responding to inputs by citizens and other legal and political actors. For instance, citizen inputs include things such as calling the police to report a crime, filing a lawsuit, or hiring a lawyer. The legal system also responds to inputs from political actors. For example, when legislatures pass laws, they create inputs to the legal system. The reactions to these inputs represent the outputs of the legal system. They may be in the form of decisions made by judges or actions taken by the police. Through a process known as feedback, these outputs may have an impact on future inputs (e.g., increased litigation, reduction in the level of crime, etc.). Definitions of the legal system that include a dynamic element remind us to look beyond the formal law and recognized legal institutions to understand the contours of the legal system.

Combining these three elements provides us with a way to identify the boundaries of the legal system. As used here, the term--legal system--refers to the *institutions of society and their corresponding processes that relate to enforcement and*



*implementation of law*. This is an admittedly loose definition, but it does encompass all of the actors and processes normally associated with the legal system. This is a stipulative definition of the legal system; however, the legal system has many empirical referents and citizens define on their own what constitutes part of the legal system.

There are two possible approaches to studying support for the legal system. The first consists of studying its legitimacy by examining the level of public support for its component parts. Characteristic of this approach are studies that focus on support for various legal authorities (e.g., the U.S. Supreme Court, courts and judges, and the police). The research questions in these types of studies typically center on the level of support individuals give a particular legal authority.

An alternative approach to conceptualizing support for the legal system in component parts is to think of it as an abstract attitude that exists independently of support for various legal institutions. This approach is best illustrated by the work of Sarat (1975) who argues that support for the legal system should be conceptualized in a "holistic" manner rather than as the sum of public support for various legal institutions (see also Easton 1975). This argument rests on the idea that a set of general attitudes that constitute support for law and the legal system exists independent of support for any particular element of the system. In fact, this general support is thought to serve as a cognitive resource as individuals develop other legal attitudes. Sarat (1975) finds that when individuals are presented with statements such as: 1) I must always obey the law; 2) The individual who refuses to obey the law is a

menace to society; and, 3) A person should obey the law even if it goes against what he thinks is right, approximately 57% "agree strongly" or "somewhat" (Sarat 1975, 9).

There is evidence of considerable public support for the legal system in Sarat's (1975) work; but, his approach is problematic for two reasons. First, it assumes the interrelatedness of support for the various aspects of the legal system. In Sarat's (1975) view of support for the legal system, there is a single attitude that constitutes support and it exists independent of support for the various institutions. Under such conditions, all other legal attitudes should be related to this general sense of support. A parallel to this approach appears in voting behavior research by Converse (1964). Much like Sarat's (1975) notion of a single legal attitude, Converse (1964) posited the existence of a "belief system." A "belief system" helps individuals process political information and form opinions on political issues. If a person's belief system is liberal, then he/she should exhibit a liberal orientation toward policy issues. This phenomenon was referred to as issue constraint. What Converse (1964) found, however, differed from his theory. He concluded that the mass public did not possess a belief system, although elites did exhibit some signs of issue constraint.

A second problem with conceptualizing support for the legal system in this way is it does not offer any obvious empirical referents. The law is an abstract concept with multiple aspects. Individuals may be committed to the abstract idea of law and order but may not be supportive of specific laws or legal institutions. If individuals do not think of the legal system as a single entity, it is important to understand how many aspects of the legal system exist in the minds of the public and

what factors impinge on the legitimacy of these institutions.

The focus of this study is on the impact of experience with a lawyer on legal and political attitudes; therefore, I chose to examine support for the various legal institutions rather than focus on a more abstract view of support for the legal system.<sup>8</sup> Three aspects of the legal system besides the legal profession are considered: 1) the U.S. Supreme Court; 2) courts and judges; and, 3) the police. These three actors constitute the most prominent aspects of the legal system.

### **The United States Supreme Court**

Previous examinations of attitudes toward courts and judges tended to focus exclusively on the Supreme Court.<sup>9</sup> Although the Court is the pre-eminent and most widely recognized court in the United States, it is unlikely that many individuals will have direct contact with it. The average citizen is much more likely to have an encounter with a justice of the peace, trial court judge, or perhaps even a federal district court judge than they are to experience the Supreme Court. Despite not having direct experience with the Supreme Court, most everyone has an opinion about this legal institution because we experience it vicariously through the press and popular entertainment. Whether these vicarious experiences have an affect on support for the legal and political systems is a question beyond the scope of this research. Nevertheless, support for the Supreme Court must be considered in any analysis of legal and political attitudes. For many individuals, support for the Supreme Court may serve as the linchpin of their legal belief system, helping to constrain and condition a multitude of other legal attitudes.

*Public Support for the U.S. Supreme Court.* There is a long history of studying the

level of public support for the United States Supreme Court. As the ultimate legal institution in America, the Court has been the focus of considerable scholarly attention. Two recent examinations of the level of public support for the Supreme Court exemplify this type of research. Caldeira and Gibson (1992) conclude from a national survey that "over two-thirds of the subjects claim that they would do everything possible to defeat an effort to abolish the Court" (Caldeira and Gibson 1992, 640). Although support for the Court was generally lower among African-Americans, more than half, expressed supportive views of the Court (Caldeira and Gibson 1992, 640).

Also using a national survey, Scheb and Lyons (1994) conclude that the Supreme Court is held in high regard by the public. Although only 44% of their respondents indicated the performance of the Court was "good" or "excellent," another 40% said that it was "fair" (Scheb and Lyons 1994, 273). In sum, 84% of the public seem unlikely to alter their basic commitment to the Court. Even more interesting is the degree of support for the Court when it is compared to Congress. Only 23% of the respondents evaluated the Congress as "excellent" or "good," and another 46% as "fair" (Scheb and Lyons 1994, 273). Thus, the research of Caldeira and Gibson (1992) and Scheb and Lyons (1994) reflects the general conclusion that considerable public support for the Supreme Court continues to exist.

*Results from the Legal Actors Survey.* The Legal Actors Survey measured support for the U.S. Supreme Court using a simple question inquiring about the respondent's level of confidence in the Court. Individuals were asked whether they thought the U.S. Supreme Court could be trusted to do what is right. The response categories

were presented in a standard Likert format ranging from "strongly agree" to "strongly disagree." Nearly two-thirds (62%) of the respondents "strongly agreed" or "agreed" that the Supreme Court can be trusted to do what is right. While slightly lower than results from national surveys, certainly it can be said that the respondents to the Legal Actors Survey have a considerable amount of support for the Court. There is, however a racial difference in confidence in the Court. Whereas 63% of the whites "strongly agreed" or "agreed" with the statement, only 56% of the African-American respondents exhibited the same level of support. This finding also is consistent with Caldeira and Gibson's (1992) conclusion that African-Americans are less supportive of the Court than whites, but are nevertheless still fairly supportive.<sup>10</sup> The next section reviews previous research on the level of support for courts and judges other than the Supreme Court and discusses the level of support for this legal institution in the Legal Actors Survey.

### **Courts and Judges**

There are very few systematic examinations of support for courts other than the U.S. Supreme Court. The studies that do exist focus on support for state courts or criminal courts, and like the studies of the Supreme Court they find considerable support for courts as legal institutions.<sup>11</sup>

*Public Support for Courts and Judges.* In one of the first systematic treatments of support for lower courts, Walker et al. (1977) found that 66% of respondents were supportive of courts in North Carolina. Although support for the courts was not as high as support for the police in North Carolina it does appear that there is a sizeable level of support for the courts. In a more recent study, Tyler (1990) examined

support for Chicago courts and found that approximately 74% of Chicago residents evaluated the courts as "fair" to "very good." Like the U.S. Supreme Court, courts in general seem to possess a healthy level of public support.

*Results from the Legal Actors Survey.* Support for courts and judges was measured in the Legal Actors Survey using an eight item scale developed by Tyler (1990). Each respondent was presented with eight statements about the role of courts and judges in our legal system and asked whether they "agreed strongly," "agreed," "disagreed," or "disagreed strongly." Tyler (1990) has previously demonstrated the unidimensionality of this scale and it represents the kind of diffuse support for courts and judges that is of interest here. Table 2-4 displays the responses from the Legal Actors Survey to these statements.

Table 2-4 shows considerable support for courts and judges. Nearly two-thirds of the respondents agreed that courts generally guarantee everyone a fair trial (70%), that the basic rights of citizens are well protected by the courts (67%), that judges are honest (61%), and that the courts treat people fairly (67%). Although not as high, the level of agreement expressed with the other statements hovers around 50%. The average level of support across the eight statements is 57%, which is lower than support for courts and judges found in previous studies (Walker et al. 1977; Tyler 1990), but still represents a positive reservoir of feelings toward this legal institution. Moreover, just as was the case with the legal profession, the number of unsupportive responses never exceeds the number of supportive responses.

**TABLE 2-4****Distribution of Support for Courts and Judges**

Statement	Support for Courts and Judges			Factor Loading <sup>a</sup>
	Percent Supportive	Percent Unsure	Percent Unsupportive	
The courts generally guarantee everyone a fair trial	70	8	23	.73
The basic rights of citizens are [not] well protected in the courts <sup>b</sup>	67	17	17	.62
On the whole, judges are honest	61	25	14	.59
Court decisions in general are almost always fair	45	17	38	.74
Overall, the courts are doing a good job	52	21	27	.81
The courts do [not] do a good job solving the problems that come to them <sup>b</sup>	50	26	24	.72
Court decisions provide fair solutions to people's problems	46	24	30	.77
Overall, the courts treat people [un]fairly <sup>b</sup>	67	17	17	.72
Percent of Variance				52

Note: Minimum  $N = 855$ . These statements were adapted from Tyler (1990).

<sup>a</sup> Factor loadings are from the first unrotated solution of a principal components factor analysis. The item to scale correlations are .53, .39, .35, .55, .67, .51, .60, and .52 respectively.

<sup>b</sup> Statement appeared with a negative valence in the original survey. The words in brackets indicate the original wording of the statement.

The two statements that received the least support refer to the fairness of court decisions and the fairness of court solutions (45% and 46% respectively). It is interesting that these figures are almost identical to the level of support for the corresponding statements about the legal profession--attorneys do their best to be fair (42%) and, overall, attorneys treat people fairly (47%). It is possible that the lower level of support for these questions is a function of direct experience or perceptions of vicarious experience with lawyers and courts and not so much a reflection of general support for these institutions.

Attitudes about courts and judges also appear to be more firmly developed than attitudes toward lawyers. The average number of unsure responses to the statements for courts and judges was 18%, compared to 22% for lawyers. This is to be expected as opinions about courts and judges are probably more closely linked to the political socialization experience than are attitudes about lawyers.

There is a considerable racial difference when it comes to the level of support for courts and judges. In response to all but one statement, African-Americans are significantly less supportive of courts and judges than are whites. The reasons why there are few racial differences in the level of support for lawyers while considerable differences exist in support for courts may be related to the public expectations regarding these two institutions. There seems to be a consensus among the public (as misplaced as it may be) about the role that lawyers play in the legal system. Their role is one of advocating a client's position. On the other hand, courts and judges are faced with the difficult task of trying to be perceived as fair. It may also be the case that these negative reactions by African-Americans represent a discontent with the local court system and judges rather than a low level of diffuse support for the role of courts and judges in our legal system.



The number of respondents who gave supportive answers to each statement about courts and judges also was examined. The results are similar to the ones presented for support for the legal profession. Overall, 17% of whites and 8% of African-Americans gave supportive responses to all eight statements. When we focus only on the four statements that had the highest average level of support, we find that these figures increase to 37% and 22% respectively. Once again there appears to be a well of support for courts and judges to draw from as they engage in legal action.

A confirmatory factor analysis was conducted on the eight statements in Table 2-4 and the results indicate that the index is strongly unidimensional. Only one factor has an eigenvalue that exceeds 1.0 and it explains 52% of the variance. The factor loadings and the item-to-scale correlations for each statement are displayed in Table 2-4. In the analyses that follow, a respondent's level of support for courts and judges is represented by the factor score from an unrotated principal components factor analysis of the eight statements in Table 2-4.

### **The Police**

Since the legal system is conceptualized as being composed of multiple legal authorities, it is important to gauge the level of public support for legal actors beyond the legal profession and courts and judges. The most prominent extra-judicial legal actor is the police officer. As part of the criminal justice system, the police clearly represent one aspect of the legal system.

*Public Support for the Police.* The literature on public support for the police is extensive and crosses disciplinary boundaries. It has attracted the attention of scholars in political science, sociology and criminal justice. The examination of citizen attitudes toward the police

emerged in the 1960s as a response to the civil disorder of the time and the tension between minorities and police. More recently, however, interest in the role of the citizen as a "coproducer" of police services has prompted additional research on this subject (Brandl et al. 1994).

Almost without exception, studies of public support for the police find citizens quite satisfied with the police as a legal institution.<sup>12</sup> Even though support for a specific police department or police in a particular neighborhood might be relatively low, the public responds with a uniform "yes" when asked general questions about whether the police are honest, trustworthy, or competent.

*Results from the Legal Actors Survey.* Support for the police was measured in the Legal Actors Survey by drawing once again on the work of Tyler (1990). Each respondent was presented with a series of four statements and asked whether they "agreed strongly," "agreed," "disagreed," or "disagreed strongly" with each one. Tyler's (1990) questions each included a reference to Chicago police. For this study, the specific reference to police in a particular location was removed in an attempt to gauge the level of diffuse support for the police as a legal institution.<sup>13</sup> The statements and the responses by the students are displayed in Table 2-5.

The results in Table 2-5 show a considerable level of support for the police. Although support for the police is not quite as high as it is for courts, judges and the legal profession, over two-thirds of the respondents felt they should be supportive of the police. Over half said they had respect for the police and that they were proud of

**TABLE 2-5****Distribution of Support for the Police**

Statement	Support for the Police			Factor Loading <sup>a</sup>
	Percent Supportive	Percent Unsure	Percent Unsupportive	
I have a great deal of respect for the police	54	9	37	.89
On the whole police officers are honest	39	22	39	.86
I am generally [ashamed] proud of the way police officers do their job <sup>b</sup>	57	35	8	.81
I feel I should be supportive of the police	71	14	16	.82
Percent of Variance				71

Note: Minimum  $N = 865$ . These statements were adapted from Tyler (1990).

<sup>a</sup> Factor loadings are from the first unrotated solution of a principal components factor analysis. The item to scale correlations are .79, .74, .65, and .68 respectively.

<sup>b</sup> Statement appeared with a negative valence in the original survey. The words in brackets indicate the original wording of the statement.

the police (see Table 2-5). As in the level of support for the other legal institutions, the level of unsupportive responses never exceeds the level of supportive responses.<sup>14</sup>

The level of support for the police is heavily influenced by the race of the respondent. The average level of support for each statement is almost one point lower among African-Americans than it is among whites. This difference is statistically significant and substantively meaningful. Perhaps support among African-Americans is more closely linked with the local referent (New Orleans) than it is among whites.

A racial difference also shows up when the number of respondents who gave supportive responses to all four statements is considered. Only 5% of African-Americans gave four supportive responses while 33% of the whites "agreed" or "agreed strongly" with all four statements. These findings reiterate the importance of considering the impact of race on legal attitudes.

The four statements referring to the police were also subjected to a confirmatory factor analysis. The results are displayed in Table 2-5. The scale is strongly unidimensional and accounts for 71% of the variance. Furthermore, the statements are highly correlated with the underlying factor, having a mean correlation of .72. As with the previous measures of support, the level of support for the police is represented in the analyses that follow by the factor score from a principal components factor analysis of the four statements in Table 2-5.

## **THE INTERRELATIONSHIPS AMONG LEGAL ATTITUDES**

Before moving to a discussion of the level of support for the political system, it is appropriate to consider the relationship between the levels of support for the various legal institutions--the legal profession, the U.S. Supreme Court, courts and judges, and the police. If a single abstract legal system which is composed of the legal profession, Supreme Court, courts and judges, and the police exists, then measures of support for the dimensions should be related. That is, if someone is generally supportive of the legal system, then they should be supportive of the various aspects addressed here. To the extent that individuals have consistent attitudes across legal authorities, we can say they exhibit legal system constraint. Evidence of such constraint would be consistent with Sarat's (1975) view of the way people think about the legal system. On the other hand, if these indicators of support for various aspects of the system are unrelated, it suggests there is not a single construct that represents support for the legal system. If this is the case, then people view the legal system as multifaceted and develop their attitudes with specific legal authorities in mind.

### **The Empirical Relationship Between Legal Attitudes**

Table 2-6 displays the relationships between the various measures of support for the four legal authorities. The most striking thing about the results displayed in Table 2-6 is the absence of any substantial relationships among legal attitudes. The strongest relationships are between support for lawyers and support for courts and judges ( $r = .42$ ) and between support for the Supreme Court and support for courts and judges ( $r = .42$ ). Respondents who were supportive of lawyers also tended to be supportive of the Supreme Court and courts and judges in general. Support for the police is much

less connected to support for other aspects of the legal system (Avg  $r = .24$ ). It may be that the general public does not view the police as an integral part of a broader legal system. But for whatever reason, support for the police is not highly correlated with measures of support for other legal authorities. The results in Table 2-6 are heavily dependent on race. Among white respondents, neither the magnitude or the statistical significance of any of the relationships diverge very far from the results in Table 2-6, but among African-Americans the results are considerably different.

Table 2-7 displays the same analysis of support for the legal system but only for African-Americans. Not only do some of the relationships fail to reach statistical significance, there are sizeable shifts in the size of some of the coefficients. Support for courts and judges and support for lawyers are still moderately related; but, support for lawyers is not related to any other aspects of the legal system. The most notable finding is that support for the police is more closely linked to other aspects of the legal system among African-Americans than it is for whites. Support for the police is correlated with the Supreme Court ( $r = .38$ ) and with support for courts and judges in general ( $r = .40$ ). This finding may be the result of negative encounters with lawyers and the police, a finding discussed further in Chapter 4.<sup>15</sup>

The information displayed in Tables 2-6 and 2-7 is inconsistent with Sarat's (1975) notion of individuals using a single legal attitude as a referent for their orientation toward specific legal authorities. Support for particular legal authorities varies depending on the specific legal actor considered; it does not necessarily translate into support for other aspects of the legal system. These conclusions

**TABLE 2-6****The Relationship Between Support for Lawyers, the U.S. Supreme Court, Courts and Judges, and the Police**

	Lawyers	Supreme Court	Courts and Judges	Police
Lawyers	1.00			
U.S. Supreme Court	.30*	1.00		
Courts and Judges	.42*	.42*	1.00	
Police	.18*	.19*	.35*	1.00

Notes: Minimum  $N = 763$ ; cells include Pearson correlation coefficients.

\* Significant at .01.

**TABLE 2-7****The Relationship Between Support for Lawyers, the U.S. Supreme Court, Courts and Judges, and the Police (Among African-Americans)**

	Lawyers	Supreme Court	Courts and Judges	Police
Lawyers	1.00			
U.S. Supreme Court	.18	1.00		
Courts and Judges	.30*	.40*	1.00	
Police	.06	.38*	.40*	1.00

Notes: Minimum  $N = 91$ ; cells include Pearson correlation coefficients.

\* Significant at .01.

reaffirm the need to keep the measures of support for the various aspects of the legal system separate from one another for purposes of analysis.

It is also instructive to compare the level of public support across the four legal institutions. Table 2-8 displays the average level of support for the legal profession, the U.S. Supreme Court, courts and judges, and the police. For this analysis, the original items measuring support for each aspect of the legal system were summed to form simple additive indices. The metric was standardized so that a score of five represents the highest and zero the lowest level of support. The level of support for these legal institutions is also presented by race.

The results in Table 2-8 show that the average level of support for legal institutions is consistent regardless of which legal authority is the referent. However, African-Americans are significantly less supportive than whites on support for three aspects of the legal system: the U.S. Supreme Court, courts and judges and the police. Based on the aggregate level of support displayed in Table 2-8, one could reach the erroneous conclusion that individuals have about the same level of support for the various aspects of the legal system. While this is no doubt the case for some individuals, the correlation analysis in Tables 2-6 and 2-7 demonstrated that many respondents have inconsistent evaluations of the various legal authorities—more supportive of some, less supportive of others. Thus, while there is considerable aggregate support for legal institutions, at the individual level this support is unpredictable and, therefore, potentially responsive to the variety of encounters citizens have had with the legal system.



TABLE 2-8

**Average Level of Support for the Legal Profession, the U.S. Supreme Court, Courts and Judges, and the Police**

Legal Profession		Supreme Court		Courts and Judges		Police	
3.4		3.5		3.3		3.3	
<u>African-Americans</u>	<u>Whites</u>	<u>African-Americans</u>	<u>Whites</u>	<u>African-Americans</u>	<u>Whites</u>	<u>African-Americans</u>	<u>Whites</u>
3.5	3.4	3.3	3.5*	3.0	3.4*	2.5	3.4*

Notes: Minimum  $N$  = African-Americans - 103, Whites - 774; cells are mean scores on scales with a range of 1 to 5, with higher values indicating greater support.

\* Difference between African-Americans and whites is significant at .05 or less.

### The Political System

The possible consequences of lawyer encounters do not stop with their affect on support for legal attitudes. The legal system is an important part of the larger political system, therefore encounters with any aspect of it have the potential to effect support for other political actors. The political system is defined as the institutions of government that authoritatively allocate values for a society (Easton 1960). In the United States, the political system is represented by the set of institutions that includes the executive, legislative and judicial branches of government. The legal system is a part of the judiciary, but for the purposes of this study, I am interested in whether lawyer encounters have any affect on support for other aspects of the political system. It is possible that a person's encounter with a lawyer may be so distasteful that his/her support for the overall political system declines as well. A major contribution of this study is the examination of the affect of legal experience on political attitudes.

*Support for National Political Institutions.* Public support for the legal system was examined already. This section focuses on the two remaining aspects of the political system: 1) Congress and 2) the president. It could be argued that the U.S. Supreme Court is a political institution. But for the purposes of this study, the U.S. Supreme Court is kept analytically distinct from the other two political institutions. Support for the U.S. Supreme Court is much more likely to be affected by legal encounters than attitudes toward other political objects. Moreover, it is possible that support for the Court serves as an intervening variable between support for the political system and other aspects of the legal system. This is why support for the Court was discussed earlier and why it is not considered part of the more general political system.

Support for national political institutions was measured by responses to the statements: The U.S. Congress can be trusted to do what is right; and, the President can be trusted to do what is right. In both cases students were presented with a Likert response set that ranged from "agree strongly" to "disagree strongly." Table 2-9 displays the level of support for the Congress and the president.

Support for both Congress and the president is considerably lower than support for any of the legal institutions. Less than a quarter of the respondents were supportive of Congress and only a third were supportive of the president (see Table 2-9). Race was not a significant predictor of support for national political institutions. African-Americans and whites were equally disapproving of the president and Congress. The low level of support for national political institutions should not be interpreted as a serious problem for the political system because, unlike the other measures of support, these statements probably have large components of short-term evaluation of the political incumbents combined with long term diffuse support.

**TABLE 2-9****Distribution of Support for Congress and the President**

Statement	Supportive (%)	Unsure (%)	Unsupportive (%)
The U.S. Congress can be trusted to do what is right	20	26	54
The President can be trusted to do what is right	33	23	44

Note: Minimum  $N = 862$ .

**CONCLUSION**

Public support is important for the legal profession, the legal system and the political system. This chapter described the contours of public support for each of these institutions and discussed findings from the Legal Actors Survey.

The respondents to the Legal Actors Survey have the most positive attitudes toward the U.S. Supreme Court, followed by the legal profession, courts and judges, and, lastly, the police. Almost two-thirds of the respondents expressed confidence in the U.S. Supreme Court as an institution. However, there is a significant racial difference in confidence in the Court. Whites were more supportive than African-Americans of the Court.

Respondents also were supportive of the legal profession. Most individuals were able to offer an opinion about the role of lawyers in the legal system and a good portion of these opinions were favorable. Over half of the respondents believed that: lawyers provide the public with a useful service; the basic rights of citizens are better protected because of lawyers; lawyers are honest; and, lawyers are doing a good job.

Contrary to conventional wisdom, there is sufficient diffuse support for the legal profession, thereby enabling lawyers to maintain their legitimacy. Unlike support for other aspects of the legal system, there are no racial differences in the level of support for the legal profession.

There is also a good deal of support for courts and judges as legal institutions. Reflective of this support is the fact that over two-thirds of the public believe that courts generally guarantee everyone a fair trial, that the basic rights of citizens are well protected in the courts, and that the courts treat people fairly. Courts and judges are not suffering from a crisis of legitimacy. It is worth noting, however, that the level of support for courts and judges is considerably higher among whites than it is among African-Americans. The potential impact of this lower level of support among African-Americans on other legal and political attitudes is worthy of further attention.

As a legal institution the police also have considerable support from the public. A majority of the respondents indicate: they have a great deal of respect for the police; are proud of the way police officers do their job; and, are supportive of the police. Race plays an important part in shaping attitudes toward the police. African-Americans were significantly less supportive of the police than were whites. A supportive response to each inquiry about the police was given by 33% of whites, but only 5% of African-Americans. These racial differences point to the need to continue to consider the influence of race on legal attitudes.

The final section of the chapter dealt with the level of support for the political system. Respondents to the Legal Actors Survey were asked about their confidence in national political institutions. Public support for Congress and the president is lower

than that for any of the legal institutions. The next chapter provides a theoretical context for understanding how lawyer encounters affect these various measures of support for legal and political institutions. Hypotheses are derived that will be tested in the subsequent chapters.

## NOTES

1. Of course there are situations in which a citizen can mobilize the law without the help of a lawyer (e.g., small claims court) but, in general, lawyers are part of most experiences with the legal system.

2. Perhaps the most well known conceptualization of how the machinery of the legal system operates is Miller and Sarat's (1980-81) dispute processing framework. They argue that disputes go through three stages: grievance, claim, and finally disputes.

3. The remaining five statements focus on people who use lawyers and legal services (e.g., most people who go to lawyers are troublemakers, and most lawyers' work consists of helping clients arrange their affairs so as to avoid future problems and disagreements). These statements are aimed at evaluations of the kinds of people who go to lawyers or ask about what lawyers do, not public support for the profession itself.

4. This complaint was first voiced by Sarat (1977) but still holds true today.

5. Diffuse support is defined as a "reservoir of favorable attitudes or good will that helps members [of a society] accept or tolerate outputs to which they are opposed or the effects of which they see as damaging to their wants" (Easton 1965, 273).

Diffuse support has been demonstrated to be an important predictor of other political attitudes and behavior (Aberbach 1969; Aberbach and Walker 1970; Brown 1974; Citrin 1977; Gibson 1967; Jaros and Roper 1980; Muller 1970, 1977; Muller and Jukam 1977; Muller, Jukam and Seligson 1982; Olsen 1968; Paige 1971).

In contrast to diffuse support, specific support is a "response to authorities...it is directed to the perceived decisions, policies, actions, utterances or the general style of these authorities" (Easton 1975, 437). Specific support is the product of short term evaluations of authorities and more susceptible to the influence of immediate events, while diffuse support is conceptualized as a rather firmly held and durable set of attitudes about the system.

6. The factor analysis included both African-Americans and whites. The construction of the support for lawyers scale follows closely the framework of Caldeira and Gibson (1992) and I am persuaded by their argument that it is the level of support, not the structure of beliefs, that is different for African-Americans and whites (Caldeira and Gibson 1992, 1130 fn. 8).

7. This determination was based on the factor loadings of the eight variables and a visual examination of the plot of the factor eigenvalues. The initial extraction produced a two factor solution that accounted for 53% of the variance. However, the second factor accounted for just 12% of this pooled variance and the two statements that comprised the second factor--"in general, people are satisfied with the way attorneys help with legal problems" and "when attorneys become involved in disputes between people, they improve the situation"--do not clearly load on the second factor, with factor loadings of .55 and .54 respectively. Moreover, a substantive interpretation of this second factor is much too difficult and does not clearly represent something different than the other six statements. Based on these criteria a one factor solution was imposed on the data.

8. My examination of support for the various legal institutions enables me to say something about the empirical utility of Sarat's (1975) view of support for the legal system.

9. For studies that focus on public support for the United States Supreme Court see: Adamany and Grossman 1983; Caldeira 1977; 1986; 1987; Caldeira and Gibson 1992; Casey 1974; Dolbeare 1967; Dolbeare and Hammond 1968; Franklin and Kosaki 1989; Gibson 1989; Gibson and Caldeira 1992; Handberg and Maddox 1982; Hirsch and Donohew 1968; Jaros and Roper 1980; Kessel 1966; Lehne and Reynolds 1978; Marshall 1987; 1988; 1989; Mondak 1991; Murphy and Tanenhaus 1968; 1990; Scheb and Lyons 1994; Secret, Johnson, and Welch 1986; Sigelman 1979; Tanenhaus and Murphy 1981.

10. One could criticize this measure for appearing to represent a more specific-oriented support. Unfortunately, this is the only question aimed at support for the Supreme Court which was asked during Phases 1 and 2 of the Legal Actors Survey. Not using this question as the measure of support would cut in half the number of respondents available for analysis.

In Phase 2, the Legal Actors Survey did ask the same set of questions used by Caldeira and Gibson (1992) and Gibson and Caldeira (1992) to measure both diffuse and specific support. Looking only at the Phase 2 respondents we can address the utility of the confidence based measure of support. First it should be noted that all of the items used by Gibson and Caldeira (1992) to measure diffuse support among the national public factor analyze in exactly the same way among the respondents to the Legal Actors Survey. The five items form a strong unidimensional scale, accounting



for 53% of the variance. The real test is whether specific support and diffuse support as measured by Caldeira and Gibson (1992) and the confidence question are related. The simple correlation between "confidence in the Court" and the Caldeira and Gibson (1992) measure of specific support is  $r = .44$ . This is certainly much higher than desirable, but it is still moderate enough to suggest that the confidence question does tap some diffuse support. Another indication of the representativeness of the sample used here and the validity of Caldeira and Gibson's (1992) measures of support is the fact that the correlation between diffuse and specific support among the respondents in Phase 2 is  $r = .18$ . Not as low as the .05 that Caldeira and Gibson (1992) find, but certainly weak enough to add additional credibility to their operationalization of these concepts.

11. On state courts (Boyum 1993; Olson and Huth 1994), on local courts (Tyler 1990), on judges (Tyler 1990), on criminal courts (Fagan 1981; Flanagan, McGarrell and Brown 1985). For contrasting evidence see Mahoney, Sarat, and Weller (1978), who find considerable dissatisfaction with courts although attribute it to a general level of dissatisfaction with government. There also are a number of reports on surveys conducted about particular state courts. Unfortunately, these studies tend to lack the theoretical focus to make them of much value in making inferences about legal attitudes generally and they also tend to report only the marginals, thus precluding careful scrutiny.

12. A partial list of those studies finding favorable attitudes includes: Schuman and Gruenberg 1972; Walker et al. 1972; Wilson 1972; Hadar and Snortum 1973; Durand 1976; Parks 1976; Walker 1977; White and Menke 1982; Homant, Kennedy

and Fleming 1984; O'Brien 1978; Homant 1982; Lundman 1974; Radlet 1973; Smith and Hawkins 1973; Thomas and Hyman 1977; Percy 1980; Albrecht and Green 1977. For contrasting evidence see: Bell 1979.

13. The survey also asked the respondents to indicate their level of support for the police in New Orleans. It turns out that there is no distinction in the results.

14. An exception is the statement, "on the whole police officers are honest," where the number of supportive and unsupportive responses was the same, 39%.

15. I also conducted a factor analysis of all of the items that form the indexes of support for the legal profession, the Supreme Court, courts and judges, and the police. The eight items that measure support for courts and judges emerged as a single factor, as did the four items that tap support for the police. The question that measures support for the Supreme Court loads with the other indicators of support for courts and judges. The pattern of the loadings for the statements that refer to lawyers was more complex but overall reflects a single and third dimension in the analysis (also see note 7).

## CHAPTER 3

### THE THEORETICAL FRAMEWORK

To this point, I have examined public support for the various aspects of the legal and political systems and found considerable support for aspects of the legal system, and far less support for the political system. Some respondents expressed greater support for legal and political institutions than others. Moreover, there was very little individual consistency in attitudes. This Chapter presents a theoretical framework for understanding the way in which encounters with lawyers might affect the legal and political attitudes described in Chapter 2. As was noted in Chapter 1, the students responding to the Legal Actors Survey had sufficient contact with lawyers (39%) to facilitate an examination of how experiences with lawyers affect legal and political attitudes. For nearly two-thirds (64%) of the respondents having a contact, it was their first and only encounter with a lawyer.<sup>1</sup> Thus, the Legal Actors Survey makes an excellent venue for examining the way that a respondent's first encounter with an attorney affects their legal and political attitudes.

This Chapter begins by focusing on the origins of legal and political attitudes. The next section considers the reasons why encounters with lawyers might be expected to affect these attitudes. Following that is a discussion of two theoretical approaches--procedural and instrumental--that provide the analytic framework for the remainder of the study. The Chapter concludes with the articulation of some general hypotheses that are tested in Chapters 4 through 6.

## SOURCES OF LEGITIMACY AND SUPPORT

Individuals are not "blank slates" when they interact with the legal system for the first time. The average age of the respondents to the Legal Actors Survey when they used a lawyer for the first time was 27. These individuals have most assuredly formed opinions about legal and political institutions prior to that encounter with a lawyer. The mere fact that the remaining 61% of the respondents offered some opinions about the legal and political system indicates that legal and political attitudes are not *exclusively* a product of such experience. If attitudes are not a product solely of experience, then from where do they come? The general consensus is that political attitudes are the result of both socialization *and* experience.

Theories of pre-adult socialization have a firm place in political science. Early childhood socialization is widely believed to influence political attitudes ranging from party affiliation (Campbell et al. 1960) and political ideology (Converse and Markus 1979; Converse and Pierce 1986; Levitin and Miller 1979) to views about the president and the governing regime (Sears 1975). There also is evidence that pre-adult socialization is important in the development of legal attitudes (Engstrom 1970; Rodgers and Lewis 1974). It is easy to imagine the reasons why the family is such a dominant player in shaping legal attitudes. Family discussions may involve a relative who is a lawyer, judge, policeman or other legal authority or an experience with one of them. Family discussions involving legal authorities are likely to take a different tone than those in families where a legal authority is absent. The likelihood that a conversation about the legal system would involve a legal authority can be seen by the social proximity of individuals to the legal system. The Legal Actors Survey asked

two questions about the degree of personal contact with legal authorities.

Respondents were asked whether they had friends or relatives who were lawyers or court officials/judges.<sup>2</sup> A sizeable number of respondents are in close proximity to the legal system; 66% had a friend or relative who is a lawyer, another 35% had a friend or relative who was a court official or judge. A modest, 16% of the respondents had both a family or friend who was a lawyer or court official/judge. Even when no legal authority is present, the likelihood of family discussions about crime and the legal system is so high as to make a family socialization effect probable. Previous research indicates that attitudes which are on the high end of "ego-involvement," such as party identification and racial attitudes, are the most likely to be formed early in childhood and persist throughout a person's life (Sears 1975). Many legal attitudes shaped by childhood experience with the legal system or formed in period of high anxiety about crime and violence might be expected to fit into this category.

As obvious as the impact of socialization is on legal attitudes, it is equally obvious that pre-adult socialization is not the only factor that influences legal attitudes. Models of attitudes and behavior that incorporate experience effects are sometimes referred to as "lifetime" or "life-long" learning models (Rose and McAllister 1990). The crux of these models is that as one grows older, political attitudes and behavior change in reaction to political experience. A life-long learning model is particularly appealing in the context of legal attitudes because most individuals will have some **direct** experience with the legal system.<sup>3</sup> These direct encounters provide an opportunity for individuals to juxtapose their original attitudes

with the evaluation of a specific experience. There is already limited evidence that legal encounters do influence legal attitudes (Sarat 1977). This study adds to this previous line of research by focusing exclusively on the effect of a respondent's first use of a lawyer and offering a framework for understanding how these encounters influence legal and political attitudes.

### **DIFFUSE SUPPORT FOR LEGAL AND POLITICAL INSTITUTIONS**

It is highly probable that direct experience with legal and political institutions has immediate consequences for their level of specific support. Losing a court case may result in the deprivation of personal liberty and/or wealth, which may in turn cause a reduction in specific support for the court and judge who heard the case.

Disagreement with a U.S. Supreme Court decision may cause a loss of specific support for the current justices but not for the institution as a whole. Likewise, a bad experience with a policeman may lead you to conclude that officers in "your area" are "bad apples," but not all police. These are instances where legal encounters are likely to affect *specific* support. The focus of this research, however, is on diffuse support. It is unclear under what conditions encounters with lawyers would be expected to affect general support for a legal institution or support for the general political system.

Easton (1975) recognized the importance of direct experience; but, he did not offer many conditions that would enhance or inhibit the likelihood such experiences would affect diffuse support (either for the institution or the system). In part, this is because the theoretical foundation of diffuse support lies in its stability and durability. Thus, it is susceptible to only small changes over long periods. A second reason is

that most research on diffuse support focuses on support for the regime or governing institutions. Since very few individuals have direct experience with the political system, the question of whether or not encounters alter diffuse support is of little interest. There are two conditions that can be expected to enhance the probability that experience will affect diffuse support: the salience of the encounter; and, its political content.

### **The Salience of the Event**

The salience of the event to the individual may contribute to the likelihood of an encounter influencing diffuse support. Highly salient experiences are more likely to affect general levels of support than are routine political events. Many political encounters (e.g., voting, watching a debate) are not highly salient to individuals. They tend to be routine events which happen repeatedly throughout ones life and therefore no single event takes on a particularly high level of salience. These types of events are unlikely to have much effect on diffuse support.

Directly related to the salience of the event is the frequency with which it occurs. An encounter with a lawyer is an uncommon event. Citizens seek out the assistance of a lawyer because they need to interact with the legal system (interaction that is often associated with negative circumstances). As a result of the irregular and sporadic occurrence of lawyer use, individuals tend to remember well their experience with lawyers. In the existing studies of contact with lawyers, respondents seem to be easily able to recall detailed information about their encounter. Recall information is often subject to claims of unreliability because respondents tend to over or underreport the frequency of the event. For example, studies of voting behavior often

report that more people recall voting in an election than actually did. Even though voting may be a relatively salient event, this socially desirable norm of political participation encourages individuals to over-report their behavior. Encounters with lawyers are unlikely to be viewed as socially desirable nor are they akin to asking individuals to report criminal behavior. Therefore, the ability of respondents to recall information about experiences with lawyers does not appear to be a problem.<sup>4</sup>

*The Salience of Lawyer Encounters.* Encounters with lawyers are highly salient. They occur infrequently, and unlike many other forms of political encounters, something personal is always at stake; in many situations your life, liberty or property. One indication of their saliency is the infrequency of using a lawyer compared to the number of potential legal problems for which individuals chose not to consult with a lawyer. Miller and Sarat (1980-81) conclude that lawyers are used by only a quarter of individuals involved in a dispute.<sup>5</sup> Whereas voting and other forms of political participation happen more routinely, using a lawyer represents a deviation from the norm. It clearly takes more than experiencing a minor problem to go to the trouble of consulting with a lawyer.

Encounters with lawyers are very personal. Hiring a lawyer, being arrested, or going to court (either as a plaintiff or defendant) involves a great deal of anxiety and fear about the judicial process. In contrast to other kinds of political participation, using a lawyer is an individual rather than an aggregate event.<sup>6</sup> Voting for a candidate who turns out not to be what she/he promised is not likely to be personalized in the same way as hiring a lawyer who turns out to be a less than competent member of the bar. Elections are the result of aggregated votes,



individuals can pass on the blame for the result to the many others who also were misled. But, hiring a lawyer is a strictly individual enterprise.

Another gauge of the salience of using a lawyer is the kinds of problems for which people consult with lawyers. As noted before, lawyer encounters can be either adversarial or counseling depending on the type of encounter. Either way they are likely to be an important event; one does not hire a lawyer for fun or on a whim. The Legal Actors Survey asked respondents whether they had ever used a lawyer to help solve a problem, and if so, for what reason. The response item was open-ended and 86% of the respondents described the type of problem for which they had used a lawyer. Table 3-1 displays the types of problems encountered by respondents to the Legal Actors Survey.

Table 3-1 displays the kinds of problems for which respondents to the Legal Actors Survey used lawyers. First time lawyer use was most frequently associated with accidents (30%), followed by domestic matters (11%), criminal and torts (10% each), and traffic tickets (6%). All of these categories are labeled adversarial encounters, in contrast to counseling encounters, such as business, contracts, or estate problems. Thus, one limitation of the student respondents is that they have limited contacts (18 or 11%) with lawyers that are of a counseling nature. This figure is likely to be considerably higher among the mass public. The point is that the salience of these events in the lives of college students is demonstrated by the types of problems encountered. There can be little question that needing a lawyer for a criminal defense or a domestic dispute is a significant life event.

**TABLE 3-1****Types of Legal Problems in the Legal Actors Survey**

	N	% of Total	Adversarial/Counseling
Accident	68	30	Adversarial
Business	2	1	Counseling
Civil Rights/Discrimination	1	1	Adversarial
Consultation	5	2	Counseling
Consumer	2	1	Adversarial
Criminal	23	10	Adversarial
Domestic	24	11	Adversarial
Employment	4	2	Adversarial
Estate	2	1	Counseling
Financial	3	1	Counseling
Government	3	1	Adversarial
Insurance	8	4	Adversarial
Landlord/Tenant	2	1	Adversarial
Property	6	3	Counseling
Torts	21	10	Adversarial
Traffic Ticket	13	6	Adversarial
Other	24	11	
No Answer	13	6	
Total	224	102	Adversarial = 169 Counseling = 18

### **The Political Content of an Event**

A second factor that may enhance or diminish the likelihood a lawyer encounter will affect diffuse support is the extent to which the event is viewed as political. Schema theory argues that in order for events to have consequences for political attitudes their referent must be converted from individual to political. This factor probably applies more to the likelihood that lawyer encounters will influence diffuse support for the legal and political systems than for the legal profession. It would be surprising to find encounters do not have an effect on support for the bar because the legal profession is so proximate and easily linked to the experience. However, other legal and political actors are more remote. Therefore, it may be necessary for individuals to convert what seems like a personal event into a political event in order for the evaluation of the event to make a difference for these more general attitudes. It is not immediately obvious how or why an encounter with a lawyer could be perceived as a political event.

*Lawyer Encounters as Political Events.* Despite being highly individualized, lawyer encounters do have political significance. The public may wish law and politics were separate, but, in reality, they are interrelated; and, the public appears to understand this. When asked about the relationship between Supreme Court justices' ideology and their decisions, 69% of the public reply that a justice's politics should not play a role in their decisions (Scheb and Lyons 1994, 274). But, when asked about whether justices' ideology actually influences their decisions, over 88% of people interviewed thought the justices' ideological views played "a lot" or "somewhat" of a role in their decisions (Scheb and Lyons 1994, 274). An awareness that legal authorities are

political actors is probably enhanced by the fact more and more legal authorities are chosen in the same way as more traditional political authorities. Many state judges are elected and, even in those states where judges are appointed, political pressure surrounding appointments may mean that many judges are seen as political actors (Neubauer 1991). The same logic applies to district attorneys and police officials such as sheriffs. There is no way to test this hypothesis over time; but, it seems reasonable to assert that the public is as likely now, as they ever have been, to think of legal authorities as political objects. But, the question of whether the public views lawyers as political actors remains.

Encounters with police and lawyers appear, at first blush, to lack a strong theoretical or empirical link to the political system, but in reality they do contain a substantial political element. Encounters with police reflect either a request to engage the state in some event (e.g., asking the police to respond to a crime) or the state forcing you to comply with some demand. Either way, it can be seen that the state is intimately involved in the encounter. This is why we believe so many individuals who have repeated encounters with the police become politically disaffected. Likewise, encounters with lawyers are requests by individuals to have someone knowledgeable about the law, which is the product of the political system, help them with a problem. Whether for a civil or criminal matter, lawyers become involved to help individuals deal with the state.

The prevalence of lawyers in politics may also contribute to individuals viewing lawyers in a political way (for a review see Meinhold and Hadley 1995). To the extent that lawyers are seen as politicians or politically ambitious, the public may

associate them and their profession with the political system. Another way encounters with lawyers might be linked to the political system is if individuals view their involvement with the system as a form of political participation.

Encounters with the legal system represent a uniquely democratic form of political participation. Using a lawyer is one form of legal encounter. As Zemans (1983, 692) notes, "...the legal system is structured precisely to promote individual rather than collective action." In this way private citizens use legal rules to, "employ the power of the state and so become state actors themselves" (Zemans 1983, 692). While not traditionally conceptualized as political events, legal encounters may be perceived as such by those involved. Whether or not they do so is an empirical question in need of an answer.

Legal and political attitudes are not simply a function of socialization; experience also plays an important role. To the extent that legal encounters are salient and perceived as political they are likely to affect attitudes about other legal and political objects. The next section contrasts two perspectives for understanding how encounters with lawyers might affect legal and political attitudes. It then offers a model tested in the remainder of this study.

### **ANALYTIC FRAMEWORK**

Two approaches to understanding the way experience with legal authorities affects support for legal and political institutions were introduced briefly in Chapter 1: 1) instrumental, and 2) procedural justice (normative).

### **Instrumental Model**

The instrumental model asserts that individuals evaluate their experience with the legal system from a self-interest perspective. Similar to a cost-benefit analysis, this perspective finds its roots in public choice theory (Tyler 1990). An example of an instrumental model from the study of voting behavior is Fiorina's (1981) retrospective voting model. The retrospective voter looks exclusively at past performance of the economy in making a decision to vote for or against the incumbent or the party of the incumbent.

As applied to encounters with legal authorities, more specifically lawyer encounters, the instrumental model of opinion change predicts individuals are only interested in obtaining a personally beneficial outcome. In a court case, a favorable outcome might be winning outright. It also could be paying less in damages than expected going into the case. In an encounter with the police, a favorable outcome might be not receiving a traffic ticket after being stopped or being released from custody after being detained for committing a crime.

Most previous research examining the relationship between experience with legal authorities and satisfaction with various aspects of the legal system has explicitly or implicitly adopted an instrumental perspective. It is unclear, however, how this instrumental perspective applies to encounters with lawyers.

People engage the help of a lawyer for a variety of matters (Curran and Spalding 1974). Recalling that lawyers are asked to be advocates as well as counselors suggests that lawyers may not always be linked to the outcome of the problem. As an advocate, a lawyer might advise a client on the legality of a contract.

Using the instrumental model, we would hypothesize that if the lawyer tells the client that the contract is poorly written, the client would be dissatisfied with the outcome of the encounter. But such instances are likely to be rare. The more common response is likely to be that the lawyer was doing a good job by looking out for my interests in telling me the contract was poorly written or invalid. In such cases the instrumental benefit of the encounter is difficult to identify. It is even more difficult to speculate about its likely consequences.

On the other hand, some lawyer encounters are more likely than others to be viewed in almost purely instrumental terms. For example, a criminal defendant who is convicted may feel the lawyer did not do a good job and blame the *lawyer* for losing the case. Of course, the defendant might also blame the other legal authorities, the judge, jury or the arresting police officer. How individuals evaluate their encounter with a lawyer is linked to the performance of the attorney, the type of problem, and its eventual outcome.

*Results from the Legal Actors Survey.* It was not possible in the Legal Actors Survey to ask respondents about their satisfaction with all aspects of their encounter with a lawyer. We opted for a general question gauging the level of satisfaction with two aspects of the encounter, the lawyer's performance and the eventual outcome.

Respondents were asked: 1) Were you satisfied with the Outcome of your problem?; and, 2) Were you satisfied with the Performance of the Lawyer? (emphasis in the survey). In each case, the respondent could chose "yes" or "no" to reflect their evaluation. The distribution of responses to the questions are shown in Table 3-2.

TABLE 3-2

**Satisfaction With Outcome of the Problem and Performance of the Attorney by Problem Type**

Problem Type	Satisfied with Outcome %	Satisfied with Performance %	Satisfied with Outcome and Performance (%)	Pearson r between Outcome and Performance
All Problems (N = 224)	75	75	67	.59**
Accidents (n = 68)	78	82	73	.59**
Criminal (n = 23)	78	74	65	.41
Domestic (n = 24)	71	67	63	.68**
Insurance (n = 8)	63	50	50	.77*
Property (n = 6)	83	83	83	1.00
Traffic Ticket (n = 13)	100	85	85	n/a
Torts (n = 21)	86	14	76	.50
Other (n = 24)	58	63	54	.74

\* Significant at .05 or less.

\*\* Significant at .01 or less.

Table 3-2 shows that 75% of the respondents were satisfied with the outcome of their problem. Another 75% were satisfied with the performance of their attorney. This is virtually identical (albeit slightly higher) to the satisfaction with attorneys in the 1992 ABA nationwide study (see Chapter 2). Furthermore, 67% of the respondents were satisfied with both the outcome of the problem and the performance of their attorney. This indicates that evaluations of the aspects of lawyer encounters are not necessarily consistent. A large portion of individuals were satisfied with the outcome of their problem and with the performance of their attorney. But, these



evaluations are not necessarily the same, as is indicated by the Pearson correlation between satisfaction with outcome and attorney performance,  $r = .59$ . Clearly, not all respondents evaluate the outcome of their problem and the performance of their attorney in a consistent fashion.

The evaluation of the outcome and attorney performance also may depend on the type of encounter. A comparison of these evaluations across the eight most often cited reasons for using a lawyer (those which appeared more than five times) is provided in Table 3-2. Respondents were universally satisfied with the outcome of their problem when they consulted a lawyer for a traffic ticket. Likewise, 85% of those who consulted with a lawyer over a traffic ticket were satisfied with the attorney's performance. On the other end of the spectrum were encounters related to insurance. Only 63% of the respondents were satisfied with the resolution of their insurance problem, 50% being satisfied with the performance of their attorney. The low satisfaction with attorneys in insurance problems may be related to the way insurance attorneys interact with one another. Both insurance company attorneys and attorneys representing individuals in these cases tend to be repeat players (Kritzer 1991). Perhaps individuals view the legal system benefiting these attorneys and not individuals like themselves. The unusually high rankings of traffic ticket encounters were probably a function of the fact attorneys are rarely involved in these kinds of encounters. When a lawyer does become involved in a problem like this, their simple presence is likely to result in good resolution of the problem for his/her client (or at least better than had been expected).

Overall the results displayed in Table 3-2 indicate attorneys are perceived in a generally favorable light. Over two-thirds of the respondents were satisfied with the outcome of their problem **and** the performance of their attorney. However, evaluations of the outcome and the performance of the attorney are not totally dependent on one another. Not everyone who was satisfied with the outcome of their problem was satisfied with the performance of their attorney and *vice versa*.

As noted earlier, applying the instrumental model to lawyer encounters is problematic because a respondent may be satisfied with the outcome and the attorney from an instrumental perspective and remain disenchanted with their lawyer encounter. Over the last 25 years, an alternative to this purely instrumental view of the effect of legal encounters has gained acceptance.

### **Procedural Justice Model**

The procedural justice perspective focuses on the normative aspects of encounters with the legal system. It asserts that individuals are more concerned about being treated in a manner consistent with their normative expectations about law and the legal system than they are about obtaining a beneficial outcome. For most individuals, these normative concerns are based on issues of fairness. As Tyler (1990) describes it, "According to procedural justice, citizens are not only sensitive to what they receive from the police and courts but also responsive to their own judgements about the fairness of the way police officers and judges make decisions."<sup>7</sup>

The effect of procedural justice issues has been demonstrated empirically in a variety of research settings ranging from trials (Lind et al. 1980) to schools (Tyler and Caine 1981).<sup>8</sup> Once again, however, it is not obvious how a procedural justice

model should be applied to lawyer encounters. Some lawyer encounters are primarily adversarial; others are more counseling in nature. For adversarial encounters, the effect of procedural evaluations is less likely to be present because the encounter was initiated with instrumental goals in mind. The procedural justice theory does not assert that instrumental outcome is unimportant. Rather, that procedural justice issues also are important and they have an independent effect. This study is an attempt to untangle the various effects of instrumental and normative evaluations of lawyer encounters on legal and political attitudes.

*Results from the Legal Actors Survey.* Normative evaluations of encounters with legal authorities tend to focus on issues such as honesty, fairness, and trustworthiness. To measure the procedural evaluation of the respondent's lawyer encounter in the Legal Actors Survey, each person was asked about their most recent lawyer encounter:

"Now we would like to know something about your most recent encounter mentioned above and the way in which you were treated by the attorney." Following this statement, the respondent was presented with a series of six items describing various attributes of lawyer encounters (see the survey in Appendix I). Table 3-3 shows the distribution of responses to these statements.

Table 3-3 shows that individuals have a positive view of the professional conduct of attorneys and the way in which they handle problems. In response to each statement, a large number of respondents evaluated his/her encounter positively. Lawyers received the highest evaluation for their politeness (94%) and the lowest rating for their amount of effort (only 68% of the respondents said his/her attorney had worked hard to solve their problem). Just over half (58%) of the respondents

TABLE 3-3

**Procedural Evaluations of Lawyer Encounters**

Statement	Responding Yes %
Was the attorney polite to you?	94
Did the attorney show concern for your rights?	87
Did the attorney get the information needed to make good decisions about how to handle your problem?	80
Was the attorney honest in what was said to you and in the handling of your problem?	81
Did the attorney do anything that you thought was improper or dishonest?	76
Did the attorney work hard to solve your problem?	68

Note: Minimum  $N = 224$ .

gave a positive evaluation to every aspect (statement) of his/her encounter. Consistent with the results shown in Table 3-2, most individuals appear to have a favorable reaction to their first lawyer encounter; but, this reaction is not a foregone conclusion.

In order to address the impact of these procedural evaluations on the legal and political attitudes described in Chapter 2, it was necessary to create an index that represented the evaluation of the entire lawyer encounter. "Yes" responses to the statements in Table 3-3 were coded 1, and "no" responses were coded -1, and missing answers were coded 0. The resulting index of procedural satisfaction represents the cumulative evaluation of the professional conduct of the lawyer and their handling of

a client's case. The index has a range of -6 to +6 and has a mean of 3.8 and a large standard deviation (3.3). Both the median and the mode are 6, indicating that the mean is being deflated by a few extremely negative evaluations of lawyer encounters.<sup>9</sup> On balance, though, the experiences of individuals appear to be fairly positive.

If this measure of procedural satisfaction is to be of any utility, it must be relatively independent of the instrumental evaluations of problem outcome and lawyer performance. The theoretical foundation of normative concerns is that they exist independent of instrumental concerns. Table 3-4 displays the Pearson correlation coefficients among these three evaluations of lawyer encounters.

Procedural evaluation and instrumental satisfaction with the outcome of the encounter are not highly correlated ( $r = .48$ ). However, procedural evaluation and instrumental satisfaction with the performance of the attorney are intertwined to a greater degree ( $r = .79$ ). Interestingly, the two measures of instrumental evaluation are only moderately correlated ( $r = .58$ ). Only the respondent's instrumental satisfaction with the outcome of his/her encounter is used in the remainder of the study because it is the outcome of the problem that procedural justice theorists argue is less important than the normative evaluations of the encounter. I use this aspect of the instrumental evaluation of the encounter in the succeeding analyses.

If the procedural and instrumental evaluations shown in Table 3-4 had been statistically independent of one another, they would have provided compelling evidence in support of a procedural justice argument. However, the moderate correlation suggests there is some overlap between instrumental evaluations and

**TABLE 3-4****The Relationship Between Procedural Evaluation, Satisfaction with the Outcome of the Problem and the Performance of the Attorney**

	Procedural Evaluation	Satisfaction with the Outcome	Satisfaction with the Performance
Procedural Evaluation	1.00		
Satisfaction with the Outcome	.48*	1.00	
Satisfaction with the Performance	.79*	.58*	1.00

Notes: Minimum  $N = 224$  ; Cells contain Pearson correlation coefficients.

\* Significant at .01 or less.

procedural evaluations. Including both procedural and instrumental evaluations of lawyer encounters into explanatory models allows us to examine the relative contribution of each of these variables and their corresponding effect on legal and political attitudes.

#### **AN INTEGRATED MODEL OF LAWYER ENCOUNTERS**

The primary purpose of this study is to test the relative utility of the procedural justice and instrumental explanations of opinion change in the context of lawyer encounters. This task is made more complicated by the effects of lawyer encounters on three sets of attitudes--support for the: 1) legal profession; 2) legal system; and, 3) the political system. Putting together the three major characteristics described above and using the procedural justice and instrumental theories as an analytical framework,

facilitates the derivation of the general hypotheses listed below. Each of these hypotheses is addressed in the three succeeding Chapters.

The three independent variables of interest are: 1) procedural evaluation; 2) instrumental evaluation of the outcome; and, 3) type of problem. The three dependent variables are the measures of support for the: legal profession, legal system, and political system.

### **Hypotheses**

**HYPOTHESIS 1:** Positive procedural evaluations of lawyer encounters will enhance support for legal and political institutions.

In general, those respondents who felt their attorney worked hard, was honest, did a good job, etc., will be more supportive of legal and political institutions than those who had less positive experiences.

**HYPOTHESIS 2:** The effect of procedural evaluations on support for legal and political institutions will lessen as the legal or political referent becomes more remote.

The effect of an evaluation of a lawyer encounter is hypothesized to diminish as the referent changes from the legal profession to other legal authorities, and, finally to the political system. The actors in the political system are so remote as to make it much less likely that a single bad experience with a lawyer will be sufficient to cause an observable decrease in a respondent's level of support.

**HYPOTHESIS 3:** The effect of procedural evaluations on support for legal and political institutions should remain present even when instrumental evaluations are considered.

The utility of the procedural justice model is that it helps us understand the many aspects of encounters that people evaluate. Instrumental outcome and performance are not the only criteria people use to evaluate encounters. Normative concerns about fairness are hypothesized to be important even when these other evaluative criteria are considered.

**HYPOTHESIS 4:** The effect of procedural evaluations on support for legal and political institutions will vary by the type of problem for which the lawyer is being consulted.

The dual role of the lawyer is what precludes the straightforward application of either the procedural justice or the instrumental model to these types of lawyer encounters. The effect of adversarial encounters should complement any effect a positive procedural evaluation has on support for the legal profession, courts and judges, and the political system because it is easy for lawyers to live up to the widely held societal view of them as advocates in these types of cases. Whereas, in counseling types of encounters, the effect of positive evaluations is mitigated by the fact the lawyer did not fulfill the expected role of the advocate.

## **CONCLUSION**

Legal and political attitudes are the product of socialization and experience. Life-long learning models of opinion change suggest experience can have a major impact on the way we think about the political system. With respect to the legal system, experience is likely to have a major impact on legal attitudes because legal encounters are highly salient and political.



Lawyer encounters are highly salient life events. Few people have any difficulty recalling the last time they used a lawyer to help them with a problem. The infrequency of lawyer encounters contributes to this salience. The average age of the respondents who used a lawyer for the first time was 27, or nearly a decade after they became a legal adult. Lawyer encounters also can be perceived as political events. The greater the degree to which an individual perceives the action he/she is engaged in as political, the more likely it is the evaluation of the event will affect his/her political attitudes.

Two analytic models were considered as potential predictors of the way lawyer encounters might affect diffuse support for the legal profession, the legal system, and the political system. The instrumental model assumes that individuals are interested only in winning. The procedural justice model asserts that individuals are equally (or more) interested in the normative aspects of an encounter such as honesty, lack of bias, and politeness. Respondents to the Legal Actors Survey rated the attorneys they had consulted very favorably. Well over half of the respondents were satisfied with the resolution of their problems and the performance of the attorney. Moreover, when asked about the normative dimensions of their encounter, three-fourths of the respondents indicated positive things about the lawyer's professional conduct. Despite the high level of satisfaction, there were still plenty of people who were dissatisfied with their encounters. The research question is whether these positive or negative impressions have any affect on attitudes toward the legal and political systems.

The Chapter concluded with a statement of four general hypotheses derived from the instrumental and procedural justice models. These hypotheses are used to

guide the empirical analyses of lawyer encounters in the next three chapters. Chapter 4 focuses on the impact of lawyer encounters on support for the legal profession. Chapter 5 examines how lawyer encounters affect support for courts and judges. And Chapter 6 addresses the question of whether the evaluation of lawyer encounters affects general political attitudes.

## NOTES

1. The percentage of first time users increases to 74% when the denominator is the number of lawyer encounters for which individuals gave evaluations (301) rather than the total number of respondents who had used a lawyer at some time to help with a problem (349).

2. In Phase 2 we also asked whether the respondent had friends or family who were police officers.

3. The early childhood socialization and life-long learning models serve as useful ideal types, but as Gibson and Caldeira (1992) point out the reality is probably somewhere in between. They use a quote from Kinder and Sears (1985, 724) to make the point, "More plausible is a view that takes into account continuing socialization and occasional resocialization through adolescence and diminishing but still noticeable levels of change thereafter."

4. A related issue is how far back in time respondents are able to recall information about an event. This problem plagues studies of citizen participation because it is difficult for respondents to remember very much about a phone call they made to the sanitation department nearly three years ago (Coulter 1988). These recall problems have prompted scholars to call for survey questions that are bounded in time and aid the respondents in thinking about the kind of participation they may have engaged in (Coulter 1988). These time related issues are not a problem for the Legal Actors Survey. Of the 301 lawyer encounters that respondents gave us information about, 190 (63%) occurred less than 3 years prior to the survey.

5. A dispute does not necessarily involve going to court. Far more than 25% of individuals who go to court use a lawyer.

6. Class action suits are one of the few ways that legal action can be collective.

7. For an excellent review of the literature on procedural justice see Tyler (1990).

8. For additional empirical treatments see: Houlden 1980; Casper, Tyler, and Fisher 1988; Landis and Goodstein 1986; Tyler and Folger 1980; Greenberg and Folger 1983; Folger and Greenberg 1985; Tyler, Rasinski, and McGraw 1985; and Barrett-Howard and Tyler 1986.

9. Although unusual, it is possible for the mean and the mode to be the same and also so different from the mean. In this case, a few respondents evaluated their encounters very poorly and this is substantially lowering the mean.

## CHAPTER 4

### THE LEGAL PROFESSION

The description and explanation of public support for the legal profession has rarely been the focus of scholarly attention. There are numerous studies of support for the U.S. Supreme Court, state and local courts, and even the police, but virtually no systematic examination of public support for lawyers (see Chapter 2).<sup>10</sup> The conventional wisdom among both the public and the legal profession is that, as a group, lawyers rate about as high as used car salesmen in terms of public approval. Some scholars, such as Galanter (1992, 73), believe that this dissatisfaction with lawyers is "deeply rooted in [our] society's fundamental ambivalence about law, and it is accentuated by the discomforts of the increasing legalization of society." But, how much do we really know about whether the public approves or disapproves of lawyers?

A good portion, if not all, of our presumed knowledge about the level of public support for lawyers is prejudiced by the contemporary musings of commentators, popular culture, and a single playwright (William Shakespeare). Thus, it is difficult to untangle anecdote from reality. Perhaps no statement about lawyers has been repeated more often, or taken more out of context, than the utterances of William Shakespeare's character in *The Second Part of King Henry the Sixth* regarding what we should do with lawyers.<sup>11</sup> Despite the anecdotal evidence that lawyers are not particularly well liked, it is not inconceivable, and in fact quite probable, that there is considerable public support for members of the legal profession.

In Chapter 2 I found a considerable well of public support from which members of the legal profession can draw their legitimacy. The public considers lawyers an important part of the legal system; and, they are generally positive about the bar. Moreover, over half of those who had used a lawyer were satisfied with the performance of the attorney and the resolution of their problem. Despite the generally favorable disposition of most respondents in the Legal Actors Survey, there were some people who were less positive about the legal profession.

This Chapter focuses on explaining the level of public support for the legal profession. Previous explanations, which include sociodemographic characteristics and attitudinal information, are used and an analysis of how lawyer encounters affect support is presented.

## **PREVIOUS RESEARCH**

Previous explanations of public support for the legal profession can be grouped into three categories: 1) sociodemographic; 2) attitudinal; and, 3) experiential.

### **Sociodemographic Characteristics and Support for Lawyers**

Traditional explanations of support for the legal profession rely predominantly on sociodemographic information to account for individual level support for lawyers. In general, women, the young, and those with less income view lawyers most positively (Hengstler 1993, cf. Rockwell 1968 cited in Sarat 1977; Hallauer 1973). As with many legal and political attitudes, race also was found an important predictor of support. African-Americans typically view lawyers more favorably than whites. Are sociodemographic characteristics useful in explaining support for lawyers? Table 4-1 presents a multiple regression analysis of the impact of a variety of sociodemographic

variables on support for the legal profession. The dependent variable is support for the legal profession (see Chapter 2). The analysis is presented for all respondents together, and separately, depending on whether the respondent had used a lawyer to help solve a problem.<sup>12</sup>

Sociodemographic characteristics do not explain individual support for the legal profession (see Table 4-1). The explanatory power ( $R^2$ ) of the sociodemographic models never exceeds 2%. Only the equation containing all of the respondents is statistically significant. Once the users and non-users are analyzed separately, there are no statistically significant predictors of support for the bar among either group. Because the analysis is based on college students, sociodemographic characteristics do not vary as much as they do in the general population; thus, we might not expect the sociodemographic model to have a high level of explanatory power. It is surprising that the model does not have any predictive power. There are, however, some indications that sociodemographic characteristics are related to support for lawyers in the Legal Actors Survey in the same way that they are in the general public.

Ignoring the issue of statistical significance and focusing on the relationships between individual characteristics and support for lawyers, we see the direction of the relationships are consistent with previous research, in almost every case. Older students, males, and those with lower income are the least supportive of lawyers. The relationship between race and support is also consistent with expectations. African-Americans are more supportive of lawyers than whites.

TABLE 4-1

**Regression Analysis of Support for the Legal Profession on Sociodemographic Characteristics**

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
Age	-.01**	-.07	-.01	-.04	-.01	-.06
Gender (0 = male, 1 = female)	.19***	.09	.23**	.11	.23	.12
Income	.01	.02	.02	.03	.01	.01
Race (0 = white, 1 = African-American)	.11	.04	.02	.01	.24	.09
Constant		.15		.00		.20
R <sup>2</sup>		.02		.02		.03
Sig. Equation		.02		.14		.25
N		702		415		181

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

In summary, sociodemographic characteristics are weak predictors of support for the legal profession. This is probably due in large part to the nature of the sample and the limited variation in many of these characteristics. Perhaps more important than the sum of the explanatory power of these characteristics is the fact that virtually all of the relationships are consistent with findings from previous research, suggesting students responding to the Legal Actors Survey are not entirely unrepresentative of the general public.



### **Political and Legal Attitudes and Support for Lawyers**

No published studies of support for the legal profession have gone beyond the consideration of sociodemographic information to incorporate other relevant characteristics into a more complete explanation of support for lawyers. There are a number of other attributes besides sociodemographic characteristics that may be related to support for lawyers. I refer to the second category of explanations as attitudinal information. This category includes both political and social information that individuals may use to form opinions about legal and political objects.

*Political Attitudes.* One relevant political attitude is support for national political institutions (e.g., Congress and the presidency). For much of the public, support for lawyers and legal institutions may be conceptually linked with support for other government institutions and political actors (Caldeira and Gibson 1992; Dahl 1957). This position asserts that citizens do not distinguish among multiple aspects of government, but instead hold a single set of attitudes for all political institutions (Lehne and Reynolds 1978, 900; Murphy, Tanenhaus and Kastner 1973, Zemans 1991, 723). Support for national political institutions is measured by a simple additive index of support for Congress and the president (see Chapter 2).

Individuals may also possess psychological traits that facilitate support for lawyers independent of support for national political institutions. More efficacious individuals are likely to view all political authorities more favorably. To the extent that lawyers are perceived as political actors, we can expect that more efficacious individuals will view lawyers as more likely to help them with their legal problems and, as a consequence, express greater support for the entire legal profession.

A third political attitude that may be important is trust in government, which represents an individual's belief that government can be trusted and that it works for people like themselves. Individuals who trust government may be more supportive of lawyers because they view all political actors as trustworthy, including members of the legal profession. The Legal Actors Survey employed the standard National Election Studies (NES) measures of political efficacy and trust in government. External political efficacy was measured by responses to the statement: "Generally speaking those we elect to Congress in Washington, D.C., lose touch with the people pretty quickly"; and, "I don't think public officials in Washington, D.C., care much what people like me think." Responses take the form of a standard Likert set ranging from agree strongly to disagree strongly. A simple additive index composed of the responses to these two items was created with a range of zero to ten, with high values indicating greater external efficacy. Trust in government was measured by responses to the statements: 1) "How much of the time can you trust the government in Washington to do what is right?"; and, 2) "Would you say the government in Washington is run by a few big interests looking out for themselves or that it is run for the benefit of all people?" Once again, a simple additive index with a range of zero to two was created by summing the responses to these statements. High values indicate greater trust in government and reflect the belief that government in Washington D.C. can be trusted to do what is right and that it is run for the benefit of all people. The validity and reliability of these questions as operationalizations of political efficacy and trust in government are widely accepted.<sup>13</sup> Although no studies have investigated the effects of these political attitudes on support for the legal

profession, other studies of support for legal institutions (e.g., the U.S. Supreme Court) have found them to be important predictors of support (Murphy and Tanenhaus 1968, 367, cf. Caldeira and Gibson 1992, 647).

*Legal Attitudes.* Several legal attitudes are identified in previous research as being important predictors of support for legal actors. The most important of these is knowledge about a particular legal institution. Previous research has consistently found a negative relationship between knowledge and support for legal institutions. The more knowledgeable a person is about courts, the *less* support he/she exhibits (Adamany 1973; Dolbeare 1967; Kessel 1966; Sarat 1977; Skogan 1971). Likewise, the more knowledgeable individuals are about the legal system, the less favorably they view lawyers (Hengstler 1993, 61). The Legal Actors Survey asked about two types of legal knowledge: 1) lawyer information; and, 2) legal proximity.

Lawyer information represents the amount of information individuals have about the availability of lawyers. It was measured using a battery of questions that asked about whether the respondent would use or had used various sources of information to obtain a lawyer's services. A simple additive index with a range of zero to seven represents access to information about the legal profession (see the Survey in Appendix I for the exact question wording).

Legal proximity differs from lawyer information in that it addresses the respondent's degree of contact with individuals who work in the legal system. The survey asked respondents whether they had family members or friends who were lawyers, or court officials/judges (see survey in Appendix I). They could respond "yes" to both, one, or none, indicating they had a family member or friend who was

a lawyer, or they had a family member or friend who was a court official/judge, or they had both. A simple additive index with a range of zero to two indicates the respondent's degree of proximity to the legal system. Legal knowledge and proximity are hypothesized to be particularly important in structuring public support for lawyers. Individuals who associate with members of the legal system or who have a legal actor in their family, are expected to view lawyers more favorably than individuals with little or no contact with legal authorities. Individuals who were willing to use, or had used, multiple sources of information to obtain a lawyer's services are expected to view the legal profession more positively than people with less information.

A second set of legal attitudes comprises support for other legal institutions. In Chapter 3 I presented the argument that support for the legal profession is expected to be the product of both pre-adult socialization and experience with attorneys. The importance of socialization, particularly for those individuals who never have had an encounter with a lawyer, suggests support for the legal profession should be related to support for other aspects of the legal system. Support for three aspects of the legal system stand out as possible predictors of support for the bar: the U.S. Supreme Court; police; and, courts/judges.

The United States Supreme Court occupies a highly visible place in our legal and political systems. The Supreme Court is probably one of the first legal objects that young children hear and learn about. Thus, we can expect support for the Supreme Court to have a positive association with attitudes toward all aspects of the legal system, including support for the legal profession. It is uncommon to find

studies which employ support for the Supreme Court as an independent, rather than a dependent variable. With the exception of studies that focus on compliance with Court decisions and the Court's ability to legitimize policies, most research focuses on the level and correlates of institutional support. In this particular case, it makes sense to view support for lawyers as partly a function of support for this highly visible legal object. Support for the Court was measured by asking respondents about whether the Supreme Court can be trusted to do what is right (see Chapter 2).

A second legal attitude that may be important is support for the police. Children form opinions about the police at a very early age (Easton and Dennis 1969; Moretz 1980; Derbyshire 1968). In fact, children often form opinions about the police at approximately the same time they develop attitudes about the president, the first major political authority with whom children identify (Easton and Dennis 1969). Since attitudes about lawyers are likely to be formed much later during the socialization period than attitudes about the police, support for the police is expected to be a significant predictor of support for the legal profession.

Support for courts and judges also is expected to be a predictor of support for lawyers, as attitudes about courts and judges are also probably formed temporally prior to support for lawyers. The absence of any legal system constraint among the college students does not rule out the possibility that such a "legal belief system" existed when the respondents were adolescents. Therefore, I expect support for these three aspects of the legal system to be positively related to support for lawyers.

Table 4-2 presents a multiple regression analysis of support for lawyers on political and legal attitudes. The dependent variable is support for the legal profession (see Chapter 2).

Political and legal attitudes explain a considerable amount of variance in support for the legal profession ( $R^2 = .23$ ) (see Table 4-2). Among all respondents the predictors of support for the legal profession include: support for national political institutions, external political efficacy, legal proximity, support for the U.S. Supreme Court, and support for courts and judges generally. Respondents who express greater support for national political institutions evince greater support for the legal profession. More efficacious individuals support lawyers. Likewise, those respondents who have a family member who is a lawyer, and/or court official/judge, are more supportive of lawyers. Support for the Supreme Court is also related to support for the bar. However, the most important predictor of support for lawyers is support for courts and judges ( $\beta = .32$ ). Higher levels of support for courts and judges appears to translate into more support for the legal profession. The remaining variables are not statistically significant. With the exception of the trust in government variable, all of the coefficients are in the predicted direction. Because the simple correlation between support for the legal profession and support for courts and judges is  $r = .42$ ,  $R^2 = .18$ , support for lawyers is not simply a reflection of support for courts and judges although they do appear to be related in an important way. More interesting are the findings in Table 4-2 when the analysis is conducted while controlling for use of a lawyer.

TABLE 4-2

**Regression Analysis of Support for the Legal Profession on Political and Legal Attitudes**

Variable	<u>All Respondents</u>		<u>Nonusers</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
<u>Political Attitudes</u>						
Support for National Political Institutions	.08***	.13	.06**	.10	.14***	.26
Political Efficacy	.04*	.07	.05*	.08	.08*	.14
Trust in Government	-.09	-.06	-.01	-.01	-.35***	-.26
<u>Legal Attitudes</u>						
Lawyer Information	.01	.01	.03	.06	-.02	-.04
Legal Proximity	.12***	.12	.10*	.10	.09	.09
Support for the Supreme Court	.11***	.11	.08	.08	.20**	.19
Support for Courts and Judges	.32***	.32	.46***	.41	.07	.08
Support for the Police	.03	.03	.01	.01	.09	.09
Constant	-.91***		-1.12***		-.72***	
R <sup>2</sup>	.23		.29		.20	
Sig. Equation	.00		.00		.00	
N	706		415		182	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

The explanation of support for lawyers depends on whether or not one used a lawyer. The results of the analysis shown in Table 4-2 strongly suggest experience with a lawyer has an effect on support for the legal profession. Among non-users,

political and legal attitudes explained a considerable amount of the variance in support for lawyers (29%). Among users, the same set of variables explained only 20% of the variance. The 9% drop in the ability of political and legal attitudes to explain support suggests additional variables, such as experiential effects, might be important.

Among the non-users, support for lawyers is a function of support for national political institutions, political efficacy, legal proximity and support for courts and judges. All of these relationships are consistent with a socialization basis of legal attitudes. On the other hand, a respondent's encounter with a lawyer changes the explanation of support fairly dramatically. An additional variable becomes important--trust in government, and two variables--legal proximity and support for courts/judges, are no longer important. Whereas support for courts and judges was the most important explanatory variable among non-users, it does not even reach statistical significance among users. Any effect of being socially close to the legal system also disappears. There are several immediate explanations for the differences between the users and non-users.

Legal proximity is no longer important because having friends and/or family who are lawyers becomes irrelevant once a respondent has used a lawyer. The decrease in the importance of support for courts and judges coincides with the rise of the importance of support for the Supreme Court. The socialization model predicted that the relationship between support for courts/judges and support for lawyers would be lowest among the users. Since experience is now available to these individuals, they are less dependent on their previously formed legal attitudes. At the same time,



any effect of support for other aspects of the legal system is carried via the influence of support for the Supreme Court.

Political and legal attitudes are useful predictors of public support for lawyers. Nearly a third of the variance in support for the legal profession among non-users and a fifth of the variance among users can be explained with these attitudes. Greater support for national political institutions translates into more support for lawyers. But, the key explanatory variables are legal attitudes. A majority of the respondents appear to associate lawyers with other aspects of the legal system (e.g., courts/judges, the U.S. Supreme Court). Their opinions about the legal profession are partly a function of their level of support for courts and judges, the U.S. Supreme Court, and their proximity to the legal system. Support for lawyers is less a function of political and legal attitudes among those students who had used a lawyer than among those who had not, indicating the importance of incorporating experience into our explanations of support for lawyers.

### **THE EFFECTS OF LAWYER ENCOUNTERS ON SUPPORT FOR LAWYERS**

A consistent finding in studies of public support for legal actors is that *experience counts*. Whether the studies focus on courts, police, or lawyers the empirical literature concludes that a large portion of the public's evaluation of legal authorities is linked to their evaluation of encounters with the legal system. The central hypothesis of this research is that experience with lawyers is an important factor in the level and direction of public support for lawyers. Despite prior claims that experience with legal actors is important, actually testing an experience effects hypothesis is far from easy. Chapter 1 pointed out that a panel study is the most

appropriate way to test whether an experience with a lawyer has any effect on attitudes about lawyers. Since a panel study was not possible, an alternative means of testing the research hypothesis is employed.

The traditional approach for resolving the problem of not having an observation of the variable of interest (e.g., support for lawyers) before the experimental treatment (e.g., using a lawyer) is to simply control for the treatment by comparing those who were exposed to it and those who were not. For instance, one could compare support for lawyers among those who had used a lawyer with support for lawyers among those who had not, and assert that any differences in support for the legal profession between the two groups was a function of the experience. There are two serious problems with this type of methodology.

First, the experimental treatment (using a lawyer) is a naturally occurring event; thus, I was unable to control which individuals used a lawyer.<sup>14</sup> If the individuals who used a lawyer differ systematically from those who did not use one, then any effect attributed to the encounter may actually be a function of these pre-existing differences. For example, students who used a lawyer may have had greater support for lawyers to begin with, leading to a spurious finding.

A second problem is related to simply using the current observation of support for lawyers as a dependent variable (as done in Tables 4-1 and 4-2). There is every reason to believe, based on theoretical expectations and empirical evidence, that among the users, their level of support for lawyers is partly a function of the evaluation of those experiences. Thus, even if the assumption that individuals who used a lawyer were similar to those who did not use a lawyer was correct, the

encounter itself most likely had some effect on their level of support. Therefore, the observation of the variable of interest is contaminated by the nature of the very event who's effects we are trying to identify.

It is possible to simulate the logic of a panel design with information available from the Legal Actors Survey. The essential element of a true panel design is that it would have provided an estimate of individual support for lawyers prior to the experience with an attorney. For the respondents who have never used a lawyer we have a measure of this support for the legal profession prior to an encounter with a lawyer, it is simply their observed level of support for lawyers. It represents the aspects of support for lawyers that are not a function of experience with an attorney, creating the functional equivalent of a control group in a quasi-experimental design. Using this and other information available from the Legal Actors Survey, we can estimate the initial level of support a respondent who used an attorney had for the legal profession prior to his/her encounter. The methodology amounts to assigning respondents who had used a lawyer a Time 1 estimate of support for lawyers based on the relationships between other known information about the individual (e.g., sociodemographic characteristics; political and legal attitudes; and, support for lawyers).

This procedure requires the assumption that students who used a lawyer were similar in their legal and political attitudes and sociodemographic characteristics to the students who never used a lawyer. This assumption is warranted for two reasons.<sup>15</sup> First, the interest in this study is on whether there is an effect of lawyer encounters on legal and political attitudes. The external validity of the research and the ability to

generalize these findings to other populations is of secondary importance. The level of support for lawyers among all adults is not estimated from known information about college students, rather a subsample of the population of interest (non-users) is used to infer to the remaining students in the study (users). As a group, college students are fairly homogenous and thus inferring attitudes from one subgroup among them to another is not unreasonable.

Furthermore, the respondents who had used a lawyer are similar to those who had not on a variety of characteristics not thought to be a function of experience with a lawyer. The median family income is between \$30,000 and \$40,000 for users and nonusers; nonusers are 60% female, users 52% female; and, nonusers are 90% white and users 87% white. The two groups do differ significantly on one important characteristic, legal proximity. Respondents who had used a lawyer were more likely to have a friend or family member who was an attorney, court official or judge. This finding is consistent with other research that indicates proximity to legal authorities is an important predictor of using a lawyer (Meinhold and Gleiber 1994). Legal proximity is positively related to support for lawyers ( $r = .19$ ); therefore, the procedure used to estimate support for lawyers may underestimate the actual pre-encounter level of support for lawyers among the users. A consequence of this is that any effect of the lawyer encounter on support for the legal profession is likely to be overestimated. However, this does not nullify the effect, it only suggests that we consider the magnitude of the effect relative to the known bias of the coefficients. However, if the predicted value is overestimated then the effect of experience will be

underestimated; therefore, this is a conservative test of the impact of lawyer encounters on support for the legal profession.

A second reason why this assumption is warranted is that experience with a lawyer is largely a function of circumstance. It is certainly the case that legal attitudes (e.g., legal proximity) affect the likelihood of using a lawyer; but, virtually no one consults a lawyer unless forced due to circumstances. Thus, circumstances, rather than characteristics or attitudes distinguish most users from non-users.<sup>16</sup> The users needed a lawyer to help with a situation; the non-users did not, but they are likely to eventually. The importance of circumstance means that inferring pre-use attitudes of users from non-users is not an unreasonable way to simulate the logic of a panel design.

The empirical estimation of the pre-encounter level of support for the legal profession among users of lawyers required three steps. First the users and nonusers were separated into distinct groups. The second step involved a regression analysis conducted only on the non-users. Support for lawyers was regressed on all of the sociodemographic characteristics and legal and political attitudes in Tables 4-1 and 4-2. The results from this analysis are displayed in Table 4-3. The final step involved the application of the known relationship between the predictor variables and support for lawyers to the users to create a predicted level of support.

There are several interesting findings in Table 4-3. By the standards of survey research, the set of sociodemographic and attitudinal variables do a good job of explaining support for lawyers among those who have never had a lawyer encounter ( $R^2 = .31$ ), although very little of it is accounted for by sociodemographic

TABLE 4-3

**Regression Analysis of Support for the Legal Profession on Sociodemographic Characteristics and Political and Legal Attitudes**

Variable	Non-users	
	b	$\beta$
<u>Sociodemographic Characteristics</u>		
Age	n.s.	
Gender	.22***	.11
Income	n.s.	
Race	n.s.	
<u>Political Attitudes</u>		
Support for the Political System	.08***	.13
Political Efficacy	.05**	.09
Trust in Government	n.s.	
<u>Legal Attitudes</u>		
Lawyer Information	n.s.	
Legal Proximity	.12***	.11
Support for the Supreme Court	n.s.	
Support for Courts and Judges	.49***	.44
Support for the Police	n.s.	
Constant	-.99***	
R <sup>2</sup>	.31	
Sig. Equation	.00	
N	432	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

characteristics. The most important predictor of support for lawyers was support for courts and judges ( $\beta = .44$ ), followed by support for national political institutions ( $\beta = .13$ ), gender and legal proximity (both,  $\beta = .11$ ), and political efficacy (.09). All of these relationships are consistent with hypotheses articulated in Chapter 3 and the empirical literature reviewed in Chapter 2. Individuals who never had the luxury, or perhaps the burden, of using a lawyer draw heavily on cues that are a function of socialization in formulating their views about attorneys. Students who are more supportive of national political institutions and courts and judges are more supportive of the legal profession. Even after controlling for a wide variety of variables, women remain more supportive. Another characteristic that indicates the importance of pre-adult socialization in the formation of legal attitudes is legal proximity. Respondents who have family or friends who were lawyers, court officials, or judges are more supportive of lawyers than those who are less close to the legal system. This relationship exists even after controlling for all of the sociodemographic and attitudinal factors.

Table 4-3 displayed the information used to estimate the pre-use level of support for lawyers among the users. Equation 4-1 shows the exact coefficients used as weights to create the hypothetical score.

$$\hat{Y} = -.99 + (X_1*.22) + (X_2*.08) + (X_3*.05) + (X_4*.12) + (X_5*.49) \quad (\text{Eq. 4-1})$$

where:

- $X_1$  = gender
- $X_2$  = support for national political institutions
- $X_3$  = political efficacy
- $X_4$  = legal proximity
- $X_5$  = support for courts/judges

For each respondent who had used a lawyer, his/her own values on each of the five variables was multiplied by the effect of the respective variable on support for lawyers as estimated from the non-users. In a conceptual sense, this equates to saying if Respondent B, who used a lawyer, has a certain level of support for courts and judges, the national political system, is a female, and has a friend who is a lawyer, what would their level of support be if they were just like Respondent A who had never used a lawyer and had all of the same characteristics and attitudes. Once the predicted level of support for lawyers was estimated, the simple logic of a panel design was used to assess the impact of experience with a lawyer on support for the legal profession. The remainder of the analyses are conducted only on the respondents who had first-time encounters with lawyers.

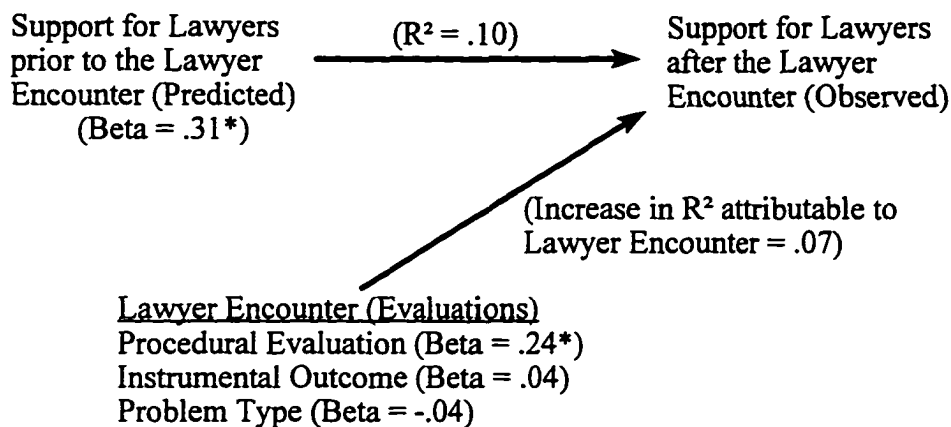
### **Experience Effects**

Previous research on the effects of lawyer encounters have consistently found that they do nothing but reduce support for lawyers (Rockwell 1968 cited in Sarat 1977; Missouri Bar-Prentice Hall 1963 cited in Sarat 1977; Blashfield 1954). People seem to find encounters with lawyers a deeply dissatisfying experience and reflect this evaluation in their general level of support for the legal profession. Lawyers are not the only legal authorities that suffer from this reduction in support after an encounter. Encounters with police and courts also tend to reduce support for the respective legal institution (on police see Jacob 1971; Smith and Hawkins 1973; Walker et al. 1972; Bayley and Mendelsohn 1969; on courts see Walker et al. 1972; Barton and Mendlovitz 1956 cited in Sarat 1977).



In a panel design, the attitudes after the event of interest are hypothesized to be a function of both the attitudes prior to the event and the event itself. Thus, support for the legal profession after an encounter with a lawyer is hypothesized to be a function of individual support for lawyers prior to the encounter and the evaluation of the encounter. The theoretical importance of the prior attitudes in a panel design is what prompted the hypothetical estimation of pre-encounter levels of support for the respondents who had used a lawyer. The test of the hypotheses articulated in Chapter 3 is whether the evaluation of the encounter and the type of problem for which the respondent used a lawyer have any effect on support for the legal profession, observed as a change in attitudes. The empirical test of this hypothesis is accomplished by regressing the observed or current level of support for lawyers on the previous level of support for lawyers (hypothetical pre-use value) and the variables which describe the experience. Figure 4-1 displays the results of a multiple regression analysis of observed level of support for lawyers on the previous level of support for lawyers and evaluation of the lawyer encounter.

The procedural evaluation hypothesis is strongly supported by the results displayed in Figure 4-1. Current levels of support for the legal profession are a function of previously held attitudes *and experience*. Prior attitudes alone explain only 10% of the variance in observed support for lawyers. Prior level of support for lawyers is the most important predictor of his/her current support ( $\beta = .31$ ); but, the evaluation of the experience adds considerably to the explanatory power of the model. Positive evaluations of lawyer encounters enhance support for the legal profession ( $\beta = .24$ ). Including these experience effects in the model improves the explanatory

**FIGURE 4-1****The Effects of Previous Support and Lawyer Encounters on Support for Lawyers***(N = 178)*

\* Significant at .01 or less.

power by 7%, improving our overall ability to explain support for lawyers after an encounter by nearly 50%.

Consistent with the hypotheses articulated in Chapter 3, the effect of procedural evaluations exists even after controlling for the instrumental aspects of the encounter. The outcome of the situation for which a respondent used a lawyer does not have an independent effect on his/her support for lawyers. The type of problem the lawyer was used for also has no effect, although the direction of the coefficient is consistent with the theory.<sup>8</sup>

**CONCLUSION**

In 1993, the president of the ABA established a special commission to examine the "deskside" manners of lawyers (Hengstler 1993). The analysis presented here

indicates the legal profession should consider the ways in which clients react to their encounters with lawyers. The results in this chapter show that among individuals who had never used a lawyer, support for lawyers is primarily a function of legal and political attitudes. But for those who had used a lawyer, the evaluation of the encounter itself was a powerful predictor of support for lawyers.

To date, the legal profession has been faced with a dilemma when it comes to lawyer/client interaction. Almost without exception, previous research concluded that encounters with lawyers do nothing but reduce support for the legal profession. This research demonstrates that this is not necessarily the case. Lawyers who are perceived as honest, hard working, ethical and concerned about their client's rights appear to have a positive effect on support for their fellow members of the bar. On the other hand, satisfaction with the outcome of a case does not appear to be a significant predictor of general support for the legal profession. This suggests that lawyers who take a "win at any cost" approach may be doing the rest of the bar a disservice if they present a less than flattering picture of the bar to their clients.

These results are broadly consistent with procedural justice literature. The respondents to the Legal Actors Survey are as concerned about normative issues of fairness and ethics as they are with obtaining a favorable outcome. The next Chapter focuses on whether these lawyer encounters and their evaluations had any affect on support for other legal authorities.

## NOTES

1. There is, however, a large literature on legal services and the frequency and use of lawyers (Sarat 1977).

2. For those who are not familiar with the quote, the most used portion is, "The first thing we do, let's kill all the lawyers." In reality Shakespeare's character also wanted to kill all "scholars, lawyers, courtiers, [and] gentlemen" (Act IV, scene iv). The context of the quote is described in detail in Flemming (1993).

3. The analysis of those who had lawyer encounters focuses only on the respondents with a single encounter ( $n = 224$ ). Throughout the research I refer to these individuals as first-time users.

4. For a challenge to the validity of these questions see (Finkel, 1989)

5. The lack of control over the experimental treatment is normally the criterion that separates experimental from quasi-experimental research designs (Campbell and Stanley 1963).

6. There is no way to actually test this assumption empirically with the data available because a valid measure of the pre-encounter level of support is unavailable.

7. This point is illustrated by the fact that users and non-users are alike in many ways (e.g., gender, income, race, etc.).

8. It is possible that if there had been more encounters of the counseling type the effect of problem type might have been statistically significant.

## CHAPTER 5

### COURTS AND JUDGES, THE POLICE, AND THE U.S. SUPREME COURT

Compared to the legal profession, courts and judges, the police, and the U.S. Supreme Court have been the focus of considerable scholarly attention. In Chapter 2, the relevant literature on public support for each of these aspects of the legal system was reviewed. The public is generally supportive of the U.S. Supreme Court, courts generally and the police (Walker et al. 1972; Barton and Mendlovitz 1956 cited in Sarat 1977; Tyler 1990; Scheb and Lyons 1994; Caldeira and Gibson 1992).<sup>1</sup> This Chapter focuses on whether encounters with lawyers have any consequences for public support of these legal authorities.

The reasons why support for the various aspects of the legal system is examined separately were articulated in Chapter 2. A single construct "legal system" does not appear to exist in the public's attitudes toward legal authorities. The level of support for various aspects of the system and its explanation change depending on the legal object of interest. Lawyer encounters may affect support for the police; they may not affect support for courts and judges or the U.S. Supreme Court. Equally possible is that experience with a lawyer does not affect support for any aspect of the legal system other than the legal profession. The fact that the various measures of support for aspects of the legal system are only moderately related (see Chapter 2) suggests respondents use different criteria to evaluate each institution rather than inferring support for each aspect of the legal system from some deeply held reservoir of support for the legal system or law-and-order. If the evaluative criteria used by a

respondent to determine his/her support differ across legal institutions, then the effect lawyer encounters have on this support may also differ.

This Chapter follows the general framework of Chapter 4, focusing first on public support for courts and judges, then on police, and lastly on the U.S. Supreme Court. In each section the sociodemographic, attitudinal and experiential models are examined to identify their usefulness in explaining support for each successive legal object.

### **SUPPORT FOR COURTS AND JUDGES**

Most of the previous research on public support for courts was aimed exclusively at the United States Supreme Court.<sup>2</sup> Looking beyond those studies of the Court, there is a general lack of research that considers public support for other types of courts (e.g., appeals courts, criminal courts, traffic courts). Moreover, there are serious conceptual and methodological problems with the literature because it often lacks the rigor of social scientific research. Despite these limitations, we still can gain some insight into the kinds of attitudes and characteristics that are related to support for courts and judges.

#### **Sociodemographic Characteristics and Support for Courts and Judges**

Sociodemographic characteristics are weak predictors of public support for courts. Fagan (1981) explained 5% of the variance in support for local criminal courts using gender, education, income and several other variables. An analysis of nationwide data from an ABC News Poll by Flanagan, McGarrell and Brown (1985) concluded sociodemographic characteristics accounted for only 6% of the variance in support for criminal courts. In a more methodologically sophisticated analysis of diffuse support

for a state court, Olson and Huth (1994) identified only one significant sociodemographic variable--having a member of the household who is a lawyer--related to support for Utah's supreme court. In Tyler's (1990) study of Chicago courts, several sociodemographic predictors of support for courts and judges were statistically significant; but, together they accounted for only 7% of the variance. Respondents who were female, white, young, and better educated were the most supportive of courts and judges (Tyler 1990, 223). Table 5-1 displays a multiple regression analysis of support for courts and judges on sociodemographic characteristics using data from the Legal Actors Survey.

As in the analysis of support for lawyers (see Chapter 4), sociodemographic characteristics are weak predictors of support for courts and judges. The sociodemographic models never explain more than 5% of the variance in support for courts and judges (see Table 5-1). Moreover, a single attribute--race--accounts for most of the variance. African-Americans are substantially less supportive than whites of courts and judges. This is true regardless of whether or not the respondent had used a lawyer. The only other statistically significant variable is income, with income being positively related to support for courts and judges.

Controlling for lawyer use does not effect the explanatory power of the sociodemographic model or the relationships among the sociodemographic attributes and support for courts and judges. Race continues to be the dominant explanation for individual support for courts and judges.

TABLE 5-1

**Regression Analysis of Support for Courts and Judges on Sociodemographic Characteristics**

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
Age	-.01	-.04	-.01	-.04	.00	.00
Gender (0 = male, 1 = female)	-.03	-.02	.01	.00	-.01	-.00
Income	.04**	.08	.05**	.11	.01	.02
Race (0 = white, 1 = African-American)	-.49***	-.15	-.49***	-.16	-.66***	-.20
Constant		.12		.14		-.02
R <sup>2</sup>		.04		.05		.04
Sig. Equation		.00		.00		.09
N		705		416		181

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

**Political and Legal Attitudes and Support for Courts and Judges**

Following the format of Chapter 4, the relationship between political and legal attitudes and support for courts and judges also is considered. The previous literature on public support for courts and judges included a wide variety of political and legal attitudes as explanations for the level of support for this important legal institution.

A theoretical premise leading to the hypotheses presented in Chapter 3 was that as legal and political institutions became more remote, their public support would be more a function of socialization and less a function of experience with legal



authorities (e.g., using a lawyer). Previous attempts to explain support for courts and judges at the state and local level focused on a variety of political and legal attitudes as possible determinants of support. Generally, though, these studies focus on the *performance* of courts and judges rather than their legitimacy (diffuse support). For example, Flanagan, McGarrell and Brown (1985) found perceptions of criminal courts were a function of attitudes such as support for local police, concern about crime, and victimization. Likewise, Fagan (1981) found support for courts was related to support for the police, punitiveness and concern about crime.

Previous studies of support for state courts also tend to focus on performance, using such questions as "How much confidence do you have in the Utah State Supreme Court" and "Do you think the state court system is doing a good job" to measure support (Olson and Huth 1994). In contrast to these studies, the Legal Actors Survey was aimed at diffuse support or institutional commitment for courts and judges.

Much of the previous work on support for courts lacks a strong theoretical foundation. Studies of support for the U.S. Supreme Court are far more advanced in their theoretical development than studies of support for lower courts. Instead of focusing on the performance of courts and judges, most of the research on the Supreme Court seeks to understand the origins of diffuse support for the Court and the way experience with the legal system and other factors affect this support. One conclusion from this research is that support for courts and judges is related to support for other political institutions (Lehne and Reynolds 1978; Murphy, Tanenhaus and Kastner 1973, Olson and Huth 1994). The argument is that individuals do not

possess the cognitive sophistication to distinguish among political institutions, therefore they use a single cue as a basis for forming both legal and political opinions. As part of this section, the relationship between support for courts and judges and support for national political institutions is examined.

The impact of legal attitudes on support for courts and judges is also considered. Previous studies of support for lower courts identified support for other legal authorities as an important predictor of approval (Flanagan, McGarrel, and Brown 1985; Flanagan 1981). And Olson and Huth (1994) found that having a legal professional in the home contributed positively to support for courts and judges. Consistent with the socialization theory presented in Chapter 3, support for the U.S. Supreme Court is expected to be a predictor of support for courts and judges generally. Table 5-2 displays the results of a multiple regression analysis of support for courts and judges on a variety of political and legal attitudes.

Political and legal attitudes do a better job of explaining support for courts and judges than do sociodemographic characteristics. By the standards of survey research, the attitudinal models explain a considerable amount of the variance in public support for courts and judges ( $R^2 = .35$ ). The analysis is presented for all respondents and controlled whether the respondent had used a lawyer (see Table 5-2).

Among the respondents who had never used a lawyer, support for courts and judges is mostly a function of support for other aspects of the legal system. All three measures of support for other aspects of the legal system are statistically significant predictors of support for courts and judges. Greater support for lawyers, the police,

TABLE 5-2

**Regression Analysis of Support for Courts and Judges on Political and Legal Attitudes**

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
<u>Political Attitudes</u>						
Support for National Political Institutions	.01	.01	-.02	-.03	.07	.10
Political Efficacy	.04*	.07	.02	.05	.09*	.13
Trust in Government	.13***	.09	.14**	.11	-.02	-.01
<u>Legal Attitudes</u>						
Lawyer Information	.00	.00	.00	.00	-.03	-.05
Legal Proximity	.04	.04	.02	.02	.20**	.17
Support for Lawyers	.27***	.27	.34***	.38	.07	.06
Support for the Police	.25***	.25	.16***	.17	.42***	.38
Support for the Supreme Court	.24***	.24	.19***	.21	.32***	.26
Constant	-1.53***		-1.08***		-2.04***	
R <sup>2</sup>	.35		.35		.41	
Sig. Equation	.00		.00		.00	
N	706		415		182	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

and the U.S. Supreme Court tends to be associated with more support for courts and judges. The fact that other legal attitudes are the most important predictors of support for courts and judges is evidence of the importance of pre-adult socialization in the

development of legal attitudes. The empirical associations shown in Table 5-2 do not test the causal argument about the structure of support for the various aspects of the legal system presented in Chapter 3. Attitudes about the police are expected to influence attitudes about courts and judges, which, in turn, influence support for the legal profession. This hypothesis cannot be tested with the data at hand, but the fact that the various measures of support are related, is indirect evidence of the importance of socialization.

Also important is the respondent's level of trust in government. Individuals who were more trusting of the national government also tended to be more supportive of courts and judges. This is consistent with the procedural justice literature that argues individuals are more interested in normative aspects of justice than they are in instrumental outcomes. Individuals with higher trust in government probably see judges and courts as more impartial, fair, etc.; therefore, they express greater support for these institutions.

Among the respondents who had used a lawyer, support for courts and judges is also a function of support for other aspects of the legal system. Other factors also are important (see Table 5-2). Legal proximity and political efficacy are positively related to support for courts and judges. One possibility is that having a family member or a friend who is a lawyer or court official increases awareness about what will happen during a lawyer encounter; hence, it reduces anxiety surrounding the encounter. The consequence of this reduced anxiety is a more positive evaluation of the encounter, one which spills over into overall support for courts and judges. The most dramatic difference between the users and non-users is the relative effect of

support for the police on support for courts and judges. Among non-users, support for the police has a statistically significant effect on support for courts and judges. However, it does not dominate the explanatory power of the equation ( $\beta = .17$ ). In contrast, among users support for the police is the most important predictor of support for courts and judges ( $\beta = .38$ ). This larger effect may be the result of an actual encounter with the police. The Legal Actors Survey did not ask about encounters with other aspects of the legal system making it is impossible to untangle any possible effect that encounters with the police may have on support for courts and judges. However, we can speculate that many types of lawyer encounters happen in conjunction with experiences with the police; some of them also involve courts and judges. Police are often a point of initial contact with the legal system and once involved may serve as the dominant authority in an encounter with the legal system (no matter which other legal authorities also become involved). Hence, evaluation of the police probably plays a more central role in the level of support for courts and judges for these individuals.

Overall, the combination of sociodemographic characteristics and political and legal information provides an acceptable (albeit incomplete) explanation of support for courts and judges. The next section addresses the question of whether lawyer encounters have any affect on support for courts and judges. The same method used to estimate pre-encounter support for the legal profession in Chapter 4 is used here to estimate pre-encounter support for courts and judges.

### **Experience Effects**

Before the effect of evaluations of a lawyer encounter on support for courts and judges could be addressed, it was necessary to examine the correlates of support for this legal actor among students who had never used a lawyer. The information from that analysis was then used to estimate pre-use levels of support for courts and judges among respondents who had used a lawyer. Table 5-3 displays the results of a multiple regression analysis of support for courts and judges on all of the statistically significant sociodemographic characteristics and political and legal attitudes.

Most of the relationships shown in Table 5-3 confirm the previous results displayed in Tables 5-1 and 5-2. Support for courts and judges among respondents who had never used a lawyer is largely a function of support for other legal objects and race. Even after controlling for a wide variety of sociodemographic characteristics and attitudes, African-Americans are less supportive of courts and judges than whites.<sup>3</sup> The explanation for this relationship lies beyond the boundaries of this research; however, it does indicate that the traditional view of minorities as being more supportive of legal institutions such as the U.S. Supreme Court (Hirsch and Donohew 1968; Murphy, Tanenhaus and Kastner 1973; but see Sigelman 1979; Handberg and Maddox 1982; Gibson and Caldeira 1992) may not extend to other aspects of the legal system.<sup>4</sup> The results from the analysis in Table 5-3 are important because they serve as the basis for estimating the pre-use levels of support for courts

TABLE 5-3

**Regression Analysis of Support for Courts and Judges on Sociodemographic Characteristics and Political and Legal Attitudes**

Variable	Non-users	
	b	$\beta$
<u>Sociodemographic Characteristics</u>		
Age	n.s.	
Gender (0 = male, 1 = female)	n.s.	
Income	n.s.	
Race (0 = white, 1 = African-American)	-.35***	-.12
<u>Political Attitudes</u>		
Support for National Political Institutions	n.s.	
Political Efficacy	n.s.	
Trust in Government	.12**	.10
<u>Legal Attitudes</u>		
Lawyer Information	n.s.	
Legal Proximity	n.s.	
Support for Lawyers	.35***	.38
Support for the Police	.13***	.14
Support for the Supreme Court	.19***	.21
Constant	-1.02***	
R <sup>2</sup>	.36	
Sig. Equation	.00	
N	408	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

and judges among the respondents who had used a lawyer. The specific equation used for this procedure was:

$$\hat{Y} = -1.02 + (X_1 * (-.35)) + (X_2 * .12) + (X_3 * .35) + (X_4 * .13) + (X_5 * .19) \quad (\text{Eq. 5-1})$$

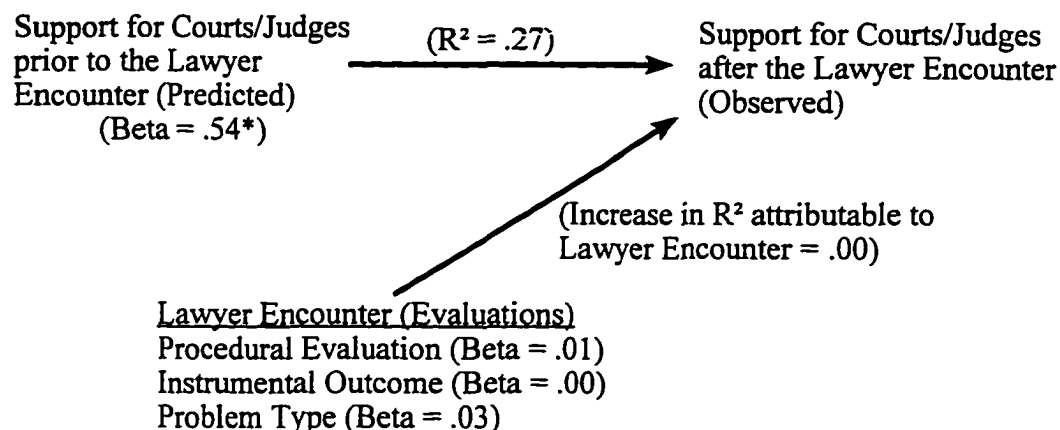
where:

- $X_1$  = race
- $X_2$  = trust in government
- $X_3$  = support for lawyers
- $X_4$  = support for police
- $X_5$  = support for the U.S. Supreme Court

The effects of evaluations of a lawyer encounter on support for courts and judges can be seen in Figure 5-1. Figure 5-1 reports the results from a regression analysis of current (observed) support for courts and judges on prior (pre-use) support for courts and judges and evaluations of the respondent's lawyer encounter. Unlike the case of support for the legal profession, use of a lawyer and the subsequent evaluation of that experience has no independent effect on support for courts and judges. Current support for courts and judges is almost exclusively a function of previous support. The pre-use level of support explains 27% of the variance in the current (observed) level of support. Together, the previous level of support and the experience variables account for 29% of the variance in observed support for courts and judges.

Although the experience variables do not increase the explanatory power of the basic model, all but one of the coefficients is in the predicted direction. As predicted, both evaluation of procedural fairness and instrumental outcome are positively related to support for courts and judges. Counseling types of lawyer encounters are



**FIGURE 5-1****The Effects of Previous Support and Lawyer Encounters on Support for Courts and Judges***(N = 189)*

\* Significant at .01 or less.

positively related to support for courts and judges, but the effect is not statistically significant.

There are two possible explanations for why evaluations of lawyer encounters do not affect support for courts and judges. First, courts and judges are relatively remote legal actors. Few of us personally know a court official or judge; and, courts and judges constitute the legal institution with which individuals have the least amount of direct experience. As citizens age, they are more likely to encounter courts and judges in the role of juror, witness or litigant. In the next section I suggest that a necessary condition for an evaluation of a lawyer encounter to have an effect on support for another legal object is that the lawyer encounter must happen in conjunction with direct experience with that aspect of the legal system. Since only

some of the lawyer encounters examined here required an appearance in court or before a judge, it is not surprising that diffuse support for courts and judges is not appreciably affected by lawyer encounters.

The other possibility is that diffuse support for courts and judges is sufficiently stable and durable (e.g., a form on institutional support) that it is relatively immune to all but the most extreme events. Previous research shows that actual evaluation of court experience does affect support for courts and judges (Walker et al. 1977; Tyler 1990); but, perhaps experiences with other aspects of the legal system are not linked conceptually to courts and judges.

## **SUPPORT FOR THE POLICE**

Public support for the police has been widely studied, as shown in Chapter 2. All three of the categories of explanations for legal attitudes considered in this research--sociodemographic, attitudinal and experiential--previously were identified as important predictors of support for the police.

### **Sociodemographic Characteristics and Support for the Police**

Sociodemographic characteristics are more strongly related to support for the police than they are to support for other aspects of the legal system. Previous research consistently finds several sociodemographic characteristics related to support for the police, characteristics including age, income, gender, and race.

The relationship between age and support for the police is curvilinear. Children hold especially positive views of the police (Easton and Dennis 1969); but, this support quickly fades as they reach adolescence and become young adults (Bouma 1969; Easton and Dennis 1969; Greenberg 1970). At a certain age, however, the

trend shifts in the other direction and older individuals once again appear to evince greater support for the police (Decker 1981; Brandl et al. 1994; Tyler 1990). This is probably due in part to the fact that young adults are the most likely segment of the population to have encounters with the police involving negative circumstances or consequences (Decker 1981). As individuals age, they possess a greater stake in society. Therefore, they are more supportive of the social regulatory function of police. Even though there is limited variation in the age of the respondents in the Legal Actors Survey, age is expected to be positively related to support for the police.

The most recurring finding in this line of research is the fact that African-Americans are substantially less supportive of the police than whites. African-American children begin with the same positive attitudes toward the police as white children; but, their attitudes become negative more quickly (Engstrom 1970; Greenberg 1970). Among adults, whites are consistently more supportive of the police than African-Americans (Tyler 1990; Brandl et al. 1994).

Other sociodemographic characteristics including gender and income have been found to be important predictors of support for the police. Women and individuals with lower income tend to be the most critical of the police. Table 5-4 displays the relationships between sociodemographic characteristics and support for the police in the Legal Actors Survey.

Sociodemographic characteristics explain more of the variance in support for the police ( $R^2 = .12$ ) than they did in support for either the legal profession or courts and judges (compare Tables 4-1 and 5-1). All of the relationships shown in Table 5-4

TABLE 5-4

**Regression Analysis of Support for the Police on Sociodemographic Characteristics**

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
Age	.01**	.08	.02**	.10	.01	.09
Gender (0 = male, 1 = female)	-.19***	-.09	-.19**	-.10	-.06	-.03
Income	.05***	.09	.03	.06	.07**	.14
Race (0 = white, 1 = African-American)	-.90***	-.29	-.89***	-.29	-1.02***	-.35
Constant		-.28*		-.27		-.57*
R <sup>2</sup>		.12		.12		.18
Sig. Equation		.00		.00		.00
N		739		435		193

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

are in the hypothesized direction and most are statistically significant. Older respondents are more supportive of the police than younger respondents, regardless of whether or not they had used a lawyer. Females are less supportive of the police than males; but, this relationship holds only among respondents who had never used a lawyer. Income is positively related to support for the police only among those with a previous lawyer encounter.

Consistent with previous research, the defining characteristic of public support for this aspect of the legal system is race. African-Americans are significantly less

supportive of the police than whites. Even after controlling for a variety of other sociodemographic characteristics and use of a lawyer, African-Americans remain less supportive of the police than whites. An explanation of the basis for this strong difference in opinion between African-Americans and whites is beyond the scope of this dissertation; but, it is certainly consistent with much previous research on the relationship between race and support for the police. It is also another indication that the student respondents are like the general public.

### **Political and Legal Attitudes and Support for the Police**

Political attitudes are seldom used as predictors of support for the police. Rodgers and Taylor (1971) concluded that high-school students with low political efficacy and low personal trust were less supportive of the police. The centrality of attitudes such as political efficacy and trust in government in the formation of a variety of political attitudes suggests they also may be important in the formation of legal attitudes, such as support for the police. Respondents who have high external political efficacy and exhibit high trust in government are expected to be the most supportive of the police.

Few studies of support for the police incorporate legal attitudes (such as legal information and support for other aspects of the legal system), into explanatory models of support for the police. The unique enforcement role police play in our society has prompted a considerable amount of research examining the relationship between citizen attitudes toward crime (e.g., fear of crime and anxiety about crime) and support for the police (Decker 1981; Brandl et al. 1994). However, the primary focus of this research is on whether encounters with lawyers affect legal attitudes, rather than providing a complete explanation of support for any particular aspect of

the legal system. Therefore, attitudes toward crime are not used as predictors of support in this study. However, support for the police is conceptualized as a predictor of support for other aspects of the legal system (e.g., courts, judges and lawyers); thus, a positive statistical relationship is expected between support for the various aspects of the legal system. Table 5-5 displays a regression analysis of support for the police on a variety of political and legal attitudes.

Individual support for the police is related to support for courts and judges and support for national political institutions. As expected, support for courts and judges is positively related to support for the police, but differently depending on whether or not the respondent had previously used a lawyer. Support for courts and judges is much more strongly associated with support for the police among respondents who had previously used a lawyer to help solve a problem. Support for national political institutions and trust in government are also related to support for the police. Interestingly, support for national political institutions is inversely related to support for the police. Those who are more supportive of Congress and the presidency are less supportive of the police, although the relationship is only marginally significant. Trust in government is positively related to support for the police, regardless of whether the respondent had previously used a lawyer. Individuals with higher trust in government perceive the police more favorably.

The majority of the explanatory power in the attitudinal model is accounted for exclusively by support for courts and judges. At least two-thirds of the explained variance in each of the equations in Table 5-5 is attributable to the single variable that

TABLE 5-5

## Regression Analysis of Support for the Police on Political and Legal Attitudes

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
<u>Political Attitudes</u>						
Support for National Political Institutions	-.05*	-.08	-.01	-.01	-.09*	-.15
Political Efficacy	.03	.04	.05	.08	-.04	-.07
Trust in Government	.13**	.09	.11*	.09	.21*	.15
<u>Legal Attitudes</u>						
Lawyer Information	-.02	-.04	.00	-.01	-.04	-.07
Legal Proximity	-.03	-.03	-.05	-.05	.01	.01
Support for Lawyers	.03	.03	.01	.02	.09	.09
Support for Courts and Judges	.32***	.32	.25***	.23	.43***	.48
Support for the Supreme Court	.06	.05	.07	.08	-.04	-.04
Constant		-.34		-.65**		.12
R <sup>2</sup>		.15		.12		.26
Sig. Equation		.00		.00		.00
N		706		415		182

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

represents support for courts and judges. Considerable variation is left unexplained and may be accounted for by including experiential variables.

The empirical association between support for the police and support for courts and judges in Table 5-5 should be considered in the context of the differences between users and non-users of lawyers. Among non-users this relationship is hypothesized to be asymmetrical; support for the police affects support for other aspects of legal system primarily through socialization. Notice that the effect of the attitude is smaller among the non-users. However, among the users of lawyers, the relationship is hypothesized to be symmetrical with evaluations of the lawyer encounter becoming an important attribute in the determination of support for other aspects of the legal system. Once an individual has had an encounter with the legal system, his/her attitudes toward whatever aspect they encountered may change, so too might his/her attitudes toward other aspects. A possible explanation for the increase in the size of the effect of support for courts and judges on support for police among the lawyer users is that many of the lawyer encounters also involved the police. In a previous analysis (Table 5-3) support for the police was shown to be strongly related to support for courts and judges. Thus, the empirical association is picking up some of the effect of the evaluation of the encounter among those respondents who had used a lawyer.

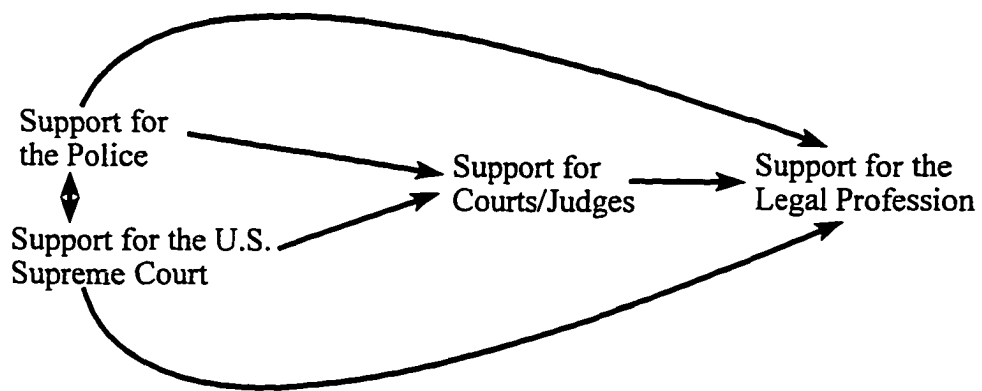
Figure 5-2 displays an arrow diagram depicting the hypothesized relationship among these attitudes both for users and non-users of lawyers. The causal pathways depicted in Figure 5-2 are not tested in this study. They are amenable to empirical test, but require data that go beyond those available from the Legal Actors Survey.



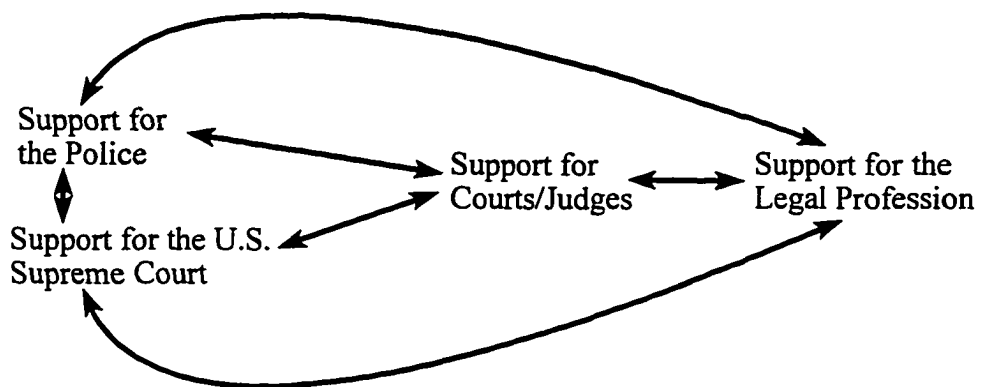
FIGURE 5-2

## The Causal Pathways Among Legal Attitudes

## Structure of Legal Attitudes Prior to a Lawyer Encounter



## Structure of Legal Attitudes After a Lawyer Encounter



## Experience Effects

The effect of experiential variables on support for the police has been widely considered in previous studies. Many individuals have had contact with the police; therefore, their evaluations of these contacts have played a central role in the development of models to explain public support for the police (Decker 1981). Typically, though, the questions asked of respondents about their contacts reflect only instrumental evaluations of their encounters with police. Besides asking about satisfaction with the encounter itself, a number of studies also investigated the impact of response time on support for the police (Percy 1980; Furstenberg and Wellford 1973; Parks 1976).

In one of the most recent examinations of support for the police, Brandl et al. (1994) examine the same kind of diffuse support under study here.<sup>5</sup> Using a panel study, they conclude that diffuse support for the police after a police encounter is mostly a function of the respondent's prior level of support; but, they found experiential variables such as positive and negative assessments of assistance were also important (Brandl et al. 1994, 129). Research that focuses on the effects of experience on support for the police repeatedly shows that experience counts. However, no one has examined whether support for the police changes as a function of experience with, and evaluations of, other aspects of the legal system, such as using a lawyer. This research examines whether evaluations of encounters with lawyers have an affect on support for the police. The reasons why we might expect contact with lawyers to have an impact on support for the police were presented earlier; but, it is appropriate to review them here

It is common for the types of encounters young people have with lawyers to also include some kind of contact with the police. Looking back at Table 3-1, there are three types of lawyer encounters likely to include contact with the police: accidents, criminal, and traffic tickets. These three types of encounters make up 46% (104) of all the first-time lawyer encounters and 61% of the adversarial lawyer encounters. Since most of these lawyer encounters probably involved direct contact with the police, it is reasonable to expect evaluations of the various aspects of the encounter to have an affect on support for the police in addition to affecting support for lawyers.

Furthermore, the police are an easily identifiable aspect of the legal system, making them more susceptible to changes in diffuse support. Unlike police officers, who frequently come into contact with individuals, courts and judges do not play a very significant role in the everyday lives of most of the public. Police officers are highly visible and regularly come into direct contact with citizens. Thus, lawyer encounters may provide a context for evaluating police actions. If experience with one aspect of the legal system has consequences for attitudes toward any of the other aspects, then support for the police is a likely candidate for being shaped by experience with a lawyer.

Before we can address the question of whether or not lawyer encounters have any affect on support for the police, we must once again apply the model developed in Chapter 4 to estimate pre-lawyer encounter levels of support for the police. Table 5-6 displays the results from a regression analysis of support for the police on sociodemographic characteristics and legal and political attitudes.

TABLE 5-6

**Regression Analysis of Support for the Police on Sociodemographic Characteristics and Political and Legal Attitudes**

Variable	Non-users	
	b	$\beta$
<u>Sociodemographic Characteristics</u>		
Age	.02*	.09
Gender (0 = male, 1 = female)	-.19**	-.10
Income	n.s.	
Race (0 = white, 1 = African-American)	-.80***	-.25
<u>Political Attitudes</u>		
Support for National Political Institutions	n.s.	
Political Efficacy	.05*	.08
Trust in Government	.15**	.11
<u>Legal Attitudes</u>		
Lawyer Information	n.s.	
Legal Proximity	n.s.	
Support for Lawyers	n.s.	
Support for Courts and Judges	.21***	.20
Support for the Supreme Court	.08*	.09
Constant	-1.10***	
R <sup>2</sup>	.21	
Sig. Equation	.00	
N	405	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

The results shown in Table 5-6 confirm the tentative conclusion reached above--sociodemographic characteristics and political and legal attitudes are both important in explaining support for police. Compared to support for other aspects of the legal system (e.g., the legal profession, courts and judges) where sociodemographic characteristics were overpowered by attitudinal variables, all but one of the sociodemographic characteristics--income--remains significant when legal and political attitudes are statistically controlled. African-Americans, women, and younger respondents are the least supportive of the police. This is not to say legal and political attitudes are unimportant, indeed they are. Respondents with high external political efficacy and greater trust in government were more supportive of the police, as were individuals who expressed support for courts and judges and the U.S. Supreme Court.

It is clear that support for the police appears to be a different kind of legal attitude than support for other aspects of the legal system. Political and legal attitudes explain about half as much of the variance in support for the police as they did in support for courts and judges and the legal profession. Also important is the fact that sociodemographic characteristics are important predictors of support for the police above and beyond the effects of legal and political attitudes. I am unable to probe directly the reasons why sociodemographic characteristics are so important; but, one explanation may be related to the validity of the measure of diffuse support for the police. If the measure of diffuse support also includes an element of specific support, then sociodemographic characteristics should be important because specific support is more likely than diffuse support to be a function of these personal attributes.<sup>6</sup>

Support for the police has the lowest average correlation across the three support scores (see Table 2-6), suggesting that it reflects something other than the kind of diffuse support captured in the other measures.<sup>7</sup> The results in Table 5-6 are interesting, but the larger purpose was to provide a way to predict the pre-use level of support for the police among those respondents who had previously used a lawyer. The appropriate equation to do this is shown as Equation 5-2.

$$\hat{Y} = -1.10 + (X_1 * .02) + (X_2 * (-.19)) + (X_3 * (-.80)) + (X_4 * .15) + (X_5 * .05) + (X_6 * .21) + (X_7 * .08) \text{ (Eq. 5-2)}$$

where:

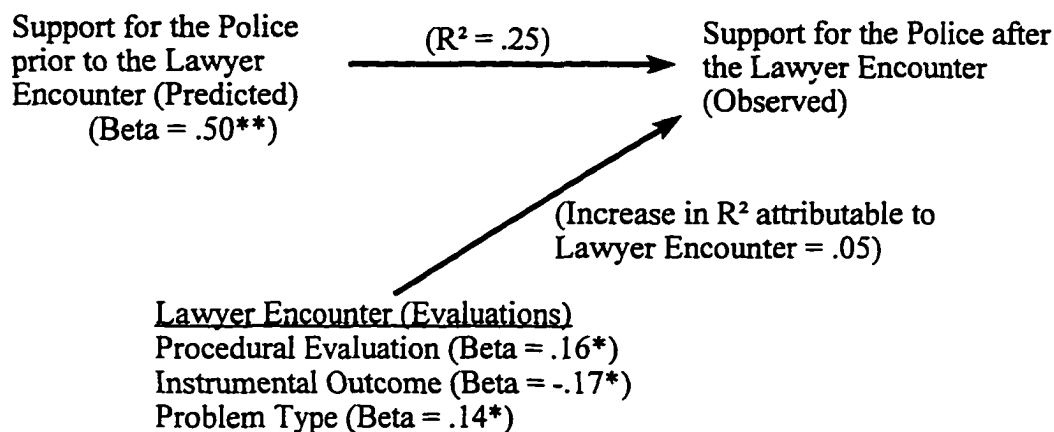
- X<sub>1</sub> = age
- X<sub>2</sub> = gender
- X<sub>3</sub> = race
- X<sub>4</sub> = trust in government
- X<sub>5</sub> = political efficacy
- X<sub>6</sub> = support for courts/judges
- X<sub>7</sub> = support for the U.S. Supreme Court

Figure 5-3 shows the results from a regression analysis of observed support for the police on the pre-use support for the police and the evaluations of the lawyer encounter. Prior support for the police explains 25% of the variance in current support. This is consistent with Brandl et al.'s (1994) finding that previous levels of support are the most important predictors of current support. What is notable about the results in Figure 5-3 is the statistically significant impact of the respondent's evaluation of his/her experience with a lawyer on support for the police. The evaluations of various aspects of the lawyer encounter account for an additional 5% of explained variance in current support for the police. Adding to the persuasiveness of these findings is the fact that all three of the evaluation variables are statistically significant.

FIGURE 5-3

### The Effects of Previous Support and Lawyer Encounters on Support for the Police

(N = 189)



- \* Significant at .05 or less.  
 \*\* Significant at .01 or less.

Procedural evaluations of the way the attorney handled the respondent's problem are an important determinant of support for the police. One explanation for this finding draws on the hypothesis that many of the lawyer encounters may also have involved direct contact with the police. To determine whether the effect was due to the evaluation of the lawyer encounter or a function of the fact that police were involved, the analysis was conducted a second time controlling for whether the encounter involved the police (accident, criminal, or traffic ticket). Among those respondents who had used a lawyer in a situation that involved the police, their evaluation of the procedure is **not** a statistically significant predictor of support. This supports the conclusion that support is more a function of the evaluation of the **police**

(because the respondent had direct contact with them), and not the lawyer with whom they dealt. Among the respondents who used a lawyer for some other type of problem, the procedural evaluation aspect of the experience remains a statistically significant predictor of support for the police. For these respondents, the lawyer encounter probably did not involve the police; and, a positive evaluation of the way the lawyer handled the problem tended to increase support for the police. This is the first empirical evidence that encounters with lawyers may have consequences for support for other aspects of the legal system besides the legal profession.

It is also the first set of results presented in this research where the instrumental evaluation of the outcome of the problem for which the respondent hired a lawyer is a significant predictor of support for an aspect of the legal system. However, the relationship is not in the expected direction. Being satisfied with the outcome of a problem for which one hired a lawyer was hypothesized to increase support for the various aspects of the legal system (see Chapter 3). Instead, it is inversely related to support for the police. The more satisfied a respondent was with the outcome of the problem, the less support for the police he/she exhibited.

To investigate this finding a little further, I looked exclusively at the types of lawyer encounters which were likely to involve the police (accidents, criminal charges or traffic tickets). Respondents who had these types of encounters were significantly more likely to be satisfied with both the outcome of the problem and the performance of their attorney than respondents who had used a lawyer for some other reason. As pointed out earlier, having the advice of counsel for any of these kinds of matters is very likely to improve an individual's chances of obtaining a favorable resolution to



their problem. However, the inverse relationship between instrumental satisfaction and support for the police exists among both of these groups.

The type of problem the respondent used a lawyer for also was an important predictor of support for the police. Counseling types of lawyer encounters tended to increase support for the police. Although this relationship is contrary to the hypothesis stated in Chapter 3, it is perfectly consistent with its general foundation. The hypothesis in Chapter 3 was derived with support for the legal profession as the dependent variable. Counseling types of lawyer encounters were expected to reduce support for the legal profession because in these types of encounter client expectations and lawyer performance are most likely to diverge. Indeed, this is exactly the relationship found in Chapter 4. But, when it comes to lawyer encounters, problem type, and support for the police, we might not expect the same kind of relationship. Counseling types of lawyer encounters are those least likely to involve the police; therefore, they are more likely to have a positive affect on support for the police. Whereas the referent in Chapter 4 was support for the legal profession, it is support for the police here; and, any time a lawyer encounter involves the police, as do 62% of the adversarial encounters, support for the police is likely to be diminished. When a dummy variable representing encounters where the police were involved--coded one for accidents, criminal and traffic ticket encounters, and zero for other types of encounters--is substituted into the analysis for the adversarial/counseling variable shown in Figure 5-2, it reveals the same negative relationship found between problem type and support. Thus, the problem type variable in Figure 5-2 may be capturing

the presence of the police in a lawyer encounter rather than simply the adversarial versus counseling dichotomy.

### **SUPPORT FOR THE U.S. SUPREME COURT**

The Supreme Court is at the apex of our legal system. It is both a legal and political institution. It is a legal institution because it deals with law. But it is also a political institution in that it is intricately involved in the social fabric of our life. The Supreme Court is involved in almost every major political question of the day. For the purposes of this study, attitudes toward the Supreme Court fall somewhere between legal and political attitudes. Attitudes about the Supreme Court are formed during adolescence and appear to be fairly resistant to change over time (Gibson and Caldeira 1992). Thus, from this perspective, support for the Court is conceptualized as an independent variable affecting a range of other legal attitudes probably formed subsequent to its development. This is why support for the Supreme Court was used to predict support for lawyers, courts and judges, and the police for respondents who had never used a lawyer. Despite being the product of socialization, attitudes about the Supreme Court can and do change over time. One way that attitudes toward the Court may change is through direct or indirect contact. Although most citizens will never be able to interact with the Court directly, they will be affected by the decisions of the Court. Thus, public support for the Court also can be viewed as a dependent variable subject to the influence of many factors. The following section considers whether diffuse support for the Supreme Court is affected by the evaluation of lawyer encounters.

One advantage of having so much previous research on public support for the Supreme Court is that explanations for individual support are bountiful (see Chapter 2). On the other hand, the empirical evidence in support of one explanation over another is less than satisfactory. For two reasons, the focus here is on two recent pieces of scholarship that address public support for the Supreme Court (Caldeira and Gibson 1992; Gibson and Caldeira 1992). First, they are the only scholars to adequately distinguish between diffuse and specific support for the Court. Their measures of diffuse and specific support are correlated at .05, indicating the measurement of two distinct kinds of support for the Court (Caldeira and Gibson 1992, 642). By providing a valid measure of the dependent variable, the rest of their analysis becomes much more compelling. A second reason to focus only on these two pieces of research is that, in addition to being the most sophisticated, they are also the most recent examinations of public support for the Supreme Court.

Caldeira and Gibson (1992, 651) conclude that diffuse support for the Supreme Court among the white mass public is a function of an individual's: support for norms of democracy; commitment to social order; attentiveness to the Court; use of ideological schema; political efficacy; and, education. Together these six variables account for approximately 32% of the variance in diffuse support for the Supreme Court. In a separate piece of research, Gibson and Caldeira (1992) focus only on African-Americans' support for the Supreme Court. Because explanatory models used in the analysis of whites were not as powerful when applied to African-Americans, Gibson and Caldeira (1992) ultimately conclude that support among these individuals is largely a function of cohort trends, with African-Americans coming of age during

the "Warren Court" era exhibiting more support for the Court than those in other cohorts. For younger and older African-Americans, diffuse support for the Court seems to be more a function of policy outputs learned from environmental experiences during politicization (Gibson and Caldeira 1992, 1140).

### **Sociodemographic Characteristics and Support for the U.S. Supreme Court**

Several sociodemographic characteristics were expected to be moderately related to support for the Supreme Court. African-Americans, the better educated and those with greater income are expected to be the most supportive of the Supreme Court. Table 5-7 displays the results from a regression analysis of support for the Supreme Court on a variety of sociodemographic characteristics.

The results displayed in Table 5-7 show that sociodemographic characteristics do not explain individual support for the Supreme Court. The models fit the data very poorly and only one variable--income--is statistically significant. Wealthier respondents tend to evaluate the Court more favorably. Given previous research, a negative relationship between race and support for the Supreme Court was expected. Although the relationship between race and support is in the predicted direction (African-Americans are less supportive), it is not statistically significant. Another interesting point is that the relationship practically disappears and changes direction among the respondents who had never used a lawyer. If the number of African-Americans in the sample were larger, this relationship would be worth investigating further.

TABLE 5-7

**Regression Analysis of Support for the U.S. Supreme Court on Sociodemographic Characteristics**

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
Age	-.01**	-.07	-.01	-.03	-.02	-.10
Gender (0 = male, 1 = female)	.04	.02	.02	.01	.05	.02
Income	.04**	.08	.05**	.09	.00	.01
Race (0 = white, 1 = African-American)	-.13	-.04	.02	.01	-.15	-.05
Constant	3.62***		3.46***		3.89***	
R <sup>2</sup>	.02		.01		.01	
Sig. Equation	.02		.35		.69	
N	753		445		193	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

**Political and Legal Attitudes and Support for the U.S Supreme Court**

The kinds of political attitudes examined in the Legal Actors Survey have a long association with public support for the Supreme Court. Some studies have found fairly significant correlations between political efficacy, trust in government and support for the Supreme Court. Others conclude that trust in government and political efficacy are unrelated to support (on the former see Murphy and Tanenhaus 1968; on the latter Caldeira and Gibson 1992). It also is possible that the public views the Supreme Court as simply one aspect of the larger political system. If so,

then support for the Supreme Court should be strongly related to support for other national political institutions. This idea reflects the fact that attitudes toward the major political institutions, including those for the Court, are formed during pre-adult socialization. This leads to the expectation that support for other national political institutions will be positively related to support for the Supreme Court.

The relationship between legal attitudes and support for the Supreme Court is more complex. As pointed out earlier, it is appropriate to view support for the Supreme Court as a predictor of other legal attitudes, in most analyses of legal attitudes. However, it is plausible that once an individual has an encounter with the legal system, his/her support for all aspects of the legal system, including the Supreme Court, may be reevaluated in light of the experience. Table 5-8 displays the results from a regression analysis of support for the Supreme Court on a variety of political and legal attitudes.

Political and legal attitudes do a fair job of explaining support for the Supreme Court ( $R^2 = .31$ ). As evidence that the Supreme Court is considered part of the more general political system all three political attitudes (support for national political institutions, political efficacy, and trust in government) are statistically significant predictors of support for the Supreme Court. In addition to the political attitudes, two legal attitudes also are statistically significant (though it should be pointed out that the dominant direction of influence is conceptualized as going from support for the Supreme Court to support for courts and judges and lawyers).<sup>8</sup> The most notable thing about Table 5-8 is the difference between the respondents who had used a lawyer and those who had not.

TABLE 5-8

**Regression Analysis of Support for the U.S. Supreme Court on Political and Legal Attitudes**

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
<u>Political Attitudes</u>						
Support for National Political Institutions	.20***	.35	.23***	.40	.12***	.23
Political Efficacy	-.06***	-.10	-.05*	-.09	-.09**	-.18
Trust in Government	.10**	.08	.06	.05	.26***	.21
<u>Legal Attitudes</u>						
Lawyer Information	.02	.03	.01	.01	.02	.03
Legal Proximity	.04	.04	.06	.06	-.03	-.03
Support for Lawyers	.09***	.09	.08	.08	.15***	.16
Support for Courts and Judges	.24***	.25	.24***	.22	.25***	.31
Support for the Police	.04	.04	.06	.06	-.03	-.03
Constant	2.24***		2.17***		2.46***	
R <sup>2</sup>	.31		.31		.30	
Sig. Equation	.00		.00		.00	
N	706		415		182	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

Among the respondents who had never used a lawyer, support for the Supreme Court is basically a function of two variables--support for national political institutions and support for courts and judges (see Table 5-8). Support for courts and judges,

moreover, can be ruled out as a predictor of support for the Supreme Court because it is hypothesized as emerging temporally subsequent to support for the Supreme Court. Thus, it appears, at least among individuals who have never had contact with the legal system, that support for the Supreme Court is a manifestation of support for the general political system. However, once an individual has a lawyer encounter his/her attitude structure becomes much more complex. All three of the political attitudes are related to support for the Supreme Court as is support for lawyers, courts and judges among the respondents who had used a lawyer. This suggests experience with the legal system may have some effect on support for the Supreme Court.

### **Experience Effects**

There are no studies of the effect of experience with the Court on its level of public support because very few individuals have had direct contact with the Supreme Court. In addition, there are no studies that examine whether experience with other aspects of the legal system have any consequences for support for the Supreme Court. Not all legal encounters are likely to meet the necessary conditions for them to have an affect on support for other legal objects, but some may. For example, a lawyer may stake his/her client's defense on a Supreme Court precedent only to lose the case; and, the client's subsequent evaluation of the Court may change as a result of this indirect encounter with the Supreme Court.

This research focuses on much more mundane circumstances. The next section examines whether a first-time encounter with a lawyer has any consequences for support for the Supreme Court. Very few of these lawyer encounters are likely to



meet the necessary conditions for affecting attitudes about the Supreme Court; but, the possibility does exist.

Table 5-9 displays the results of a regression analysis of support for the Supreme Court on all of the sociodemographic characteristics and political and legal attitudes. The results from this analysis are then used to calculate the pre-use level of support for the Supreme Court prior to an encounter with a lawyer. The procedure is the same as the one used in Chapter 4 and earlier in this chapter.

Only two attitudes--support for national political institutions and support for courts and judges--are statistically significant predictors of support for the Supreme Court among respondents who had never used a lawyer. This is consistent with the results reported in Tables 5-7 and 5-8. However, the effect of income became insignificant when the attitudinal variables were added to the model. Just two variables explain 32% of the variance in support for the Supreme Court. The unstandardized regression coefficients then were used to estimate the pre-use level of support for the Supreme Court. The appropriate equation is shown as Equation 5-3:

$$\hat{Y} = 2.17 + (X_1 * .24) + (X_2 * .30) \quad (\text{Eq. 5-3})$$

where:

- $X_1$  = support for national political institutions
- $X_2$  = support for courts and judges

The results from Equation 5-3 were in turn used to examine whether evaluations of a first-time lawyer encounter have any effect on support for the Supreme Court. Current support for the Supreme Court was regressed on

TABLE 5-9

**Regression Analysis of Support for the U.S. Supreme Court on Sociodemographic Characteristics and Political and Legal Attitudes**

Variable	Non-users	
	b	$\beta$
<u>Sociodemographic Characteristics</u>		
Age	n.s.	
Gender (0 = male, 1 = female)	n.s.	
Income	n.s.	
Race (0 = white, 1 = African-American)	n.s.	
<u>Political Attitudes</u>		
Support for National Political Institutions	.24***	.41
Political Efficacy	n.s.	
Trust in Government	n.s.	
<u>Legal Attitudes</u>		
Lawyer Information	n.s.	
Legal Proximity	n.s.	
Support for Lawyers	n.s.	
Support for Courts and Judges	.30***	.28
Support for the Police	n.s.	
Constant	2.17***	
R <sup>2</sup>	.32	
Sig. Equation	.00	
N	469	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

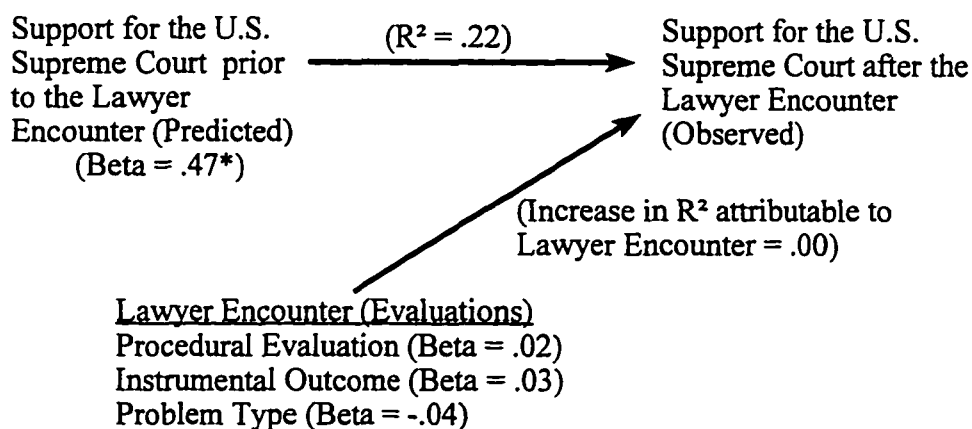
prior support for the Supreme Court and the evaluations of the lawyer encounter.

Figure 5-4 displays the results from this analysis.

#### FIGURE 5-4

#### The Effects of Previous Support and Lawyer Encounters on Support for the U.S. Supreme Court

( $N = 201$ )



\* Significant at .01 or less.

The results displayed in Figure 5-4 show that how an individual evaluates his/her first encounter with a lawyer has no effect on support for the Supreme Court. Previous support for the Supreme Court explains 22% of the variance in current support; the experience variables do not add to this explanatory power. It is worth pointing out that all of the coefficients for the experience variables are in the predicted direction, although none is statistically significant.

As might be expected, support for the Supreme Court appears to be fairly impervious to any effects of experience with lawyers on public support. Whether this barrier extends to other kinds of encounters with legal objects is an important question for future research. If the Court can be assured that encounters with other aspects of the legal system do not have consequences for its level of public support, it can ignore these kinds of encounters and focus on other types of encounters that may affect support.

## CONCLUSION

The purpose of this Chapter was to determine whether encounters with lawyers have effects on support for other legal actors. The evidence is mixed. Support for the U.S. Supreme Court and courts and judges do not appear to be influenced in any significant way by evaluations of an encounter with a lawyer. In contrast, there are considerable effects of lawyer encounters on support for the police. The most obvious explanation for these inconsistent findings is that many lawyer encounters involve the police and only a few involve courts and judges. Thus, the effect of these encounters may be as attributable to the third legal object involved as they are to the lawyer. There are two reasons why this is a weak explanation.

First, evaluations of lawyer encounters affected support for the police among the types of encounters least likely to involve the police, indicating that the police do not have to be involved in order for lawyer encounters to affect support for legal objects. A second reason why this explanation is not compelling is that many of the respondents who had police type lawyer encounters were more satisfied with the outcome of their problems and the performance of their attorneys than respondents

who had problems that did not involve the police. One possibility is that as other legal actors besides the attorney become involved in the situation, a respondent gains a sense of legal efficacy that improves his/her overall evaluation of the legal experience. Having a measure of the evaluation of the police in these instances might enhance the explanatory power of the model.

These conclusions are an important addition to the study of legal attitudes. They demonstrate that encounters with one aspect of the legal system can have consequences for other aspects of the larger legal complex. A positive experience with one legal authority, such as a lawyer, can increase support for other legal actors. But, just as positive experiences can increase support, negative ones can reduce it. The legal system is not a series of autonomous legal objects. What one component does or does not do can have serious consequences for the others. The next Chapter examines whether these lawyer encounters have any consequences for attitudes other than those for support for aspects of the legal system.

## NOTES

1. This is true even though most respondents appear to be largely ignorant of courts, court personnel and court decisions (Sarat 1977).

2. Support for the U.S. Supreme Court is examined later in this Chapter.

3. One possible explanation for why African-Americans were more supportive than whites of lawyers, but less supportive of courts and judges is that courts and judges are viewed as representing authority and the state, whereas lawyers are seen as representing anti-state views (e.g., representing the average person against government).

4. Whether the lower support among African-Americans is based on a diffuse or specific referent is an important question that should be addressed in future research.

5. Brandl et al. (1994) actually refer to diffuse support as global support, but it equates to the same kind of support that we tried to measure in the Legal Actors Survey.

6. There are two complimentary explanations for why sociodemographic characteristics are such strong predictors of support for the police. We normally think of sociodemographic characteristics as permanent and of lessor importance in determining diffuse support; but, this does is not always the case. For example, as individuals get older, more wealthy and become more aware of how other members of their race are treated by the police we might expect their specific support to change. A second reason is that the sociodemographic characteristics may be a surrogate for the likelihood of experience with the police. And specific support for

the police would be more likely to change as a result of experience.

7. This is particularly likely given the setting of the survey. During the two years over which the data were collected, the New Orleans police department had numerous scandals and the city had a murder rate that averaged nearly one a day. The scandals may have temporarily lowered trust and support for the police and the high number of murders may have made the public much more aware of the police, thereby causing all measures of support to reflect a strong specific element.

8. The legal attitudes were kept in the model (despite the direction of influence problem) in order to provide a more complete explanation of support for the Supreme Court and to obtain the best possible estimates of the relationships of interest. Including these variables ensured a conservative estimate of the relationship between political attitudes and support for the Supreme Court. This is because there may also be effects of the political variables on support for the Supreme Court indirectly via these other legal attitudes. A complete estimation of the direct and indirect effects of these variables on support for the Supreme Court is well beyond the boundaries of this research.

## CHAPTER 6

### THE POLITICAL SYSTEM

Chapters 4 and 5 focused on the impact of an experience with a lawyer on legal attitudes. This Chapter explores whether these lawyer encounters have general consequences for our political system. That is, do evaluations of the way a lawyer handles a particular type of problem, or treats a client, affect any deep seated political attitudes like regime support? Posing such a question would be inappropriate if we believed that encounters with lawyers did not have any link to the larger political system. However, lawyer encounters can be linked to the larger political system in two ways. First, the encounter could involve another aspect of the political system directly (e.g., the bureaucracy). In these instances the evaluation of the lawyer encounter may extend to the client's evaluation of the political object involved and perhaps even to the rest of the political system. A second way that encounters may affect support for the political system is indirect. To the extent that lawyer encounters affect support for aspects of the legal system, which, in turn, are related to support for the political system, the encounter can affect support for the political system indirectly. Chapter 3 explained the basic premise regarding why we might expect lawyer encounters to influence political attitudes.

The legal system is part of the larger political system, just as the legal profession is part of the legal system. Thus, it is possible for an experience with one part of the larger system to affect attitudes toward the system as a whole. This probably does not happen in every type of encounter. Some types of encounters with the legal system (e.g., using a lawyer), however, may have enough political content



to affect more general political attitudes. It was not surprising for lawyer encounters to effect support for the legal profession because lawyers are involved directly. It was surprising that lawyer encounters had an impact on public support for the police. But here, too, many of the types of lawyer encounters probably involved the police. Support for courts and judges and for the U.S. Supreme Court is immune to any effect of lawyer encounters; however, this may relate to the fact respondents did not have enough of the types of encounters that involved going to court or appearing before a judge. The evidence to this point suggests that the explicit involvement of an actor (or entity) associated with the political system (e.g., bureaucrat, legislator) is a necessary condition for evaluations of a lawyer encounter to affect support for the political system.

#### **SUPPORT FOR THE POLITICAL SYSTEM**

Support for the political system is even more amorphous than support for the legal system. Easton (1965) was the first political scientist to conceptualize support for the political system in a sophisticated way. He identified two kinds of support, diffuse and specific. Diffuse support is a long term, durable, solidified support for the regime independent of the ebb and flow of everyday politics. A form of diffuse support for the various aspects of the legal system was the focus of each of the preceding two chapters. The Legal Actors Survey also focused on diffuse support for the political system.

This research employs the simplest available measure of support for the political system. On a regular basis, The University of Michigan National Election Studies asks a national sample of respondents about their degree of confidence in a

variety of political institutions. The Legal Actors Survey used two of these questions to measure support for the political system (see Chapter 2). These statements do not reflect as closely as we would like them to the kind of diffuse support for the political system ultimately of interest; but, they do provide a simple gauge of support for other aspects of the political system, one relatively independent of support for the legal and judicial systems.

Responses to the two statements regarding confidence in the president and Congress are displayed in Table 2-8. The dependent variable in the following analyses is a simple additive index of responses to these two statements, the range being zero to ten with high values indicating greater confidence in the political system.

### **Sociodemographic Characteristics and Support for the Political System**

The analysis of public support for the political system follows the same presentation format as the previous analyses of legal attitudes; however, the expectations about what explains it are very different.<sup>9</sup> In theory, diffuse support for the political system should be amenable to explanation with sociodemographic characteristics since it is learned early and is immutable. However, there is limited variation in sociodemographic characteristics among college students; therefore, sociodemographic characteristics are not expected to explain a large share of the variance in regime support. Table 6-1 presents the results of a multiple regression analysis of support for the political system on sociodemographic characteristics.

TABLE 6-1

**Regression Analysis of Support for the Political System on Sociodemographic Characteristics**

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
Age	-.02	-.06	-.00	-.00	-.04*	-.14
Gender (0 = male, 1 = female)	.19	.06	.01	.00	.58**	.16
Income	.04	.04	.03	.03	.03	.03
Race (0 = white, 1 = African-American)	.20	.04	.45*	.08	-.33	-.07
Constant	5.48***		5.28***		6.04***	
R <sup>2</sup>	.01		.01		.05	
Sig. Equation	.12		.52		.05	
N	736		438		185	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .10.

The results shown in Table 6-1 indicate that sociodemographic characteristics are weak predictors of support for the political system. The sociodemographic model is significant only among the respondents who had used a lawyer. While sociodemographic characteristics explain only 5% of support in national political institutions, there are several noteworthy findings in Table 6-1.

Even though race is not statistically significant (except in the analysis of non-users), its pattern is quite interesting. The regression coefficient for race is statistically significant and positive among non-users. African-Americans are more

supportive than whites of national political institutions. However, focusing only on respondents who had used a lawyer, the relationship changes direction, African-Americans being less supportive of national political institutions. This may reflect generally poor treatment of African-Americans by our judicial system.

Two other sociodemographic characteristics--age and gender--are important predictors of support for national political institutions among the respondents who had used a lawyer. Women and older respondents were the most supportive of the political system. The relative size of these effects and the total explanatory power of the sociodemographic model, however, suggests that a lengthy discussion of these relationships is unwarranted.

### **Political and Legal Attitudes and Support for the U.S. Supreme Court**

The expectations about the relationship between political and legal attitudes and support for the political system are straightforward. The two political attitudes discussed previously--political efficacy and trust in government--are hypothesized to be positively related to support for the political system. More efficacious individuals and those with higher trust in government should be more supportive of national political institutions.

The relationship between legal attitudes and support for the political system is more complex. As stated earlier, support for the political system functions as an antecedent condition to support for the legal profession and courts and judges among those individuals who have never used a lawyer. This is not the case with support for the police or support for the U.S. Supreme Court. Unlike other legal attitudes, support for the police is often developed prior to, or at about the same time as, other

opinions about the political system (Easton and Dennis 1969). In a similar vein, there is no analysis of exactly when opinions about the U.S. Supreme Court begin to form, thus I can do no better than predict an association between support for the Court and the rest of the political system.<sup>10</sup> Measures of support for the various aspects of the legal system are included in the analysis even though they are not necessarily hypothesized to be predictors. One reason for their inclusion is that it is possible that changes in these legal attitudes cause a change in support for the political system among those respondents who have had a lawyer encounter. The basic logic of this argument was discussed in Chapter 5. Moreover, including these legal attitudes in the model provides a more rigorous test of the contribution of the other independent variables. Table 6-2 displays the results from a regression analysis of support for national political institutions on political and legal attitudes.

As expected, trust in government and political efficacy are strongly related to support for the political system (see Table 6-2). Moreover, the importance of these two characteristics in explaining support for the political system is independent of whether the respondent had used a lawyer. Three of the four legal attitudes also are associated with support for the political system. The two most interesting relationships in Table 6-2 are those between support for the Supreme Court and national political institutions and support for lawyers and national political institutions. Support for the Supreme Court is the most important predictor of support for national political institutions among all respondents ( $\beta = .32$ ); however, when lawyer use is controlled, the effect of support for the Supreme Court is much larger ( $b = .62$ ) and

TABLE 6-2

**Regression Analysis of Support for the Political System on Political and Legal Attitudes**

Variable	<u>All Respondents</u>		<u>Non-users</u>		<u>Users</u>	
	b	$\beta$	b	$\beta$	b	$\beta$
<u>Political Attitudes</u>						
Political Efficacy	.23***	.23	.20***	.20	.20***	.21
Trust in Government	.65***	.27	.60***	.26	.83***	.34
<u>Legal Attitudes</u>						
Lawyer Information	.01	.02	.02	.01	.09*	.10
Legal Proximity	-.02	-.01	.01	.01	.09	.05
Support for Courts and Judges	.01	.01	-.06	-.03	.15	.10
Support for Lawyers	.18***	.10	.15*	.09	.32***	.18
Support for the Police	-.10*	-.06	-.02	-.01	-.19*	-.11
Support for the Supreme Court	.55***	.32	.62***	.36	.35***	.18
Constant		.30		.37		.15
R <sup>2</sup>		.38		.37		.44
Sig. Equation		.00		.00		.00
N		706		415		182

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

more important ( $\beta = .36$ ) among the non-users than among users ( $b = .35$  and  $\beta = .18$ ). The effect of support for lawyers is exactly the reverse. Support for lawyers has a larger ( $b = .32$ ) and more important ( $\beta = .18$ ) effect on support for national

political institutions among respondents who had used a lawyer than among those who had not ( $b = .15, \beta = .09$ ).

These findings suggest that experience with a lawyer may condition the way previously held legal attitudes affect current levels of support for the political system. Respondents who never used a lawyer rely on basic legal attitudes that are a function of socialization (support for the U.S. Supreme Court). On the other hand, lawyer encounters condition the way these legal attitudes are related to support for national political institutions for users, making the object of the encounter (lawyers) and its subsequent evaluation (support for the legal profession) more important predictors of support for national political institutions.

Support for the police also is related to support for national political institutions among those respondents who had used a lawyer. The relationship between support for the police and support for national political institutions is negative. Respondents who are less supportive of the police are more support of national political institutions. This is the same relationship that appeared in the analysis of the relationship between support for the police and support for the Supreme Court (though it was not statistically significant in that equation). While the meaning of this inverse relationship is unclear, it may have something to do with encounters that involve both lawyers and the police since it only appears among the respondents who used a lawyer.

The attitudinal models in Table 6-2 fit the data very well. By the standards of survey research, they do an extraordinary job of explaining the variance in support for the political system ( $R^2 = .38$ ). Political and legal attitudes explain more of

the support for the political system among the respondents who used a lawyer ( $R^2 = .44$ ) than they do among those who did not ( $R^2 = .37$ ). This was expected. Diffuse support for the political system among non-users should not be influenced by encounters with the legal system. As a long range stable attribute, diffuse support should be difficult to explain with any set of cotemporaneous variables. However, among the respondents who used a lawyer, evaluations of the political system may be influenced by that experience.

### **Experience Effects**

This section follows the previous analyses of experience effects in Chapters 4-5. Estimates of known relationships between sociodemographic characteristics, political and legal attitudes and support for the political system are obtained and subsequently used to create a pre-use value of support for the political system prior to a respondent's encounter with a lawyer. Table 6-3 displays the results of a regression analysis of support for the political system on all of the sociodemographic characteristics and attitudinal variables.

Table 6-3 shows that only one of the sociodemographic characteristics--race--has any independent effect on support for the political system after controlling for political and legal attitudes. Holding all other characteristics constant, African-Americans are more supportive than whites of the political system. The remaining information in Table 6-3 serves only to confirm the analysis in Table 6-2 and provide information to estimate the pre-use level of support for the political system for those respondents who had used a lawyer. Notably, the most important variable in



TABLE 6-3

**Regression Analysis of Support for the Political System on Sociodemographic Characteristics and Political and Legal Attitudes**

Variable	Non-users	
	b	$\beta$
<u>Sociodemographic Characteristics</u>		
Age	n.s.	
Gender (0 = male, 1 = female)	n.s.	
Income	n.s.	
Race (0 = white, 1 = African-American)	.49**	.09
<u>Political Attitudes</u>		
Political Efficacy	.21***	.20
Trust in Government	.58***	.25
<u>Legal Attitudes</u>		
Lawyer Information	n.s.	
Legal Proximity	n.s.	
Support for Lawyers	.12*	.07
Support for Courts and Judges	n.s.	
Support for the Police	n.s.	
Support for the Supreme Court	.60***	.35
Constant	.46	
R <sup>2</sup>	.36	
Sig. Equation	.00	
N	441	

\* Significant at .10.

\*\* Significant at .05.

\*\*\* Significant at .01.

explaining support for the political system is support for the Supreme Court. This is consistent with the socialization perspective on how legal attitudes are initially formed.

The equation applied to the users of lawyers in order to estimate their pre-use level of support for the political system prior to the encounter is:

$$\hat{Y} = .46 + (X_1*.49) + (X_2*.21) + (X_3*.58) + (X_4*.12) + (X_5*.60) \quad (Eq. 6-1)$$

where:

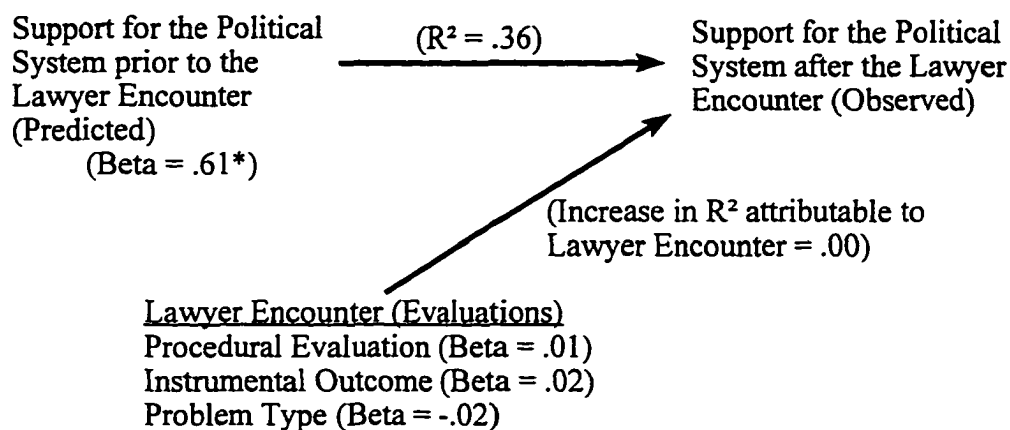
- X<sub>1</sub> = race
- X<sub>2</sub> = political efficacy
- X<sub>3</sub> = trust in government
- X<sub>4</sub> = support for lawyers
- X<sub>5</sub> = support for the U.S. Supreme Court

Equation 6-1 was applied to every respondent who had used a lawyer. These pre-use values were then regressed on the current level of support for the political system and the various measures of the lawyer encounter. Figure 6-1 shows the results of this analysis. The results reported in Figure 6-1 show that previous support for the political system accounts for 36% of the variance in current support. There are no direct effects of evaluations of a lawyer encounter on support for the political system. Neither the procedural evaluation, instrumental outcome, or the type of problem for which the respondent used a lawyer were significant predictors of support for the political system. It is worth noting that all of the coefficients for these variables are in the hypothesized direction; but, little importance can be attributed to this finding because their cumulative explanatory power amounts to zero.

FIGURE 6-1

### The Effects of Previous Support and Lawyer Encounters on Support for the Political System

(N = 193)



\* Significant at .01 or less.

### CONCLUSION

The fact that lawyer encounters do not directly affect support for the political system should not be taken to mean that lawyer encounters are not important political events. From the analytic framework developed in Chapter 3, the likelihood that lawyer encounters would affect support for a legal or political object was expected to diminish as the object of support became more remote. This has proven to be the case. The cumulative effect of an experience with a lawyer had its largest impact on support for the legal profession followed by support for the police; there was no observed direct effect of lawyer encounters on support for courts and judges, the U.S. Supreme Court, or the political system. However, there are indirect effects. Experience with a lawyer effects support for some aspects of the legal system which,

in turn, are related to support for the political system. The size and importance of these indirect effects are considered in the final chapter.

The final chapter is an assessment the role of direct, indirect, and total effects of lawyer encounters on legal and political attitudes. It also reviews the conclusions reached regarding how using a lawyer affects legal and political attitudes. Some conceptual and methodological issues for future research are considered as well.

## NOTES

1. Most of the time support for political institutions is used as an independent variable, commonly in analyses of voter behavior. Very seldom is it considered as a dependent variable.

2. While the causal pathway between support for the U.S. Supreme Court and other national political institutions would certainly be of interest, it falls beyond the scope of this study.

## CHAPTER 7

### CONCLUSION

This study has provided a discussion and analysis of the way evaluations of lawyer encounters affect public support for the legal and political systems. This final chapter begins with a presentation of a complete model of these effects focusing on the casual mechanisms that lead individuals to change their opinions about legal and political institutions as a consequence of using a lawyer. In addition, the major conclusions identified in the study are described and some thoughts about the direction of future research on support for legal and political institutions are offered.

### THE DIRECT AND INDIRECT EFFECTS OF LAWYER ENCOUNTERS

To this point, we examined only the direct effects of lawyer encounters on support for legal and political objects. That is, change in support for legal and political authorities as a direct result of an individual's evaluation of his/her lawyer encounter. These direct effects, however, are not the only way that experience with a lawyer may affect support for the legal and political systems. The relationship between individual support for the various aspects of the legal and political systems is complex. A single set of attitudes, referred to as support for the legal system, or for that matter, support for the political system (to the extent that it encompasses the legal system), does not exist (see Chapter 2). Individual support for the various aspects of the legal and political system are related to one another in interesting and unique ways. For example, support for the legal profession is related to support for the political system; it is not related to support for the police or courts and judges. Thus, any change in an individual's support for lawyers has a corresponding effect on

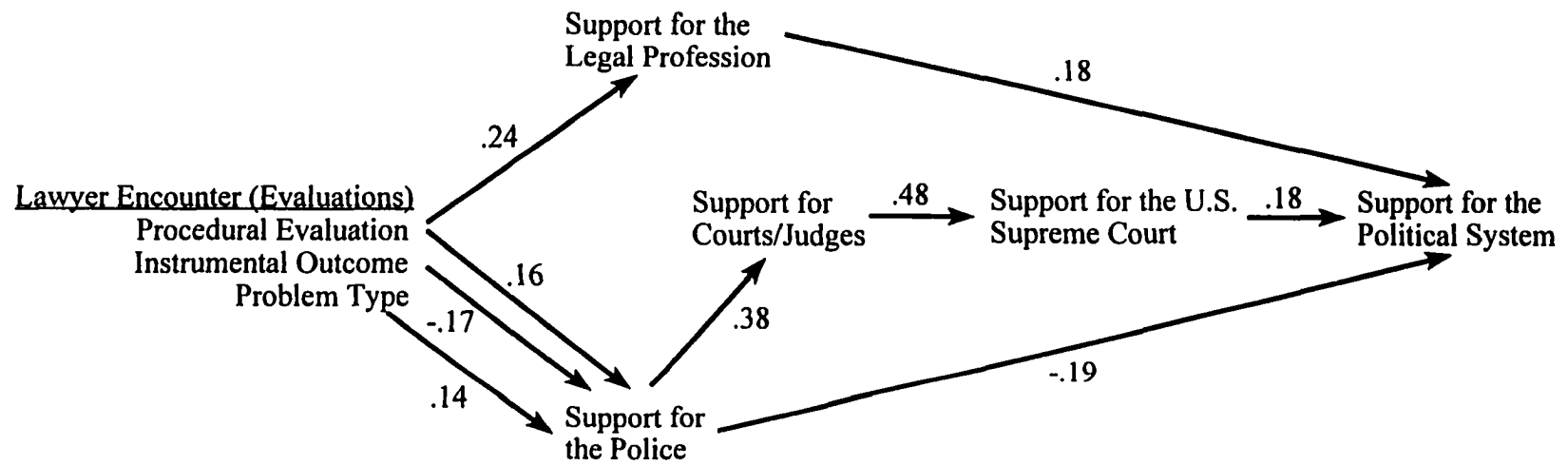
his/her support for the political system. Social scientists refer to these kinds of effects as indirect (Asher 1983; Cohen and Cohen 1983). They are indirect because they affect the object of interest only through some other object.

Using the information presented in Chapters 4-6, it is possible to develop and estimate a model of the direct and indirect effects of lawyer encounters on support for the legal and political systems. Figure 7-1 is an arrow diagram of the structure of legal and political attitudes among individuals who previously used a lawyer.<sup>11</sup> An arrow diagram of the relationships between these very same legal and political objects among individuals without a lawyer encounter would be very different.<sup>12</sup> The model displayed in Figure 7-1 represents the combination of the socialization and learning models described in Chapter 3. There are direct effects of experience with a lawyer on support for the legal profession and the police; but, there are no direct effects on support for the more abstract legal and political objects. The impact of a lawyer encounter diminishes and the importance of socialization increases as the object of support becomes increasingly distant from a respondent's life. For example, experience with a lawyer directly effects support for lawyers and the police, with whom the average person has a good deal of contact, although it does not affect support for the Supreme Court or the more general political system, with whom most individuals have little contact. The advantage of a causal model, such as the one displayed in Figure 7-1, is it allows the researcher to estimate the indirect effects of the exogenous variable of interest, lawyer contact.

The indirect effects of lawyer encounters are those on support for aspects of the legal and political systems that are mediated by intervening attitudes. For

**FIGURE 7-1**

**A Model of Direct, Indirect, and Total Effects of Lawyer Encounters on Support for the Legal and Political Systems**





example, in Figure 7-1 there is an indirect effect of a lawyer encounter on support for the political system, one mediated by support for the legal profession. Evaluation of the procedural fairness of the lawyer encounter increases support for the legal profession. Increases in support for the legal profession, in turn, increase support for the political system. Hence, evaluation of the procedural fairness of the lawyer encounter produces an indirect effect on support for the political system. Table 7-1 summarizes all the direct and indirect effects of the evaluation of lawyer encounters on support for the various aspects of the legal and political systems.<sup>13</sup>

Table 7-1 shows there are direct effects of the evaluation of lawyer encounters on support for the legal profession and the police. Evaluation of the way a lawyer handled a case has a positive direct effect on support for lawyers. All three evaluations of a lawyer encounter have direct effects on support for the police. The way a lawyer handled a case has a direct positive effect on support for the police. Using a lawyer for a counseling type of problem has a direct positive effect on support for the police. And a favorable outcome to the problem has a direct negative effect on support for the police. As expected, the total effects of the lawyer encounters are greater on support for the legal profession (.24) than they are on support for the police (.13).

The indirect and total effects of lawyer encounters on the remaining aspects of the legal and political systems also are illustrated in Figure 7-1 and summarized in Table 7-1. It is notable that evaluations of a lawyer encounter have indirect effects on *every* aspect of the legal and political systems. However, as the object of support becomes more distant from the individual, the total effects of a single encounter

TABLE 7-1

**Direct, Indirect, and Total Effects of Lawyer Encounters on Support for the Legal and Political Systems**

Effect	Direct	Indirect	Total
<i>Support for Lawyers</i>			
Procedural Fairness	.24		
Total	.24		.24
<i>Support for the Police</i>			
Procedural Fairness	.16		
Instrumental Outcome	-.17		
Problem Type	.14		
Total	.13		.13
<i>Support for Courts and Judges</i>			
Fairness via Police		.06	
Outcome via Police		-.06	
Problem Type via Police		.05	
Total		.05	.05
<i>Support for the Supreme Court</i>			
Fairness via Courts/Judges		.03	
Outcome via Courts/Judges		-.03	
Problem Type via Courts/Judges		.03	
Total		.03	.03
<i>Support for the Political System</i>			
Fairness via Lawyers		.04	
Fairness via Police		-.03	
Outcome via Police		.03	
Problem Type via Police		-.03	
Fairness via Police via Courts/Judges via Supreme Court		.01	
Outcome via Police via Courts/Judges via Supreme Court		-.01	
Problem Type via Police via Courts/Judges via Supreme Court		.00	
Total		.01	.01

decrease. A useful heuristic for understanding this phenomenon is the "funnel of causality" used by Campbell et al. (1960) to examine voting behavior. The core of the funnel represents strongly held attitudes such as support for the Supreme Court and the political system. The large mouth of the funnel is characterized by support for the more proximate aspects of the legal system. These attitudes do not necessarily effect behavior at the end of the funnel because they are filtered through the core attitudes. The behavior of interest at the end of the funnel for most legal scholars is compliance. Figure 7-1 can be viewed as an example of a "funnel of causality." The cumulative effect of a lawyer encounter on support for the political system is negligible because support for the political system runs through the center of the funnel. The important point, however, is not the size of the effect, it is whether there is an effect at all. Experience with a lawyer does alter basic attitudes about the legal and political systems, even if it does so in a very small way.

Two interesting conclusions emerge from Figure 7-1 and Table 7-1. First, there are 17 ways that evaluations of lawyer encounters affect support for the five legal and political objects.<sup>14</sup> Using a lawyer to help solve a problem can, and does, have an impact on attitudes toward the legal and political systems. However, the impact in many cases is often, and sometimes only, indirect. Thus, lawyers should be particularly concerned about the way they treat clients because it affects not only support for their profession; but, support for other legal and political authorities as well. A first experience with a lawyer that goes sour can reduce support for other aspects of the legal and political systems. In some cases, even a positive lawyer encounter can undermine support for the legal system. For example, satisfaction with

the outcome of the problem for which the respondent used a lawyer reduces support for the police. This is a particularly interesting finding in that it serves to point out the fact that aspects of the legal system do not necessarily have a reinforcing affect on one another.

A second important conclusion is that Figure 7-1 appears to reaffirm the notion that there may be other direct paths of influence between lawyer encounters and aspects of the legal and political systems. Respondents to the Legal Actors Survey had too few types of encounters involving a court/judge or a representative of the political system. Therefore, it is uncertain whether there should be a direct arrow between lawyer encounters and support for these objects. This is certainly a proposition that deserves attention in future research. A finding of direct effects in these instances would further increase the cumulative effect of lawyer encounters on support for other aspects of the legal and political systems.

### **FUTURE RESEARCH**

One contribution of this research to the general literature on legal attitudes stems from the analysis of the various measures of support for aspects of the legal system presented in Chapter 2, Tables 2-6 and 2-7. These Tables show a simple correlation matrix of support for four aspects of the legal system: lawyers, the Supreme Court, courts and judges, and the police. Based on this information, I concluded that a "legal belief system" does not exist. There is very little attitudinal constraint among respondents to the Legal Actors Survey. The average correlation across the various measures of support is low ( $r = .24$ ), even for attitudinal data. Thus, there is no evidence to support Sarat's (1975) contention that a single legal attitude conditions

individual support for other legal institutions. No single construct, legal system, exists that constrains all legal attitudes. Attitudes toward the various aspects of the legal system are related; but, not in the way originally hypothesized by Sarat (1975). The weak relationships among these attitudes is particularly interesting in light of the sample. When it comes to cognitive sophistication, college students should exhibit more attitudinal constraint than the mass public. Thus, even though all of the respondents are well educated and have information about legal and political objects, they do not exhibit signs of a coherent belief system.

This finding casts doubt on any abstract conception of a legal system. The level of individual support, as well as its explanation, varies across aspects of the legal system. This is important in two ways. First, it suggests that each institution must pay attention to their own base of legitimacy; they cannot simply assume that support for one legal institution will spill over to another as a source of legitimacy. However, there is some evidence of a spillover effect in the sense that experience with a lawyer effects specific support which, in turn, effects diffuse support; perhaps even replacing it. Secondly, it suggests individual aspects of the legal system do not have a strong base of institutional support. Thus, what Tables 2-6 and 2-7 are gauging is a more specific type of support. As palpable as this argument may seem, it cannot be the explanation for attitudes among those individuals who have not had some form of contact with the legal system. Until the point when they have a legal encounter, their attitudes toward any aspect of the legal system are unlikely to be based on anything other than socialization. Therefore, the changes that we see in support for the legal profession and the police *are* changes in diffuse support. They

are the consequence of individuals emerging from a first-time encounter with a lawyer and altering their basic orientation toward the legal profession and the police.

One of the things this research has not done--which should be a focus of future research, is to use the various measures of support examined here as predictors of other attitudes and behavior. Many years ago, Sarat (1977) suggested scholars too often focus on support as a dependent variable. This remains true today. However, by beginning the process of understanding how initial contact with an important legal actor--lawyers--changes legal and political attitudes, we can better understand an individual's subsequent legal behavior. For example, promising research questions include, Do the changes in legal attitudes that are a function of lawyer encounters affect willingness to use a lawyer a second time?; and, Do changes in support for the legal system have any consequences for other legal attitudes, such as support for tort reform?

Research on multiple encounters with lawyers should prove particularly interesting. As individuals have additional encounters with lawyers, do their attitudes from the first encounter to the next stay the same or change? Subsequent lawyer encounters may have an even greater affect on support for the legal profession, as individual attitudes going into the encounter are no longer the product of socialization alone; now they also reflect specific support. The findings presented here suggest that once an individual has contact with the legal system his/her diffuse support for legal and political objects is transformed into specific support. Specific support which is aimed at the referent of an experience and is a function of short-term evaluation of

the performance or outputs of that object. It would be interesting to see whether these changes in diffuse support reflect permanent or temporary alterations in attitudes.

### **LAWYER ENCOUNTERS AND PROCEDURAL JUSTICE**

The analytic framework that guided this research was drawn from the theory of procedural justice. I contrasted the procedural justice and instrumental models of opinion change using an examination of initial encounters with lawyers. The key element of procedural justice theories is that normative evaluations of encounters are important determinants in satisfaction with the outcome. Encounters with lawyers are a particularly interesting venue for contrasting these two models because they often place normative and instrumental goals at odds. Achieving a satisfactory resolution of a problem may be sufficiently desirable to offset any effects of the way the encounter was handled. Instrumental evaluation of the lawyer encounter was significant only in the model of support for the police. In all other cases, instrumental evaluation was insignificant, indicating that satisfaction with the outcome does not affect diffuse support for most legal and political objects.

Evaluations of the way a lawyer handled a problem are significant predictors of support for the legal profession and support for the police. An individual who felt his/her lawyer was polite, showed concern for his/her rights, and worked hard to solve his/her problem expressed greater support for the legal profession and the police. Instrumental evaluation of the lawyer encounter--whether or not a respondent was satisfied with the outcome of the problem--is not a significant predictor of support for lawyers. Instrumental evaluation is a significant predictor of support for

the police, although it is opposite of the hypothesized direction. Individuals who were satisfied with the outcome of their lawyer encounters were less supportive of the police. This probably reflects a view that if they needed a lawyer and if the situation involved the police, a favorable outcome was viewed as vindication. Thus, there appears to be a tendency to blame the police for having prompted the need for a lawyer in the first place.

Overall, the conclusions are broadly consistent with the previous empirical literature on the way procedural evaluations of encounters with legal authorities affect legal attitudes (Tyler 1990). The evaluation of a lawyer encounter effects support for the legal profession and the police directly. It also has indirect effects on other aspects of the legal and political systems.

As stated in Chapter 1, legal authorities should be concerned about the way interaction with the legal system affects legal and political attitudes. Support for legal and political institutions has been directly linked to subsequent compliance with their decisions. Supportive individuals are more likely to comply with decisions by legal authorities. The results from the Legal Actors Survey suggest that an encounter with a lawyer and the subsequent evaluation of that experience enhances support for the police, a legal institution relying heavily on compliance with its decisions. The interesting thing is that evaluations of experiences with lawyers do not have a uniformly negative impact. Positive evaluations of the way a lawyer handled a case tend to spill over into positive attitudes toward lawyers generally and the police. Thus, lawyers can play an important role in facilitating support for their own



profession and support for other aspects of the legal and political systems. The positive effects, though indirect and muted, extend all the way to regime support.

Public support is a critical element of the legitimacy of legal and political systems. It provides a source of legitimacy for institutions that lack the power of the state to force compliance with their decisions. It also provides a source of legitimacy for institutions with access to the necessary power to force compliance, but a reluctance to use it. This research makes a small, but important, contribution to our understanding of the description and explanation of public support for legal and political institutions by illuminating the effects of first-time use of lawyers.

## NOTES

1. By necessity an arrow diagram imposes the theoretical perspective of the researcher on the data. The data do not allow for a test of the causal structure of these attitudes. The diagram in Figure 7-1 is not the only diagram that is possible, but it does represent the accumulation of knowledge from previous chapters and the theoretical insight of the literature on political socialization.

2. The diagram of attitude structure among nonusers would be represented by turning all of the arrows around, indicating the impact of political socialization.

3. The direct effects are simply the  $\beta$ 's of the respective variable from earlier analyses. Indirect effects are obtained by multiplying all of the coefficients that complete an indirect pathway, and total effects are the sum of direct and indirect effects (Asher 1983). Total effects are the sum of direct and indirect effects (Cohen and Cohen 1983).

4. It is also worth noting that there are a multitude of other arrows representing the effects of variables used in the previous analyses that could be added to Figure 7-1. Figure 7-1 displays only the relevant legal and political attitudes of interest and does not include all of the predictor variables of these attitudes. Thus, the estimates of total effects in Table 7-1 are conservative in size because they do not take into account any indirect effects of encounters on these attitudes that are mediated by the variables not represented in the diagram. It is also the reason why a goodness of fit statistic ( $R^2$ ) is not reported for any of the attitudes.

## REFERENCES

- Aberbach, Joel D. 1969. "Alienation and Political Behavior." *American Political Science Review* 62:86-99.
- Aberbach, Joel D., and Jack L. Walker. 1970. "Political Trust and Political Ideology." *American Political Science Review* 64:199-219.
- Adamany, David W. 1973. "Legitimacy, Realignment Elections, and the Supreme Court." *Wisconsin Law Review* 3:790-846.
- Adamany, David, and Joel B. Grossman. 1983. "Support for the Supreme Court as a National Policymaker." *Law and Policy Quarterly* 5:405-437.
- Albrecht, Stan L., and Miles Green. 1977. "Attitudes Toward the Police and the Larger Attitude Complex: Implications for Police-Community Relationships." *Criminology* 15:67-86.
- Backstrom, Charles H., and Gerald Hursh-Cesar. 1981. *Survey Research*. 2nd ed. New York: Macmillan.
- Barrett-Howard, E., and Tom R. Tyler. 1986. "Procedural Justice as a Criterion in Allocation Decisions." *Journal of Personality and Social Psychology* 50:296-304.
- Barton, Allen, and Saul Mendlovitz. 1956. *The Court and the Community*. Unpublished Manuscript.
- Bass, Larry R., and Dan Thomas. 1984. "The Supreme Court and Policy Legitimation: Experimental Tests." *American Politics Quarterly* 12:335-60.
- Bayley, David, and Harold Mendelson. 1969. *Minorities and the Police*. New York: Free Press.
- Bell, Daniel J. 1979. "Police and Public Opinion." *Journal of Police Science and Administration* 7:196-205.
- Black, Donald. 1970. "The Production of Crime Rates." *American Sociological Review* 35:733-48.
- Black, Donald. 1973. "The Mobilization of the Law." *Journal of Legal Studies* 2:125-49.
- Blashfield, Albert. 1954. "A Summary of Public Opinion About Lawyers." *Michigan State Bar Journal* 33:30.

- Bouma, David. 1969. *Kids and Cops*. Grand Rapids, MI: Erdmans.
- Brandl, Steven G., James Frank, Robert E. Worden, and Timothy S. Bynum. 1994. "Global and Specific Attitudes Toward the Police: Disentangling the Relationship." *Justice Quarterly* 11:119-34.
- Brown, Don W. 1974. "Adolescent Attitudes and Lawful Behavior." *Public Opinion Quarterly* 38:98-106.
- Bush, George. 1992. "Remarks by the President to National Grocers Association." The White House, February 4.
- Caldeira, Gregory A. 1977. "Children's Images of the Supreme Court: A Preliminary Analysis." *Law and Society Review* 11:851-71.
- Caldeira, Gregory A. 1986. "Neither the Purse Nor the Sword: The Dynamics of Public Confidence in the United States Supreme Court." *American Political Science Review* 80:1209.
- Caldeira, Gregory A. 1987. "Public Opinion and the United States Supreme Court." *American Political Science Review* 81:1139-54.
- Caldeira, Gregory A., and James L. Gibson. 1992. "The Etiology of Public Support for the Supreme Court." *American Journal of Political Science* 36:635-4.
- Campbell, Angus, Phillip E. Converse, Warren E. Miller, and Donald E. Stokes. 1960. *The American Voter*. New York: John Wiley.
- Campbell, Donald T., and Julian C. Stanley. 1963. *Experimental and Quasi-Experimental Designs for Research*. Boston: Houghton Mifflin.
- Carlin, Jerome. 1961. *Lawyers on Their Own: A Study of Individual Practitioners in Chicago*. New Brunswick, NJ: Rutgers University Press.
- Casey, Gregory. 1974. "The Supreme Court and Myth: An Empirical Investigation." *Law and Society Review* 8:385-419.
- Casper, Jonathan D., Tom R. Tyler, and Bonnie Fisher. 1988. "Procedural Justice In Felony Cases." *Law and Society Review* 22:483-507.
- Citrin, Jack. 1977. "Political Alienation as a Social Indicator: Attitudes and Action." *Social Indicators of Research* 4:381-419.
- Converse, Phillip E. 1964. "The Nature of Belief Systems in Mass Publics." In *Ideology and Discontent*, ed. Apter David. New York: Free Press.

- Converse, Phillip E., and Greg B. Markus. 1979. "Plus ca change...: The new CPS Election Study Panel." *American Political Science Review* 73:32-49.
- Converse, Phillip E., and Richard Pierce. 1986. *Political Representation in France*. Cambridge, MA: Harvard University Press.
- Coulter, Phillip. 1988. *Political Voice*. Birmingham, AL: The University of Alabama Press.
- Craig, Stephen C., and Kenneth D. Wald. 1985. "Whose Ox To Gore? A Comment on the Relationship Between Political Discontent and Political Violence." *Western Political Quarterly* 38:652-62.
- Curran, Barbara. 1986. "American Lawyers in the 1980s: A Profession in Transition." *Law and Society Review* 20:19-52.
- Curran, Barbara A., and Francis O. Spalding. 1974. *The Legal Needs of the Public*. Chicago, IL: The American Bar Foundation.
- Dahl, Robert A. 1957. "Decision-making in a Democracy: The Supreme Court as a National Policy-Maker." *Journal of Public Law* 6:279-95.
- Decker, Scott H. 1981. "Citizen Attitudes Toward the Police: A Review of Past Findings and Suggestions for Future Policy." *Journal of Police Science and Administration* 9:80-87.
- Derbyshire, Robert L. 1968. "Children's Perceptions of the Police: A Comparative Study of Attitudes and Attitude Change." *Journal of Criminal Law, Criminology and Police Science* 59:183-90.
- Dolbeare, Kenneth M. 1967. "The Public Views the Supreme Court." In *Law, Politics, and the Federal Courts*, ed. Jacob Herbert. Boston: Little, Brown.
- Dolbeare, Kenneth M., and Phillip E. Hammond. 1968. "The Political Party Basis of Attitudes Toward the Supreme Court." *Public Opinion Quarterly* 37:16-30.
- Durand, Roger. 1976. "Some Dynamics of Urban Service Evaluations Among Blacks and Whites." *Social Science Quarterly* 56:698-706.
- Easton, David. 1960. *The Political System*. New York: Alfred A. Knopf.
- Easton, David. 1965. *A Systems Analysis of Political Life*. New York: Wiley.
- Easton, David. 1975. "A Re-Assessment of the Concept of Political Support." *British Journal of Political Science* 5:435-57.

- Easton, David, and Jack Dennis. 1969. *Children in the Political System*. Chicago: University of Chicago Press.
- Engstrom, Richard L. 1970. "Race and Compliance: Differential Political Socialization." *Polity* 3:101-11.
- Fagan, Ronald W. 1981. "Public Support for the Courts: An Explanation of Alternative Explanations." *Journal of Criminal Justice* 9:403-18.
- Fenno, Richard. 1978. *Home Style: House Members in Their Districts*. Boston: Little Brown.
- Finkel, Steven E., Edward N. Muller, and Mitchell A. Seligson. 1989. "Economic Crisis, Incumbent Performance and Regime Support: A Comparison of Longitudinal Data from West Germany and Costa Rica." *British Journal of Political Science* 19:329-51.
- Flanagan, Timothy J., Edmund F. McGarrell, and Edward J. Brown. 1985. "Public Perceptions of the Criminal Courts: The Role of Demographic and Attitudinal Variables." *Journal of Research in Crime and Delinquency* 22:66-82.
- Flemming, Victor A. 1993. "About Real Lawyers." *Trial* 29(September):84-85.
- Folger, Robert G., and Jerald Greenberg. 1985. "Procedural Justice: An Interpretive Analysis of Personnel Systems." In *Research in Personnel and Human Resources Management*, eds. Rowland, Kendrith M., and Gerald R. Ferris. Greenwich, CT: JAI.
- Franklin, Charles H., and Liane C. Kosaki. 1989. "The Republican Schoolmaster: The Supreme Court, Public Opinion and Abortion." *American Political Science Review* 83:751-72.
- Friedman, Lawrence M. 1977. *Law and Society: An Introduction*. Englewood Cliffs, NJ: Prentice-Hall.
- Furstenberg, Frank F., and Charles F. Wellford. 1973. "Calling the Police: The Evaluation of Police Service." *Law and Society Review* 7:393-406.
- Galanter, Marc. 1992. "Public View of Lawyers: Quarter-Truths Abound." *Trial* 28(April):71-73.
- Gibson, H. B. 1967. "Self-reported Delinquency Among Schoolboys and their Attitudes Toward the Police." *British Journal of Social and Clinical Psychology* 6:168-73.

- Gibson, James L. 1989. "Understandings of Justice: Institutional Legitimacy, Procedural Justice, and Political Tolerance." *Law and Society Review* 23:469-96.
- Gibson, James L., and Gregory A. Caldeira. 1992. "Blacks and the United States Supreme Court: Models of Diffuse Support." *Journal of Politics* 54:1120-45.
- Greenberg, Edward. 1970. "Orientations of Black and White Children to Political Authority." *Social Science Quarterly* 51:562.
- Greenberg, Jerald, and Robert G. Folger. 1983. "Procedural Justice, Participation, and the Fair Process Effect in Groups and Organizations." In *Basic Group Processes*, ed. Paulus, Paul. B. New York: Springer-Verlag.
- Hadar, Ilana, and John R. Snortum. 1974. "The Eye of the Beholder: Differential Perceptions of the Police by the Police and the Public." *Criminal Justice and Behavior* 2:37-54.
- Hallauer, Robert. 1973. "The Shreveport Experiment in Prepaid Legal Services." *Journal of Legal Studies* 2:223.
- Handberg, Roger, and William S. Maddox. 1982. "Public Support for the Supreme Court." *American Politics Quarterly* 10:333-46.
- Harris Louis and Associates. 1987. *Public Attitudes Toward the Civil Justice System and Tort Law Reform*. Hartford, CT: Aetna Life & Casualty Company.
- Heinz, John, and Edward Laumann. 1982. *Chicago Lawyers: The Social Structure of the Bar*. New York: Russell Sage Foundation.
- Hengstler, Gary A. 1993. "The Public Perception of Lawyers: ABA Poll." *Trial*(September):60-65.
- Hirsch, Herbert, and Lewis Donohew. 1968. "A Note on Black-White Differences in Attitudes Toward the Supreme Court." *Social Science Quarterly* 49:557-663.
- Homant, Robert J. 1982. "The Image of the Police: A Survey of Detroit-Area Residents." *American Journal of Police* 1:150-77.
- Homant, Robert J., Daniel B. Kennedy, and Roger M. Fleming. 1984. "The Effect of Victimization and the Police Response on Citizen's Attitudes Toward Police." *Journal of Police Science and Administration* 12:323-32.
- Houlden, Pauline. 1980. "The Impact of Procedural Modifications on Evaluations of Plea Bargaining." *Law and Society Review* 15:267-91.

- Jacob, Herbert. 1971. "Black and White Perceptions of Justice in the City." *Law and Society Review* 5:69-89.
- Jaros, Dean, and Robert Roper. 1980. "The Supreme Court, Myth, Diffuse Support, Specific Support, and Legitimacy." *American Politics Quarterly* 8:85-105.
- Kessel, John H. 1966. "Public Perceptions of the Supreme Court." *Midwest Journal of Political Science* 10:167-91.
- Kinder, Donald R., and David O. Sears. 1985. "Public Opinion and Political Action." In *Handbook of Social Psychology*, eds. Lindzey, Gardner, and Elliot Aronson. Reading, MA: Addison-Wesley.
- Kritzer, Herbert M. 1991. *Lets Make a Deal: Understanding the Negotiation Process in Ordinary Litigation*. Madison, WI: The University of Wisconsin Press.
- Landis, Jean M., and Lynne Goodstein. 1986. "When is Justice Fair? An Integrated Approach to the Outcome Versus Procedure Debate." *American Bar Foundation Research Journal* 38:675-707.
- Laver, Michael. 1981. *The Politics of Private Desires*. New York: Penguin.
- Lehne, Richard, and John Reynolds. 1978. "The Impact of Judicial Activism on Public Opinion." *American Journal of Political Science* 22:896-904.
- Levitin, Teresa E., and Warren E. Miller. 1979. "Ideological Interpretations of Presidential Elections." *American Political Science Review* 73:751-71.
- Lind, E. Allan, Susan Kurtz, Linda Musante, Laurens Walker, and John W. Thibaut. 1980. "Procedure and Outcome Effects on Reactions of Adjudicated Resolutions of Conflicts of Interest." *Journal of Personality and Social Psychology* 39:643-53.
- Lundman, Richard J. 1974. "Domestic Police-Citizen Encounters." *Journal of Police Science and Administration* 2:22-27.
- Mahoney, Barry, Austin Sarat, and Steven Weller. 1978. "Courts and the Public: Some Further Reflections on Data from a National Survey." In *State Courts: A Blueprint for the Future*, ed. Fetter Theodore J. Williamsburg, VA: National Center for State Courts.
- Marshall, Thomas. 1987. "The Supreme Court as an Opinion Leader." *American Politics Quarterly* 15:147-68.



- Marshall, Thomas. 1988. "Public Opinion, Representation, and the Modern Supreme Court." *American Politics Quarterly* 17:286-316.
- Marshall, Thomas. 1989. *Public Opinion and the Supreme Court*. New York: Longman.
- Meinhold, Stephen S., and Dennis W. Gleiber. n.d. "An Event History Analysis of First-Time Lawyer Use." University of New Orleans. Photocopy.
- Meinhold, Stephen S., and Charles D. Hadley. 1995. "Lawyers as Political Party Activists." *Social Science Quarterly* forthcoming.
- Miller, Richard E., and Austin Sarat. 1980-81. "Grievances, Claims, and Disputes: Assessing the Adversary Culture." *Law and Society Review* 15:525-66.
- Missouri Bar-Prentice Hall. 1963. *A Motivational Study of Public Attitudes and Law Office Management*. St. Louis, MO: Missouri Bar.
- Mondak, Jeffrey. 1991. "Substantive and Procedural Aspects of Supreme Court Decisions As Determinants of Institutional Approval." *American Politics Quarterly* 19:174-88.
- Moretz, Walter J. 1980. "Kids to Cops "We Think You're Important But We're Not Sure We Understand You." *Journal of Police Science and Administration* 8:220-24.
- Muller, Edward N. 1970. "Correlates and Consequences of Belief in the Legitimacy of Regime Structures." *Midwest Journal of Political Science* 14:392-412.
- Muller, Edward N. 1977. "Behavioral Correlates of Political Support." *American Political Science Review* 71:454-67.
- Muller, Edward N., and Thomas O. Jukam. 1977. "On the Meaning of Political Support." *American Political Science Review* 71:1561-95.
- Muller, Edward N., Thomas O. Jukam, and Mitchell A. Seligson. 1982. "Diffuse Political Support and Antisystem Political Behavior: A Comparative Analysis." *American Journal of Political Science* 26:240-64.
- Murphy, Walter F., and Joseph Tanenhaus. 1968. "Public Opinion and the United States Supreme Court: A Preliminary Mapping of Some Prerequisites for Court Legitimation of Regime Changes." *Law and Society Review* 2:357-82.
- Murphy, Walter F., and Joseph Tanenhaus. 1990. "Publicity, Public Opinion, and the Court." *Northwestern University Law Review* 84:985-1023.

- Murphy, Walter F., Joseph Tanenhaus, and Daniel Kastner. 1973. *Public Evaluations of Constitutional Courts: Alternative Explanations*. Beverly Hills: Sage.
- Neubauer, David W. 1991. *Judicial Process: Law, Courts & Politics in the United States*. Pacific Grove, CA: Brooks/Cole.
- Neubauer, David, and Stephen S. Meinhold. 1994. "Too Quick to Sue? Public Perceptions of the Litigation Explosion." *Justice System Journal* 16:1-14.
- O'Brien, John T. 1978. "Public Attitudes Toward the Police." *Journal of Police Science and Administration* 6:303-10.
- Olsen, Marvin E. 1968. "Perceived Legitimacy of Social Protest Actions." *Social Problems* 15:297-310.
- Olson, Susan M., and David A. Huth. 1994. "Explaining Public Attitudes Toward State Courts." Presented at the annual meeting of the Midwest Political Science Association, Chicago.
- Ostrom, Elinor. 1973. "On the Meaning and Measurement of Output and Efficiency in the Production of Urban Police Services." *Journal of Criminal Justice* 1:93-111.
- Paige, Jeffrey M. 1971. "Political Orientation and Riot Participation." *American Sociological Review* 36:810-20.
- Parks, Roger B. 1976. "Police Response to Victimization Effects on Citizen Attitudes and Perceptions." In *Sample Surveys of the Victims of Crime*, ed. Skogan Wesley G. Cambridge, MA: Ballinger.
- Percy, Stephen L. 1980. "Response Time and Citizen Evaluation of Police." *Journal of Police Science and Administration* 8:75-86.
- Quayle, Daniel. 1991. "Prepared Remarks by the Vice President, Annual Meeting of the American Bar Association, Atlanta, Georgia." Office of the Vice President, Executive Office Building, Washington, DC, August 13.
- Radelet, Louis A. 1973. *The Police and the Community*. Encino, CA: Glencoe Press.
- Rockwell, Richard. 1968. *A Study of the Law and the Poor in Cambridge Massachusetts*. Cambridge, MA: Community Legal Assistance Office.
- Rodgers, Harrell R., and Edward B. Lewis. 1974. "Political Support and Compliance Attitudes." *American Politics Quarterly* 2:61-77.

- Rodgers, Harrell R., and George Taylor. 1971. "The Policeman as an Agent of Regime Legitimization." *Midwest Journal of Political Science* 15:72.
- Rose, Richard, and Ian McAllister. 1990. *The Loyalties of Voters: A Lifetime Learning Model*. Newbury Park, CA: Sage.
- Sarat, Austin. 1975. "Support for the Legal System." *American Politics Quarterly* 3:3-24.
- Sarat, Austin. 1977. "Studying American Legal Culture: An Assessment of Survey Evidence." *Law and Society Review* 11:427-88.
- Scheb, John M. 1994. "Public Holds U.S. Supreme Court in High Regard." *Judicature* 77:273-74.
- Schuman, Howard, and Barry Gruenberg. 1972. "Dissatisfaction With City Services: Is Race an Important Factor?" In *People and Politics in Urban Society*, ed. Hahn, Harlan. Beverly Hills: Sage.
- Schwartz, David C. 1973. *Political Alienation and Political Behavior*. Chicago: Aldine.
- Sears, David O. 1975. "Political Socialization." In *Handbook of Political Science*, eds. Greenstein, Fred I., and Nelson W. Polsby. Reading, MA: Addison-Wesley.
- Secret, Phillip E., James B. Johnson, and Susan Welch. 1986. "Racial Differences in Attitudes Toward the Supreme Court's Decision on Prayer in Public Schools." *Social Science Quarterly* 67:877-85.
- Sigelman, Lee. 1979. "Black and White Differences in Attitudes Toward the Supreme Court: A Replication in the 1970s." *Social Science Quarterly* 60:113-19.
- Silberman, Matthew. 1976. "Toward A Theory of Criminal Deterrence." *American Sociological Review* 41:442-61.
- Skogan, Wesley. 1971. "Judicial Myth and Judicial Reality." *Washington University Law Quarterly* 1971:309.
- Smith, Paul E., and Richard O. Hawkins. 1973. "Victimization, Types of Citizen-Police Contacts and Attitudes Toward the Police." *Law and Society Review* 8:135-52.
- Tanenhaus, Joseph, and Walter F. Murphy. 1981. "Patterns of Public Support for the Supreme Court: A Panel Study." *Journal of Politics* 43:24-39.

- Thibaut, John W., and Laurens Walker. 1975. *Procedural Justice: A Psychological Analysis*. Hillsdale, N.J.: Erlbaum.
- Thibaut, John W., and Laurens Walker. 1978. "A Theory of Procedure." *California Law Review* 66:541-66.
- Thomas, C., and J. Hyman. 1977. "Perceptions of Crime, Fear of Victimization, and Public Perceptions of Police Performance." *Journal of Police Science and Administration* 5:305-17.
- Tittle, Charles R. 1980. *Sanctions and Social Deviance: A Question of Deterrence*. New York: Praeger.
- Tyler, Tom R. 1984. "The Role of Perceived Injustice in Defendant's Evaluations of Their Courtroom Experience." *Law and Society Review* 18:51-74.
- Tyler, Tom R. 1990. *Why People Obey The Law*. New Haven: Yale University Pres.
- Tyler, Tom R., and Andrew Caine. 1981. "The Influence of Outcomes and Procedures on Satisfaction with Formal Leaders." *Journal of Personality and Social Psychology* 41:642-55.
- Tyler, Tom R., and Robert G. Folger. 1980. "Distributional and Procedural Aspects of Satisfaction with Citizen-Police Encounters." *Basic and Applied Social Psychology* 1:281-92.
- Tyler, Tom R., Kenneth Rasinski, and Kathleen McGraw. 1985. "The Influence of Perceived Injustice on the Endorsement of Political Leaders." *Journal of Applied Social Psychology* 15:700-725.
- Walker, Darlene. 1977. "Citizen Contact and Legal System Support." *Social Science Quarterly* 58:3-14.
- Walker, Darlene, Richard J. Richardson, Thomas Denyer, Oliver Williams, and Skip McGaughey. 1972. "Contact and Support: An Empirical Assessment of Public Attitudes Toward the Police and the Courts." *North Carolina Law Review* 51:43-79.
- What the Public Thinks of Lawyers. 1964. "What the Public Thinks of Lawyers." *Alabama Lawyer* 25:192.
- White, Mervin F., and Ben A. Menke. 1982. "On Assessing the Mood of the Public Toward the Police: Some Conceptual Issues." *Journal of Criminal Justice* 10:211-30.

Wice, Paul. 1978. *Criminal Lawyers: An Endangered Species*. Newbury Park, CA: Sage.

Wilson, James Q. 1972. "The Police in the Ghetto." In *The Police and the Community*, ed. Steadman, R. F. Baltimore: The Johns Hopkins University Press.

Worchel, Philip, Philip G. Hester, and Philip S. Kopala. 1974. "Collective Protest and Legitimacy of Authority." *Journal of Conflict Resolution* 18:37-54.

Zemans, Frances Kahn. 1983. "Legal Mobilization: The Neglected Role of Law in the Political System." *American Political Science Review* 77:690-703.

Zemans, Frances Kahn. 1991. "In the Eye of the Beholder: The Relationship Between the Public and the Courts." *Justice System Journal* 15:722-40.

**LIST OF CASES**

*Bates v. State Bar of Arizona*, 433 U.S. 350 (1977)

**APPENDIX I****1993 LEGAL ACTORS SURVEY INSTRUMENT****Government and Legal Actors**

**PLEASE NOTE:** This project is being conducted by social scientists for research purposes only. Your responses to the questions below are important. They will help us better understand the relationships among citizens, lawyers, and the legal system. All of your answers are **COMPLETELY CONFIDENTIAL**. They will only be used in the aggregate: no single individual will be identified for any purpose. We are interested in your opinions about government, courts, and lawyers here in the *New Orleans* area, and elsewhere in the *United States* generally. When there is a question or statement you are unsure of or have no opinion on please skip to the next question. If you do not answer a question, we will understand you had no opinion. Thank you.

(PAGE 1)

I. We would like to know some of your opinions about Lawyers in the UNITED STATES generally and here in the NEW ORLEANS area. For each statement below mark whether you: agree strongly, agree, disagree or disagree strongly.

	UNITED STATES					NEW ORLEANS AREA				
	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. Generally, lawyers provide the public with a useful service.	---	---	---	---	---	---	---	---	---	---
2. The basic rights of citizens are better protected because of lawyers.	---	---	---	---	---	---	---	---	---	---
3. On the whole, lawyers are dishonest.	---	---	---	---	---	---	---	---	---	---
4. Lawyers do their best to be fair.	---	---	---	---	---	---	---	---	---	---
5. Overall, lawyers are doing a bad job.	---	---	---	---	---	---	---	---	---	---
6. In general, people are satisfied with the way lawyers help with legal problems.	---	---	---	---	---	---	---	---	---	---
7. When lawyers become involved in disputes between people, they improve the situation.	---	---	---	---	---	---	---	---	---	---
8. Overall, lawyers treat people fairly.	---	---	---	---	---	---	---	---	---	---

II. Next we would like to know some of your opinions about LOCAL and NATIONAL government generally.

1. How much of the time can you trust the government in Washington to do what is right? ..... most of the time \_\_\_ some of the time \_\_\_ none of the time \_\_\_

2. Would you say that the government in Washington is run by a few big interests looking out for themselves or that it is run for the benefit of all people? ... few big interests \_\_\_ benefit of all \_\_\_

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
3. Generally speaking those we elect to Congress in Washington D.C. lose touch with the people pretty quickly.	---	---	---	---	---
4. I don't think public officials in Washington D.C. care much what people like me think.	---	---	---	---	---
5. The U.S. Congress can be trusted to do what is right.	---	---	---	---	---
6. The President can be trusted to do what is right.	---	---	---	---	---
7. The Supreme Court can be trusted to do what is right.	---	---	---	---	---
8. The U.S. Justice Department/Attorney General can be trusted to do what is right.	---	---	---	---	---

(CONTINUE TO NEXT PAGE)



(PAGE 2)

9. How much of the time can you trust the government in your city/parish to do what is right? ..... most of the time \_\_\_ some of the time \_\_\_ none of the time \_\_\_

10. Would you say that your city/parish government is run by a few individuals or interests looking out for themselves or that it is run for the benefit of all people? ... few big interests \_\_\_ benefit of all \_\_\_

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
11. Generally speaking, those we elect to city/parish government offices lose touch with the people pretty quickly.	___	___	___	___	___
12. Public officials in my city/parish don't care much what people like me think.	___	___	___	___	___
13. Political parties are only interested in people's votes but not in people's opinions.	___	___	___	___	___
14. Voting is the only way that people like me can have any say about how the government runs things.	___	___	___	___	___

III. Next, we would like to know something about your opinions of COURTS in the UNITED STATES generally and here in the NEW ORLEANS area. For each statement below indicate whether you: agree strongly, agree, disagree or disagree strongly.

	UNITED STATES					NEW ORLEANS AREA				
	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. The courts generally guarantee everyone a fair trial.	___	___	___	___	___	___	___	___	___	___
2. The basic rights of citizens are not well protected in the courts.	___	___	___	___	___	___	___	___	___	___
3. On the whole, judges are honest.	___	___	___	___	___	___	___	___	___	___
4. Court decisions in general are almost always fair.	___	___	___	___	___	___	___	___	___	___
5. Overall, the courts are doing a good job.	___	___	___	___	___	___	___	___	___	___
6. The courts do not do a good job solving the problems that come to them.	___	___	___	___	___	___	___	___	___	___
7. Court decisions provide fair solutions to people's problems.	___	___	___	___	___	___	___	___	___	___
8. Overall, the courts treat people unfairly.	___	___	___	___	___	___	___	___	___	___
9. People are too quick to hire a lawyer and go to court.	___	___	___	___	___	___	___	___	___	___
10. Anyone should be able to use the legal system to their advantage.	___	___	___	___	___	___	___	___	___	___

(CONTINUE TO NEXT PAGE)

(PAGE 3)

IV. Now we would like to know some of your opinions about POLICE in the UNITED STATES generally and in the NEW ORLEANS area. For each statement below mark whether you: agree strongly, agree, disagree or disagree strongly.

	UNITED STATES					NEW ORLEANS AREA				
	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. I have a great deal of respect for the police.	___	___	___	___	___	___	___	___	___	___
2. On the whole police officers are honest.	___	___	___	___	___	___	___	___	___	___
3. I am generally ashamed of the way police officers do their job.	___	___	___	___	___	___	___	___	___	___
4. I feel I should be supportive of the police.	___	___	___	___	___	___	___	___	___	___

V. Next we are interested in knowing some information about your use of lawyers.

1. Have you ever used a lawyer to help solve a problem?... yes \_\_\_ no \_\_\_ If no, GO TO TOP OF PAGE 4, otherwise please continue!

If you have used a lawyer, we are interested in knowing some general information about those experiences. Specifically, for *each time* you used a lawyer please tell us: about when, for what reason, and some things about your personal evaluation of that experience.

About When?	For What Reason?	Evaluation	
		Were You Satisfied with the <u>Outcome</u> of your Problem?	Were you satisfied with the <u>Performance</u> of the Lawyer?
_____	_____	yes ___ no ___	yes ___ no ___
_____	_____	yes ___ no ___	yes ___ no ___
_____	_____	yes ___ no ___	yes ___ no ___
_____	_____	yes ___ no ___	yes ___ no ___
_____	_____	yes ___ no ___	yes ___ no ___

A. Now we would like to know something about *your most recent encounter* mentioned above and *the way in which you were treated* by the lawyer.

1. Was the lawyer polite to you? ..... yes \_\_\_ no \_\_\_
2. Did the lawyer show concern for your rights? ..... yes \_\_\_ no \_\_\_
3. Did the lawyer get the information needed to make good decisions about how to handle your problem? ..... yes \_\_\_ no \_\_\_
4. Was the lawyer honest in what was said to you and in the handling of your problem? ..... yes \_\_\_ no \_\_\_
5. Did the lawyer do anything that you thought was improper or dishonest? ..... yes \_\_\_ no \_\_\_
6. Did the lawyer work hard to help you solve your problem? ..... yes \_\_\_ no \_\_\_

(CONTINUE TO NEXT PAGE)

(PAGE 4)

B. In getting advice or information before using a lawyer indicate below which of these sources you personally *have used or would use*.

	Have Used	Would Use
1. Family Members	—	—
2. Friend(s)	—	—
3. Telephone Book (yellow pages)	—	—
4. Television/Newspaper Advertisement	—	—
5. Bar Association	—	—
6. Local Law School	—	—
7. Legal Clinic	—	—
8. Other (Specify) _____		

9. Do you know of any agency or organization that you could complain to if you felt that a lawyer you hired was unfair? ..... yes \_\_\_ no \_\_\_

VI. Finally, we would like to ask you some background questions for statistical purposes.

1. In what year were you born? \_\_\_\_\_

We don't want to know your exact address but we would like to know the area of the parish in which you live.

2. What is the name of the street that you live on? \_\_\_\_\_

3. What street crosses it at the corner nearest your home? \_\_\_\_\_

4. Was your total household income, from all sources, before taxes in 1992?

- \$10,000 or less \_\_\_\_\_
- between \$10,000 and \$20,000 \_\_\_\_\_
- between \$20,000 and \$30,000 \_\_\_\_\_
- between \$30,000 and \$40,000 \_\_\_\_\_
- between \$40,000 and \$50,000 \_\_\_\_\_
- over \$50,000 \_\_\_\_\_

5. What is your gender? female \_\_\_ male \_\_\_

6. What are the last four digits of your social security number? \_\_\_\_\_

7. Was the high school you attended public \_\_\_ or private \_\_\_ ?

8. What is your racial-ethnic background? Are you ...

African-American \_\_\_ Asian \_\_\_ Hispanic \_\_\_ White \_\_\_ other? \_\_\_\_\_

9. Do you have friends or relatives who are lawyers? yes \_\_\_ no \_\_\_

10. Are you planning to attend law school? yes \_\_\_ no \_\_\_

11. Do you have friends or relatives who are court officials or judges? yes \_\_\_ no \_\_\_

Thank you for your cooperation in answering these questions. Your answers will be kept COMPLETELY CONFIDENTIAL and will never be identified with you.

**APPENDIX II****1994 LEGAL ACTORS SURVEY INSTRUMENT****Government and Legal Actors**

**PLEASE NOTE:** This project is being conducted by social scientists for research purposes only. Your responses to the questions below are important. The results of this research depend on everyone in the sampling frame answering the questionnaire. Please fill out the survey, even if you have completed one like this in the past. Your help will lead to a better understanding of the relationships among citizens, lawyers, and the legal system. All of your answers are **COMPLETELY CONFIDENTIAL**. They will only be used in the aggregate: no single individual will be identified for any purpose. We are interested in your opinions about lawyers, courts and government, in the *United States* generally and here in the *New Orleans* area. When there is a question or statement you are unsure of or have no opinion on please skip to the next question. If you do not answer a question, we will understand you had no opinion. Thank you.

(PAGE 1)

I. We would like to know some of your opinions about LAWYERS in the UNITED STATES generally. For each statement below mark whether you: agree strongly, agree, disagree or disagree strongly.

	UNITED STATES				
	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. Generally, lawyers provide the public with a useful service.	---	---	---	---	---
2. The basic rights of citizens are better protected because of lawyers.	---	---	---	---	---
3. On the whole, lawyers are dishonest.	---	---	---	---	---
4. Lawyers do their best to be fair.	---	---	---	---	---
5. Overall, lawyers are doing a bad job.	---	---	---	---	---
6. In general, people are satisfied with the way lawyers help with legal problems.	---	---	---	---	---
7. When lawyers become involved in disputes between people, they improve the situation.	---	---	---	---	---
8. Overall, lawyers treat people fairly.	---	---	---	---	---

II. Next we would like to know some of your opinions about NATIONAL and LOCAL government generally.

1. How much of the time can you trust the government in Washington to do what is right? ..... most of the time \_\_\_ some of the time \_\_\_ none of the time \_\_\_

2. Would you say that the government in Washington is run by a few big interests looking out for themselves or that it is run for the benefit of all people? ... few big interests \_\_\_ benefit of all \_\_\_

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
3. Generally speaking those we elect to Congress in Washington D.C. lose touch with the people pretty quickly.	---	---	---	---	---
4. I don't think public officials in Washington D.C. care much what people like me think.	---	---	---	---	---
5. The U.S. Congress can be trusted to do what is right.	---	---	---	---	---
6. The President can be trusted to do what is right.	---	---	---	---	---
7. The Supreme Court can be trusted to do what is right.	---	---	---	---	---
8. The U.S. Justice Department/Attorney General can be trusted to do what is right.	---	---	---	---	---
9. Political parties are only interested in people's votes but not in people's opinions.	---	---	---	---	---
10. Voting is the only way that people like me can have any say about how government runs things.	---	---	---	---	---

(CONTINUE TO NEXT PAGE)

(PAGE 2)

11. How much of the time can you trust the government in your city/parish to do what is right? ..... most of the time \_\_\_ some of the time \_\_\_ none of the time \_\_\_

12. Would you say that your city/parish government is run by a few individuals or interests looking out for themselves or that it is run for the benefit of all people? ... few interests \_\_\_ benefit of all \_\_\_

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
13. Generally speaking, those we elect to city/parish government offices lose touch with the people pretty quickly.	___	___	___	___	___
14. Public officials in my city/parish don't care much what people like me think.	___	___	___	___	___

III. Next, we would like to know something about your opinions of COURTS in the UNITED STATES generally. For each statement below indicate whether you: agree strongly, agree, disagree or disagree strongly.

	UNITED STATES				
	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. The courts generally guarantee everyone a fair trial.	___	___	___	___	___
2. The basic rights of citizens are not well protected in the courts.	___	___	___	___	___
3. On the whole, judges are honest.	___	___	___	___	___
4. Court decisions in general are almost always fair.	___	___	___	___	___
5. Overall, the courts are doing a good job.	___	___	___	___	___
6. The courts do not do a good job solving the problems that come to them.	___	___	___	___	___
7. Court decisions provide fair solutions to people's problems.	___	___	___	___	___
8. Overall, the courts treat people unfairly.	___	___	___	___	___

IV. We are also interested in your attitudes about the United States Supreme Court.

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. The power of the Supreme Court to declare acts of Congress unconstitutional should be eliminated	___	___	___	___	___
2. If the Supreme Court continually makes decisions that the people disagree with, it might be better to do away with the Court altogether.	___	___	___	___	___
3. It would not make much difference to me if the U.S. Constitution were rewritten so as to reduce the powers of the Supreme Court.	___	___	___	___	___
4. The right of the Supreme Court to decide certain types of controversial issues should be limited by the Congress.	___	___	___	___	___
5. People should be willing to do everything they can to make sure that any proposal to abolish the Supreme Court is defeated.	___	___	___	___	___
6. Would you say that the Supreme Court's decisions are? too liberal ___ about right ___ too conservative ___					

(CONTINUE TO NEXT PAGE)

(PAGE 3)

7. Please list the names of any or all justices of the United States Supreme Court? \_\_\_\_\_

8. Name any decision of the United States Supreme Court of which you are aware? \_\_\_\_\_

9. Did you discuss this decision with any friends or family? yes \_\_\_ no \_\_\_

V. Now we would like to know some of your opinions about POLICE in the UNITED STATES generally. For each statement below mark whether you: agree strongly, agree, disagree or disagree strongly.

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. I have a great deal of respect for the police.	___	___	___	___	___
2. On the whole police officers are honest.	___	___	___	___	___
3. I am generally ashamed of the way police officers do their job.	___	___	___	___	___
4. I feel I should be supportive of the police.	___	___	___	___	___

VI. Next, we are interested in some of your general attitudes about litigation and people who go to court.

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. By making it easier to sue, the courts have made this a safer society.	___	___	___	___	___
2. People are too quick to sue, rather than trying to solve disputes in some way.	___	___	___	___	___
3. The large number of lawsuits show that our society is breaking down.	___	___	___	___	___
4. Most people who sue others in court have legitimate grievances.	___	___	___	___	___
5. There are far too many frivolous lawsuits today.	___	___	___	___	___

VII. Earlier we asked you about LAWYERS, COURTS and POLICE in the UNITED STATES, now we would like to get your opinions about LAWYERS, COURTS and POLICE right here in NEW ORLEANS.

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. Generally, N.O. lawyers provide the public with a useful service.	___	___	___	___	___
2. The basic rights of citizens are better protected because of N.O. lawyers.	___	___	___	___	___
3. On the whole, N.O. lawyers are dishonest.	___	___	___	___	___
4. N.O. lawyers do their best to be fair.	___	___	___	___	___
5. Overall, N.O. lawyers are doing a bad job.	___	___	___	___	___
6. In general, people are satisfied with the way N.O. lawyers help with legal problems.	___	___	___	___	___
7. When N.O. lawyers become involved in disputes between people, they improve the situation.	___	___	___	___	___
8. Overall, N.O. lawyers treat people fairly.	___	___	___	___	___

(CONTINUE TO NEXT PAGE)

(PAGE 4)

VIII. And what about COURTS here in NEW ORLEANS:

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. The N.O. courts generally guarantee everyone a fair trial.	___	___	___	___	___
2. The basic rights of citizens are not well protected in the N.O. courts.	___	___	___	___	___
3. On the whole, N.O. judges are honest.	___	___	___	___	___
4. N.O. Court decisions in general are almost always fair.	___	___	___	___	___
5. Overall, the N.O. courts are doing a good job.	___	___	___	___	___
6. The N.O. courts do not do a good job solving the problems that come to them.	___	___	___	___	___
7. N.O. Court decisions provide fair solutions to people's problems.	___	___	___	___	___
8. Overall, the N.O. courts treat people unfairly.	___	___	___	___	___

IX. And finally the POLICE, here in NEW ORLEANS

NEW ORLEANS

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. I have a great deal of respect for the N.O. police.	___	___	___	___	___
2. On the whole N.O. police officers are honest.	___	___	___	___	___
3. I am generally ashamed of the way N.O. police officers do their job.	___	___	___	___	___
4. I feel I should be supportive of the N.O. police.	___	___	___	___	___

X. People hold a variety of political attitudes, we are interested in your feelings about the following statements.

	Agree Strongly	Agree	Don't Know	Disagree	Disagree Strongly
1. It is better to live in an orderly society than to allow people so much freedom that they can become disruptive.	___	___	___	___	___
2. Free speech is just not worth it if it means that we have to put up with the danger to society of radical and extremist political views.	___	___	___	___	___
3. Society shouldn't have to put up with those who have ideas that are extremely different than the majority.	___	___	___	___	___
4. Because demonstrations frequently become disorderly and disruptive, radical and extremist political groups shouldn't be allowed to demonstrate.	___	___	___	___	___
5. If someone is suspected of treason or other serious crimes, s/he should not be entitled to be released on bail.	___	___	___	___	___
6. When the country is in great danger, we may have to force people to testify against themselves in court even if it violates their rights.	___	___	___	___	___
7. No matter what a person's political beliefs are, s/he is entitled to the same legal rights and protections as anyone else.	___	___	___	___	___

(CONTINUE TO NEXT PAGE)



(PAGE 5)

1. How often do you follow what's going on in government and public affairs?  
 most of the time \_\_\_; some of the time \_\_\_; a little \_\_\_; very little \_\_\_
2. How often do you discuss politics with your family or friends? ..... much \_\_\_; some \_\_\_; rarely; \_\_\_; never \_\_\_
3. Generally speaking, do you usually think of yourself as a? ..... Democrat \_\_\_; Independent \_\_\_; Republican \_\_\_
4. What about your political beliefs? Do you consider yourself? ..... liberal \_\_\_; moderate \_\_\_; conservative \_\_\_

XI. Next we are interested in knowing some information about your use of LAWYERS.

1. Have you ever used a lawyer to help solve a problem?... yes \_\_\_ no \_\_\_ if no, GO TO TOP OF PAGE 6, otherwise please continue!

If you have used a lawyer, we are interested in knowing some general information about those experiences. Specifically, for each time you used a lawyer please tell us: about when, for what reason, and some things about your personal evaluation of that experience.

About When?	For What Reason?	Evaluation	
		Were You Satisfied with the Outcome of your Problem?	Were you satisfied with the Performance of the Lawyer?
_____	_____	yes ___ no ___	yes ___ no ___
_____	_____	yes ___ no ___	yes ___ no ___
_____	_____	yes ___ no ___	yes ___ no ___
_____	_____	yes ___ no ___	yes ___ no ___
_____	_____	yes ___ no ___	yes ___ no ___

A. Now we would like to know something about your most recent encounter mentioned above and the way in which you were treated by the lawyer.

1. Was the lawyer polite to you? ..... yes \_\_\_ no \_\_\_
2. Did the lawyer show concern for your rights? ..... yes \_\_\_ no \_\_\_
3. Did the lawyer get the information needed to make good decisions about how to handle your problem? ..... yes \_\_\_ no \_\_\_
4. Was the lawyer honest in what was said to you and in the handling of your problem? ..... yes \_\_\_ no \_\_\_
5. Did the lawyer do anything that you thought was improper or dishonest? ..... yes \_\_\_ no \_\_\_
6. Did the lawyer work hard to help you solve your problem? ..... yes \_\_\_ no \_\_\_

(CONTINUE TO NEXT PAGE)

(PAGE 6)

B. In getting advice or information before using a lawyer indicate below which of these sources you personally *have used or would use*.

	Have Used	Would Use
1. Family Members	—	—
2. Friend(s)	—	—
3. Telephone Book (yellow pages)	—	—
4. Television/Newspaper Advertisement	—	—
5. Bar Association	—	—
6. Local Law School	—	—
7. Legal Clinic	—	—
8. Other (Specify) _____		

9. Do you know of any agency or organization that you could complain to if you felt that a lawyer you hired was unfair? ..... yes \_\_\_ no \_\_\_

XII. Finally, we would like to ask you some background questions for statistical purposes.

1. In what year were you born? \_\_\_\_\_

We don't want to know your exact address but we would like to know in what area of the parish you live.

2. What is the name of the street on which you live? \_\_\_\_\_

3. What street crosses it at the corner nearest your home? \_\_\_\_\_

4. Was your total household income, from all sources, before taxes in 1993?

\$10,000 or less \_\_\_; between \$10,000 and \$20,000 \_\_\_; between \$20,000 and \$30,000 \_\_\_;  
between \$30,000 and \$40,000 \_\_\_; between \$40,000 and \$50,000 \_\_\_; over \$50,000 \_\_\_

5. What is your gender? female \_\_\_ male \_\_\_

6. Have you ever been married? no \_\_\_, yes \_\_\_ (if yes) what year? \_\_\_\_\_

7. Have you ever been divorced? no \_\_\_, yes \_\_\_ (if yes) what year? \_\_\_\_\_

8. Do you own any property besides a car? yes \_\_\_ no \_\_\_; if yes, what year did you buy it \_\_\_\_\_.

9. If you have any children, what is the age of your oldest? \_\_\_\_\_, no children \_\_\_\_\_

10. What is your racial-ethnic background? Are you ...

African-American \_\_\_ Asian \_\_\_ Hispanic \_\_\_ White \_\_\_ other? \_\_\_\_\_

11. Do you have friends or relatives who are police? yes \_\_\_ no \_\_\_

12. Do you have friends or relatives who are lawyers? yes \_\_\_ no \_\_\_

13. Are you planning to attend law school? yes \_\_\_ no \_\_\_

14. Do you have friends or relatives who are court officials or judges? yes \_\_\_ no \_\_\_

15. What are the last four digits of your social security number? \_\_\_\_\_

Thank you for your cooperation in answering these questions. Your answers will be kept COMPLETELY CONFIDENTIAL and will never be identified with you.

## APPENDIX III

## INSTRUCTIONS FOR LEGAL ACTORS SURVEY PARTICIPANTS

Department of Political Science  
New Orleans, Louisiana 70148  
(504) 286-6383  
Fax: (504) 286-3838

University of  
New Orleans  
*SHAPING OUR FUTURE*

DATE: April 24, 1995  
TO: Faculty and assistants teaching POLI undergraduate courses  
FROM: Dennis Gleiber and Stephen Meinhold  
RE: Survey for POLI undergraduate classes

We want to thank you for supporting this research project and cooperating in the administration of the attached questionnaires to your undergraduate classes. We want this project to be as unintrusive as possible and we would like all student respondents to have basically the same experience in filling out the instrument. Therefore we are asking that you make no general or specific comments about the project. Please administer the survey by reading only the boldface instructions below to the class. Students may have taken the survey in another class this semester, if so they need not do it again. You may return the completed and any unused instruments to either Steve (LA 304) or Dennis (Department Mailbox) and we will be sure to keep the department advised of any interesting results stemming from this project.

**You are being asked to participate in a pilot study of student attitudes toward government and the legal system. Please read the cover page and then continue by carefully reading and answering the questions in the survey. If you have taken this survey in another class this semester, you need not take it again. You may use pencil or ink.**

**VITA**

Stephen Meinhold was born in St. Charles, Missouri on August 17, 1968. He received a Bachelor of Arts in Political Science, and a Bachelor of Arts in Communications from the University of Missouri-St. Louis in May, 1990, and a Master of Arts in Political Science from the University of New Orleans in May 1992. His research has appeared in *Social Science Quarterly* and the *Justice System Journal*. Mr. Meinhold will join the Department of Political Science at the University of North Carolina-Wilmington in August 1995.