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It Isn't Easy Being 'Ally': The Contemporary Media's Representation of Attorneys as Seen on TV

by

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TABLE OF CONTENTS

ABSTRACT……..……PAGE 1

INTRODUCTION…….....…..PAGE 2

LITERATURE REVIEW……..……...…..PAGE 5

Media Effects
Media as a Socializer: Framing, Cultivation, and Master Narratives
Framing
Cultivation
Master Narratives
Representations of Women, Gender Identity, & Law
A History of Female Lawyering
The Images of Women on Television
Prescribing Gender Roles
Women Lawyers & Motherhood
Reality versus Television
Conclusion

METHODS……..…..…….PAGE 24

RESULTS AND DISCUSSION……..…….....…….PAGE 32

Reiterating negative cultural stereotypes about lawyers
Images of Public v. Private Law
Workaholics
Drinking
Do you speak "lawyer?"
Issues for Female Lawyers
Bitches
Personal relationships
Motherhood
Gender differences in lawyers' statuses
Law students
Male mentors
Father/daughter lawyers
Damsels in distress

CONCLUSION……..…….……...PAGE 76

REFERENCES……..……...….……PAGE 84

APPENDICES……...…….PAGE 96

Appendix One: Television Reference List
Appendix Two: Initial List of Possible Codes
Appendix Three: Selected Codes Specific to this Study

ABSTRACT

This study analyzed the cultural representations of attorneys on American primetime television in the past thirty years. Due to the enormous popularity of crime dramas and other shows with lawyer characters, this study asked: how are lawyers represented in American television and how do these representations differ by gender? In this study, the sample consisted of 87 lawyers on 48 different shows which aired between the 1980s and today, for at least 22 months. A qualitative coding scheme was developed to analyze these characters, with particular attention to stereotypes about lawyers and the subfields of law which they practice, lawyers' lifestyles, and ways in which female lawyers systematically differ from their male colleagues. Results of this study illustrate the predominantly negative views of attorneys and the legal system, particularly regarding female attorneys.

INTRODUCTION

People spend more time watching television than doing anything other than working and sleeping (Morgan & Signorielli, 1990). In American households, the television is turned on for an average of seven hours a day (Morgan & Signorielli, 1990). Because of this growth in numbers of hours viewed, TV has become a dominant source of information (Signorielli, 2005). Television provides images and messages, which are distributed to people of all ages, races, and social classes (Gerbner, Gross, Morgan, & Signorielli, 1986). Television influences viewers' beliefs and attitudes, particularly regarding sex, violence, and gender roles (Sorsoli, 2005; Zuckerman & Dubowitz, 2005).

The media influences viewers and viewers influence the media (Gerbner, 1990). Writers and producers of network television are controlled by the ratings and cater to viewers' interests (Sterne, 1998). Viewers in turn choose from a variety of manipulated images, paid for by corporate sponsors (Haney & Manzolati, 1977).

Every show is "supervised by censors" so that "fiction establishes its bona fides by borrowing selectively from fact" (Gitlin, 1983, p. 250). Even when viewers are aware that they are watching fiction, they often accept fiction as the truth. The natural response is to accept information, rather than look critically at it (Green et. al, 2004). The story television tells to its viewers may come to be seen as fact or commonsense (Fine & Harris, Shrum, 2004).The image of the legal system and those involved is particularly relevant because people are called upon to use their impression of the legal system in ways that have consequences for society, as voters, jurors, and clients (Haney & Manzolati, 1977).

The legal system is a popular topic on television; almost one third of primetime entertainment since the 1960s has concerned law enforcement and crime (Stark, 1987). The earliest shows usually focused on criminal law, but more recent shows focus on civil law as well. Today, legal dramas cover almost every societal debate, from gun control to abortion (Jarvis & Joseph, 1998). This all encompassing nature posits lawyers in a crucial role of carrying cultural messages. Viewers have many fictional lawyers to consider. In an average week, a TV viewer sees approximately seven lawyers (Stark, 1987).

Television tells us what lawyers' value and where they fit in society. As Morgan and Signorielli (1990) argue, television sustains "…cultural beliefs, values, and practices" (p.22). Not only does television create belief systems, it reinforces existing beliefs and provides a framework for considering events in the real world (Morgan & Signorielli, 1990; Scheufele, 1999). It teaches people lessons while they are not even aware they are learning (Haney & Manzolati, 1977).

Though fictionalized lawyers were depicted primarily as men from the 1950s to the late 1970s, from the 1980s on, as women were shown in a wider range of roles, female lawyers have populated the screen in increasing numbers (Zuckerman & Dubowitz, 2005). Today, when few careers are designated exclusively for males, research has focused on what women look like on TV (Zuckerman & Dubowitz, 2005). A variety of research studies look at how female lawyers are represented on television (Corcos, 1998; Guerrero, 1999; Miller, 1994; Sutherland & Swan, 2007).

Looking at simply the numbers of female attorneys does not tell us much. Instead, Signorielli and Bacue (1999) explained a media researcher must reflect on

two factors when considering characterizations of women and men on television: recognition and respect. Recognition is how often a group appears on television. Respect is “the type and breadth of roles in which the groups are portrayed” (p. 529). For example, in Christine Alice Corcos’ (1998) study of women lawyers on television, she found the theme of older male attorneys mentoring younger, female attorneys. This theme is not inherently sexist, but is an instance where female attorneys are receiving recognition without respect. Signorielli and Bacue (1999) explain that to represent a group positively, television should give them both recognition and respect, instead of stereotyping.

This study aims to build on existing social representation theory while adding to that gap: How are lawyers represented in American television? What do they look like? What do they do? What are their lives like? Moreover, and perhaps more importantly, how do these cultural representations differ according to gender? A variety of literature informs this work. In my literature review, I will discuss media effects in relation to three theories: framing, cultivation, and master narratives. I will then turn to gender in the legal profession and on television, and how these two images compare. While the amount of work looking at the importance of media representations has grown in the past 20 years, we still know relatively little about the actual constructions of various specific social roles (Gerbner, 1986; Press, 1991).

LITERATURE REVIEW

In this literature review, I consider the social psychological research which informs my study. Initially, I will summarize the literature on media effects: first, in terms of how television affects viewers' behaviors and second, how television affects viewers' cultural assumptions about the world. I will look at three theoretical perspectives used to assess television's effects on viewers' belief systems: framing, cultivation, and master narratives. More specific to this study, I will turn to the history and current state of female lawyers and how this image compares to the one on television. Finally, I will elaborate on the image of women lawyers on television, particularly with respect to personal relationships and motherhood.

Media Effects

Television changed socializing patterns in our culture. A woman named Amy, who owned her first TV in 1951 explains:

> The thing I think we resented the most is that nobody wanted to visit anymore or they didn't want to play games… In fact, it changed our social habits, because if you were going to go to somebody's house and all you were going to do is sit there and they kept saying shush! [the television's on], what's the reason to go? And if you're gonna sit and watch you may just as well stay [home]…. And that was my reaction [to television] (Press, 1991, p. 54).

Television became, and has remained, a huge part of our lives. Practically every American home has television (Signorielli, 2005). In each American household, a television is turned on for an average of seven hours a day (Morgan & Signorielli, 1990). Television programs distribute images that define mainstream culture, telling

viewers a story about the characters that are in it (Morgan & Signorielli, 1990). Psychological research tends to look at the media in two ways: one as a stimulus (Gerbner, 1986), and second as a socializer. The first approach, as a stimulus for actions, includes research that answers: how do media directly affect viewers' behavior?

This literature usually focuses on how violence on television affects viewers. Effects have been traditionally operationalized in one of three ways: fear, desensitization, and aggression (Signorielli, 2005). I will discuss each of these categories in turn, and provide an example of an experiment that contributed to this body of research.

First, television may instill fear in its viewers because of its disproportionate emphasis on violence and crime. Researchers argue that viewers internalize instances of violence, and overestimate the existence of crime in the real world. Gerbner and Gross (1976) suggest that television inflates people's estimate of the likelihood that they will be victimized. Haney (1977) pushes this finding in a more practical direction: the more people fear victimization, the more likely they may be to favor harsh punishments for criminals Therefore, the misconception that crime is a growing social problem affects policies on crime.

Second, media effects research has focused on the concept of desensitization. These theorists examine the possibility that viewing a certain type of emotional event many times may lead people to be less emotionally aroused by a given stimulus. Television often portrays acts of violence, so the argument follows that television may be a place where viewers become desensitized for violence. For example, Cline,

Croft, & Courrier (1973) showed that in a sample of 121 boys watching a boxing match, those who watched a lot of television were less physiologically aroused by the violence than those who watched little television.

Finally, the effect of TV violence on viewer aggression is a third media effect which has drawn a great deal of research attention. Its roots lie in Bandura's (1977) social learning theory. In his Bobo doll experiment, Bandura showed that children need not receive rewards in order to modify behavior. Another way children can be taught is simply through viewing behavior, or through what he calls "modeling." In his experiment, children viewed an adult or another child beating up a Bobo doll. Later, children who had observed this behavior were more likely to behave similarly when frustrated. Many researchers (Press, 1991; Sherwin, 2000; Shrum, 2004; Tan, 1986; Zuckerman & Dubowitz, 2005) have extended Bandura's theories to television viewing, and his theories continue to have a profound influence on media effects research today.

Media as a Socializer: Framing, Cultivation, and Master Narratives

Rather than considering solely the behavioral impact of television, the second approach which media researchers use to study the effect of television begins with the question: how does media (in this case television) influence viewers' beliefs, values, and conceptions of the "real" world? And perhaps more importantly, how do viewers apply this knowledge? For example, does seeing affluent people on television encourage viewers to value material things and emulate the upper classes (Kendall, 2005; Harmon, 2001)? How does television teach us about the world we live in?

There are three main subsets when studying how the media influences thought, which I will turn to now in greater detail: framing, cultivation, and master narratives.

Framing

Media framing is defined by Diane Kendall (2005) as the "…process by which information and entertainment are packaged by the media before being presented to an audience" (Kendall, 2005, p. 9; Reese, 2001). Ideas and messages can be framed on television by repeating them, associating them with other ideas or symbols, or directing the focus of a show by telling one side of a story (Kendall, 2005). Facts, as Kendall says "…have no intrinsic meaning," (p.9) so the concepts that are presented by the media gives them salience and provides viewers with a way to "make sense of social life" (Kendall, p.9). Based on social constructionist theory, Kendall argues that "…we use the information we gain from the media to construct a picture of class and inequality that we come to accept as reality" (Kendall, 2005, p.9). The manner in which images are depicted on television is crucial because people are unable to distinguish between reality and the fictionalized version shown by the mass media (Kendall, 2005).

Framing does not occur within a vacuum. Story lines in television are humanly created and someone must decide where to direct attention and where to ignore it (Lutz & Collins, 1993; Kendall, 2005). This prepackaged story becomes part of viewers' reality. The decision makers are engaged in the process of influencing the thoughts and ideology of the general population. This idea is referred to as "agenda-setting" (Epstein, 1990, p. 312). These disseminated ideologies are particularly

"deceptive distinctions," as Epstein writes, because they are "…socially imposed, regulated, and enforced, and because they are more superficial than is commonly believed" (Epstein, 1990, p. 314). For an example of a critique of media framing, see Lutz & Collins (1993) *Framing National Geographic.*

Cultivation

Another approach to media effects on thought is described by Mark D. Harmon (2001) who defines the cultivation theory of media effects as a theory that states, "central messages of television become accepted views of reality among heavy viewers" (Harmon, 2001, p.406). Heavy viewers will perceive reality in ways that are consistent with the portrayals in the television world (Morgan & Signorielli, 1990). According to this theory, TV and culture have a dynamic, reciprocal relationship; TV is a "learning environment" which simultaneously "mirrors and leads" society (Gerbner, Gross, Morgan & Signorielli, 1986, p. 23; Morgan & Signorielli, 1990).

How do we study the cultivation of beliefs from television? Morgan and Signorielli (1990) outline the procedure in three steps. First, cultivation analysis begins with scrutinizing the content on television. Second, these findings are used to create surveys asking people how they conceive social reality. Finally, the belief about the real world is compared to television's image, and participants are compared based on the amount of television they watch, while controlling for other demographic factors.

Individuals integrate ideas from television into their beliefs about real-world structures (Shrum, 2004). Comparing the image on television to real-world statistics

is one way to show how much of television's version is incorporated into heavy viewers' thoughts (Gerbner, 1986).

Two examples of empirical research suggest that viewers internalize what is shown on television and use this information to make judgments about the real world. For example, Gerbner, Gross, Signorielli, & Morgan (1980) showed that viewers internalize the image of the elderly which television stipulates. Television drama under represents older people; Gerbner and his colleagues surveyed heavy viewers and found that they are likely to feel that the elderly are "a vanishing breed," and "…that compared to 20 years ago, they are fewer in number, are in worse health, and they don't live as long – all contrary to fact" (Gerbner et. al., 1990, p. 27). In reality, people aged 65 and older are the fastest growing segment of the real population. Exhibiting that there is a difference between television and reality, and that heavy viewers repeat television's version illustrates an internalization of the media's conception of the real world.

Another example of empirical research on the cultivation theory, which is perhaps, more pertinent to my study, is Haney and Manzolati's (1977) study, "Television Criminology: Network Illusions of Criminal Justice Realities." Like the Gerbner study, Haney and Manzolati looked at common themes on television and compared them to heavy and light viewers' beliefs about the real world. They administered a criminal justice questionnaire and found that people internalize the belief system inherent in television crime drama. While crime drama often depicts cold, calculating predators and lunatic assassins, actual crime statistics indicate only a fourth of all felony defendants in the United States are charged with violent crimes;

the most common assault (12.0%) or robbery (5.4%), and less commonly murder (0.6%) or rape (0.9%) (Department of Justice, 2009). In real life, anger and frustration often lead to crime, and criminals are no more likely than the rest of the population to have a history of mental illness. On television, crime is often unjustified and caused by individual pathology; in Haney & Manzolati's study, heavy viewers were likely to view real crime through the lens presented on television which they are exposed to regularly.

Master Narratives

A third way to study the media's effect on viewers' beliefs is by studying the stories, or master narratives, which television tells its viewers. Romero and Stuart (1999) introduce the idea of master narratives, defining them as:

> Stories we were taught and teach ourselves about who does what and why. They are often elaborated, plot-filled stereotypes that tell us not only what someone is but also where they've come from, what they're likely to do, and just how far they'll get (p. xiv).

Master narratives are reproduced and circulated in obvious "story" forms, like television (Romero & Stuart, 1999, p. xiv). They are written by dominant groups and work to legitimize the existing power structure. For example, Haney and Manzolati (1977) described the master narrative of criminals on television: criminals are usually white, unjustified, and either crazy or greedy. Because these ideas are not based on reality, they are created and rewritten by screen writers looking to appeal to the most viewers while offending the least, by playing into popular stereotypes (Haney, 1977).

A second example of a master narrative which is pertinent to this study is the master narrative of aging and decline articulated by Tretheway (2001). She argues that dominant, white, middle-class ideology teaches women that old men are mature and wise, whereas old women decline and are asexual. Aging women are torn between an obligation to rise in their profession while simultaneously "…conform[ing] to youth-oriented constructions of femininity" (Tretheway, 2001, p. 185). Tretheway believes this teaches professional women "…to expect and demand little as they age" (p.186). This conception of aging is detrimental to women's self-images.

A final example of a narrative is Ward and Harrison's (2005) work on television and adolescents. They found that media exposure contributes to shaping narrow gender roles and sexuality for girls. Ward and Harrison (2005) argue that, "If media presents female characters with only a limited range of attributes, skills, and abilities, viewers will develop equally limited assumptions about the sexes" (p. 5).

However, Ward and Harrison also point to a catch, explaining that nontraditional characters or "…verbal critiques of traditional images" are associated with a greater mental flexibility of real-world roles (p.5-6). This is an example of a "counter-narrative story," a critique of the status quo. These stories are alternatives to the dominant perspective and written by the "underclass," people representing less popular but equally important viewpoints (Romero & Stuart, 1999). The purpose of writing counter-narratives is to speak a new perspective, draw attention to oppression, recognize that the dominant viewpoint is constructed, and provide alternative models.

Representations of Women, Gender Identity, & Law

When attempting to articulate television's image of female lawyers, the logical place to start is in the lives of real attorneys. Therefore, in the first third of this section, I will discuss gender in the legal profession, starting with a brief history of female lawyering including how gender differences continue to exist in the legal profession. In the next third of this section, I will consider the images of women in general on television. Finally, in the last third, I will compare the image of female lawyers on television specifically, to what we know about them in real life.

A History of Female Lawyering

In the middle of the nineteenth century, only a few women lawyers prevailed and practiced in the male dominated profession. Although they entered the profession in increasing numbers for the next 100 years, the stereotype that women were unfit to practice persisted openly until the 1960s (Epstein, 1990; Schafran, 1987). Many women were surprised to find how strongly their sex affects their legal careers. Snyder & Greene (1990) write that women often believed their "…law degree was a ticket to equal treatment" and that women "…could and should ignore their womanness during office hours" (p. xvi).

When women were first admitted to the practice, during the 1950s-1970s, they were formally and socially directed into specific areas of the law (Epstein, 1990). A U.S. government publication from 1958 advised women to pursue "…real estate and domestic relations work, women's juvenile legal problems, probate work and patent law" (Epstein, 1981, p.81). Additionally, they avoided certain areas that common

knowledge suggested women were unwelcome, like civil litigation (Epstein, 1981). Instead, they concentrated in more feminine areas, like family law and academia (Hagan & Kay, 1995).

The 1980s witnessed a positive change for female lawyers, as they entered the field in increasing numbers. From 1970 to 1986, the proportion of female law students dramatically increased from 9% to 40%, partially due to the Vietnam War, and partially due to Title IX of the Education Amendments of 1972. During the 1980s, the number of women lawyers rose from 4% to 17% (Schafran, 1987). But as I argued before, statistics alone do not tell us anything about the respect, or lack thereof, which female lawyers had during this time period. In the mid-1990s, although as many women as men entered the legal profession, only 4% to 8% of partners were female (Hagan & Kay, 1995, p. 78). Today, although women are awarded 48% of JDs, an American Bar Association Report in 2007 cited that women comprise only 30% of the legal profession (American Bar Association, 2007).

With the 1990s came the idea that women, in whichever field they practiced, brought a moral perspective that focused on preserving relationships to their legal practice which men lacked (Epstein, 1990; Caplow & Scheindlin, 1990). Epstein argues that this model is just a more subversive form of subjugation, grouping all women lawyers together when in fact they are a diverse group and reinforcing differences that are socially, rather than biologically determined (Epstein, 1990). Women lawyers today are nominally protected by the Hopkins decision, a Supreme Court ruling that professional firms cannot discriminate against female applicants (Epstein, 1990). However, women still face subtle difficulties in advancement in their

careers. The remnants of discrimination presently persist in law school classrooms, law firms, and on television.

Gender is a factor in the lawyering experience at two levels, beginning in law school, and throughout attorney's legal careers. First, I will consider the experience of gender in law schools described by Guinier, Fine, and Balin (1997) after using a multi-method approach to study gender at the University of Pennsylvania Law School and collecting data from 1987 to 1992. In this study, they found a variety of differences in the law school experience for men and women.

First, despite equal credentials, they found a trend for women to sink to the bottom of the class after the first year of law school. The top 10% of a law school class is 75% male. Secondly, female students' attitudes are more critical of themselves, their education, and the "social status quo," than their male counterparts during the first year, but this critical thinking diminishes over the three years. Lastly, women self-report that they feel excluded by the Socratic Method used in classrooms (Guinier, 1997). The authors hypothesize that men outperform women because women feel (and are) excluded; consequently, some female students are particularly affected by the gender stratification in the school (Guinier, 1997). In Guinier's study, one student wrote, "I try to block out the entire experience. I won't take pictures, talk on tapes; I hope I forget this whole thing as soon as I'm gone. I hope to skip that space in time" (Guinier, 1997, p. 48). Law school is not only mentally challenging for women in the academic sense, but in the emotional sense as well.

This law school experience is unsurprising considering that the image of lawyers has historically been formulated as "masculine archetypes," as "…fighters,

warriors, and champions" (Bennett, 2001, p. 94). Guinier et. Al. argue that females who enter law school are faced with a difficult position. They either opt to take on this masculine role (Guinier, 1997; Schafran, 1987), which they inherently are at a disadvantage due to their sex, or, they can develop a new model which would differentiate them from their male counterparts.

The development of a new female role in the legal profession is articulated in Carol Gilligan's (1982) "difference model." This model applied to the legal field argues that women lawyers bring a different morality to their practice. The "difference model" argues that because it is in women's nature to be caring and nurturing, they bring a certain advantage to their practice (Epstein, 1990). This model suggests that women lawyers are motivated by an "ethic of care," instead of by an "ethic of justice," which allegedly motivates male lawyers (Sutherland & Swan, 2007, p. 143). This idea also suggests that females would be more successful in certain areas of the law. For instance, family law, which is client- oriented might be deemed, according to this model, as a more appropriate sphere for female lawyers than civil litigation, where the clients are corporations (Hagan & Kay, 1995). The rise of this idea is depicted on television. The 1990s illustrated a host of female attorneys practicing traditionally female areas of the law, in a successful, female way (Sutherland & Swan, 2007, p. 144).

The former option, female lawyers taking on male roles, is also wrought with paradoxes. Before the "difference model" was established, the male model of practicing law was the only one available. Understandably, the female television lawyers of the 1980s, like *L.A. Law*'s iconic female litigators played by Susan Day

and Jill Eikenberry, adopted male traits (Sutherland & Swan, 2007, p. 144). This idea of taking on maleness also proved to be problematic. As Epstein explains: “Women who do compete are not regarded as “real women” because competition is not “sisterly” and it is not as selfless as women are supposed to be” (Epstein, 1990, p. 318).

The Images of Women on Television

Television’s image of women has changed as the position of women in American society has changed, although not in completely parallel ways (Press, 1991). Pre-feminist fiction tends to show women “as women,” think of *I Love Lucy* (Press, 1991, p. 29). Today, women are shown in a wider range of roles (as they have taken on a wider range of roles in real life) yet, the media still constructs narrow views of femininity (Ward & Harrison, 2005). Sexism still exists; even if it may be less apparent.

One issue to consider is that there are fewer women on television than men. In the world of television, men outnumber women 3:1 (Gerbner, 1990). This is not inherently problematic; however, it means that there are fewer opportunities to display a variety of lifestyles, activities, portrayals, and occupations (Gerbner, 1990). From the 1980s on, more women were shown in a wider range of roles (like lawyers) (Zuckerman & Dubowitz, 2005). Today, there are strong, admirable women on popular television series, who might serve as role models for adult women. These characters may not necessarily appeal to young girls (Zuckerman and Dubowitz,

2005) and they are likely to be on television shows which girls do not watch (like *The Practice*).

Christine Alice Corcos (1998), in her analysis of women lawyers on prime-time television, argues that the image of women lawyers is similar to the images of women in general on television. Particularly, she notes that male characters at work tend to talk about work, whereas female characters discuss romance, dating and their appearance (Corcos, 1998). She also states that women on television tend to be thinner, younger, and "…more beautiful than women in real life;" this is similar to the image of professional women on TV, they are also usually thin, young and attractive (Corcos, 1998, p. 223).

Prescribing Gender Roles

Social forces keep men and women in their prescribed gender roles, not physiology or early socialization (Epstein, 1990). Television influences what people think are appropriate roles for women and girls (Zuckerman & Dubowitz, 2005). The roles of female characters on television are often stereotypically feminine, which explains the finding that heavier television use is linked to more sexist attitudes concerning women's roles in domestic and work atmospheres (Ward & Harrison, 2005). As Ward and Harrison (2005) explain, "…showing a woman as a loving mother or as a sexual being is not inherently problematic, but if always shown this way it normalizes objectification and provides a limited perspective on a woman's humanity" (p.3). There are patterned differences in the kinds of work men and women do "…in the public and private spheres, in their demeanor, and even in their

styles of speech" which "…are not a product of inborn differences or even deeply conditioned ones… they are socially imposed, regulated and enforced" (Epstein, 1990, p. 314).

Females, by taking on the role of attorney, violate gender prescriptions. As Miller (1994) explains in her analysis of female attorneys in film, these women have two irreconcilable identities, "female and attorney," which are often at odds with each other (Miller, p.4). Television's image of a woman lawyer tells a similar story; as Corcos writes, she is supposed to be an "…idealized American women, who should 'have it all' but is fated to end up with less of it than 'dumb attractive women or smart unattractive men" (Corcos, 1998, p. 220). These identity crises are resolved by demonstrating that the female lawyer is incapable in either her personal or professional life (Corcos, 1998, p. 221). Often, this strain on her interests is enough to force her "back in the private, domestic sphere, so she is just a woman, leaving males to the legal sphere" (Miller, 1994, p.4).

When a female lawyer tries to maintain both of her identities, she is sometimes portrayed as what Carole Shapiro coined as, "less than woman" (Shapiro, 1994). She deviates from the traditional gender prescriptions and is sacrificing part of her role as a woman to take on her role as an attorney. These women cannot cook, lack friends, and/or have unsuccessful relationships with men (Sutherland and Swan, 2007). Many scholarly articles have supported the theme that female lawyers on television are unlucky in love (Corcos, 1998; Guerrero, 1999; Sutherland & Swan, 2007). Unlike her male counterparts, who tend to "play the field," female lawyers' dating experiences are less positive and often disappointing (Guerrero, 1999, p. 2). If

a female lawyer has a relationship at all, it is often flawed. For instance, sometimes female lawyers are sexually involved with coworkers. Corcos noted that frequently on television a “female attorney finds herself in opposition to someone with whom she has a familial or intimate relationship” (Corcos, 1998, p. 236).

Women Lawyers and Motherhood

The way motherhood is represented on television factors into the evaluation of how female lawyers who are also mothers are portrayed. Douglas and Michaels (2004) argue that the image of "perfect motherhood" displayed in mass media is unrealistic (p. 2). They coined the term, “new momism” to describe how mothers are presently portrayed. The ideals the media preaches regarding mothering are three-fold “1) no woman is complete or fulfilled unless she has kids, 2) women remain the best caretakers of children, and 3) to be a good mom a woman has to devote everything to her children” (Douglas & Michaels, 2004, p. 4). They believe this view of momism is too demanding and superficially celebrates motherhood, yet sets the bar unreasonably high (Douglas & Michaels, 2004).

Douglas and Michaels further explain, "Motherhood became one of the biggest media obsessions of the last three decades, exploding especially in the mid-1980s and continuing to the present" (p. 7). One component of this new representation dealt with professional women who were entering the workforce at the same time. The media, “…reaffirmed that businesses could not or would not budge much to accommodate the care of children” (p.7) forcing women to choose between

"The Mommy Track" and the career of the "…high achieving businesswoman" (p.11).

Women lawyers on television and in real life have to make decisions about how to devote their time, between motherhood and career advancement. On TV, women lawyers often sacrifice the joys of motherhood to pursue their legal career. For instance, on *L.A. Law*, Ann has to give up her adopted child (Sutherland & Swan, 2007). Or, on the other hand, they need to sacrifice or make huge changes in their careers to accommodate their role as mother. Ally McBeal quits her job to raise her daughter, and so does *The Practice's* Eleanor Frutt (Sutherland and Swan, 2007). In real life, women often feel torn between the two roles they can take on. Now that women are able to work the same hours as men, they face difficult choices in how they allot their time (Arendell, 2000). They face a lose-lose situation; "Women in firms who want to leave early to be with their children have a hard time, but women who stay late are regarded as heartless by the same men who set the standards" (Epstein, 1990, p. 334).

Reality versus Television

One discrepancy between reality and television exists in the type of law women practice in each case. On television, women lawyers are able to take on more diverse roles than in the real legal profession. This is probably because there are more opportunities for storylines in areas like criminal law (Sutherland & Swan, 2007). Shows that featured many other forms of law were typically short-lived. For instance, the show *Civil Wars* that featured a female divorce attorney ran for a mere fifteen

months (Corcos, 1998). In reality, women lawyers congregate in the "pink ghettos of the law" (Sutherland & Swan, 2007, p. 143). These types of law are the statistically lower paying sections, such as public interest law, academia, government, judicial clerkships. (Sutherland & Swan, 2007).

Another discrepancy between real women lawyers and how they are portrayed on television is the proportion of married female attorneys. Real women lawyers' marriage rate is equal to the national average. However, on television, women lawyers marry at a much lower rate (Sutherland & Swan, 2007). Again, this could be to leave open the option of inter-firm romantic relationships which make for interesting storylines. However, it is an incorrect assumption that women lawyers are predominantly single. In fact, women who are successful in male-dominated professions such as law, "disproportionately tend to be married and have children" (Epstein, 1990, p. 334). There are two potential interpretations of this finding which Cynthia Fuchs Epstein suggests. First, married women may have an easier time maintaining a job in the professional world because they often come off as less interested in the social opportunities which work provides than their single career women counterparts. They also benefit from conforming to the gendered "…expectations of a normal woman's life" (Epstein, 1990, p. 335). A second interpretation of the finding that professional women are disproportionately married and have children, is that some of these women marry within their own fields, and may help sustain their professional jobs by using their husband's reputation and connections (Epstein, 1990).

Conclusion

I have established that there are two main approaches to studying television's effects, either in terms of viewers' behavior or viewers' thoughts. In this study, I will take the latter of the two approaches. With my thoughts grounded in the previous research I have summarized regarding the history of real female lawyers, television's image of women, and comparisons of the two, I ask: How are lawyers represented in American television in the past thirty years? What is the master narrative of lawyers? How are they framed? What do they teach us? What do their representations lead us to believe about the legal system? How do female lawyers differ?

METHODS

Selecting the Sample

In selecting my sample, I looked to compile a sample of television shows that would illustrate the relatively current depiction of lawyers on television; those which are most popular and still easily accessible to view. I chose, therefore, to look at television lawyers in the past thirty years.

I decided to look at lawyers from the 1980s onward for two reasons. First, the 1980s marked a dramatic transition in the world of female lawyers. A number of Supreme Court cases in the late 1970s, protected women against discriminatory practices in the hiring process (Epstein, 1981). Also, there was a dramatic increase in women law graduates in during the 1970s increasing the number of female lawyers in the profession (Caplow & Scheindlin, 1990). The second reason I chose to begin my study in the 1980s was because gender was one of my main variables. There are few female lawyers in the television programs in the 1950s through 1970s, consistent with the real world statistics of female lawyers.

To compile my sample, I looked for shows which first aired in the 1980s, 1990s, and present decade, that featured males or females working in the legal profession. I compiled a list of programs from three main sources; two of which I found using the Google search engine, with the keywords "television lawyers." Primarily, I selected my sample from The University of Texas School of Law's list of "Fictional Lawyers"(Jamail Center, 2007). This site is a part of the University of Texas' School of Law's "Law in Popular Culture Collection" which contains works of fiction written by lawyers or about lawyers. The purpose of this collection is to

give lawyers the opportunity to see how the public views them. The one limitation to this list is that it was created in early 2006. To find the most recent shows which featured television lawyers, including those in recurring roles after 2006, I also used a list compiled by Christine Alice Corcos, an Associate Professor of Law at LSU, whose research focuses on female lawyers in popular culture. Her list of female television lawyers yielded four additional shows: *Joey* (2004), *King of Queens* (1998), The *L Word* (2004) and *Damages* (2007). Finally, I informally asked fellow students if they could think of current television lawyers. This yielded two more shows *Prison Break* (2005) and *Eli Stone* (2008).

My sample included characters that were practicing lawyers, in law school, or were lawyers in the past. They had to be in a recurring role or a main character. I based my list on the criteria set out by the University of Texas' list:

> "The series listed here include not only the well-known courtroom dramas, but any programs which depicted a lawyer in a significant and recurring role. The character may not be seen actually practicing law; it is enough that the audience connects the character to the legal profession." (Jamail Center, 2007).

Furthermore, I limited my sample in three ways. First, I decided to exclude shows that ran for fewer than 22 months, assuming that they were unpopular if they did not stay on the air for at least two years. Second, I excluded shows that were produced in other countries, even if they ran on American television, because I wanted to control for cross cultural differences. I also excluded one cartoon, *Harvey Birdman, Attorney at Law* (2001), with the assumption that cartoons would be viewed as less factual than other genres. Lastly, I limited my sample to only those shows which were available via Blockbuster or Netflix, for two reasons. One, I wanted to

look at the shows that people can easily access, even if they are not currently running on the air. The second reason was a practical consideration; I needed to be able to access these shows.

Given my criteria and the availability of the shows, I included the following television shows in my sample: *Ally McBeal* (1997-2002), *American Family* (2002-), *Angel* (1999-2004), *Arrested Development* (2003-), *Beauty and the Beast* (1987-1990), *Boomtown* (2002-2004), *Boston Legal* (2004-), *Chicago Hope* (1994-2000), *The Commish* (1991-1995), *Conviction* (2006-), *The Cosby Show* (1984-1992), *Criminal Minds* (2005-), *Damages* (2007-), *Dharma and Greg* (1997-2002), *Eli Stone* (2008-), *Entourage* (2004), *Greatest American Hero* (1981-1983), *Highway to Heaven* (1984-1989), *Hill Street Blues* (1981-1987), *How I Met your Mother* (2006-), *Huff* (2004-), *JAG* (1995-) , *Jake and the Fatman* (1987-1992), *Joey* (2004-), *King of Queens* (1998-), *The L Word* (2004-), *Law and Order* (1990-), *Law and Order: Criminal Intent* (2001-), *Law and Order: SVU* (1999-), *Law and Order: Trial by Jury* (2005-), *Magnum PI* (1980-1988), *Matlock* (1986-1995), *The Medium* (2005-), *Mike Hammer* (1984-1987), *Murder One* (1995-1997), *Night Court* (1984-1992), *NYPD Blue* (1993-), *The O.C.* (2003-), *Pickett Fences* (1992-1996), *The Practice* (1997-2004), *Prison Break* (2005-), *Sex and the City* (1998-2004), *Simon & Simon* (1981-1988), *Soul Food* (2000-), *Tracey Takes On* (1996-2000), *Walker, Texas Ranger* (1993-2001), *The West Wing* (1999-), and *Will and Grace* (1998-). In total, I selected 48 shows for my sample, out of which I watched 166 episodes. The breakdown of the episodes I watched and the corresponding years which they aired are illustrated in “Table 1: Episode Breakdown by Decade” on the following page.

Table 1: Episode Breakdown by Decade (As a percentage of sample)

Decade	Number of Shows	Number of Episodes
1980s	10 (21.3%)	28 (16.9%)
1990s	18 (38.3%)	57 (34.3%)
2000s	19 (40.4 %)	81 (48.8%)

Again, my focus in this study is on the present, which explains why 83.1% of the episodes I watched came from programs which began in the 1990s or later. These shows were usually the most available. Also, I wanted to look at a snapshot of the past thirty years, and, at least at this point in time, was not attempting to compare the image of female lawyers over time.

Because my focus was on gender, it is also important to note that 62% of the programs I watched had one or more female lawyers or law students. There were no female ex-lawyers in my sample.

Procedures

The first part of my procedure was a preliminary viewing of some of my selected programs. In the first month of working on my study, I watched shows that were currently on television (*Law & Order, Will and Grace*) and rented two shows from Blockbuster (*Ally McBeal, Boston Legal)*. For the next two months, I read previous work about women lawyers on film and television and derived potential codes and questions from these articles, particularly Corcos' (1998) "Women Lawyers" and Sutherland and Swan's (2007) article, "Raising the Bar: Brilliant Women Lawyers from Ann Kelsey to Miranda Hobbes." From these sources, I

generated 83 potential codes (See Appendix One), which were subsets of five main questions: What are lawyers' personalities and appearances (I & VI)? What do they do outside of work (IV)? What types of law are depicted and in what context (III & V)? And finally, do these variables differ by gender (VII)?

With these questions in mind, I spent the next four months watching shows from my sample. I acquired these shows through interlibrary loan, Wesleyan University's Science Library, friends' personal DVD collections, and a Blockbuster account. To orient myself before starting each series I read the synopsis about the show on the "Fictional Lawyers" list (Jamail Center, 2007). I also used the site TV.com and read the episode guides to get a sense of what an episode would be about (http://www.tv.com/). Typically, I started at the beginning of a series and watched the first two to four episodes. In shows that featured a lawyer character in a recurring rather than main role I would not start at the beginning of a series. Instead, I used the episode guides on TV.com to find the first two to four episodes of the show when the lawyer appeared based on the episodes in which the actor was credited.

Coding Scheme

I took notes on anything that I deemed potentially relevant to any of the themes in my initial list of possible codes. I started by looking at the shows which began in the 2000s, then the 1980s, then the 1990s. As I watched, I generated more potential codes. Most of these codes were inspired by shows in the 2000s because those are the shows I watched first, again because my focus was on the most recent past.

Once I had finished viewing the programs in my sample, I collected all of the codes I had generated for any show. This yielded the 41 specific codes (See Appendix 2) which fall into seven larger codes, which I will now discuss in further detail. These codes are: public vs. private firms, stereotypes, uses, drinking, personal relationships and sex lives, background, and appearances. For "public vs. private firms" I noted whether or not it was clear which field a lawyer was practicing in, the appearance of their offices, comments about salaries and billable hours, and other status symbols, like the type of car they drive or the law school they attended. Next, I looked at "stereotypes" about lawyers and specific types of law and noted places where the characters in a show or the lawyer himself made a generalization about people who practice law. Under the code "uses" I included instances where characters were using an attorney and in what context: as a weapon? As a confidant or advisor? As a middleman for communication? The next code was "drinking," under which I recorded the frequency of lawyers drinking and in what context they chose to drink. For the code "personal relationships and sex lives" I looked at whether a lawyer character was in a relationship, if so, with whom? I also observed the quality and nature of that relationship. Whether he or she was in a relationship or not, I looked at sexuality, how it was portrayed, and how the lawyers' sex lives were represented. Finally, with the code "background," I wrote about previous jobs, lawyers' childhoods, or anything that implied the social class they came from. With the code "appearances," I wrote about lawyers' subjective attractiveness, age, weight, and comments from other characters which supported my opinion on their level of attractiveness. In this category, I also recorded characters' race based on their

appearance. I recorded the race of the lawyers, their opposing counsel, judges, and the client they were representing. However, because there was little ethnic diversity in my sample, I chose not to analyze this important data.

Among the seven main codes I analyzed, not all were relevant to every lawyer in my sample, but I did consider the presence or absence of each code important to look at, and I looked for patterns in absences as well as presences. For reliability and to generate new ideas, I watched 23.5% of the episodes with my friends, parents, and teammates. Although this interrater reliability is limited because none of these people were knowledgeable about the previous work on television lawyers, they do provide a valuable impression. Discussions with these people are likely to represent the popular sentiment about the lawyers we watched.

Analysis

To analyze my data, I used Glaser and Strauss' (1967) Grounded Theory Approach. I viewed the majority of my sample while considering the selected codes. From the data collected from my codes, I grouped these codes into ten concepts which I discuss in the following results section.

I chose to devote my attention to analyzing these concepts because they were the most frequent and salient. The first five themes apply to lawyers of both genders: negative stereotypes about lawyers, images of public versus private law, workaholics, drinking, and lawyer language. I also looked for exceptions to the hypothesis I generated for each concept and patterns among those exceptions.

Simultaneously, I focused on gender. I looked at issues which female lawyers consistently differed from their male counterparts. The second five themes organize my findings on gender differences in lawyer characters: bitches, personal relationships, motherhood, gender differences in lawyers' statuses and damsels in distress. I related these concepts to one another and to my findings about lawyers of both genders.

RESULTS AND DISCUSSION

If a viewer were to form an opinion of lawyers based strictly on the images he acquired from watching television, he would have some difficulty. Perhaps because the American public tends to think of the law in terms of "good guys and bad guys," the image of lawyers is very polarized. They seem to always be at one extreme, either very "good" or very "bad" people. This divide is particularly apparent when comparing the specific legal career a lawyer pursues; those working in the public sector are selfless, those in the private sector are money hungry. Sometimes lawyers protect and save their clients and they are heroes. Other times, television generates a negative image of a lawyer, as a liar or someone who displays other antisocial personality characteristics. Whatever their value system, lawyers are dehumanized as constantly working and drinking (often simultaneously). Their work interferes with their ability to socially connect with others, particularly of the opposite sex. Female lawyers are criticized because of the social pressure that women should be mothers and wives, not workers. Even when female lawyers make sacrifices in their personal lives, they still lack in their legal careers and are depicted as less competent.

The following themes organize what I found to be the most frequent and salient aspects of television lawyers. First, I will discuss the negative images of lawyers, as combative, headstrong, and dishonest people; malpractice and criminal defense attorneys epitomize the negative views of lawyers. Then, I will discuss the differences between public and private legal practices, with particular attention to lawyers' motivations for working in a particular field (or leaving it) and what sort of lifestyle each field dictates. Next, I will discuss two aspects of lawyers' lifestyles, in

the sections on working and drinking. These are two ways which differentiate lawyers from the general population. A final way lawyers are isolated is in their command of legal terminology and power provided by being a representative of the court.

In the second half of my results section, I will turn to issues for female lawyers. I will articulate particular challenges in female lawyers' professional and personal lives which exist in real life and are reiterated on television. Lastly, I will talk about gender hierarchy in the legal profession and the tendency for female lawyers to take on lower ranking roles than their male counterparts.

Reiterating Negative Cultural Stereotypes about Lawyers

"You'll stick to the plan; go to law school, be a scum-sucking attorney," Joe DuBois on Medium *(Caron, 2005).*

On television, people's opinions of lawyers are often negative. Characters usually express this feeling in a lighthearted, comical way, by making jokes at lawyers' expense. For example, on *Chicago Hope*, a reporter asks, "How small is a baboon's heart?" A doctor responds "small, tiny, like a lawyer's" (Kelley & Frawley, 2005). Dharma's dad, upon meeting her new lawyer husband claims, "I smell a lawyer" (Dharma & Greg 1;1).

The first negative personality characteristic that lawyers possess according to television is that they are combative and love to talk. They argue even outside of the courtroom with the people they love. In one exchange on *Dharma & Greg,* Dharma wants to make up with Greg about a little fight:

> Dharma: I'm done arguing. Let's make up.
> Greg: But we haven't resolved anything. Nobody won.
> Dharma: Good point. You win.

Greg: But you can't just do that.
Dharma: Ok, I win.
Greg: No, you don't.
Dharma: Boy, you really love to argue, don't you? (Mackenzie, 1997).
.

Sandy, a lawyer on *The O.C.*, jokes about himself when he is disciplining his son. He says, "You can stand, but you know how lawyers love to talk" (Fisher, Messer, & Norris, 2003).

A second negative characteristic reiterated on television is that lawyers are close-minded. On *The Commish,* Tony tells his brother-in-law, who went to law school, that "The problem with lawyers is they always say no, too risky" (Cannell, Kronish, & Arner, 1991). Comically on *Boston Legal*, a cross-dresser who wants to play Santa Claus protected by Alan in an employment discrimination case graciously thanks him, "It's not so often you find a lawyer with a soft spot for cross dressers" (Kelley & Szwarc, 2004). Although these comments are subtle, and clearly not malicious, they contribute to the stereotype of lawyers as rigid and inflexible. The constant repetition of these traits implies that these are parts of lawyers' personal and professional identities.

Another common representation is that lawyers are liars. On the sitcom *Arrested Development,* a character named George tells his brother, Michael, while they drink at a courthouse bar, "These are lawyers – that's Latin for 'liar'" (Feldman, Hurwitz, & Chandrasekhar, 2003). Then, an attorney introduces herself to the brothers as, "Maggie Lizer. As in, Maggie lies her ass off" (Feldman, Hurwitz, & Chandrasekhar, 2003). On the sitcom *Joey* another female lawyer jokes about lying. She explains, "I didn't lie. I just didn't volunteer the info," a justification that Joey refers to as "lawyer logic" (Goldberg-Meehan, Silveri, Bright, 2004). Again, these

jokes are lighthearted but encourage the idea that lawyers are by nature untrustworthy. This might encourage people to be particularly wary of real lawyers.

Among the many types of attorneys on television, two specialties take the brunt of criticism on television: medical malpractice law and criminal defense law. Medical malpractice attorneys either represent former patients who believe their doctor was negligent, or doctors and hospitals that are being charged with negligence. For example, in the first episode of *Law and Order,* the audience sympathizes with a doctor, who explains, "Every doctor in the country has to worry about some shyster lawyer suing for malpractice" (Wolf & Whitesell, 1990). One medical malpractice attorney is nicknamed "the Eel" by the doctors at the hospital he represents (Kelley & Pressman, 1994, *Pilot*).

Criticism against lawyers who practice private criminal defense law takes on a more serious tone. The overlying theme is if criminal defense attorneys represent innocent people, they are heroes; if they represent guilty people, they are money hungry. Television does not acknowledge lawyers' obligation to defend their clients, regardless of their innocence. Consequently, defense attorneys are often accused of valuing money over morals or justice. On television, private criminal defense attorneys are usually greedy and immoral, focusing on the financial rewards of a case, rather than the pursuit of justice. Because of this value system, they are sometimes the recipient of moralistic speeches like this one:

> When you look back, do you think you're going to be proud of what you did in that courtroom? Making yourselves a little richer by helping this kind of man get away with what he did and calling it justice? (Bocho, Donahue, Eglee, Gibson, & Fogle, 1995).

Attorney Ted Hoffman (*Murder One*) does not spend time reflecting on abstract concepts like “justice, remorse, or fairness. Not while I’m a criminal defense lawyer” (Bocho, Donahue, Eglee, Gibson, & Fogle, 1995). It is all part of the job for him. The idea that a human being in this occupation ignores pro-social values, like fairness, reiterates a negative conception of attorneys and makes them look inhuman.

Other defense lawyers seem to be focused on money. After a case, one defense attorney boldly thanks a detective saying, "This one-man crackdown has made my [his] fiscal year" (Bocho & Hoblit, 1993). He is relishing in defending a man because it was lucrative for him, not because he helped an innocent person avoid punishment. On *Law & Order: Trial By Jury*, a manipulative defense attorney reminds his client twice that he is going to get a percentage of the money of any lawsuit, which is his top priority (Green & Deschanel, 2005). Again, these sorts of lawyers, focused on money rather than fairness reiterate the message that courts run like a business, where lawyers are working for financial incentives rather than a more noble cause.

Defense attorneys are often depicted as a resource for the wealthy to avoid punishment. In the first episode of *Law and Order: Trial By Jury*, the defense attorney can afford expensive scientific jury selection techniques, which the prosecutors worry will put them at a disadvantage (Grissom, Wolf, & De Segonzac, 2005). In another episode, a teenage suspect knows his friend is from a rich family. He says, “He’s got all these fancy lawyers, so he’ll walk” (Green, Wilcox, & Makris, 2005). The idea that guilty people can buy leverage in our legal system contributes to the distrust of lawyers as agents of this seemingly corrupt system.

It is important to note that although negative images of lawyers are striking, not all criminal defense attorneys are criticized on television— there are some exceptions. These lawyers are idolized, such as Bobby Donnell on *The Practice.* In the first episode, he represents an innocent girl in a complicated case. Thanks to Bobby's skillful lawyering, he manages to win the case and everyone cries, hugs, and celebrates (Kelley & Jackson, 1997). Veronica Donovan, on *Prison Break*, is another example of an admirable defense attorney. She spends all of her time trying to get Lincoln Burrows out of jail. He has been framed for murder and she heroically sacrifices everything, including her life, in attempt to overturn his wrongful conviction.

The presence of these exceptions does not take away from the fact that different attorneys are portrayed in an overwhelmingly negative way. In addition, these cases where a defense attorney is shown in a positive light, although more complicated than the typical negative portrayal of defense attorneys, are still too simplified. These defense attorneys are heroes because they save (or attempt to save) innocent people. The idea that defense attorneys represent guilty people for other good reasons, such as the belief in the right to a fair trial, is virtually absent in the shows in this sample.

Images of Public versus Private Law

"How does it work for you? Successful lawyer in a big law firm, company car, nice office, bonus?" (Greenwalt, Kouf, Whedon, & Contner, 2000).

American crime shows depict several subfields of law. The legal practice is portrayed differently based on whether the firm is public or privately funded. In my

sample, there are almost equal numbers of lawyers in each category: 42.9% of my sample worked in the public sector, 48.1% worked in the private sphere, and 6.5% worked for the government.[1] Considering these groups, the lawyers who practice each type of law do not differ systematically in levels of education. However, males make up a greater portion of the private lawyers (56.8%), consistent with the idea that female lawyers are concentrated in the "pink ghettos" which are the lower paying legal jobs such as academia and not-for-profit legal work (Sutherland & Swan, 2007. p. 143; ABA, 2007). But rather than gender, the main difference between lawyers in the public versus private sectors seems to be money. These divisions between public and private law traverse gender; these subfields of law differ in the appearance of their offices and other status symbols, such as cars and homes. The idea that corporate law is usually higher paying often comes up directly. The lower salary which public interest law typically provides is a sacrifice that is mentioned frequently and often explained by a lawyer's personal history. The dichotomy between benefits in public and private law is illustrated by the frequent change or attempt to change between the two types or leaving the legal profession altogether.

The image of law offices differs greatly based on whether or not the office is for private or public practice. Private practice attorneys have big beautiful offices, with beautiful cityscape views, modern art, and conference rooms with marble tables and leather chairs (see *Angel*, *Boston Legal*, *Eli Stone*, and *Murder One*). Public lawyers work in less impressive offices. For instance, the office where the lawyers on *The Practice* work is the best example. There are pizza boxes on the floor, papers

[1] Excluded from this sample was law students, ex-lawyers, or cases where it was unclear what type of law the lawyer practiced

everywhere, and they can barely afford their rent; Bobby tells his coworkers, "The landlord is threatening to evict us, again" (Kelley & Jackson, 1997). This finding implies that corporate lawyers have money and are compensated better, but the public lawyers are selfless and less concerned with material goods.

Outside of work, the lifestyle of private practice attorneys also alludes to the idea that they are financially better off than their public sector counterparts. The show *Eli Stone* opens with Eli narrating, “Until recently my only belief was in the holy trinity of Armani [he's trying on suit], accessories [gets into a valet parked Ferrari], and ambition [yelling at an old woman]" (Berlanti, Guggenheim, & Olin, 2008). Private lawyers have the resources to purchase other luxury goods. Ari, an agent on *Entourage*, bribes Eric, his client's friend, with courtside tickets if the friend can get Ari's client to read a manuscript (Ellin & Frankel, 2004). Will on *Will and Grace* has a $4,000 couch (Kohan, Mutchnick, & Burrows, 1998, *A New Lease on Life*). Private lawyers' houses are big and beautiful with room for their less fortunate friends (see *The L Word*, *Soul Food*).

Along with nicer offices and other perks, the high salary associated with private legal practice is a common theme directly addressed on television. When Ellen is signing her first job out of law school, she exclaims, "Holy shit!" to the starting salary a private firm is offering her (Kessler, Kessler, Zelman, & Coulter, 2007). Sandy on *The OC*, who tries private practice for a few episodes, is swayed by the "outrageous salary" they offer him (Schwartz & Bookstaver, 2003).

While television messages suggest private lawyers are in it for the money, equally common are images of lawyers practicing in the public domains who

sacrifice financial gains. ADA Christina Finn speaks with her new coworker, Nick, who has just transferred from a private firm. Nick says he was paid $150,000 during his first year. Now, as assistant district attorneys, they are making $51,000 (Eid, Green, & Glissom, 2006). Nick explains that he felt unsatisfied in the corporate world, even though he was being generously compensated, because he felt his work lacked meaningful consequences. Other characters often question why their lawyer friends have not switched from public to private practice. Jimmy, a law school graduate working as a banker, asks his friend Bobby, a criminal defense attorney, “Why do you keep doing this? You could get a big fat pay check at any firm" (Kelley & Pressman, 1997). Jess on *American Family* tells his daughter, Nina, “I worked my ass off to put you through law school. What do you do with it? You do poor people's law! Why can't she do rich people's law?" (Nava, 2002, *Pilot*). These lawyers are committed to practicing the law they feel passionate about. They often reject other job offers with higher salaries. On *Law and Order: Trial by Jury*, a defense attorney tells one of the prosecutors, "You know, you're wasting your time in the DA’s office, I would give you triple the salary" (Green, Wilcox, & Makris, 2005). She rejects this offer; she is satisfied with her job as a prosecutor, despite a lower salary, because she feels she is benefitting society by prosecuting criminals. Christina Finn on *Conviction* also rejects an offer to make more money. When she and her male colleague are prosecuting a case regarding someone who left a strip club without paying, they go to the club to investigate. The man who owns the strip club asks Finn how much she makes, “fifty, sixty G’s a year?” She responds, "That’s none of your business" and he says, "I could triple your salary, you come dance nights" (Eid, Harris, Misiano, 2006).

Obviously, she would not leave her job as a lawyer to strip, but this quote reaffirms the idea that public practice does not even provide as much money as being a stripper.

In addition to being motivated to work in a field with more liberal ambitions, public defenders or other public servants are often constructed as coming from less privileged background than their private counterparts. Their tougher childhood is often expressed in the way they practice. For example, David McNorris, a district attorney on *Boomtown*, explains that he grew up "… in Dorchester, Mass, a tough little suburb"(Yost & Avnet, 2002). He threatens a suspect, telling the man that his [David's] father had the title of "Supervisor of Public Works" and taught him how to hurt someone without leaving evidence (Yost & Avnet, 2002). Because of David's upbringing, he continues to prosecute criminals, sometimes threatening them as he did in this anecdote.

Two female attorneys voice what they went through to become a lawyer, drawing particular attention to issues associated with being a woman in addition to being a lawyer. On *Law and Order: Trial by Jury*, Karla Graziano, "…took law classes at a storefront law school in the Bronx…while raising a son, without his deadbeat father" (Grissom, Wilcox, & Little, 2005). Because she has overcome obstacles as a single mother working her way through law school, she continues to represent people she feels are in similarly difficult situations. She tells a prosecutor, "Save me the cynical attitude. I have a connection with these people" (Grissom, Wilcox, & Little, 2005). Alex Cahill, the ADA on *Walker, Texas Ranger,* breaks down in a monologue to Walker about her troubled life:

> I should've listened to you. I'm too stubborn for my own good. It's the way I grew up. I have had to scratch for everything I have: my education, my law

> degree, my clothes. Sometimes even the food I ate. Then I got married, I thought that would make it easier, having a partner. Turned out to be a nuisance, he almost choked me to death (Madden & Vejar, 1993).

She is another example of a lawyer who, in part because of a difficult life, passionately practices public criminal law.

Nina Gonzalez on *American Family*, although ridiculed by her father for doing "poor people's law" seems to have more financial freedom than her parents. Her father worked hard to put her through law school, and she thanks her parents by buying them a condo, which is newer and bigger than their current home (Nava, 2002, *Pilot*). Even though she does not have as much money as the big corporate lawyers I have described, she unselfishly gives this gift to her parents and works to help others in her community.

The dilemma between financial gain and the concern for justice is particularly visible when a television attorney switches careers between public and private practice, or vice versa. In my sample, 4.6% of lawyers switched from public to private, 4.6% switched from private to public, and 3.5% left the legal field altogether. These instances are more than plot maneuvers; they are places where characters reflect on their values and reiterate stereotypes about different areas of the law.

I have already illustrated some of the perks of private practice that explain why attorneys might decide to change from public to private. A few television lawyers have done so. Ben Matlock, a private lawyer who runs his own firm on the show *Matlock*, was a public defender before he opened his own private practice (Hamilton, Hargrove, & Hibler, 1986). Alan, on *Boston Legal*, complains that his cases are boring; he used to have an interesting job as a criminal attorney (Kelley,

Rake, & Listo, 2004). Finally, Randolph, an attorney who briefly appeared on *Conviction*, worked as a prosecutor for his entire life, but was trying to leave. After he dies, his wife tells one of his colleagues that Randolph had been applying for other jobs for almost a year but none of the "fancy firms" wanted him because he had been an ADA for too long, and they believed his "…skills were no longer relevant to private practice"(Eid, Plageman, & Zisk, 2006).

She encourages her husband's colleague to get out of the public practice while he still has that option.

These are a few examples of lawyers who switched, or tried to switch, from public to private; equally often, the switch is in the opposite direction. Three lawyers quit their jobs to work as prosecutors, coincidentally all in New York City. Cat from *Beauty and the Beast* leaves her father's firm to work in the District Attorney's office. She was bored with corporate law and did not want to continue working for her father (Koslow & Franklin, 1987). Laura on *NYPD Blue* also quits her job to work at the District Attorney's office because she wants to help people (Bocho, Milch, & Haid, 1993). Finally, Nick Potter, a lawyer on *Conviction*, leaves his private law firm to join the New York District Attorney's Office because he felt unsatisfied (Eid, Green, Glissom, & Reeves, 2006).

Other lawyers do not actually quit their private jobs, but push for more pro bono work. On *Matlock*, Charlene reviews the firm's financial situation, and because things are going well asks her father to do some pro bono cases (Hamilton, Hargrove, & Hibler, 1986). A second example is Lori Carlson, on *Boston Legal*, who "…feels the need to connect to people" asks her boss if she can do more criminal defense

cases (Kelley, Rake, & Listo, 2004). Thirdly, Eli Stone narrates in the beginning of the second episode: "Now I might need to use my legal skills to make the world a better place, because that's what I promised my dad I would do" (Berlanti, Guggenheim, & Schultz, 2008). He tells his boss he cannot continue to try cases that make rich people richer (Berlanti, Guggenheim, & Schultz, 2008).

The transient nature of lawyers within subsets of the legal field reflects the public's hazy conception of what lawyers really value. As I wrote earlier, the view of lawyers is polarized. Because they are able to switch into different fields, there are a few different value systems available for lawyers. Most lawyers are casted into "good guy" or "bad guy" roles, but for this minority who is unsure and switching between the two domains, public versus private, both are equally appealing to lawyers but for different reasons. The private sector provides greater financial rewards, but the public sector may be more satisfying; even lawyers themselves are torn between these two options.

Workaholics

"We are already sleeping on cots overnight here," one lawyer complains during a staff meeting in which the senior partners are assigning more cases. The senior partner suggests removing the cots for more billable hours (Berlanti, Gerstein, Guggenheim, Mahoney, & Taub, 2008).

A third characteristic of television attorneys is that they are constantly working. Although they may have different motivations and ways of expressing it, across decades, race, and gender, lawyers are busy and put a lot of time into their work. Sometimes they cite the amount of hours they work per week. However, the

most frequent image, which implies a lawyer's work is time consuming, is of lawyers working late into the night, hovered over their books, with glasses. They often do not break for weekends or to socialize; I will discuss this theme again in the next section about how their work affects their personal lives. Rarely do lawyers complain about the amount of work they have to do; it is second nature and a part of the job for them.

When lawyers do cite the number of hours they work, it is unsurprising that they feel tired or stressed. A lawyer name Kevin who Miranda briefly dates on *Sex and the City*, is unhappy despite making partner. He complains, "Great, now I get to work 60 hours a week and get the same pay" (Markoe, Star, & Taylor, 1999). Maxine, on *Soul Food*, claims that she works 80 hours per week (Henderson & La Salle, 2000). Ari, an agent trained as a lawyer from *Entourage*, articulates lawyers' mindset about the hours they work; his wife argues with him that they were supposed to have a night together, he yells at her, "this shit is 24/7 baby! Don't wait up!" (Ellin, Weiss, & Attias, 2004).

Other television lawyers seem to work all night. On *The West Wing*, it is 3:35 am and all the staffers are still working in The White House (Sorkin & Schlamme, 1999, *Post Hoc*). After a speech, they are again seen late at night, eating Chinese food in the office, doing research (Sorkin & Lehmann, 1999). Bobby, a defense attorney on *The Practice*, stays up late at night practicing his closing argument for the next day in his office. When he realizes his colleague is still working too, he asks her, "Don't you ever go home?" she responds, "No, do you?" (Kelley & Jackson, 1997). Bobby spends the night in his office, falling asleep on the couch under a pile of papers (Kelley & Jackson, 1997).

These characters are often single, with their work life affecting only them. Another common image is a significant other at home, while the lawyer character works late. Alison's husband calls her at 9:20 pm, he is in bed but he tells her he will wait up. Alison's boss is still working too; she shares her findings with him and then goes home to her husband (Caron & Misiano, 2005). Sandy on *The OC* calls his wife at 11:00 pm when he is still stuck at the office (Heinberg, Schwartz, & Fresco, 2003). Lastly, on *Hill Street Blues,* Frank calls Joyce from work and is hoping to see her but she "…has a lot of homework" and court in the morning (Bocho, Kozoll, & Butler, 1981, *Presidential Fever*). She tells him she needs to stay up all night working, although he would prefer to stay up all night in another manner (Bocho, Kozoll, & Butler, 1981, *Presidential Fever*). And lastly, although she is not working, Veronica is unable to sleep because she is worried about her client's case. Her significant other comes down to ask her what she's worried about because he is concerned (Scheuring & Ratner, 2005). In a later section I will discuss how work interferes in lawyers' personal relationships. In these instances, lawyers conflict with their significant others because they work long hours.

There are few breaks in the work of a lawyer. Weekends are no exception. When the lawyers on *Law and Order* leave trial, Ben Stone tells them, "We better go over every shred of evidence...and cheer up! We've got all weekend" (Wolf & Whitesell, 1990). Lawyers' schedules include weekends in their regular workweek. Ellen on *Damages* goes in for pre-interview at a law firm, which she thinks is her real interview, but an associate reschedules her for a Saturday. Ellen asks for a different

appointment because her sister's wedding is on that day and the associate responds, "All day? Figure it out" (Kessler, Kessler, Zelman, & Coulter, 2007).

The reason lawyers are always working is because there are always more cases to handle. Even after a win, lawyers are often thinking about the next case. Right when one case closes, Ben Matlock says to his daughter, "Back to the office. Somebody around here has got to make some money" (Hamilton, Hargrove, Hibler, 1986). On *The Practice,* after winning a case for an innocent woman, everyone celebrates for a few minutes. Then, Bobby comes in late at night and starts work on the next case (Kelley & Jackson, 1997). There are endless conflicts in society so lawyers' services are constantly needed. The demand for them is greater than the supply, again contributing to the idea that being a lawyer is a selective profession.

Drinking

Television lawyers are big drinkers. They drink beer at work, socialize and take shots at bars, use alcohol as a relief from their work, and drink wine with meals. In all of the episodes I watched, only one lawyer ever turned down a drink; Charlene from *Matlock* is having dinner with a client in his hotel room, and she covers her glass to reject his offer of champagne (Hargrove & Day, 1986).

Ironically, lawyers sometimes drink while they do their work. On the job, still working at 2 am, the cast of *The West Wing,* including two lawyers, drinks bottled beer after a speech. Similarly, Brad and Lori from *Boston Legal* are seen in the eighth episode casually having a beer in the office. Lindsey, from *Angel*, drinks in his office while his protégé is doing work, framing the protagonist, *Angel,* for a murder (Greenwalt & Whedon, 2000). One defense attorney is having a meal at a bar, and he claims, "It's the only place I can get work done" (Green, Wilcox, & Makris, 2005).

Television lawyers often socialize with people from work over drinks: Charlene's father, Ben, drinks cognac with a judge (Hamilton, Hargrove, & Hibler, 1986). Will plans to meet one of his clients for drinks at his place (Kohan, Mutchnick, & Burrows, 1998, *Head Case*). On *The OC,* Sandy has drinks at a Mexican restaurant with his female lawyer colleague, Rachel (Heinberg, Rosenberg, & Lange, 2003). Criminal lawyers are even seen drinking with lawyers they do not work with directly. Tracey is having a drink in the bar where another DA is drinking (Green, Wilcox, & Makris, 2005); Young is having drinks with his opposing counsel at a bar (Kelley & Pressman, 1997). These instances suggest drinking is part of the job.

Lawyers often use drinking to cope with the stress of their job. On *Jake and the Fatman*, Jake says to McCabe at the scene of a crime, "Come on, I'll buy you a drink." McCabe says, "I think I need one." (Swackhamer, 1987). McCabe is choked up because earlier in the day he spent time with the woman who was killed A decade later, after Young and Bobby on *The Practice* have a rough day, Young comforts his colleague, "come on, I'll buy you a beer" (Kelley & Pressman, 1997).

The majority of the lawyers' drinking takes place at bars. In the first four episodes of The Practice, we see Eleanor, Bobby, and Young having drinks at bars in four separate scenes (Kelley & Jackson, 1997). The shows *Sex and the City, Will and Grace, Conviction, How I Met Your Mother,* and *Entourage*, also have multiple scenes shot at bars.

Drinking and the culture of drinking in television lawyering is an image that goes undiscussed in the social representation literature in general. However, some preliminary theorizing seems appropriate given the dominance of this representation. Given the way alcohol use is normalized I suggest that drinking supports the themes presented in the workaholics' section. Lawyers drink at work and as a relief from work because they are working all the time. Secondly, drinking factors into the idea that lawyers form their own contingent in society. They socialize with one another in and outside of work (often over drinks) and can afford the luxury of drinking at bars.

Despite the widespread image that lawyers drink, there is little evidence that they smoke or do other drugs. Only two lawyers, JL from *Jake and the Fatman* and Alan Shore from *Boston Legal* smoke cigars. The one lesbian attorney in my study, Joyce on *The L Word,* also lights up a pipe during an office meeting (Hunter, Zakarin,

& Stopkewich, 2005, *Lap Dance*). Bobby Donnell smokes a cigarette before a big case, but it is not a habit, he is just nervous (Kelley & Jackson, 1997).

If drugs are mentioned, they are usually a thing of the past. For example, Nick Potter's friend criticizes him for pretending like he's a saint, "….like you've never done drugs before" (Eid, Plageman, & Zisk, 2006). The one character who is involved with drugs while she practices law is Joyce from *Hill Street Blues.* In the first episode, she tells her lover that she just took half a Valium. In the next episode, a male lawyer in a bar tries to give Joyce a vial of drugs to give to a judge, but he refrains when he sees her lover's badge (Bocho, Kozoll, & Butler, 1981, *Presidential Fever*).

Perhaps lawyers are more likely to drink than do other drugs because it is more socially acceptable and widespread. They are shown as having vices, yet not as serious vices as the criminals they defend and prosecute. Drinking might also serve as a function for lawyers to bond with one another and reassert their identity as part of a selective group.

Do you speak "lawyer?"

"There are neither nobles nor men of letters in America. Therefore, the lawyers form the political upper class and the most intellectual section of society" (De Tocqueville in Sherwin, 2000).

Lawyers are represented in American TV as highly educated. As a result, these images convey the idea that lawyers have specialized knowledge that lay people do not. Television shows reiterate the idea that the law school an attorney went to is a predictor of how good of an attorney he will ultimately become. Douglas Wambaugh

on *Pickett Fences* knew a difference between state and federal jurisdiction and mocks his opposing counsel asking, "What law school did you go to?" (Kelley & Pressman, 1992). He implies that the lawyer must not have gone to a good law school if he did not know this law which was so obvious to Wambaugh. Other people rely on the lawyers' educations to determine how much credibility they deserve. A client who is running for mayor on *Boston Legal* comes to Alan, doubting him because he says, "…three Harvard law professors" have not found a loophole for his case (Kelley, Rake, & Listo, 2004). These men are allegedly the most competent in law because Harvard employs them. A client who comes to Eli Stone also cites Eli's criteria as a reason for hiring him, reciting his credentials: "…graduated valedictorian at Stanford Law" (Berlanti, Guggenheim, & Olin, 2008). Another character tells Eli, "You're the genius with the Stanford diploma, why don't you figure something out?" (Berlanti, Guggenheim, & Olin, 2008). Finally, in some cases, the lawyers themselves use their education to assert their power. During a meeting, Ari on *Entourage* sarcastically rejects Eric's suggestions. He asks if they taught Eric that at "Pepperoni University" mocking his pizza delivering past, and yells that his ideas are better because he is a "…lowly Harvard grad with a JD/MBA from Michigan" (Ellin & Farino, 2004).

There is also a cultural assumption promulgated on television that lawyers know Latin and other people do not. DA Sylvia Costas says to Detective Sipowicz, "I'd say res ipsa locuitor if I though you knew what it meant" (NYPD Blue 1; 1). She knows something he does not. At one point, the President on *The West Wing*, asks the "…27 lawyers in the room" to translate a Latin statement and expects them to be able to do so because of their education (Sorkin & Schlamme, 1999). Latin is a dead

language that academics would be likely to study. Unlike other languages which may be spoken at home or learned from travelling, Latin is particularly interesting because the only way one would know Latin is by studying it in a classroom and education itself is self-selecting and exclusive.

Because lawyers are well educated, they sometimes speak in a way that other people do not understand. They have a wider vocabulary than other characters. For example, three lawyers on *Angel* brief an assassin, Faith, about the job they are hiring her for. Lee says, "Before we talk about remuneration..." Faith stops him, "Huh?" He translates, "Payment" (Greenwalt, Kouf, Whedon, & Contner, 1999). All the lawyers in the room know the word but she does not. Similarly, Marshall uses the word "anedovic" which his friend Ted does not know (Bays, Thomas, & Fryman, 2006). Lastly, showing that he is formally smarter, Will corrects his friend's spelling, "Bedpan is one word!" (Kinnally, Kohan, Mutchnick, & Burrows, 1998).

When it comes to legal terminology, non-lawyers are depicted as being even more clueless. For example, in this exchange on *Will and Grace*, Will's client clearly is unable to keep up with the legal jargon:

> Will: We negotiate standstills and lockups. Naturally, that's after we do due diligence.
> Client: What the hell is 'do-do diligence'? Doesn't matter how slow you say it Will, it's still do-do diligence, isn't it? I just want to know what it means.
> Will: It's just crap that lawyers deal with. Harlin, I'll handle it. I've been representing your corporation for five years now, remember? (Kohan, Mutchnick, & Burrows, 1998, *Pilot*).

Clients trust their lawyers without really having an understanding of what is taking place. On *How I met your Mother*, Marshall asks all his friends who are partying at

his house, "Has anyone seen *Intro to Torts & Con, 1865-1923*?" Everyone looks confused. He then asks, "Anybody seen a big-ass book?" which they understand (Bays, Thomas, & Fryman, 2006).

Concurrent with the idea that lawyers have a specific education, the idea that being a lawyer is selective also comes up on television. Not everyone can be a lawyer. On *Pickett Fences*, one character describing another says, "The only reason he became a druggist is because he failed the bar twelve times. His lawyer father disowned him" (Kelley & Lagomarsino, 1992).

If you are not a lawyer, you cannot pretend to be one or do their job. Cross, on *Murder One*, is careful not to overstep his expertise. He brings a piece of evidence to his lawyer, Ted, and says, "I'm no lawyer, but..." (Bocho & Eglee, 1995). On the sitcom *Arrested Development*, because the lawyer, Barry, is not dependable, the client's son, a businessman named Michael offers to read the plea bargain agreement. His sister teases, "He thinks he's a lawyer because he played one in the tenth grade" (Copeland, Hurwitz, & Fortenberry, 2003). In synch with the idea that lawyers' training prepares them for their work, he is unable to comprehend the plea bargain agreement when he tries to read it (Copeland, Hurwitz, & Fortenberry, 2003). Michael’s inability to read the plea reinforces the notion that being a lawyer is a selective profession.

It's often humorous when clients try to speak and do for themselves. At Will's office, a southern client named Harlin takes the phone from Will, and just handles the deal himself. He says, "Let’s shuck right down to the cob. You want to buy this company, I want to sell it" (Kinally, Kohan, Mutchnick, & Burrows, 1998). It is

ironic and funny when he handles this himself, cutting through the legal jargon. On *Arrested Development*, because the lawyer character is incompetent, the show has many instances of this sort of irony. On one episode, Michael is left to read his dad's plea bargaining agreement and gets into a host of trouble while pretending to be a lawyer. In another episode, Barry is not in control of the conversations about the case, which is funny. The audience watches a group of non-lawyers try to sort out the case (Hurwitz, Vallely, & Feig, 2003).

By far, the most common reference that implies lawyers are in charge of communication is the theme that it is unwise to speak without a lawyer in a variety of circumstances. Sometimes lawyers themselves are the ones who suggest a lawyer is necessary. Lori on *Boston Legal* meets with a divorced couple to mediate a disagreement. Because they cannot come to an agreement, Lori suggests to the wife that she retain counsel (Kaufer, Kelley, & Gates, 2004). On *Eli Stone*, a client Eli faced earlier in the day comes to his office and he is telling her not to speak to him because she's not represented (Berlanti, Guggenheim, & Olin, 2008). In other instances, an individual wants a lawyer before they are willing to speak or act. A therapist, who is going to break patient confidentiality because he believes someone is in danger, says he wants his lawyer present (Kelley & Szwarc, 2004). On another show, the police find a previously convicted flasher handcuffed to a bed with a little person. The little person declares, "I ain't saying nothing till my lawyer gets here" (Kelley & Rosenthal, 1997). And just as often, a lawyer warns his client to not speak until he is there to speak with or for him. Ted on tells his client, "Don't say anything to anyone" (Bocho, Donahue, Eglee, Gibson, & Fogle, 1995, *Chapter Two*). Karla

Graziano on *Law and Order: Trial by Jury* tells her client, "When the police knock on your door, call me before you answer it" (Grissom, Wilcox, & Little, 2005). Young on *The Practice* tells a boy who has shot his father, "Don't say anything" (Kelley & Pressman, 1997). Across a variety of different types of lawyers and cases, telling clients "don't speak" is the most commonly given advice.

Lawyers' knowledge and abilities to control communication in the courtroom gives them a power than lay people do not have. Sometimes lawyers' power takes on a more aggressive side and people threaten to use lawsuits to get their way. This is something Fay Furillo does on *Hill Street Blues*. When she is angry with her husband, she threatens, "You stink Frank! And you're going to hear from my attorney!" (Bocho, Kozoll, & Butler, 1981, *Presidential Fever*). In another episode when Frank bails Fay out of jail she tells the police officers that she is going to sue them (Kozoll, & Butler, 1981, *Politics as Usual*). On *NYPD Blue*, a pimp who believes he is being treated unfairly says, "My lawyers gonna have a ball with this one" (Bocho, Milch, Sackheim, 1993). He already has a lawyer lined up to fight. Lawyers and lawsuits are worth being afraid of. An administrator for the hospital on *Chicago Hope* reiterates this idea. He comes down and asks a doctor, who is performing surgery on a cadaver without consent, if he is crazy. The husband of the dead woman who is being operated on is "…rounding up attorneys" according to the administrator (Kelley & Pressman, 1994, *Over the Rainbow*).

Lastly, sometimes lawyers even posit themselves as a potential weapon. Sam on *The West Wing* tells a young man who is applying for a job as a White House aide, "Don't answer that. Sue our asses. Hell, I'll represent you!" (Sorkin & Schlamme,

1999, *Post Hoc*). Brian, on *Conviction*, threatens a loan shark to whom he owes money. Brian takes him into an ally and starts beating him up, pulls out his badge, and threatens him, "See this says DA I could bury you. Whenever I get bored!"(Eid & Barba, 2006).

In these instances it is clear why people want or need a lawyer on their side, because their opponent is likely to have one too. The idea of attorneys as weapons fuels the negative cultural assumption that attorneys are combative and argumentative people by nature, because this is the antagonistic environment that they spend most of their time working in. These attorneys who use their legal power to threaten others fall into the “bad guy” prototype which lawyers are cast into. Their power is derived from being more knowledgeable about legal proceedings, but because these proceedings can have a profound effect on their clients’ lives, lawyers take on an increasingly dominant role. They can use it to be a positive role model for their clients or to manipulate other people.

Issues for Female Lawyers

"It’s alright, I'm a lawyer." Charlene Matlock explains to a man who walks into the men’s restroom in which she is having a conference with her father and male client (Hargrove & Day, 1986).

In my sample, 46% of the attorneys were female. Despite the almost equal number of female and male attorneys on television, sexism against female attorneys exists in subtle forms. In a few instances, a female attorney’s gender is directly addressed, or sexism in the workplace is acknowledged. A deeper consideration of the portrayal of female attorneys in mass media prompts a discussion of the ways their

depictions disseminate beliefs regarding women in law. In the section called “Gender Differences in Lawyers’ Statuses” I will discuss how female attorneys tend to be of lower rank in the legal hierarchy and are depicted as less competent. In the section called “Damsels in Distress” I will explain the ways in which the role of damsel reiterates female incompetency. Finally, the media attacks female lawyers’ character by displaying them as unfeminine, inept in personal relationships and as bad mothers. Female lawyers are fundamentally flawed, either in the workplace or in their typical, private role.

In a few shows, female attorneys discuss the issues they face as females in neither fully capable “women” nor “lawyer” positions. One female judge tells her female friends at lunch about how a male attorney once made a move on her in chambers. She chose not to file charges because she did not think it was a good way to start out her judicial career (Wolf, 2005). She explains that she wanted to avoid looking like a victim in her new job. Alex, on *Walker, Texas Ranger* goes on a rant about how she feels the courts isolate women. She, on the verge of tears, tells Walker:

> I got a divorce. After that, I became, what is it? "independent?" Do you know how many lawyers or judges resent me when I'm successful in the court room? When I'm tough? Or better prepared? Or they think, lucky? Do you know how many times I've heard, "honey you got nice big blue eyes but you just can't cut it." (Madden & Vejar, 1993)

This quote articulates the experience expressed by real female attorneys during the time this show was on; they faced discrimination as they entered the legal profession and many male attorneys were uneasy with their presence in the courtroom (Papke, 2003).

Bitches

"I'd suggest you lose the phrase 'I'd like to strangle that bitch' because you may have noticed that the judge and both prosecutors are all bitches," a female attorney advises her client (Grissom, Wolf, De Segonzac, 2005).

In a few television shows, the sexism shown towards female attorneys is often illuminated in the context of name-calling, particularly using the word "bitch." A female attorney's response to being called a "bitch" is usually to assert her position of authority. When Kate on *JAG* arrests an officer, he yells, "get this bitch off my platoon before I throw her off!" She responds, "Its Lt. Pike, not bitch." (Kaplan & Bellisario, 1995). Two characters call Tracey from *Law and Order: Trial by Jury*, a "bitch" in the same episode. Behind her back a defense attorney calls her a "Self-righteous bitch" (Green, Wilcox, & Makris, 2005). When she is prepping a witness, the witness tells her, "Bitch, I said I'm done!" She yells that he is done when *she* says so (Green, Wilcox, & Makris, 2005). In the most offensive case, Detective Sipowicz on *NYPD Blue* grabs his genitals and yells at a female district attorney, "Hey! Ipsa this, you pissy little bitch!" (Bocho & Hoblit, 1993).

Our culture is used to thinking of assertive women as "bitches" and suggests that women lawyers, because of their assertiveness, are deviant women. In all of these cases, the word is used in the context of a male of lower status calling a female of higher status a "bitch." The anger behind this word displays the insecurity of the man in a lower ranking position; he feels this is not where he belongs. He attacks the woman by using a word which highlights the fact that she is a woman; implying that her forcefulness is a product of her personality rather than her authority.

These female characters' reactions to being called "bitches" also reiterate the idea that female lawyers are deviant. These lawyers respond by maintaining their authority, rather than responding in a stereotypically feminine way (like crying). They are virtually unfazed by this slur which could be interpreted in two ways. First, they are used to being called this and it is normal for them. Second, they are comfortable in their position of authority, telling viewers that it takes a specific kind of tough skinned woman to be a lawyer.

Although their reactions are important to reflect on in the ways they contribute to gender-role stereotyping, the political importance of the lawyer characters' response is almost rendered obsolete because the focus is on a word which historically is used to degrade women. The most obvious point of the interaction is that a man calls a female lawyer a bitch; this is more prominent than how she reacts. So, instead of viewing her assertiveness in a positive light, viewers are primed to think that the female lawyers are just being "bitches."

Personal Relationships

The portrayals of female attorneys' relationships tell viewers who female lawyers are, what they value, and the typical role for females. The portrayals have some basis in reality; all professionals need to make important decisions in how to divide their time between work and family. However, professional women are inherently different from professional men because their gender role dictates that they "should" value raising a family more so than their male counterparts. Female lawyers on television cannot have both a steady personal and professional life and are

portrayed as either in a flawed relationship or asexual, single, and unsuccessful with men (Corcos, 1998; Guerrero, 1999).

In my sample, 60% of women were depicted as single or dating. Of these single women, many were shown as inept at dating, as Corcos suggested in the late 1990s. The trend continues on the shows in the 2000s. On *Conviction*, Finn seems oblivious to male signals; she thinks her blind date went well. But, when she talks to her colleague who set her up, he says, "He called, he likes big boobs" (Eid & Barba, 2006). On a later episode, she asks out a detective, who she thinks is interested in her. She misread his signals; he is married (Eid, Harris, & Misiano, 2006). Teri on *Soul Food* is divorced after ten years of marriage; in contrast, both of her sisters are married (Henderson & La Salle, 2000). Joyce Davenport on *Hill Street Blues* is also divorced (Bocho, Kozoll, & Butler, 1981, *Politics as Usual*).

On television, there are hints that it is not inherent in a female lawyer's personality to be unsuccessful with men. Rather, the implication is that something happens when she becomes a lawyer; whether consciously or unknowingly, makes a decision to prioritize her career over her love life. Alison Dubois, a law student on *Medium* seems to have a good love life with her husband; however, working in the legal field puts a lot of strain on their marriage. For example, when she is on business, he calls and tells her that "he wants his wife back" (Caron & Misiano, 2005). It is as if she left her job as wife to pursue her legal career. Ellen, a new associate on *Damages*, similarly has a good relationship with her husband. For Nina Gonzalez, before she was a lawyer she had a happy love life with her boyfriend Eduardo. Now, as they are both adults, their business interests conflict too much to reconcile their

personal relationship (Nava, 2002, *Crash, Boom, Love*). There are also a few divorced female attorneys who could imply that they were once happily married and now incompetent in relationships, see *NYPD Blue, Soul Food.*

Given the long hours that lawyers work, it is unsurprising that work often is what interferes in female attorneys' personal lives. In this sample it is depicted as matter of being unable to put time into a relationship because of her career. Furillo tells the lawyer Joyce, who he is sleeping with, "When was the last time you had more than a couple of hours to spend?" (Bocho, Kozoll, & Butler, 1981, *Politics as Usual*) Miranda makes the decision to break up with a man because she wants to focus on her career at this point in her life (Markoe, Star, Taylor, 1999). Sometimes work interferes in female attorneys' personal relationships because their work interests do not align with their partner's. On *Beauty and the Beast,* the man Cat is dating owns a building where people are getting pushed out. Cat angrily tells him she is going to prosecute it and storms out (Peckinpah & Lynch, 1987). Nina Gonzalez, on *American Family*, cannot date the man she loves, Eduardo, because her work interests conflict with his. He is supervising a project to tear down a community recreation center which Nina and her colleague are trying to preserve (Nava, 2002, *Crash*). Again, Nina as a woman is forced between what is in the best interest of her work versus the best interest of her personal life; she cannot have both. She bears the burden of having to change her agenda to suit his, and when she chooses not to, she is left alone.

Female lawyers are also portrayed as deviant women in the types of nontraditional relationships they are involved in: interwork relationships and purely

sexual relationships. Because of the amount of time they spend on work, it is unsurprising that many attorneys are involved in interwork relationships. Sometimes a lawyer simply meets someone through work, for example, Teri on *Soul Food* winds up dating the delivery man (Henderson & La Salle, 2000). Other lawyers date, or try to date, their clients. Charlene on Matlock dates a client even though her dad is uncomfortable with it (Hargrove & Day, 1986). Joyce, on *The L Word*, makes an unwanted advance on her client (Cholodenko, 2005). There are a few married lawyer pairs, see *Ally McBeal, Eli Stone*. Jessica on *Conviction,* suggests another reason, aside from time constraints, why lawyers might tend to date within their own field. She cancels her date on a Friday night, and winds up in bed with her colleague, Jim; they talk about feeling isolated and unable to relate to other people outside their job (Eid & Barba, 2006). The prescence of interwork relationships could also be viewed as a complication which women lawyers bring as they enter to existing, male-dominated sphere.

Jessica and Jim illustrate another common theme in lawyers' personal lives. More common than interwork relationships in these shows is interwork sex. Television shows have a vested interest in putting sex on television, because, as the saying goes, sex sells. Zuckerman and Dubowitz (2005) attribute the success of *NYPD Blue* and *Sex and the City* partially to the shows level of nudity and sex. There are many interwork sex scenes, see *Hill Street Blues, NYPD Blue, Boston Legal, Conviction.* More recent images contrast with Sutherland and Swan's notion that women lawyers are supposed to be beautiful, but not sexy (Sutherland & Swan, 2007). Teri on *Soul Food,* Miranda on *Sex and the City,* Taylor on *Eli Stone,* Maggie

Lizer on *Arrested Development*, and Jessica on *Conviction* are all shown in hot sex scenes on television.

There is a notion that male and female lawyers alike just want sex and do not have the time to put into a relationship. George on *Arrested Development* articulates this idea when he encourages his brother, “This is a courthouse bar, these are professional, aggressive women who are looking for nothing more than a one night stand” (Copeland, Hurwitz, & Fortenberry, 2003). Jim and Jessica on *Conviction* make plans about having sex later, they have a "no commitment" agreement (Eid & Barba, 2006). Joyce Davenport on *Hill Street Blues* also reiterates this idea of sex rather than a relationship, when she calls what she has with Furillo, “…an extramarital game of bump and tickle” (Bocho, Kozoll, & Butler, 1981, *Politics*). This sexual drive seems masculine and again serves to isolate female lawyers from “normal” women.

Motherhood

"I'm not a good mother...kids are like clients, they want all of you at all times" Patty Hewes on Damages *tells her employee (Kessler, Kessler, Zelman, & Coulter2007).*

Just as female lawyers are depicted as incapable of forming loving personal relationships, they are not painted as maternal. Only .075% of female lawyers in my study were mothers. For the fictional female lawyers who have children, they are not good mothers in the way our culture defines what being a good mother entails (Douglas & Michaels, 2004). Being a mother is a defining aspect of the female role

and because they are incapable of filling that role, female lawyers give up some of their identity as a woman to practice law (Arrendell, 2000).

On *Tracey Takes On*, the lawyer character Sydney Cross makes fun of the idea that female lawyers are not maternal. She has a baby sitting on her lap in her office and clarifies:

> I'm not this baby's mother. I'm his big sister. I volunteer for the big sisters charity. I get to do the cross-cultural maternal thing once and awhile plus if a trial is going badly I can tell the judge, I have to "pick up the baby" works every time. (McKeown & Ullman, 1996)

The baby sneezes on her and she picks him up disgustedly, complaining, "Ew! Does anyone know how to get snot out of suede?" (McKeown & Ullman, 1996). This scene embodies multiple stereotypes of female lawyers who are mothers. Their work life detracts from their family and their family detracts from their work life.

Other female lawyer characters are simply incompetent caretakers. The main conflict in the first few episodes of the show *American Family* reiterates the idea that female lawyers are incompetent of being maternal. Nina takes on the role of legal guardian of her nephew, Pablito (Nava, 2002, *Pilot*). She has a lot of difficultly taking care of him: while she’s getting him ready for school, she forgets his breakfast and dresses him in a pajama top (Nava, 2002, *The Sewing Machine*). Eventually, Pablito grows to love her but becoming his “mother” is a difficult transition for Nina. She also misses an opportunity to take her dream job in Washington because she now has an obligation to her nephew.

Women lawyers on television are rarely successful in both their family and work lives so they are forced to choose between the two. The women who choose to focus on their work life, like Patty Hewes on *Damages*, are considered heartless.

Women who decide to focus on their career deviate from other women. Their choice draws more attention than fictional women who choose to focus on their family because it is less expected; family and relationships are supposed to be more important to women than their jobs.

Gender Differences in Lawyers' Statuses

In 2002, the average woman lawyer's weekly salary was 69.4% of the average male lawyer's weekly salary (ABA, 2007).

For real women lawyers in practice admitted to the bar after the 1970s, fewer are high in status; many lack experience, are young, and are thinking about having kids (Epstein, 1990; Hagan & Kay, 1995). This idea has continued in the media for the following forty years. In the 17 shows that I watched which had more than one lawyer character, 71% of shows had males in higher ranking positions than females. There was only one show in my sample which had a female attorney at the highest level of the hierarchy. In Corcos' article on fictional women lawyers she discussed the theme of female attorneys having a lot to learn from a dominant male figure, see *Matlock*. In Miller's study of women lawyers in film, she found that these women often have "male mentors" like "surrogate fathers" (Miller, 1994). Television continues to remind us women are incompetent and that law is still a man's profession. This message is disseminated on television in two main ways: a disproportionate number of female law students than male law students and the presence of male mentoring relationships with female students, specifically their lawyer fathers.

Law Students

Female law students appear in these shows more often than male law students. In the first few episodes of *The West Wing*, a female law student who slept with Sam is the focus of a major story line (Sorkin & Schlamme, 1999, *Pilot*). She also happens to be a high-priced hooker who likes her job because it pays for her law school tuition (Sorkin & Schlamme, 1999, *Post Hoc*). Although she is the most blatantly degraded female law student character, there are a few others.

Janet on *Simon & Simon* appeared in the early 1980s, working for her "daddy" while he put her through law school (DeGuere & Allen, 1981). Two decades later, Ellen on *Damages* is signing her first job out of law school (Kessler, Kessler, Zelman, & Coulter, 2007) and is a nervous wreck, stuttering every time she needs to do something for her boss. Although she is not technically a law student any longer, she is a very inexperienced lawyer and is depicted similarly to other female law students. Alison DuBois, on *The Medium*, is reminded of her inferior status in the first episode, when her older, male, heavyset boss reprimands her, telling her she is an intern, not a detective, and her job is to sort the slides (Caron, 2005). She drops out of law school within the first few episodes.

The only male law student who appeared in my study is Marshall, on *How I Met Your Mother*. He differs from the other female law student characters because he seems to take his law school education less seriously. One Sunday, when he has a paper to write, he tells his friends at a bar, "I'm gonna drink a beer, and then another beer, and then I'm gonna get an A" (Bays, Thomas, & Fryman, 2006). He really gets a B- but he is not fazed. Alison Dubois on the other hand, studies law even while she

is taking a bath, having her husband quiz her (Caron, 2005). Marshall can take his studies less seriously and still get by which implies he is naturally better equipped to practice.

Where law school seems to come naturally to male characters like Marshall, it is an uphill battle for characters like Alison. It takes even more work ethic to be a female law student because she needs to compensate for her alleged deficiencies. The process of becoming an attorney is harder for females and once they become attorneys the job is still harder for them.

Male Mentors

Tretheway writes, “Feminist scholars argue that as women grow older and attempt to move into senior ranks in their professions, they are simultaneously expected to conform to youth-oriented constructions of femininity,” therefore, old men are mature and wise, old women decline and age (p. 183). In my sample, male lawyers take on the older, wiser, “mentor” role, which few women lawyers ever fill on television, reinforcing this concept. Elements of these relationships show who women are and how they practice. They often need emotional support and encouragement from their male colleagues and cannot function on their own.

In rare cases, male lawyers mentor younger male lawyers. For example, on *Jake & The Fatman*, JL mentors his ADA, an attractive young man. He gives him tough love, scolding him, "If you want to be DA one day, so you can be governor like your old man, stop having opinions before you know the facts" (Borghi & Satlof, 1987). On *Murder One*, Ted who is an old, experienced lawyer mentors a younger

lawyer named Chris. Ted uses his experience and passes along some knowledge to Chris. For instance, he prepares Chris about an attorney they are going to face: "She's a lifer. She doesn't have anything else but this job" (Bocho & Eglee, 1995). When older male lawyers mentor younger male lawyers, it is in the form of casual information.

The gender dynamic in most mentor relationships is of a young female lawyer who is paired with an older, experienced male lawyer. Women lawyers seem even more incompetent because they are juxtaposed with experienced, male legal professionals. The relationship between Lindsay and Young on *The Practice* is a good example of this sort of relationship. In the pilot episode, Lindsay faces her law school professor in court. For her next meeting with the professor, a male lawyer in Lindsay's firm, Young, comes to help her. When the professor asks, "Why have you brought along Mr. Young?" Young speaks for her. He accuses the professor of "…trying to exploit an influence over a former student" and makes the decision regarding the case, rejecting the offer the professor proposed (Kelley & Jackson, 1997). In the meantime, Lindsay looks incompetent, unable or unwilling to voice her opinions on the case. It's not that she does not have the capabilities to handle the case herself; she needs the emotional support from Young to feel confident enough to handle *her* case.

At another fictional Boston law firm, the character Lori on *Boston Legal* has a similar mentor/mentee relationship with a senior partner named Paul. Lori talks to Paul about what to tell a client she is representing (Kaufer, Kelley, & Gates, 2004). In the next episode, Lori comes into Paul's office, teary eyed, to discuss another case

with him; he confirms her behavior is appropriate (Kelley, Reiter, & Damski, 2004). In the subsequent episode, Lori makes a mistake and is caught pretending to be a psychologist. When she realizes she has made a mistake, Paul helps her handle the people she has harmed (Boston Legal 1; 8). He helps her avoid mistakes, and when she makes one, Paul helps her clean it up.

In the 2000s, Maggie Dekker, a first year associate on the show *Eli Stone* epitomizes an incompetent, inexperienced female attorney. She constantly e-mails Eli about a case she brought up, nagging him about it (Berlanti, Guggenheim, & Schultz, 2008). Eli teases her about her color-coded notes, asking “What are you planning a wedding?” (Berlanti, Guggenheim, & Schultz, 2008). He is criticizing her for being too feminine. When Maggie actually has to try a case, she flounders in court, putting up silly objections, such as, "Objection your honor, I don't like his tone" (Berlanti, Guggenheim, & Schultz, 2008). Eli also reminds Maggie of her lower-status. When the two lawyers are meeting with a comatose client, Eli refers to Maggie as half a lawyer. Their client says he's meeting with "two lawyers" and Eli corrects him, "one and a half" (Berlanti, Guggenheim, Kemp, Mericle, & Petrarca, 2008). Technically, she has the same degree as Eli, but because she is inexperienced, he does not consider her to be his equal.

Surrounded by multiple capable male attorneys, ADA Christina Finn is depicted as an equally incompetent female lawyer on the show *Conviction.* She nervously paces back and forth practicing her first case, and Mike Randolph, playing the male mentor role, gives her some encouraging words (Eid, Green, Glissom, & Reeves, 2006). Again, in his mentor role he steps in to give her the emotional support

that as a woman she allegedly needs. Finn flounders during her first trial. The police officer has to give her advice, “You can’t lead witnesses on direct” and then she leaves her evidence (drugs) on the table when the trial breaks for lunch. The judge takes it from her to make a point, again filling the male mentor role (Eid, Green, Glissom, & Reeves, 2006). This male judge directly points out her incompetency and the other lawyers in her firm subtly point it out by performing more independently and adeptly.

At first glance, on *Law and Order: Trial by Jury*, it looks like women are in charge. The two prosecutors are both women. However, in the second episode, the head DA appears; he is an older man (Green & Deschanel, 2005). They are the assistant district attorneys and ranked below him. The gendered hierarchy on this show also contributes to the idea that men are more competent attorneys.

If there is not a male present to define what female lawyers should be, a female mentor can take on this role. There is one female mentoring situation. The show *Damages* pairs a high-powered attorney, Patty Hewes, with a fresh out of law school female mentee, Ellen. Patty is high power litigator, running “HEWES Associates” and is awarded the National Bar Public Service Award in the first episode (Kessler, Kessler, Zelman, & Coulter, 2007). Patty and Ellen’s interactions are hardly the familial relationship exhibited in the other mentor relationships I discussed above. Instead, Patty is manipulative, demanding, and scares Ellen, contributing to the stereotype that female lawyers are cold. When Patty does have advice for Ellen, it is about how to be a female lawyer. Patty teaches Ellen how to dress like a female lawyer by sending her to Bergdorf Goodman’s for new suits (Kessler, Kessler,

Zelman, & Coulter, 2007). Later in the episode, she tells Ellen, “not to have kids,” advising her on another aspect of female lawyering (Kessler, Kessler, Zelman, & Coulter, 2007). Whereas male mentors can teach their mentees how to practice, Patty is shown as a female lawyer who has mastered how to be a female lawyer, not a lawyer in general.

Alexandra Cabot from *Conviction* is the one last exception of a female lawyer who takes on a high status or mentoring role—in her case as the Bureau Chief. Even though in the first episode, her male superior is gunned down, in the subsequent episodes she is in charge. She tells a male lawyer, Steele, what is rational in a case, and even though he disagrees, he does what she says (Eid, Green, Glissom, & Reeves, 2006). In the next episode, they argue about a specific case again, and Alexandra asserts, “I’m the boss” (Eid & Barba, 2006). This show deserves praise for placing a female, Cabot, in charge; however, she acquired her position through a tragedy (the murder of her boss), not because she was given the job based on merit.

Father/Daughter Lawyers

A more specific form of male mentoring is illustrated in a few father/daughter lawyer pairs. The original team, Ben and Charlene Matlock, are the only pair in my study practicing law together. Charlene, even though she is younger, is given credit in the title of their firm, “Matlock & Matlock” (Hargrove & Day, 1986). While in a professional setting she calls her father “Ben” instead of dad. (Hargrove & Day, 1986). However equal they seem, Ben is still in charge of the firm. He is older and more experienced. He reiterates this when he says to Charlene, “You drive because

I'm the senior partner" (Hamilton, Hargrove, & Hibler, 1986). He may be of higher status because he is older, male, or more experienced; all of the above fit the stereotypical male model format.

Another common character is the female lawyer with a father lawyer who is less involved. In another 1980s show, *Beauty & the Beast*, Cat initially works for her dad (Koslow & Franklin, 1987). She bravely leaves the corporate world where she was sheltered by her father. She gets a job at the district attorney's office, where she is criticized as "…some rich kid's daughter trying to make a difference" (Koslow & Franklin, 1987). Cat revels in the challenge. She tells a friend, regarding her new job, that "Nobody cuts me any slack, but when I do get a kind word, it's because I am doing a good job, not because I'm the boss' daughter" (Peckinpah & Lynch, 1987). She is admirable in this respect, but she learned to be a lawyer under her father's wing, at his firm, not completely on her own.

The presence of so many father and daughter lawyers suggest that this is one way female attorneys get into practicing, by using their male contacts, rather than on their own merit. This idea again contributes to the idea that female lawyers are less competent than their male counterparts.

Damsels in Distress

Lawyers' jobs often put them in dangerous situations. This idea takes on a particular spin when it is a female attorney who is in danger. Two television shows place female lawyers in the role of damsel in distress: *Beauty and the Beast* and

Walker, Texas Ranger. The storylines around these characters suggest that women should not enter the public sphere in this manner.

Cat on *Beauty and the Beast*, is a pretty corporate lawyer turned ADA who is constantly rescued from danger by “the Beast.” She is kidnapped and slashed in the first episode. The Beast comforts her, telling her that what she has endured will make her stronger, but she pathetically whimpers, “I don't have your strength" (Koslow & Franklin, 1987). The Beast nurses her back to health. When she is better and returns to work, she starts taking self-defense classes and gets a gun (Koslow & Franklin, 1987). It seems to be a waste of time and effort however, because the Beast is the one who continues to protect her. First, he rescues her from gunpoint and they flee the scene (Koslow & Franklin, 1987). In another episode, a cabby tells Cat she is out of her mind staying alone in a bad area. He is right, she gets into trouble, and the Beast dramatically saves her again (Crocker & Wright, 1987).

Alex Cahill, another ADA, also plays a similar role. One of the men she prosecuted, Dewey Baker, stalks her when he is released from jail. He corners her in a parking garage saying that he has "…launched her career…a little gal just out of law school taking out a big old Texas cowboy like me. That's big stuff." He tells her, "every night in prison for the past six years, I thought about you and how you looked in that courtroom. Those long perfect legs moving back and forth, struttin’ like they belonged to a $50 whore" (Madden & Vejar, 1993). In his mind, Alex is no longer a lawyer; he has objectified her and focused on her womanness. Part of the reason he is enacting revenge is because he is sexually charged.

Instead of being rescued by a half man/ half animal, Alex is often rescued by Cordell Walker, a Texas Ranger. When Walker finds out Baker is in town, he insists on protecting her but she tries to be tough and continue with her cases (Martin & Cooke, 1987). Eventually, Dewey Baker kidnaps her. She needs Walker to rescue her, which he does, saving her just in the nick of time (Martin & Cooke, 1987).

These are the two most obvious examples of female lawyers who play damsels in distress, but remnants of this story exist in other shows, particularly in the 1980s. Pam from *Greatest American Hero* is paired up with Ralph who is a superhero. On *Matlock*, Ben is in a variety of unsafe situations, one where a man is shot, and another where he is blindfolded and bullied by a bunch of men asking him about a murder. His daughter, Charlene, is not taking care of this business (Hargrove & Day, 1986). LaRue takes Joyce out of the "war zone" and apologizes that she had to see a fight with a suspect in custody and a police officer (Bocho, Kozoll, & Butler, 1981, *Hill Street*). Lastly, Veronica on *Prison Break* tries to prove her ex-boyfriend, Lincoln, is innocent and is chased by the people who framed him. She has go into hiding and run from the conspirators. They try to kill her by bombing her apartment (Macer, Scheuring, & Alexander, 2005) and she is eventually shot and killed (Scheuring & Hooks, 2006). Her ex-boyfriend's brother winds up saving Lincoln; he is the hero of the show.

These victimized females prime viewers with the idea that women need to be protected. Being a lawyer is a dangerous job, especially for women. However, there is a sigh of relief; there are men who come and save them. Their femininity is maintained by eventually accepting the damsel role. While taking on this more

feminine role, the story implies that women are less fit and capable as lawyers. Being victimized interferes with their ability to do their job and women lawyers are more likely to encounter this problem.

CONCLUSION

Television shows featuring lawyers are ubiquitous and popular, spanning different stations, target audiences, and genres. Despite the wide range of characters, there are similarities among these lawyers which persist and exemplify lawyers' cultural representations. For those people who do not interact with real attorneys, television might be the dominant source of information they receive about lawyers (Morgan & Signorielli, 1990). What people think about lawyers and the justice system is particularly important, as Haney (1977) argues, because people are required to draw on this information and use it in ways which influence society, as jurors and voters. What does the image of television lawyers tell us?

First, these shows reiterate the notion that the American legal system is corrupt. This is illustrated most clearly in two themes regarding the cultural representations of lawyers of both genders (i) being portrayed as workaholics and (ii) possessing negative stereotypes. Negative stereotypes about lawyers are generated by television producers and writers who cast lawyer characters into roles based on two dimensions. In the first dimension, a lawyer is either motivated by money or by a conviction to help people. In the second, a lawyer can serve as a protector, confidant and advisor or as a combative, argumentative liar, who exacerbates existing problems in the justice system. According to these two dimensions, a lawyer is either a money-hungry liar, or a compassionate resource. The fact that there are two distinct lawyer prototypes illustrates the confusion in society over lawyers' roles and personae.

Unsurprisingly, when portrayed as workaholics, lawyers are seen working constantly. They never have time for personal relationships (particularly if they are

female lawyers), family, friends, or even leisurely activities because there are always more cases to handle. Lawyers routinely begin cases which may have life-changing implications for their clients, but for a lawyer, these cases amass with a long list of others. Because there are so many cases lawyers have to work all the time to keep society in order by settling disagreements. Attorneys' services are in constant demand which suggests that society's conflicts are endless.

The image of workaholic lawyers is one of the ways in which they are isolated from the rest of society. More than many other professions, lawyers form their own echelon in society due to these prescribed roles. Whether portrayed as a protector or as a "bad guy," people they interact with bring certain assumptions. Lawyers themselves are united by their knowledge of the law and legal terminology, which sets them apart from others. This feeling of isolation may be a reason why many lawyers on television and in real life, pursue personal relationships with people who are also in their line of work.

What kind of person would sign up for this sort of job? In their professional lives, attorneys always have an adversary, requiring them to work with constant and threatening feelings of pressure. They must be extremely motivated, by either their salary or a desire to help people. The commitment required of lawyers presents particular issues for female attorneys, who are simultaneously expected to fulfill their role as lawyer in addition to their role as women. Television tells us that a very specific kind of personality is required to succeed as a lawyer. This personality is well-defined in televisions images: lawyers work all the time for financial gain or to benefit their client. Women who have this personality are depicted as "bitches"

because of their assertiveness. Lawyers are inherently isolated from the rest of the population because of their important role and a female lawyer is even more deviant. TV portrays male lawyers in a more positive light because they fit into their gender role of working long hours and supporting their families, fulfilling their dual positions of provider and lawyer.

Thus far I have expressed lawyers' isolation in a primarily negative way. However, part of this isolation comes from law being a selective, competitive, and desirable field. Being a lawyer is a challenging and prestigious job which attracts students who graduate from the top colleges. This selectivity excludes many groups. Lawyers tend to be from middle and upper class backgrounds. On television, the only lawyers who explicitly came from difficult backgrounds were male; Eli Stone's father was an absent-minded alcoholic and David McNorris grew up in a tough neighborhood. Being a female is an obstacle on its own, arguably one that is more challenging than race or class (Sinclair-Chapman & Price, 2008). The female law students in my sample struggled to get through law school (or dropped out). On television, female lawyers continue to struggle in their careers, because practicing law is particularly difficult for them. They constantly make mistakes and need guidance and support from their male mentors. The kind of women who could persevere through these challenges is subtly isolated and characterized by viewers as deviant.

Fictional law firms suggest female lawyers are less competent than their male counterparts in two complementary ways. First, female lawyers on television are of lower social status, garner less respect than their male counterparts, and rarely are in charge. Second, by building up the selectivity of practicing law and then pairing

female lawyers with their male fathers (there were no father/son lawyers in my sample) implies one way women get into practicing law. Instead of breaking in based on their own merit, the connection was pre-established for them by a male character. Female lawyers are constantly trying but even with help are still not as capable as male lawyers. This is important to recognize because the image of female lawyers on television reflects our culture's views on real women attorneys (Sutherland & Swan, 138). Viewers will internalize the message that men are inherently better lawyers. When heavy viewers need a lawyer they will be more eager to hire and pay extra for a male lawyer. Females will also be more reluctant to pursue a career in law, or be more self-conscious in their practice as a product of self-fulfilling prophesies.

Not only are female lawyers challenging themselves by practicing law, they also challenge the system by changing the existing dynamics of the practice, based solely on their gender. Fictional female attorneys are sometimes victims of violence, unable to do their job and requiring a male character's guidance. By incorporating both genders in a historically male workplace, there is room for heterosexual tension via workplace dating and sex, factors that may interfere with lawyers' ability to do their job. These relationships make for entertaining storylines in fiction, but warn viewers of a potential problem. Lawyers have so much work to do and these sorts of relationships inevitably create distractions. The ritual of drinking illustrates another way that female lawyers change the dynamic. Lawyers often work and socialize over drinks. Going out for drinks in a heterosexual group inherently changes the dynamic (Hagan & Kay, 1995). Lastly, female lawyers, if they do bring a "different voice" to the legal practice, present new ways of lawyering and therefore require adversaries to

create new ways of countering those techniques in the courtroom.

Female lawyers are not only depicted as nuisances, but also lack qualities expected from normal women. They have difficulty in personal relationships, with their sex lives, and as mothers; reinforcing the belief that law is not a place for women. Women who try to take on both the role of a woman and lawyer seem incompetent in their personal lives or in their professional lives; they cannot succeed and are criticized in both, regardless of how they choose to spend their time.

The cultural representations of lawyers today support an outdated view of gender roles in the workforce. Being a lawyer, as well as other professions, is a selective, lucrative, and demanding job, which the post World War II conception holds should be filled by men. This contributes to the sexism within the profession, as male lawyers on television support their wives and families while female TV lawyers are single and dating. An interesting study of this phenomenon could examine lawyers and their families.

The counter-narratives to these gender role expectations is virtually absent when considering fictional female lawyers' narratives. With the one exception of the relationship depicted in *The Cosby Show*, where are the helpful husbands? Or stay at home dads? Where are the female part-time lawyers who find a balance between their personal and professional lives? Television storylines are too narrow to incorporate more complicated approaches to gender roles. Instead, they simply reiterate females' stereotypical gender roles by forcing women to choose which identity they would like to maintain. The media's image of momism suggests the only way a woman can be a "good" mom is if she puts enormous amounts of time into her relationships with her

children and ignores her own interests; the emphasis is on the quantity rather than the quality of time she is able to spend with her children (Douglas and Michaels, 2004).

Both the roles of mother and lawyer are invaluable roles in society. People need lawyers to guide them through the legal processes and mothers to raise them (Arendell, 2000). There are men to be lawyers, but who else is going to mother a child? Television tells us that this is not where a father can adequately provide. This leaves room for critiques of all professional women, who could be charged with neglecting their prosocial role. Problems of sexism are not unique to lawyers, but rather are present in other professions, most likely voiced in similar experiences. My research leads me to conclude that the objective truth for which television might be based is similar for women professionals in other fields (i.e. why men earn more). A particular media study examining professional women in general would reveal the truths, as well as illuminate the reality as to whether there is something about being a high-powered, lawyer, who balances both of her lives, which is particularly threatening.

The general cultural representations of lawyers contribute to the academic literature on television lawyers. With regard to gender, my results are generally consistent with pre-existing literature. Female lawyers in my sample were inadequate in personal relationships and as mothers; consistent with studies done by Corcos, Guerrero, Sutherland and Swan. In some cases, my ruminations on gender take the literature a step farther. I extrapolated on Corcos' idea of "male mentors" to include father/daughter lawyer pairs. My preliminary findings on the image of lawyers, particularly females, also reveal many places for future study.

Given the limits of my sample size, it was not possible to draw conclusions on many important dynamics. First, future, studies must look at the interplay between race and gender in much greater depth. The relative scarcity of ethnic minorities as lawyers prevented me from finding anything definitive. Like race, the number of gay or lesbian attorneys on television made up a small percentage of my sample (only .03%). With a larger sample, one might be able to draw more conclusions about the role of these attorneys in society. Extending research to include these individuals' gender would reveal where gay and lesbian lawyers fall into place in the media's representative landscape.

Furthermore, it would be interesting to look in greater depth at some of the preliminary findings put forth in my study. One of my preliminary findings states lawyers are frequently shown drinking. My study could have further contextualized drinking to see whether this is a negative activity or perhaps one that humanizes lawyers, and includes rather than isolates them, from other people in society. Future studies could also focus on the theme of ex-lawyers. In the few instances where lawyers changed careers from public to private law (or vice versa), the surrounding storyline illuminated valuable characteristics and features of each profession and what working in that profession says about the people who are in it. Who leaves, and what follows for those who leave the legal profession altogether? These questions remain unanswered.

Further studies might consider how the biggest themes in this study interact with gender. I suggest a few possible interpretations of how each of the cultural representations of attorneys differs by gender, but these conclusions are left

unsubstantiated in the psychological literature and deserve future. The aspects of being a lawyer seem to be difficult and even more difficult for women; it isn't easy being 'Ally.'

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Appendix Two: Initial List of Possible Codes

I. Appearance

- Weight/Height
- Accents
- Sex Appeal
- Age
- Glasses
- Attire
- Articulate/Inarticulate
- Attractiveness
- Race

II. Performance in court/at work

- Type of Law
- Win/lose case
- Ranked in firm
- Opposing counsel
- Professional contacts/connections
- Judges
- Unethical behavior
- How did they get to where they are?
- Horatio Alger stories
- Ex-lawyers
  - Who?
  - Why?
- Credentials-law school, work experience

III. Type of show

- Comedy
- Legal drama
- Setting
- Violence
- Supernatural

IV. Outside of work

- Friends
- Hobbies
- Sports - Golf, tennis
- Busyness –cell phone, working at home
- Fidelity to spouse
- Family to work ratio
- Drinking
- Relationships with coworkers
- House/car
- Sex lives

Personal relationships
    Class issues in relationships
    Unlucky with love

V. Public vs. private firms

Shyster lawyers
Changing between the two
Resources
Office
Moral Qualms
Materialism

VI. Personality

Flaws
Mental health
Heartless/Lacking compassion
Anal
Caring/nurturing approach
Heroic
Force to be reckoned with
Talking down to people/Elitism
Brilliance/Creativity
Helping others
What kind of people do they represent?
Religion
Health/exercising
Conflicts with others
Authority
Vulgarity
Likeability
Sense of humor
Sarcasm
Back-story
Eclectic
In charge of communication
Evil
Hallucinations
Mentors/Mentees

VII. Women

Androgynous names
How show represents other women
"Bitch" and other forms of sexism
Women taking on "maleness"
Compared to reality

Appendix Three: Selected Codes Specific to this Study

I. Public versus Private Firms

- Public versus private law quotes
- Images of two types of law offices
- Who practices each type of law
- Switching from private to public (or vice versa)
  - Ex-lawyers
- Status Symbols

II. Stereotypes

- Negative Stereotypes Associated with law
  - Liars
- Putting down specific legal careers
  - Defense
  - Malpractice
- Busyness
- Workaholics

III. Uses

- Protectors
  - Weapons/threats
- In Charge of Communication
  - Blocking communication
  - Own lingo
  - Smart
  - Selective
- Confidants/Advisors

IV. Drinking

- Other drugs
- Vulgarity

V. Personal Relationships and Sex Lives

- Problematic Families
- Flawed
- Work interferes
- Sex scenes
- Family
- Motherhood
- LGBT lawyers
- Interwork dating

VI. Background

Difference Model
- Maleness
- Sexism
- Strategically using sex
- Feminine perspective
  - Male mentors
    - Law students

How People wound up as Lawyers
- Horatio Alger stories

Victimization
- Damsel in distress
- City
  - Southerners (or lack thereof)

Class

VII. Appearances

Race
- Judges
- Clients
- Discrimination cases

Weight

Comments about attractiveness