

NALP JUDICIAL CLERKSHIP SECTION

Quarterly Report to the Board of Directors

April 11, 2011

Submitted by: Sheila Driscoll, George Washington, Chair

The following summarizes the section's work and accomplishments from this past year. It has been a truly rewarding experience to serve as the Chair of this section for the past two years, and I look forward to serving as "immediate past chair" and helping the new Chair next year.

Conference Programs and Bulletin Articles

Four of the sections' conference proposals were accepted:

- **Beyond the Basics – Tips and Tricks for Using OSCAR Efficiently** submitted by: Katie Wilkinson (Tulane), Kirsten Solberg (Harvard), (FYI Matt Zimmerman from Georgetown who was also scheduled to present this program has gotten a new position and is no longer a member of NALP)
- **The Rise of Alumni Clerks: Challenges and Opportunities for Career Counselors and Legal Recruiting Professionals** submitted by: Michele Hoff (Connecticut), Eric Stern (Berkeley), Laurie Logan-Priscot (Carmody & Torrance, LLP), Marilyn Drees (Yale)
- **The Three Year Plan for a Successful Clerkship Program at Your Law School** submitted by Eric Stern (Berkeley) and Melissa Lennon (Temple)
- **Improving Racial and Ethnic Diversity in Federal Clerkships** submitted by Hanna Stotland (Northwestern), Christian Garza, Irma Gonzalez, and Frank Wu (co-sponsored by Diversity Section)

The following Bulletin articles have been published or scheduled for publication:

February 2011: Judicial Clerkships: An Oft Overlooked Option for Students Interested in Public Sector Careers By Lorri Olan (Washington & Lee)

Date TBD: Sheila Driscoll and Marilyn Drees will write an article highlighting statistics from OSCAR from the previous hiring season.

Work Groups

OSCAR Work Group. Chair Marilyn Drees (Yale)

The OSCAR Work Group continued to be very busy and productive over this past year. Since last spring the work group has reviewed and tested OSCAR version 6.0 and is now gearing up to do the same for OSCAR version 6.1. The main update in version 6.0 was the inclusion of a module for the hiring of staff attorneys by federal circuit courts which was very successful. The work group presided over a conference call with all section members to answer questions about working with version 6.0 over the summer and plans on doing the same for Version 6.1 this summer before the hiring season heats up. Katie Wilkinson O'Leary (Tulane) and Marilyn Drees

(Yale) represented the group at the annual meeting of the judges' OSCAR Work Group in Washington, DC, on November 4, 2010 and will continue to represent the group.

The OSCAR staff reported on the 2010 hiring season statistics, subsequently highlighted in an article in the judiciary's newsletter, The Third Branch.

http://www.uscourts.gov/News/TheThirdBranch/10-12-01/OSCAR_Comes_of_Age.aspx).

Since the last quarterly report in February, a member of the group attended the workshop for OSCAR Law School Administrators sponsored by the OSCAR staff on March 9 and assisted with one of the breakout sessions. In a conference call with OSCAR staff, the group discussed the changes outlined in the Statement of Work for OSCAR 6.1, including some issues that had arisen during the workshop. The staff indicated that the OSCAR 6.1 beta site would be available for the working group to test sometime during the week of April 11. The working group will perform testing and provide written comments to the OSCAR staff.

State Court Work Group. Co-chairs Melissa Lennon (Temple) and Lori Olan (Washington & Lee) report the following:

This year, the state court work group continued to invite volunteers to submit tips and tricks to add to their guide, "Insight and Information for Select State Court Clerkships." So far 15 jurisdictions are included: Colorado, Connecticut, Georgia, Illinois, Iowa, Maryland, New Jersey, Oregon, Pennsylvania, Rhode Island, Texas, Virginia, and Washington D.C. Next year the group hopes to solicit additional volunteers and cover additional jurisdictions.

A link to this resource was added to the NALP web site and distributed to members:

http://www.nalp.org/uploads/NALPStateCourtRESOURCE_Oct10.pdf

Administrative Law Judge Hiring. Chair Chris Fritton (Pennsylvania)

Chris Fritton with the help of approximately 9 members produced a document with information on ALJ hiring for most federal agencies, with the exception of the Department of Homeland Security. Chris would like to especially thank Danielle Sorkin (Brooklyn) who shared information that she had already gathered on ALJ hiring which made the work group's task much easier.

That resource has been included on the NALP web site, and a link was distributed to members:

<http://www.nalp.org/aljclerkshipinfo>

Experienced Attorney Hiring Work Group

This year the Board decided to convert this work group into a joint work group with the Recruiting Section. Erin Springer and I solicited volunteers in the fall, including two co-chairs: Naomi Sanchez (Washington) and Elaine Kent (Gardere law firm). The rest of the work group includes: Beth Wickwire (Michigan), Tracy Le (USC), Jolynn Caroline (Illinois), Michele Hoff (Connecticut), Marilyn Drees (Yale), Debbie Foster, Fish & Richardson (San Diego) Vivian Wexler (Harvard), Brynne Lehner, Manatt (Los Angeles), Carly Appel, Skadden (New York).

After a conference call in February between Naomi, Elaine and myself, and after consulting with Michele Hoff and Marilyn Drees who are presenting on this topic at the NALP conference in

Palm Springs, we arranged a conference call with all members of the Work Group to discuss reaching out to law firm members to get feedback on issues the law firms face when judges hire their associates as judicial law clerks. We then distributed a set of questions developed by the NALP program presenters and a potential outreach script for members to email with follow-up phone calls. Michele Hoff received and compiled all of the anonymous responses from approximately 20 law firms to use during the presentation at Palm Springs, and she reports that additional responses may come in.

Here are the questions posed:

Hiring Law School Graduates as Judicial Clerks - Issue Areas for Employers

IMPORTANT BACKGROUND: None of the information will be attributed to a specific person or firm. We will only use aggregated information to identify common issues, spot trends, and synthesize potential "best practices." We appreciate whatever information you can share; if you feel you cannot answer a question, just say so and we will move on.

Have you dealt with associates leaving for clerkships? Does it seem to be a problem?

How have you seen the departure of associates for clerkships affect a firm?

Does a short term at a firm before a clerkship have an impact on a new associate? If so, how (maybe assignments, training, seniority, salary – anything you can think of)?

Does the length of time an associate spends at a firm before a clerkship matter? For example, would it be significantly better to be there 18 months (24 months, whatever) before leaving, or is the impact basically the same whether the associate leaves after 10 months or 24?

When and how should new hires tell you about (a) their clerkship search or (b) their acceptance of a clerkship?

Can you offer specific examples of really good ways for a new lawyer to handle a future clerkship?

Someone who hasn't started at the firm yet

Someone who is currently working at the firm (perhaps less than a year/more than a year)

Similarly, can you suggest things NOT to do?

Do you talk to summer associates (or junior associates) about clerkships? If so, what do you cover? Where does the information come from (e.g., hiring partner, recruiting dept., head of litigation)?

What has your experience been with clerkship recommendations:

For current associates

For students in the summer program (preparing applications for the Labor Day release date)

For students who received an offer (applying a little later during their final year of law school)?

Environmental Scanning

The federal judiciary's newsletter had a short article on the territorial courts in the February issue:
http://www.uscourts.gov/News/TheThirdBranch/11-02-01/Territorial_Courts_in_the_Federal_Judiciary.aspx

ABA Programs Enhance Opportunities for Diverse Students. Article in February NALP Bulletin on programs to increase minority students applying for judicial clerkships.
<https://www.nalp.org/viewbulletin/index.cfm?documentID=2866&bulletinID=373>