

To: Fred Thrasher, NALP Deputy Director
Melissa Lennon, Board Liaison
NALP Board of Directors
From: Amy Killoran, Chair, Judicial Clerkship Section
Date: October 14, 2014
Re: Judicial Clerkship Section Quarterly Report

Below, please find information about the Judicial Clerkship Section's activities since our last report, including section communication, and updates from work groups.

Section Communication

On July 14, 2014, the Judicial Clerkship Section held a conference call to specifically discuss long range strategic planning, focusing on what direction the section is heading, the challenges we face, and where we would like to see the section go over the next five years.

On October 1, 2014, the Judicial Clerkship Section held a conference call to discuss the status of RFPs and bulletin articles, volunteer opportunities, and updates from work groups. The strategic plan was also discussed in detail.

Work Group Status Reports

OSCAR (Susan Staab, Chicago):

As mentioned in a previous Board Report, the OSCAR Judges' Working Group developed a list of Federal Law Clerk Hiring Best Practices. The Chair of the Judges' OSCAR Working Group, Judge Timothy Burgess, sent a letter to NALP's leadership requesting law schools develop a list of best practices for clerkship applicants using OSCAR. In response to the request, members of the section drafted a memo on Law School Suggestions on Federal Law Clerk Application Best Practices. The document was posted on NALP Connect and distributed at the Annual Conference for member comment.

The Section Work Group collaborated on finalizing the document and forwarded it to the NALP Board for review. In addition, the letter from Judge Burgess requested that NALP gather perspectives from law schools on federal law clerk hiring to share with judges. This perspectives draft received Board member input and underwent several revisions. Both documents were forwarded to Judge Burgess in July. The Judges' OSCAR Working Group is also scheduled to meet November 20, 2014 in Washington, DC.

The Administrative Office of the U.S. Courts (AO) deployed new programming in OSCAR on September 30, 2014. The NALP OSCAR Working Group had very small window for testing and providing feedback to OSCAR administrators. Several of the programming changes are significant to applicants, law school administrators (LSAs), and recommenders, especially the new policy of allowing applicants to update documents and recommenders to update letters on finalized applications. Additionally, OSCAR will implement changes to the online position form that will require a judge or staff attorney office (SAO) to indicate the minimum number of semesters of law grades an applicant should have and to indicate a preference for interview methods. Finally, OSCAR will provide a simplified method for applicants and LSAs to unsubscribe from automatic email notifications. The OSCAR Programming Office conducted webinars for LSAs in August to preview the new features and provide an opportunity to ask questions.

The following is a summary of OSCAR changes:

Allowing Applicant Updates to Finalized Applications

In previous versions, OSCAR prevented applicants from changing applications once they were submitted and viewable by a judge or Staff Attorney Office (SAO). Going forward, OSCAR will no longer lock online applications once they are submitted to a judge or SAO for viewing. As long as the position posting has the status of "Available," applicants and law schools administrators (LSAs) can continue to update documents on clerkship and SAO applications. Applicants will be able to update all application documents, to include resumes, cover letters, writing samples, and grade sheets, as well as add and delete recommenders.

Additionally, OSCAR will continue to prevent applicants from deleting finalized applications. To remove the application from consideration, applicants must use the Withdraw button just as in previous versions of OSCAR. An applicant cannot then submit another application to that position. OSCAR will also continue to limit applicants to 100 finalized applications to chambers clerkships.

OSCAR will track all updates made to finalized applications and provide confirmation of application updates via a unique confirmation number and an email message sent to the applicant account.

Edit and Delete Letters of Recommendation

In addition to applicants being able to add or remove recommenders on finalized applications, recommenders will gain the ability to edit and delete letters of recommendation on both draft and finalized applications to available positions. OSCAR will track changes made to letters of recommendation on finalized applications to available positions as application updates. As with other application documents, letters of recommendation attached to applications to expired and filled positions will be locked from editing or deletion.

Changes to Position Posting-Minimum Required Number of Semesters of Law School Grades

OSCAR will now require judges and SAOs to indicate the minimum number of semesters of law school grades an applicant must have to be considered for a position in their position postings. Judges and SAOs will be able to select between 1 and 6 semesters or "No Preference." Upon implementation, existing positions will default to "No Preference."

Interview Method Preferences

Judges and SAOs must also indicate interview method preferences as part of the position posting. They can select from "In Person," "Telephone," "Video Conference via Local Court," and "No Preference." Upon implementation, existing positions will default to "No Preference."

Unsubscribe Link for New Clerkships Available Email Notification

When applicants and LSAs first register for OSCAR accounts, they can select to have OSCAR send them automatic email notifications of new positions posted in the system. Previously, applicants or LSAs needed to log into their accounts to change notification preferences. To simplify the process, OSCAR will now include an unsubscribe link in the New Clerkships Available email notification itself. Applicants and LSAs can use this link to cancel email notifications without logging into OSCAR.

State Courts (Molly Stafford, McGeorge):

We received one new update for *The Insight and Inside Information for Select State Court Clerkships* during the second quarter of this term. We added IN and are following up on existing commitments for the following states: AL, AK, CO (update), NM, ND, TX (update), WA, and WY. Currently, this resource includes the following 27 states: AZ, CA, CO, CT, DC, DE, FL, GA, IL, IN, IA, MA, MD, MN, MO, MS, NE, NJ, NV, NY, OH, OR, PA, RI, TN, TX, and VA. The Guide is posted on the NALP website, under Professional Resources>Career Services>Resources for Judicial Clerkships. Additional volunteers to update or add the remaining states are welcome, and were solicited during the October 1 conference call.

Federal Clerkship Hiring Timeline (Greta Trakul, Michigan, and Michele Hoff, Connecticut):

This quarter, the Working Group created and disseminated through NALP Connect a survey about clerkship hiring over the last two years. Although the response rate was lower than was hoped for, relative to the response rate for a similar survey conducted by the Working Group last year, we are currently analyzing the feedback received. We hope to use the feedback as a basis for the meeting between the Judges' OSCAR Working Group and the NALP OSCAR Working Group this November. We hope that the feedback received will be useful in examining the impact of the dissolution of the Federal Law Clerk Hiring Plan, in addition to providing other helpful information for the Judicial Section members. The Working Group is currently undergoing a review of the results and will be producing a summary report to share with Section members on NALP Connect and with the Judges' OSCAR Working Group.

The timing of federal law clerk hiring remains in flux since the last report. Currently, many circuit judges have begun posting their 2016 positions on OSCAR and several district courts have as well – primarily those located in California, New York, and Washington, DC. Some have hired and moved on to 2017 and beyond, but it does not yet seem like a majority of judges are actively interviewing and hiring 2Ls yet. A number of judges have indicated in OSCAR that they would like to see at least fall semester grades before making hiring decisions on second-year law students.

Programming and Resources (Shannon Schaab, John Marshall, and Sheila Driscoll, George Washington):

Of the seven proposals submitted by the section, four programs were selected for inclusion in the 2015 Annual Education Conference in Chicago. These programs are Advancing a Public Service Career Through Clerking: Strategies, Challenges and Guidance; Clerking in the Windy City Beyond the Article IIIs; Federal Clerkships and OSCAR: Looking Back, Looking Forward; and Impact of Early Clerkship Hiring on Summer Associate Programs and OCI. Additionally, all four bulletin articles proposed by the section are slated for publication this coming year on topics including advising clerkship applicants who are asked to write their own letters of recommendation; explaining federal clerkship background checks; managing clerkships as a portion of one's job duties; and best practices for advising students interested in both public interest careers and judicial clerkships. We also solicited additional volunteers for updating the *Guide to Administrative Law Judge Hiring* during our October conference call.

Long Range Strategic Planning (Kirsten Solberg, Harvard):

After conducting initial outreach through NALP Connect discussions, the Section held a conference call on July 14, 2014, specifically to brainstorm ideas for our long range strategic planning memo. Discussion continued during the Section's second quarter conference call on October 1, 2014. Themes included data collection and distribution (especially about gap year clerkships, alumni applicants, diversity, and what people do after clerking); state court resources (especially whether NALP could take a leadership role in developing something more comprehensive); and Section strengths. We have begun drafting a memo and expect to share a first draft in October on NALP Connect for Section feedback, before a final product goes to the Long Range Strategic Planning Committee by November 14.

Environmental Scanning and Miscellaneous

For additional information about the current state of the clerkship market, please see the Federal Clerkship Hiring Timeline work group update, above. State courts continue to proceed along their own timelines, with hiring for the 2015 term continuing into the fall and with individual judges in some states accepting applications for the 2016 term.