

To: Alison Ashe-Card, Board Liaison, NALP Board of Directors

cc: Fred Thrasher, NALP Deputy Director

From: Laura E. Woodson, Chair, Judicial Clerkship Section

Date: June 24, 2021

Re: **Judicial Clerkship Section Quarterly Report**

Below please find a summary of the Section's activities and concerns from this quarter.

I. Leadership Team

Section Chair	Laura Woodson, University of Georgia School of Law lwoodson@uga.edu (706)542-4832
Annual Education Conference, Bulletin Article and Webinar Planning Workgroup Vice-Chairs	Elizabeth Crane, University of South Carolina School of Law ecrane@mailbox.sc.edu Stephanie Black, New England Law sblack@nesl.edu
Federal Law Clerk Hiring Plan Workgroup Vice-Chairs	Greta Trakul, University of Michigan School of Law gtrakul@umich.edu Dana Minissale, Southern Methodist University School of Law dminissale@smu.edu
OSCAR Workgroup Vice Chair	Marilyn Drees, Yale marilyn.drees@yale.edu
State Court Workgroup Vice-Chairs	Jennifer Pollard, University of Maryland School of Law jpollard@law.umaryland.edu Tamara Stephen, Brooklyn Law School tamara.stephen@brooklaw.edu
Member Relations Workgroup Vice-Chairs	Janet Siegel Brown, Northwestern University School of Law jbrown@law.northwestern.edu Todd Rogers, University of Colorado Law School todd.rogers@colorado.edu

Knowledge Management Workgroup Vice-Chair	Alfred “AJ” Finch, University of Iowa School of Law alfred-finch@uiowa.edu
Diversity, Equity and Inclusion in Clerkship Hiring Workgroup Vice-Chairs	Andrea Saavedra, Columbia University School of Law acs2126@columbia.edu Amy Nixon, University of Chicago School of Law anixon@uchicago.edu
Judicial Workplace Conduct Workgroup Vice-Chairs	Eric Stern, University of California, Berkeley, School of Law estern@law.berkeley.edu Elizabeth Peck, Cornell School of Law ep83@cornell.edu

II. Section Meetings

The Section held its kickoff section call on May 3, 2021. Newly appointed Vice-Chairs of the Section Workgroups and Section members were busy with a number of big happenings focused around the Section’s new workgroups and charges, including:

- New Workgroup Approved – On April 26, the Section submitted a New Work Group Proposal to be considered by the NALP Board at its May meeting. The new Workgroup will be called the **Judicial Workplace Conduct Workgroup** with the goal of providing Section members with resources and guidance designed to help them more effectively counsel and support interns and clerks on conduct issues that arise in the judicial workplace. Eric Stern (UC Berkeley) and Liz Peck (Cornell) will serve as co-Vice-Chairs on the new Workgroup. The NALP Board approved the creation of this new Workgroup at its May meeting and the co-Vice-Chairs are already hard at work creating proposals for RFPs, articles, and webinars to provide important information to NALP members.
- Webinar on Judicial Workplace Conduct - On May 17, OSCAR Workgroup Vice-Chair Marilyn Drees led a panel of Judicial Integrity Officers in a webinar to detail the new standards and procedures for dealing with workplace misconduct, as well as resources and ideas for counselors working with clerks in difficult judicial workplace situations.
- Open RFP Processes -
 - RFP processes are open for both the 2021 Professional Development Institute and the 2022 Annual Education Conference and Section members are encouraged to consider submitting program proposals. Several RFPs are already in process as a result of a brainstorming session held by the Section on May 19.

- The co-Vice-Chairs of the Annual Education Conference, Bulletin Article, and Webinar Planning Workgroup held a brainstorming call on May 19, 2021 for all Section members to discuss ideas and solicit volunteers to prepare RFPs for the 2022 AEC and Bulletin articles. Some excellent ideas were discussed and Section members are hard at work developing the ideas into RFPs and articles.
- The Section will submit a proposed package of programming developed by the Judicial Workplace Conduct Workgroup to the 2022 Annual Educational Conference (2022 AEC) Committee Planning Committee for its consideration. This package would consist of Requests for Proposal (RFPs) pertaining to two panels and a Hot Topic program on judicial workplace conduct. It is the opinion of the co-Vice Chairs of the Judicial Workplace Conduct workgroup that this package of programming will be more effectively presented together and we hope that the Planning Committee will accept the entire package for presentation at the 2022 AEC.
- Upcoming Bulletin Articles – The Section will be submitting a few articles for the NALP Bulletin in the coming months. Specifically, for the August/September Bulletin, the Section will submit an article on Rural Clerkships; for November/December, we expect to submit an article on Finding Alliances for Small/Solo Career Advising Offices; and for April/May 2022, we will submit an article on federal Magistrate Court Clerkships. The Section also plans to submit a longer feature article in February or March 2022 on Opportunities for student involvement with members of the judiciary early in law school.
- Call for 2021-2022 Volunteers – We encouraged members to start thinking about how they might like to be involved in the Section during the upcoming year.

III. Environmental Scanning

Many of the concerns that came up within the Section this quarter include:

- Diversity, Equity, and Inclusion (DEI) in clerkship hiring is definitely at the very top of the list of concerns of members of this section. We will look for trends in hiring, methods judges use to increase diversity among their clerks, and the effect of adoption or not of the hiring plan on hiring of diverse law clerks.
- Status of the Federal Law Clerk Hiring Plan - Another big issue will continue to be the Hiring Plan, including both (1) whether it will be continued beyond the class of 2023 and (2) the inconsistent adoption of the plan and how that affects clerkship advising and hiring.
- Planning under the current circumstances - These two issues – DEI and the hiring plan – intersect in that the lack of transparency in the clerkship application/hiring process

affects the inclusiveness of the process. We have identified a focus among clerkship advisors on how to plan for whatever unfolds – whether a hiring plan (in this or a different format) or no hiring plan and how to increase diversity in hiring. If the hiring plan seems to be improving or reducing diversity in hiring, how do we address that?

- State Supreme Court hiring - Because more federal judges have decided to comply, some state supreme courts have identified an opportunity to jump ahead of their federal colleagues in the hiring timetable. So many top students may be forced to choose whether to apply (and likely be hired) to state supreme courts before federal judges following the hiring plan have reviewed their materials.

IV. Upcoming Section Calls

The Section plans to hold its next general meeting on Thursday, July 8, 2021 at 2:00pm Eastern. Other quarterly meetings are scheduled as follows: Thursday, Oct 14, 2021 at 4:00pm Eastern; Thursday, Jan 20, 2022 at 2:00pm Eastern; and Thursday, Mar 10, 2022 at 2:00pm, Eastern. We are also hoping to explore the idea of holding additional small group meetings on specific topics in the coming months. These scheduled meetings and any smaller meetings will be published on NALP Connect for all Section members and NALP members to join.