

To: Fred Thrasher, NALP Deputy Director
Lois Casaleggi, Board Liaison
NALP Board of Directors
From: Amy Killoran, Chair, Judicial Clerkship Section
Date: February 4, 2016
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 Tuesday, November 3, 2015, the Judicial Clerkship and Recruiting sections held a joint conference call to discuss the interplay of judicial clerkship and law firm hiring. Approximately 57 NALP members participated in the call, which proved to be a productive dialogue between school and employer participants. Law schools shared the present timeline of clerkship hiring and how students are advised, and law firms shared how their firms viewed judicial clerkship hiring and its impact on both summer associate hiring and "gap year" clerkship hiring, where judges hire law clerks to begin one or more years after they graduate.

On Tuesday, January 26, 2016, the Judicial Clerkship section held its third quarter conference call, which discussed the visit of section members to the Judges' OSCAR working group meeting in November, the introduction of "OSCAR II," a reminder of the date that rising 2Ls will be able to access OSCAR in 2016, and other work group updates, including recently-published articles in the NALP Bulletin and the forthcoming guide to administrative law judge (ALJ) clerkships. Turnout was slightly lower than usual, with much of the East Coast still digging out from a snowstorm – approximately 30 members participated in the call.

The section will hold its final call of the NALP year before the Boston Annual Education Conference on March 10, during which we will brainstorm RFP topics for the 2017 Annual Education Conference as well as receive updates from work groups.

Work Group Status Reports

OSCAR (Susan Staab, Chicago):

The Judge's OSCAR Working Group met November 6, 2015. In addition to the two NALP Representatives who are non-voting members of the Judges' OSCAR Working Group, Susan Staab (University of Chicago Law School) and Eric Stern (UC Berkeley School of Law), the Judges' OSCAR Working Group also invited back the Judicial Clerkship section chair, Amy Killoran (Georgetown) and members of the NALP OSCAR Working Group and Law Clerk Hiring subcommittees to participate in a discussion of the most recent hiring season and to provide feedback for an updated version of OSCAR.

The morning portion of the meeting consisted of NALP and OSCAR representatives. The AO OSCAR representatives started a discussion on “OSCAR II”. OSCAR was created 10 years ago and its core functionality remains unchanged. However, OSCAR must adopt modern web and programming practices to improve usability, deliver service to mobile devices, employ modern web terminology and conventions. AO staff provided statistics that most first time visits to OSCAR are currently via mobile device and that OSCAR is limited in its effectiveness on such devices.

The AO emphasized the role that the law schools played in the development, adoption, and success of the current OSCAR system and expressed interest that this successful partnership should continue. The AO will work with the NALP representatives to identify the members of a law school advisory group to consult on the development of OSCAR II. The AO will issue a survey to law schools to gather feedback on the current system. The law school advisory group will participate in brainstorming ideas and make recommendation to the AO for functionality of the law school, applicant, and recommender interfaces in OSCAR II.

The afternoon portion of the meeting involved the judges and other non-voting members (other law school representatives and Deans). One recommendation made by NALP representatives was to eliminate the two-date process for rising second-year law students to gain access to OSCAR and provide a single date for full system access. A discussion followed regarding the appropriate access date (June 1, July 1, or August 1). The law schools all agreed that August 1 was too late because of on-campus interviewing programs. The judges ultimately decided July 1 would be the date rising 2Ls would receive full system access to OSCAR.

AO OSCAR representatives reported an increase in postings when communications were sent by the AO or NALP. Based on the effectiveness of such communication, the Working Group recommended the AO Director send a memorandum to all federal judges twice a year in January and July. The Working Group also requested NALP send the follow up postcard to all judges in August. Judges present at the meeting all had positive comments regarding the postcard and how it helped them remember to post their own positions.

The OSCAR Program Office also conducted webinars for law school members in January that addressed key statistics and trends from the 2015 hiring cycle, the July 1 access date for rising 2Ls, software enhancements planned for the current version of OSCAR (OSCAR 7.8), and the future of OSCAR (OSCAR II).

The Working Group will convene its next annual meeting in fall 2016. In the interim, the NALP OSCAR Working Group will continue to work in collaboration with the AO on the current OSCAR system and “OSCAR II”.

State Courts (Greta Trakul, Michigan):

The State Courts Working Group updated several existing entries in the *Insight and Inside Information for Select State Court Clerkships* and uploaded it as a resource on NALPconnect. We have asked for volunteers to update other existing entries to reflect the changes in hiring at the state court level in response to the earlier federal court hiring. We will

continue to conduct individual outreach to member schools in the states for which the *Guide* currently lacks information. Volunteers to assist with the updates and outreach to member schools are welcome.

Roman Chaban at Catholic University has volunteered to explore the possibility of using NALPconnect to facilitate state court judicial clerkship applications.

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

The Federal Clerkship Hiring Timeline Working Group participated in the annual Federal Judges' OSCAR Work Group meeting in November, presenting and discussing the information gathered from members of the Judicial Clerkship Section. In the coming months, the Working Group will provide feedback to the Administrative Office of the Courts on the new, updated version of OSCAR that is now in the development stages. The Working Group will also continue to monitor federal court clerkship posting and hiring practices.

Programming and Resources (Maureen Kieffer, Loyola, and Diane Cross, Cincinnati):

Section volunteers are finalizing the updates to the *Federal Administrative Law Judges Post-Graduate Clerkship Hiring Guide*, including hiring information updates, re-formatting to a Word version, providing contact information via excel to assist with applications, and information regarding agencies that hire attorney advisers in lieu of clerks. The work group anticipates posting the resource on NALPconnect by mid-February.

For the 2016 Annual Education Conference in Boston, the Judicial Clerkship Section submitted seven RFPs. The following five were selected:

1. Wed., April 13 at 10:45, Mastering the Rolling Federal Clerkship Process, Amanda Furst, Michele Hoff, Shana Hansen
2. Thurs., April 14 at 9:00, Creating Clerkship Connections: Judicial Networking Strategies for You and Your Students, Jocelyn Salvatori, Shannon Schaab, and Ginna Galbraith Pastrano
3. Thurs., April 14 at 10:45, If At First You Don't Succeed, Apply Again! Motivating Students to Apply for Judicial Clerkships, Diane Cross, Julie McLaughlin, Erin Scherzer
4. Fri., April 15 at 10:30, Spotlight on Specialty Courts in the Northeast and Beyond, Betsy DiPardo, Jaya Saxena, Katelyn Ellermann, Victoria Braga
5. Fri., April 15 at 1:45, Judicial Clerks in the Job Market: Opportunities and Challenges for Employers and Counselors, Marilyn Drees, Nicole Oddo Smith, Charlotte Wager

In addition, Diane Fears published an article examining the intersection of diversity programs and clerkships in the September NALP Bulletin, Janet Siegel Brown published an article related to behavioral interviewing in judicial clerkships for in the October NALP Bulletin, and Michelle Hoff published an article on pathway programs to judicial clerkships in the January NALP Bulletin.

During the March 10 section conference call, members will begin to brainstorm RFP and Bulletin topics; Maureen Kieffer has agreed to again spearhead the collection of RFPs.

Environmental Scanning and Miscellaneous

Federal clerkship hiring continued over the past quarter for the 2017 term, with an increasing number of judges hiring for the 2018 term or beyond. State courts continue to proceed along their own timelines, with a good number actively hiring or having hired for the 2016 term, and an increasing number of judges, especially in state highest courts, beginning their recruitment of law clerks for the term beginning in fall of 2017.