

To: Jennifer Henfey, Board Liaison, NALP Board of Directors

Cc: Fred Thrasher, NALP Deputy Director

From: Michele Hoff, Chair, Judicial Clerkship Section

Date: October 24, 2019

Re: Judicial Clerkship Section Quarterly Report

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

### I. Leadership Team

Section Chair	Michele Hoff, Georgetown University Law Center <a href="mailto:mh1845@georgetown.edu">mh1845@georgetown.edu</a>   (202) 662-9612
Annual Education Conference, Bulletin Article and Webinar Planning Workgroup Co-Chairs	Jennifer Riedy Clark, University of Missouri School of Law <a href="mailto:riedyj@missouri.edu">riedyj@missouri.edu</a>  Alfred "AJ" Finch, University of Iowa School of Law <a href="mailto:alfred-finch@uiowa.edu">alfred-finch@uiowa.edu</a>
Federal Law Clerk Hiring Plan Workgroup Co-Chairs	Elizabeth Peck, Cornell School of Law <a href="mailto:ep83@cornell.edu">ep83@cornell.edu</a>  Greta Trakul, University of Michigan School of Law <a href="mailto:gtrakul@umich.edu">gtrakul@umich.edu</a>
OSCAR Workgroup Chair	Marilyn Drees, Yale <a href="mailto:marilyn.drees@yale.edu">marilyn.drees@yale.edu</a>
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Strategic Planning Workgroup Co-Chairs	Kirsten Solberg, Harvard University School of Law <a href="mailto:ksolberg@law.harvard.edu">ksolberg@law.harvard.edu</a>  Laura Woodson, University of Georgia School of Law <a href="mailto:lwoodson@uga.edu">lwoodson@uga.edu</a>

## II. Section Meeting

The section held a focal call on July 10 to solicit input for the section's strategic planning memo and a general call on September 25. The workgroups provided the following updates:

- Annual Education Conference/Bulletin Articles Workgroup
  - Five of six program proposals were accepted for the 2020 Montreal conference. All lead speakers have been informed about the decisions.
  - Thanked Janet Brown for writing an article on bankruptcy judges for the Bulletin. Noted that some spring articles could still use authors or co-authors.
- Federal Law Clerk Hiring Workgroup
  - Schools have reported mixed experiences with this year's federal hiring plan.
  - Noted that there are many questions as we head into year two of the two-year pilot plan, including when we will hear something from the Ad Hoc group about when and how the Class of 2022 will be able to start the application process and access OSCAR.
  - Still considering whether or not to hold a focal call later in the year to discuss how the plan impacted various constituents, including applicants, schools, and both private and public sector employers.
- OSCAR Workgroup
  - OSCAR experienced a technical issue in late August which resulted in the loss and/or corruption of many documents uploaded to the site. OSCAR has been in touch with judges, schools, applicants and recommenders to provide instructions on how to navigate the issue. OSCAR is encouraging schools to continue to notify them about issues that still appear to be unresolved.
  - Provided an update on the next generation of OSCAR which will now launch in in early 2020 (it was delayed as a result of the technical issues). Workgroup members will meet with OSCAR staff in October to discuss next steps for testing the new site.
- State Court Workgroup
  - The workgroup co-chairs did a considerable amount of outreach to fill in the gaps of the current Insights guide. They are still looking for a volunteer to fill in details about Alaska and for volunteers to provide information about Arkansas, Idaho, Montana, New Hampshire and South Dakota.
  - Encouraged members to continue to watch for changes in state court hiring practices in light of the federal court hiring plan and to pass along news of any changes/differences that they observe from the state courts with which they work regularly, if there are any.
- Strategic Planning Workgroup
  - The workgroup held a focal call for the section on July 10 to gather feedback and input on the section's priorities and concerns for the future.
  - A comprehensive strategic planning memo for the section was submitted in August.
  - Noted that the workgroup received a great deal of input about diversity and clerking.

### **III. Environmental Scanning**

A few topics that came up, or continued to be of concern, within the section this quarter are:

- How should schools be advising the Class of 2022 about the clerkship application process?
  - As the current federal court hiring plan is a two-year pilot plan that does not address the Class of 2022, there are many questions about how this class will be applying for federal court clerkships.
  - Schools are hoping to get some guidance from the Ad Hoc judge's group (hopefully sooner rather later) so that clerkship advisors can provide accurate and timely information to the Class of 2022.
  - Many members of the Class of 2022 are already asking questions about how to start planning for their clerkship application process.
  
- What is the impact of the federal clerkship hiring plan on state court hiring practices?
  - This is a continuing concern for many members.
  - The main questions here continue to be: are state courts going to change their hiring timelines or practices in light of the federal plan; are state courts going to see a change in the volume and/or type of applicant pool they receive; are potential applicants going to opt out of state court clerkships due to conflicting timelines for applications; etc.
  
- Will the federal court hiring plan timelines hold in the second year of the pilot?
  - We have now made it through the initial stages of the first year of the pilot program.
  - Schools have reported mixed results and mixed feedback from applicants about the plan and how it played out (particularly in the days and weeks immediately following the application release date).
  - There are still many questions about the future of the federal hiring plan, including: are judges who followed the plan satisfied with how it functioned and its hiring outcomes, will judges follow it in future years, and how will the hiring trends witnessed in year one of the plan impact the interest of, and the availability of opportunities for, future applicants.

### **IV. Upcoming Section Call**

The section has its next general section call planned for Wednesday, January 15 at 2 p.m. ET/11 a.m. PT.