

TO: Fred Thrasher, NALP Deputy Director
Melissa Lennon, Board Liaison
NALP Board of Directors

FROM: Amy Perez, Chair, Judicial Clerkship Section

DATE: January 16, 2014

RE: **Judicial Clerkship Section Third Quarterly Board Report**

Following is a brief synopsis of our activities since the last board report:

Conference Calls

The Judicial Clerkship Section held its third quarterly conference on December 4, 2013. Much of the conference call discussion focused on changes in timing of clerkship programming in response to earlier hiring by federal and state judges. The call was well attended by section members.

Amy Killoran, Marilyn Drees and Melissa Lennon also participated on the Recruiting Section's third quarterly conference call on January 15, 2014 to update the Recruiting Section on recent changes to federal law clerk hiring (see below). Discussion was had regarding the possibility of collaborating on a set of best practices for firms' communications with summer associates/law clerks regarding judicial clerkships. We will also reach out to the Public Service Section regarding the possibility of collaborating on best practices with respect to public interest employers.

OSCAR Work Group & Federal Law Clerk Hiring Plan Work Group

Vice Chair: Susan Staab, University of Chicago School of Law (OSCAR Work Group)
Vice Chair: Amy Killoran, Georgetown Univ. Law Center (Hiring Plan Work Group)

On November 4, 2013 the Administrative Office of the United States Courts (AO) opened OSCAR to second-year law school students.¹ OSCAR now releases students' finalized OSCAR applications at the time of submission, rather than holding them until a specified date. Therefore, all applications submitted via the OSCAR system are immediately released to the judge when finalized by an applicant.

¹ As discussed in the last Board Report, following a survey of Judicial Clerkship Section members NALP submitted a memorandum to the Federal Judges' OSCAR Working Group stating that schools overwhelmingly favored opening OSCAR earlier to second-year students ("2Ls") and de-linking students' OSCAR applications from a fixed Hiring Plan date.

On November 25, 2013, the Judges' OSCAR Working Group convened its annual meeting to review OSCAR program performance, discuss policy decisions, and address software modifications for 2014. The Judges' Working Group specifically addressed allowing first-year law students' access to OSCAR and determining the status of the Hiring Plan for 2014.

In response to the Judges' Working Group's consideration of allowing first-year law students' access to OSCAR (which had not been brought up by the Judges' Working Group prior to the November meeting), Stacey Kielbasa submitted a letter on behalf of NALP to Judge Timothy Burgess, Chair of the Judges' Working Group, outlining the challenges that law schools and first-year law students would face with early access to OSCAR. Stacey's letter advocated for deferring access to OSCAR until the end of the first year, when potential clerks begin to have meaningful information to share with judges and can more effectively assess opportunities. Stacey's letter also urged that, at a minimum, OSCAR not be opened to first-year students before December 1, the first point at which all other types of legal employers would be able to make contact with them.

On January 13, 2014 the AO announced the following policy decisions:

- The Federal Law Clerk Hiring Plan has been effectively discontinued, and no further dates are being set in connection with the plan. The OSCAR Working Group established a list of Federal Law Clerk Hiring Best Practices that judges can use to support transparency in law clerk hiring, and they are accessible from the OSCAR home page.
- The AO will open OSCAR to rising second-year law school students in a phased approach. Under the new process, rising second-year law students can begin researching clerkship openings and uploading their application materials (i.e., resume, cover letters, etc.) on June 1 and submit electronic applications in OSCAR on August 1.

AO Director, Judge John D. Bates, also sent a memorandum to all federal judges announcing the policy decisions and urging federal judges to make greater use of OSCAR for their law clerk hiring.

The following link is an article posted on OSCAR that references the AO Director's memorandum:

[https://oscar.uscourts.gov/blog_post/1/25/Update from the 2013 OSCAR Working Group](https://oscar.uscourts.gov/blog_post/1/25/Update_from_the_2013_OSCAR_Working_Group)

Finally, OSCAR Version 7.5 launched on January 10th. The most notable feature change is a mandatory hiring practices field designed to serve as a primary source of information for applicants in determining judges' hiring intentions.

State Court Work Group

Vice Chair: Molly Stafford, University of the Pacific, McGeorge School of Law

The *Insight and Inside Information for Select State Court Clerkships* resource was updated during the third quarter to include updated hiring information for the State of Texas.

Currently, this resource includes the following 25 states: AZ, CA, CO, CT, DC, FL, GA, IL, IA, MA, MD, MN, MO, MS, NE, NJ, NV, NY, OH, OR, PA, RI, TN, TX, and VA. We continue to make requests for additional state reviews, as well as updates to existing reviews. During the fourth quarter, Molly and other members of the Work Group will continue to engage in individualized outreach to members in states for which we do not currently have reviews.

This resource is posted on the NALP website, under Professional Resources>Career Services>Resources for Judicial Clerkships.

Diversity and Inclusion Working Group

Vice Chair: Jolynn Caroline, University of Illinois College of Law

Melissa Lennon and I continue to work with Jolynn on ways for the Section to address diversity and inclusion in judicial clerkships, including updating the brochure currently entitled "The Courts: An Excellent Place for Attorneys of Color to Launch Their Careers." During the fourth quarter we will be reaching out to the Diversity & Inclusion Section and the Experienced Professionals Section to solicit volunteers to assist with updating the brochure.

Thank you for the opportunity to serve the Judicial Clerkship Section!

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