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TO: All NALP Members

FROM: NALP Board of Directors

DATE: December 12, 2018

RE: NALP Principles for a Fair and Ethical Recruitment Process

We write to announce changes to the guidance about the recruitment process that NALP provides its members. Recognizing that NALP's member organizations are diverse and their needs are varied, we have grown past "one size fits all" standards. However, we remain bound together by our common desire for diversity, access, and fairness. To that end, and after careful review, discussion, and debate, the NALP Board of Directors voted to make significant changes to NALP's Principles and Standards for Law Placement and Recruitment Activities, which will now be known as the *NALP Principles for a Fair and Ethical Recruitment Process* ("Principles"). The new Principles move from uniformity to a standard of reasonableness that provides all members the flexibility necessary to innovate and thrive in an evolving marketplace.

The new Principles differ significantly from previous versions of the guidance that NALP has offered but maintain and recommit all of us to the core values that have animated NALP from its inception. All members are strongly encouraged to read the new Principles in their entirety. (The new Principles, enclosed, are also available on the NALP website at www.nalp.org/principles.) NALP will provide many opportunities for member education about the changes, beginning with a webinar on Tuesday, December 18, at 1:00 p.m. Eastern (register at <https://attendee.gotowebinar.com/register/9160985042502384898>).

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What remains the same?

All the bedrock values that have been important to NALP members since the creation of the association almost fifty years ago remain in place. The new Principles remind us that all recruitment activities should be scheduled to minimize interference with students' academic work, and that as a community of professionals we hold shared values to make the legal profession accessible to all individuals on a non-discriminatory basis, free of harassment. As with our former Principles and Standards, these Principles are not regulations, and they are entirely voluntary. They continue to promote good judgment from law schools, candidates, and employers. The Principles urge all members — schools and employers — to aspire to the highest ethical and professional standards. They emphasize that the timely exchange of accurate information is essential. Finally, the new Principles urge members to maintain policies and procedures that allow students to meaningfully choose between competing offers and allow employers to effectively manage their recruitment processes.

What has changed?

The guidance document now stands as a single, shorter, integrated writing. Most notably, the Part V Timing Guidelines have been replaced by guidelines that emphasize reasonableness. Specifically, the 28-day period during which offers for summer and permanent employment should remain open has been eliminated, and the October 15 and December 1 timing guidelines for advising and recruiting first-year students have been eliminated. The former interpretations have been retired and will be replaced by a set of shorter, more concise, frequently asked questions that we anticipate will grow over time.

Why did the NALP Board make these changes?

The Board made these changes in accord with its fiduciary duty to the association and to support flexibility and encourage innovation. The Board believes that modifying our guidelines to encourage broader experimentation provides a path to meaningful positive change in entry-level recruiting. The Principles provide guidance to help member organizations think strategically in formulating their own creative recruiting policies.

The new Principles are the culmination of the work of several Boards, task forces, and work groups. They are informed by prior work that highlighted recruiting methods in other industries, technological advancements in interviewing and candidate assessment, and member feedback over many years. The Principles provide guidance that all members — schools and employers — can use to formulate their own ethical recruiting practices. The Board also believes that this new guidance document is responsive to a current market in which different kinds of employers, both public and private, are recruiting law students.

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What about the timing of this communication?

The Board felt strongly that it was important to announce these changes as soon as practically possible once the decision to make the changes had been made. The Board is also mindful that as we head into the new year, many NALP members are in the process of reviewing and implementing their recruitment policies, procedures, and calendars for the coming recruitment cycle. By making this announcement now, we hope to provide members with as much time as possible to implement their own approaches to the 2019 recruitment cycle.

What's next?

Every NALP member institution is encouraged to review its own policies and procedures in light of these changes. All members are urged to commit their policies and procedures to writing and to communicate those policies and procedures appropriately. Law schools and employers share a responsibility to educate law students about the various recruitment policies and procedures that are in place, and about the high ethical standards that all parties involved uphold.

The Board considered the impact of these changes on diversity, access, and fairness and believes that the changes will support positive developments in each of these arenas. We are confident NALP members will continue to uphold the highest standards of ethics, civility, and inclusion, and continue to make their own decisions about policies and procedures that will best serve their students and lawyers.

Going forward NALP will continue to educate and support you in your role as an expert advisor at the institution where you work. We will be forming volunteer work groups to help us adapt a variety of resources, including making changes to the NALP Directory of Legal Employers and NALP Directory of Law Schools, so that they can become repositories for the institutional recruiting policies and procedures that emerge. We will be gathering and publishing answers to frequently asked questions about the new Principles, and will continue to provide a forum for dialogue, education, and support to help you do your job at the highest level.

NALP remains committed to fairness, facts, and the power of a diverse community.

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