

JUDICIAL CLERKSHIP SECTION
Quarterly Report to the Board of Directors
July 2008

Submitted by: Kirsten Solberg, Chair

Overview

Our section is comprised of approximately 45 self-identified members. Our meeting at the annual education conference in April was well-attended and served as a group brainstorming session for the year. We held a subsequent meeting by conference call on May 12 to discuss the most pressing issues in this first quarter: programs, articles, outreach to judges, our OSCAR work group, our state court work group, and a potential new work group focusing on alumni/lateral hiring. I am pleased to report that we have had enthusiastic follow-up by a diverse group of volunteers in each of these areas. Details are below.

Programs

For the 2009 Annual Education Conference in Washington DC, we submitted four proposals that all had support from among our section membership:

- Beyond Article III – Clerkships with Administrative Law Judges (*Sheila Driscoll, George Washington*)
- Maximizing Faculty and Alumni Involvement in Your Judicial Clerkship Program (*Lori Ann Reifschneider, UC Davis; Jessica Heywood, Catholic; Sonja Hayes, Stetson*)
- OSCAR (Online System for Clerkship Application and Review): Season Review and First Look at Version 5.0 (*Marilyn Drees, Yale*)
- Insiders' Perspectives on Judicial Clerkships: The "Why's" and "How's" (*Colleen Truden, Pacific*)

Articles

For the NALP Bulletin, we submitted three proposals:

- Alternative Judicial Clerkships: Staff Attorneys, proposed for publication in December (*Elizabeth Armand, Stanford; Malini Nangia, UCLA*)
- The Value of Judicial Clerkships for Transactional Careers, proposed for publication in January (*Aymara Zielina, Pepperdine*)
- Tips for Writing Good Clerkship Recommendations, proposed for publication in March (*Colleen Truden, Pacific*)

Outreach to Judges

The section is interested in the hiring plans of federal judges who do not make their plans publicly known. We continued our tradition of central outreach through a postcard reminding federal judges to update their online listings and abide by the national hiring plan dates. This mailing already had been budgeted through NALP; we tweaked the wording from last year's postcard to reflect the elimination of the Federal Law Clerk Information System, the new version of the Online System for Application and Review ("OSCAR"), and the new hiring plan dates. A copy of this year's postcard is attached here. It was mailed to judges on June 17 and 18. We thank Fred Thrasher and Janet Smith at NALP for masterful processing of this mailing.

Fred tells us that a second postcard mailing to federal judges already has been budgeted for the fall, as in years past. Unless there is any objection by the Board, we will proceed with that mailing to remind judges to update their listings in OSCAR when they have filled their positions.

OSCAR Work Group

Under the continued leadership of *Marilyn Drees of Yale*, the OSCAR work group drives ahead. This spring saw the launch of Version 4.0, which significantly expanded OSCAR's scope to include almost all federal judges at least by name and court (even if they do not take any affirmative action) and to include the features from the disbanded Federal Law Clerk Information System. Judges now can post in OSCAR whether they prefer applications to be submitted online, in paper, or not at all, so it can be much more comprehensive. The OSCAR work group is continuing through the summer to have weekly conference calls and regular email communication among its members and with judiciary staff. It is continuing to identify and correct technical issues, instructions to users, etc. The group also is beginning to formulate recommendations for new features and enhancements for OSCAR Version 5.0 in anticipation of the new contract year for OSCAR, which begins October 1.

State Court Work Group

The section proposes the formation (or really, continuation) of a state court work group. *Michele Hoff of Connecticut and Melissa Lennon of Temple* are willing to serve as co-chairs, with support of the section. The work group would prepare a "best practices" guide for career services counselors, as a complementary resource to the Vermont Law School Guide to State Court Clerkships. The work group's guide would include general counseling advice, a discussion of how to get faculty and alumni to encourage state court opportunities, and methods for successfully marketing schools/students to judges. The guide would be published on the NALP website.

Alumni/Lateral Work Group

The section also proposes the formation of a new alumni/lateral work group. *Carla DeVelder of Notre Dame and Jessica Heywood of Catholic* are willing to serve as co-chairs, with support of the section. This work group would explore multiple issues surrounding the purported increase in the number of lateral law clerks, such as: (1) what is the current number of alumni/lateral clerks and has there indeed been an increase?; (2) to the extent the number of lateral law clerks has increased, what is the cause?; (3) what is the impact of lateral law clerk hiring on current student hiring?; (4) what are the implications for career services offices (regarding, e.g., personnel, communicating

with alumni, etc.); and (5) what are the implications for employers (regarding, e.g., smooth departures, whether clerks return, how to recruit clerks, etc.)? In addressing these issues, the work group would rely on statistical and anecdotal information gathered from work group members, NALP members (law schools and employers), current law clerks and judges. The work group would prepare a report analyzing the issues and suggesting best practices for both schools and employers. The report would be published on the NALP website and perhaps as a series of articles for the NALP Bulletin.



A Reminder from NALP – Please Post Your Clerkship Information in OSCAR

The new version of **OSCAR**, launched May 5, enables judges to indicate whether they will accept clerkship applications **online, in paper, or not at all**. If you have not already posted your clerkship information for this hiring season, we urge you to do so right away. Alumni are applying already, and students typically are required by their law schools to finalize their lists of judges **in June** because schools need many weeks of lead time to prepare recommendations.

When a judge has no clerkship information posted in OSCAR, applicants err on the side of opportunity in assuming the judge will be hiring and accepting paper applications. Please help minimize the number of unwanted applications by posting your clerkship availability and application preferences.

If you accept electronic applications, you also should be aware that until you post specific clerkship positions in OSCAR, applicants will not be able to see any information about your clerkships, trigger a recommendation request, or build an application.

Thank you for helping to make this important information readily available to clerkship applicants. For assistance with OSCAR, please contact **OSCAR Help Desk Support at 202-354-3005 or oscar-support@ao.uscourts.gov**.

NALP Supports the Law Clerk Hiring Plan for 2008

Schedule at a Glance

- **Wednesday, September 3** – First date when student applications may be received.
- **Monday, September 8, at Noon (EDT)** – First date and time when judges may contact student applicants to schedule interviews.
- **Thursday, September 11, at 8:00 am (EDT)** – First date and time when student interviews may be held and offers made.



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*Have you posted your
clerkship information
in OSCAR?*