

September 12, 2017

To Whom It May Concern:

We write to share our experience with the clerkship hiring process during the last few years and to endorse the effort to move clerkship hiring to a date after the completion of students' second year.

As you know, the clerkship process now begins immediately after our students' first year. That change has altered the first-year experience, raised important distributional concerns, and undermined our faculties' ability to provide judges with the information they need to make wise hiring choices.

The shift in the clerkship hiring process has affected the first-year experience. With clerkships looming large, students feel intense pressure in choosing courses, studying for exams, and choosing extracurricular activities. The first year has never been without its stresses. But students worry more than ever before about grades, recommendations, and class rank. The point of the first year is to lay the foundations of a legal education while also encouraging exploration and learning for its own sake. It is more difficult to pursue those goals when clerkship decisions are based solely on the first year.

We also worry about the effect of the accelerated hiring schedule on those of our students who are first in their families to go to college, first-generation professionals, or simply in need of some time to master the art of lawyering. Students without professional networks may arrive not knowing what a clerkship is, let alone how to attain one. The sooner hiring occurs, the more likely it is that these students will be disadvantaged. We have also heard anecdotal information that the accelerated hiring schedule has reduced the number of women and students of color in the pool. In addition, students do not learn at the same pace. The accelerated schedule does not give all of our students a chance to shine.

Finally, the accelerated hiring process prevents law schools from providing judges with the information they need to make sensible choices about their clerks. Students have fewer grades. Law journals have not made their editorial board selections. Student groups have not chosen their leaders. And faculty have much less information about the students they are recommending. As a result, there is greater risk that we will simply make a mistake -- either in who we are recommending or in who we are not recommending. It is thus very difficult for us to help judges hire students who fit well in their chambers.

For all of these reasons, we strongly support a proposal under which judges would not accept clerkship applications or recommendations until after completion of students' second year.

Sincerely,

Robert W. Adler
Dean
University of Utah, S.J. Quinney College of
Law

Gail B. Agrawal
Dean
University of Iowa College of Law

Nicholas W. Allard
Dean
Brooklyn Law School

Vikram David Amar
Dean
University of Illinois College of Law

S. James Anaya
Dean
University of Colorado Law School

Jerry L. Anderson
Dean
Drake University Law School

Leonard M. Baynes
Dean
University of Houston Law Center

Patricia W. Bennett
Interim Dean
Mississippi College School of Law

Jessica Berg
Dean
Case Western Reserve University
School of Law

Richard A. Bierschbach
Dean
Wayne State University Law School

Mary Lu Bilek
Dean
CUNY School of Law

Craig M. Boise
Dean
Syracuse University College of Law

Gregory W. Bowman
Dean
West Virginia University College of Law

David A. Brennan
Dean
University of Kentucky College of Law

Jennifer Gerarda Brown
Dean
Quinnipiac University School of Law

Joan R. M. Bullock
Dean
Thomas Jefferson School of Law

Marcilynn A. Burke
Dean
University of Oregon School of Law

Michael T. Cahill
Co-Dean
Rutgers Law School

Paul L. Caron
Dean
Pepperdine University School of Law

Megan M. Carpenter
Dean
University of New Hampshire School of
Law

Erwin Chemerinsky
Dean
University of California Berkley School of
Law

Ronald K. Chen
Co-Dean
Rutgers Law School

Annette E. Clark
Dean
Seattle University School of Law

Jennifer M. Collins
Dean
SMU-Dedman School of Law

Danielle M. Conway
Dean
University of Maine School of Law

Phyllis Craig-Taylor
Dean
North Carolina Central University

Phyllis L. Crocker
Dean
University of Detroit Mercy School of Law

Anthony W. Crowell
Dean
New York Law School

Scott DeVito
Dean
Florida Coastal School of Law

Darby Dickerson
Dean
The John Marshall Law School

Matthew Diller
Dean
Fordham University School of Law

John DiPippa
Dean
William H. Bowen School of Law

Davison M. Douglas
Dean
William & Mary Law School

Susan H. Duncan
Dean
The University of Mississippi School of Law

Allen K. Easley
Dean
Western State College of Law

David L. Faigman
Dean
University of California Hastings College of the Law

Ward Farnsworth
Dean
The University of Texas School of Law

Daniel M. Filler
Dean
Drexel University Kline School of Law

Lee Fisher
Dean
Cleveland-Marshall College of Law

Timothy Fisher
Dean
University of Connecticut School of Law

Cynthia L. Fountaine
Dean
Southern Illinois University
School of Law

Royal Furgeson
Dean
UNT Dallas College of Law

Heather K. Gerken
Dean
Yale Law School

Thomas Geu
Dean
University of South Dakota Law School

Gary S. Gildin
Dean
Pennsylvania State University
Dickinson Law School

Risa L. Goluboff
Dean
University of Virginia School of Law

Mark C. Gordon
Dean
Mitchell Hamline School of Law

Donald J. Guter
Dean
South Texas College of Law Houston

Chris Guthrie
Dean
Vanderbilt University Law School

Andrew T. Guzman
Dean
University of Southern California
Gould School of Law

Michael V. Hernandez
Dean
Regent University School of Law

James B. Hughes, Jr.
Interim Dean
Emory University School of Law

Garry W. Jenkins
Dean
University of Minnesota Law School

Christian A. Johnson
Dean
Widener University Commonwealth Law
School

Jennifer J. Johnson
Dean
Lewis and Clark Law School

William P. Johnson
Dean
Saint Louis University School of Law

Andrew R. Klein
Dean
Indiana University Robert H. McKinney
School of Law

Jane B. Korn
Dean
Gonzaga University School of Law

Harold J. Krent
Dean
Chicago-Kent College of Law

Anita K. Krug
Interim Dean
University of Washington School of Law

Maureen Lally-Green
Dean
Duquesne University School of Law

J. Rich Leonard
Dean
Campbell Law School

Melanie Leslie
Dean
Benjamin N. Cardozo School of Law

Gillian Lester
Dean
Columbia Law School

Peter V. Letsou
Dean
Cecil C. Humphreys School of Law

David F. Levi
Dean
Duke University School of Law

Lyrissa Lidsky
Dean
University of Missouri School of Law

Andrea D. Lyon
Dean
Valparaiso University School of Law

Gregory N. Mandel
Dean
Temple University, Beasley School of Law

John F. Manning
Dean
Harvard Law School

Alfred Dennis Mathewson
Dean
University of New Mexico School of Law

David D. Meyer
Dean
Tulane University Law School

Marc L. Miller
Dean
James E. Rogers College of Law
The University of Arizona

Thomas W. Mitchell
Interim Dean
Texas A&M University School of Law

Jennifer L. Mnookin
Dean
UCLA School of Law

Richard Moberly
Dean
University of Nebraska College of Law

Trevor W. Morrison
Dean
New York University School of Law

Nell J. Newton
Dean
Notre Dame Law School

Maureen A. O'Rourke
Dean
Boston University School of Law

Hari M. Osofsky
Dean
Penn State Law

Sergio Pareja
Dean
UNM School of Law

Austen L. Parrish
Dean
Indiana University Maurer School of Law

Jeremy Paul
Dean
Northeastern University School of Law

Eduardo M. Peñalver
Dean
Cornell Law School

Wendy Perdue
Dean
University of Richmond School of Law

Christopher J. Peters
Dean
The University of Akron School of Law

Christopher M. Pietruszkiewicz
Dean
Stetson University College of Law

Susan Westerberg Prager
Dean
Southwestern Law School

Margaret Raymond
Dean
University of Wisconsin Law School

L. Song Richardson
Interim Dean
University of California Irvine School of Law

Daniel B. Rodriguez
Dean
Northwestern Pritzker School of Law

Laura Ann Rosenbury
Dean
University of Florida
Fredric G. Levin College of Law

Vincent D. Rougeau
Dean
Boston College Law School

Theodore W. Ruger
Dean
University of Pennsylvania Law School

Michael Scharf
Dean
Case Western Reserve University
School of Law

Michael Hunter Schwartz
Dean
McGeorge School of Law
University of the Pacific

Michael A. Simons
Dean
St. John's University School of Law

Avi Soifer
Dean
William S. Richardson School of Law
University of Hawaii

Jeffrey A. Standen
Dean
Northern Kentucky University
Chase College of Law

Nancy Staudt
Dean
Washington University School of Law

Andrew Strauss
Dean
University of Dayton School of Law

Douglas J. Sylvester
Dean
Sandra Day O'Connor College of Law
Arizona State University

Donald B. Tobin
Dean
University of Maryland
Francis King Carey School of Law

John Trasviña
Dean
University of San Francisco School of Law

William Treanor
Dean
Georgetown Law

Robert K. Vischer
Dean
University of St. Thomas School of Law

Michael Waterstone
Dean
Loyola Law School

Mark D. West
Dean
University of Michigan Law School

Patricia D. White
Dean
University of Miami School of Law

Verna Williams
Interim Dean
University of Cincinnati College of Law

Melanie D. Wilson
Dean
The University of Tennessee College of Law