Judges and Law Students: Building Relationships that Work

PRESENTED BY:
ABA Council on Diversity in the Educational Pipeline
ABA Judicial Division
DIVERSITY & JUDICIAL CLERKSHIPS
In recent years, many areas of the legal profession have made pursuing diversity a priority objective. In judges’ chambers, however, diversity among judicial clerks remains disproportionately low. This realization is troubling, particularly for the American Bar Association (ABA) because it is a glaring contradiction to the ABA’s Goal III Eliminate Bias and Enhance Diversity: promote full and equal participation in the association, our profession, and the justice system of all persons. Eliminate bias in the legal profession and the Justice System. To address this problem, the ABA launched the Judicial Clerkship Program (JCP) in February 2001. The ABA Commission on Racial and Ethnic Diversity in the Profession and the ABA Judicial Division developed JCP to provide practical steps to improve diversity among judicial clerks.

LAW SCHOOLS & JUDICIAL CLERKSHIPS
Many law schools have also recognized the ominous nature of this problem. Without fair access to judicial clerkships, both law schools and their graduates lose significant opportunities. For recent law school graduates, serving as a judicial law clerk is a mark of distinction and honor that advances their future career opportunities. Former law clerks generally have an advantage when pursuing careers in academia, in government as high-level appointees, as litigators in prestigious areas of the private sector, and in securing appointments to the bench. Law schools with a high percentage of graduates securing coveted clerkships also benefit. For example, having a significant number of judicial clerks among its alumni will assist a law school in its student recruitment efforts and fundraising programs.

ABA JUDICIAL CLERKSHIP PROGRAM
The Judicial Clerkship Program encourages students to pursue clerkship opportunities while introducing judges to students whom they might not ordinarily consider as potential clerks. JCP is designed to bring judges and law students of color together through structured networking activities. Students demonstrate their knowledge and research skills in a small group setting while interacting with the judges in a team-building project. Students also receive practical information from judges and former judicial clerks on how to secure a clerkship position.

JCP’s mission is to foster relationships between judges and law students of color. JCP objectives include:

- To encourage more law students of color to apply for clerkship positions.
- To encourage all levels of judges to pursue more diverse representation among their judicial clerks.
- To provide students and judges with opportunities for meaningful interaction in a small-group setting.
- To allow students to learn directly from judges how best to present themselves as clerkship applicants.
- To provide opportunities for students to meet a wide variety of lawyers who are active in the American Bar Association.
- To establish a support system for students of color who are pursuing clerkship positions.
The Judicial Clerkship Program is held annually during the ABA Midyear Meeting. Over the course of three days, students and judges work together on research and writing projects that allow them to explore the judge/clerk relationship and working experience. The students receive additional information from panel presentations and former judicial law clerks who interact with the students throughout the program. The students are required to participate in numerous networking opportunities with judges, lawyers, and other ABA members, including receptions and meal functions with the ABA Judicial Division, the Spirit of Excellence/Alexander Award reception, and the Spirit of Excellence Awards Luncheon (hosted by the ABA Commission on Racial and Ethnic Diversity in the Profession). Students attend oral arguments at an appellate-level court in the host jurisdiction. Students also participate in a resume review session where they receive individual feedback from participating judges.

After the Midyear Meeting program, the JCP law schools, students, and judges can continue interaction via list serves that are developed for each group. Another service offered to JCP students is “E-mentoring,” which provides the students with e-mail access to lawyers of color who are former judicial law clerks. Via the JCP student list serve, students receive a listing of lawyers who have volunteered to answer questions and provide input on their experiences as judicial law clerks.

THE PROCESS
To ensure the desired ratio between participating judges and students, JCP is designed to accommodate a limited number of law schools. Participating schools pay $3,500 per year. This contribution covers the costs of included meals for each student (breakfast and lunch), and helps to offset the costs of A/V, space rental, and shuttles to and from appellate courts. Membership in the ABA Judicial Clerkship Program requires selected law schools to:

1. Commit to pay the annual fee of $3,500 for three years.
2. For each year of membership in the program, commit to send (and underwrite the costs for) four to six law students who have demonstrated knowledge of and involvement with traditionally underrepresented communities.
3. Select participating students using criteria developed by the school with an understanding of the ABA's Goal III objectives. Students who have already secured clerkship positions are not eligible to participate in the program. We suggest consideration of students who may not already be likely candidates for clerkships or may not even be considering clerkships. First and second year students are preferable. Each participating school should strive to select a diverse group of students to participate in the program.
PARTICIPATION FORM

Yes, we would like to partner with the American Bar Association and participate in the ABA Judicial Clerkship Program, which will be held at the ABA Midyear Meeting.

We agree that (please check), this will be our:

___ First  ___ Second  ___ Third year of participation in our three-year commitment to participate in the program; we will arrange for participation of four to six of our students for whom we will bear financial responsibility for travel and accommodations; and, we will pay the American Bar Association Council on Diversity in the Educational Pipeline the annual contribution of $3,500 per year.

______________________________________________________________________________________
Dean or Representative (Name & Title)

Signature  ____________________________________________ Date ________________

______________________________________________________________________________________
Name of School

______________________________________________________________________________________
Address

______________________________________________________________________________________
City/State/Zip Code

______________________________________________________________________________________
Telephone and E-Mail

______________________________________________________________________________________
Assigned Law School Contact

Name

______________________________________________________________________________________
Title

______________________________________________________________________________________
E-mail

_____ If we are selected to join the program, we agree to pay the $3,500 before the Midyear Meeting.

Please make checks payable to the American Bar Association and send to:
American Bar Association, Attn: Selina Thomas
321 N. Clark Street, 17th Floor, Chicago IL 60654

Email completed form to: selina.thomas@americanbar.org
“Speaking as a judge who has law clerks, for me the most important aspect of it is it keeps me in touch with the brand-new generation of lawyers and keeps me up to date with what the new members of our profession are thinking, wearing, listening to—and a little bit on the vernacular.”

—Justice Frank Sullivan, Jr., State of Indiana Supreme Court (Co-chair, ABA Judicial Clerkship Program {JCP}, 2002-2005)

“It opened my eyes to other options beside going straight into a firm and the benefits of a judicial clerkship. It also helped me learn to network with people I thought I was previously too intimidated to approach.”

—2019 JCP Participant
“I greatly enjoyed speaking with the judges in an informal setting. They were very approachable and gave great advice. It was a great experience and very informative. The Spirit of Excellence Award Ceremony was absolutely uplifting. I also enjoyed the panel Q&As.”

—2019 JCP Participant

“The opportunity to check in with the judges and do additional research based on their feedback was very rewarding. It was also very helpful to have a variety of panelists including hearing from Clerks who were nontraditional students.”

—2019 JCP Participant
“I am very thankful for the program because I had the chance to learn about the whole process and benefits of being a judicial clerk. Through the program, I was able to reevaluate and expand my career options and I am now seriously contemplating of starting my legal career as a judicial clerk. Moreover, the program gave me the chance to meet and network with excellent people in the legal community.”

—Marc Aldwin M. Landoy, University of Detroit Mercy (JCP 2009 Participant)

“All of the programs were well organized, very informative, and extremely beneficial. After the program, I used the new information and new skill set as I pursued a summer clerkship. With the help of this program and its participants, I am pleased to say I was offered a summer clerkship at the United States Court of Appeals for the Fifth Circuit.”

—David Michel Patin, Jr., Texas Wesleyan University (JCP 2009 Participant)
The ABA appreciates the generous contribution of LexisNexis which donates all computers and Lexis access for the ABA Judicial Clerkship Program.

For additional information about the ABA Judicial Clerkship Program Please contact: Selina Thomas at selina.thomas@americanbar.org