



GEORGETOWN LAW

William Michael Treanor
Dean and Executive Vice President

January 29, 2018

Mr. Barry Currier
Managing Director, Accreditation and Legal Education
ABA Section on Legal Education and Admission to the Bar
American Bar Association
321 North Clark Street
Chicago, IL 60654-7598

Via email and Federal Express:

Dear Mr. Currier,

I am writing in reference to the ABA's rule on law-school funded public interest fellowships. I know these fellowships have generated much discussion over the past several months, with strong opinions voiced on both sides of the debate. I appreciate the chance to add my own views, which are based on both personal and professional experience. The ABA's current rules seriously undermine the value of public service. They do a great disservice, not just to students intent on pursuing public interest careers, but to the organizations that rely on them to provide legal representation to those who cannot afford it. Given the woeful state of affordable legal services in our country, our profession can ill afford to be devaluing public interest careers.

I want to describe in some detail Georgetown's "Partner Fellowship" program because our partner fellows program illustrates both why these positions are different than those in so-called 'bridge' programs (which Georgetown also offers to graduating students) and how valuable these positions are.

Our Partner Fellowships are one-year, or longer, fellowships at nonprofits or local or state government offices. Georgetown provides \$20,000 towards a fellow's salary if the host organization: 1) provides at least a matching salary amount (many employers provide more than the minimum); and 2) hires the fellow as a member of their full-time staff. The first requirement ensures our fellows receive funding comparable to equivalent public interest positions and the second ensures that they are treated as employees, and not contractors or volunteers. In addition to helping our graduates gain invaluable entry-level experience, our Partner Fellowship program allows public interest organizations to stretch scarce resources in order to provide legal representation to individuals or groups who would otherwise go without it. These organizations have included Legal Counsel for the Elderly, Catholic Charities, the DC Attorney General's Office, Lawyers Without Borders, New Orleans Public Defender, Leadership Conference on Civil and Human Rights, and Arkansas Legal Aid.

Of special note is the DC Affordable Law Firm (DCALF), which Georgetown created in 2015 in conjunction with DLA Piper and Arent Fox. The firm helps fill the “justice gap” by providing affordable legal services to individuals who are among the estimated 100,000 low and moderate-income District of Columbia residents who neither qualify for free legal assistance nor have the ability to afford market rates. It offers its clients legal services at a below-market rate and is consciously structured like a medical residency. Each year, the firm takes on six Georgetown graduates for fifteen-month fellowships. They receive extensive training and close supervision as they represent the firm’s clients. Funding for the Fellows is provided by Georgetown Law, by private donations, and by payments from clients. This program has received wide coverage, including an op-ed that Vice Dean Jane Aiken and I wrote about it in the Washington Post. Dean Aiken, Professor Peter Edelman, and I were selected by National Jurist Magazine as among the most influential legal educators in recognition of the program’s importance in addressing the nation’s access to justice crisis because of our work in establishing DCALF, and the firm received the first Suzanne Richards Award from the Foundation of the Bar Association of the District of Columbia.

The post-fellowship employment success of our Partner Fellows bears out that these are real jobs that lead to other real jobs. Between 2014 and 2015 (the last year for which we have complete post-fellowship employment data), 60 Georgetown graduates secured Partner Fellowships. We have been able to follow up with 58 of the Fellows, and all have secured post-fellowship employment: 25 were hired by their fellowship employer, 24 by another public interest organization, and 9 by a private sector employer.

An argument I often hear made for distinguishing law-school funded positions from others is transparency. This argument is at odds with the reality. Far from being a negative, our public interest fellowships are a selling point to prospective students, and we highlight them in the same way we highlight our Loan Repayment Assistance, Public Interest Law Scholars, and Guaranteed Summer Funding programs. Each of these financial supports are critical to ensuring our graduates have the opportunity and means to pursue public interest legal careers. If you go to our website, you will see a page in our career planning section devoted to our partner fellowships. That page links you to our brochure on our partner fellowships. We tout our partner fellows because they reflect our law center’s social justice mission and because students find them attractive. Each year, I hear from admitted students who are expressly interested in Georgetown because of these fellowship opportunities, knowing that entry-level public interest positions are so sparse. Far from hiding our program, we celebrate it.

Another argument sometimes given for treating law school funded fellowships different from otherwise comparable fellowships is to ensure parity between ‘rich’ schools and ‘poor’ schools. But Georgetown is not a rich school. Ranked by endowment per J.D. student, we are in 63rd place. Nonetheless, at a time when schools across the nation are decreasing funding for post-grad public interest positions, we have done the opposite. We have increased our commitment to our Partner Fellowships, more than doubling them between 2014 and 2016. In a time of fiscal challenge, we have made hard choices in order to fund these fellowships, rather than other worthwhile initiatives. We make these sacrifices because these fellowships are consistent with our motto: “Law is but the means, justice is the end.”

I would like to close by discussing my own experience as a young lawyer. When I finished clerking, I was committed to finding a public interest job. I spent a difficult five months looking before I got an offer. During my search, I found that most public interest employers wanted people with experience, which I didn't have. It was a challenging time financially. I supported myself working part-time for a law firm, and I slept on a very generous friend's couch.

The law school I attended had a few fellowships for people to do scholarly research, but nothing to support public interest careers. At that time - more than thirty years ago - I decided that law schools should provide fellowships so that people who wanted public interest careers would be able to get the critical first job. I have been a Dean now for almost sixteen years and have been consistently dedicated to creating fellowships - starting a program at Fordham long before US News employment data was on any Dean's mind and continuing to support fellowships at Georgetown. I know from personal experience how important post-graduate fellowships are for those who want to pursue careers in public interest.

Treating law-school funded public interest fellowships differently than other legal positions devalues public service and sends a signal to prospective law students that public interest fellowships are not as good as other types of positions. Such treatment undermines our profession's core commitment to justice. I hope the ABA will reconsider how these fellowships are currently reported.

Sincerely,



William M. Treanor
Dean and Executive Vice President