

# Student Amicus Brief Signals Recruitment Troubles for Firms Making Deals With Trump



More students at Georgetown Law signed on to a recent amicus brief than those at any other law school. Photo: Diego M. Radzinski/ALM

Over 1,100 law school students signed on to a brief supporting Susman Godfrey's suit against the Trump administration. Thirty percent of these signers are enrolled at T-14 law schools.

## What You Need to Know

- Over 1,100 law students signed onto an amicus brief supporting Susman Godfrey in its bid to enjoin an executive order targeting its attorneys and clients.
- Of those signatories, roughly 30% are students at the top 14 law schools in the country, which typically serve as feeder schools for Big Law.
- Expressing their displeasure with firms that signed deals with the president, some law students are focusing on other firms when it comes to on-campus recruitment.

Law school students turned out en masse in support of Susman Godfrey, with over 1,100 students signing onto an amicus brief filed Wednesday supporting the firm's litigation to enjoin an executive order threatening its attorneys and clients.

While law firms have also demonstrated support for their colleagues litigating against the government, only 16 firms from the Am Law 200 have signed amicus briefs supporting Perkins Coie, Jenner & Block, and Wilmer Cutler Pickering Hale & Dorr. Comparatively, roughly 30% of signers on the law student amicus brief came from the top 14 law schools in U.S. News & World Reports most recent rankings, which typically serve as feeders for Big Law.

All this to say, there's a disconnect between student and Big Law responses to the threats against the rule of the law issued by the Trump administration. For firms that made agreements with the administration to avoid executive orders targeting their attorneys and clients, this could pose an issue come time for recruitment.

"We know as law students we don't have a lot of power, but law firms do want to hire us. We figured we might as well go on record and stand up for what we think is right," said Brennan Caruthers, a 3L student at the University of Texas who signed the amicus in a personal capacity as well as on behalf of his group, the National Plaintiffs' Law Association. "Hopefully this sends a message and impacts the business of law side of things where firms see that not standing up for what's right might impact their recruitment and where students want to practice."

Analyzing the amicus brief signatories, Georgetown Law was home to 61 individuals signing their names onto the brief, the largest cohort of signers featured on the document.

Prior to the brief, Georgetown's energy law group registered its displeasure with Big Law by rescinding its attendance to a recruitment event for Skadden, Arps, Meagher, Slate & Flom, which was among the first group of Big Law firms to strike deals with the administration exchanging pro bono hours for assurances that the firm would not be subject to an executive order. In a larger demonstration of resistance to the Trump administration, Georgetown University Law Center Dean William Treanor sent a letter rebuking the administration's threat to stop hiring graduates from Georgetown unless the school promptly stopped including diversity in its curriculum.

The University of Pennsylvania Carey School of Law, University of California Berkeley School of Law, Stanford Law School, and Harvard Law School contributed over 50 signatories each to the amicus brief. Shortly before the law student brief was filed in federal court, [Berkeley Law Dean Erwin Chemerinsky](#) noted at a public forum that students have power in deciding how to respond to law firms who entered into agreements with the administration.

Overall, around 365 signatories to the amicus brief belong to students at T-14 institutions, as ranked most recently by U.S. News & World Report.

## A Growing Sense of Frustration

For some law students, the frustration of the current moment goes beyond the threat to the rule of law. Some students have had offers rescinded by the federal government for summer positions as well, compounding their concerns about the direction of the current presidential administration

"There's a lot of frustration and a lot of hurt, especially for the law students that did have jobs at government agencies and had those positions revoked for the summer," observed Temple University Beasley School of Law 2L Jennifer Levito, who signed onto the amicus brief. "Law encourages advocacy and creates opportunities to challenge these types of moves by people with power. Just because you have power doesn't mean you get to start demanding law firms act a certain way ... it's

never worked like that, and a lot of people are very offended, at least in my circles, that these firms are giving in so damn quickly.”

As a result, multiple law students and organizers said, some students are reconsidering their summer positions with law firms that struck deals, whilst other students are revising their on-campus interview bid slots.

“A lot of this [executive order] activity started around the time Georgetown had on-campus interview bids due for 1Ls. I heard two things—the first was students saying, ‘Alright, well, I only have 20 bids, why would I use one at a firm that seems like things are going to be quite unstable there?’” observed Georgetown 2L and Plaintiffs’ Law Association president Divya Goel, who signed onto the amicus brief.

“The other thing I heard, especially from students whose parents are immigrants or have some sort of status they never worried about before ... there’s concern about firms that have responded to the EOs and agreed to its terms providing lists of employees that work there and what that might mean for people and their families,” Goel added.

That concern seems to particularly stem from the EEOC letters sent to 20 Am Law 100 firms demanding law firm hiring information and information about DEI programming at firms.

Adding further nuance to the situation is the complexity and length of the recruitment cycle. Some students are reluctant to undergo the entire recruiting process all over again should they renege on their current summer positions.

“Some students immediately started looking to see if they could get a different position post-graduation or post-clerkship,” noted Caruthers. “And some students are extremely upset by the actions firms are taking but are not sure if they can or are willing to start the recruitment process over again.”

For those who will remain in law school past this summer, however, the option remains on whether to return to their summer firm after graduation.

“One thing I’m curious to see at the end of this summer, when people get return offers for post-graduation, is how many people are going to pivot and use that offer in hand as leverage to get an offer somewhere else post graduation they feel more ethically aligned with,” noted Penn Carey Law 2L and Student Public Interest Network co-president Zack Demars, speaking in his individual capacity.

## **To Join, or Not to Join?**

According to Major, Lindsey & Africa recruiter Kate Reder Sheikh, not all law students are shifting away from firms that negotiated deals with the president.

“There are some students who think that the deal is actually a pretty good business decision and isn’t going to impact their experience there,” Sheikh observed. “Ergo, they’re unconcerned and see potentially an opportunity to go to a really high-ranked firm that might not have been available to them, if that firm is potentially receiving fewer applications from their classmates because they made a deal.”

And according to some law school students, the concern about the long-term consequences of taking up a position at firm applies not only to those which made deals with the administration, but also to those who decided to litigate the issue in court.

“It’s just very uncertain at the moment what kind of firm you even want to be associated with,” Demars said. “It’s fair to be concerned about being associated with a firm attacked by the administration, and

it's fair to be concerned about being associated with firms rolling over and making deals with the administration to avoid an unconstitutional executive order. People are very uncertain about whatever path they are choosing."

Levito noted a similar trend, also acknowledging the longer-term concerns of being associated with a firm litigating against an executive order.

"A lot of people, especially in my year ... there's a lot of chatter going on, especially about the firms cutting deals. It's becoming more of a hot topic—what firms should we not go to? Where do we want to avoid?" Levito explained. "Now people, especially in [their second and third years] are fearful of—if I go to the wrong firm, am I going to be out of a job? I might be barred from going to other places, or I might be barred from government work."

Those concerns aren't unfounded: in section five of the executive orders launched against law firms, the president commanded the heads of government agencies to "refrain from hiring" employees at the targeted law firms "absent a waiver from the head of the agency, made in consultation with the Director of the Office of Personnel Management" certifying the new hire will not be a national security risk.

However, some plaintiffs law firms are looking to claim their share of previously Big Law oriented talent. In a program titled "Project Principle," a group of 13 plaintiffs law firms are opening up positions to students looking for alternatives to spending their summer at firms that have negotiated deals with the Trump administration.

Among the firms participating are Kline & Specter and Walkup, Melodia, Kelly + Schoenberger, both of which helped organize and file the law student amicus brief; White & Stradley; Salvi, Schostok & Pritchard; Bentley & More; Robinson Calcagnie; Singleton Schreiber; Arnold & Itkin; Hensley Cloninger & Greer; Roxanne Conlin & Associates; Gideon Asen Law; Romanucci & Blandin; and Coulson PC.

Firms doing plaintiffs work have historically hired just a small fraction of the students that graduate from law school in a given year, particularly compared to full-service firms, so the impact of this effort may more symbolic than ground shifting. But it is a nod in support of students looking to stand on their principles.

"We've gladly opened our doors to law students who had accepted a summer job at quisling law firms and now want to work elsewhere," said Shanin Specter, co-founder of Kline & Specter who filed the law student amicus brief. "We've hired one already, and we expect that each such student will have excellent opportunities at excellent firms across the country."