TO: Clinical Student Board  
FROM: Fellowship Working Group  
DATE: March 12, 2018  
RE: Summary of Working Group Report and Interim Recommendations Regarding YLS Public Interest Fellowships

I. The Charter and Progress Made by the Fellowship Working Group

Last year, then-Dean Designate Gerken convened the Fellowship Working Group (Working Group) in response to a range of concerns expressed by students. She charged the Working Group with evaluating and making recommendations as to how the fellowship process could be improved. The Clinical Student Board has requested information on the progress of the Working Groups. We write to provide a brief overview of activities to date.

The Working Group includes faculty, students, and senior administrators. It gathered several times during the summer of 2017 and into the fall term, and met in-person and telephonically, to review the Law School’s fellowship programs and consider a wide array of procedural and substantive changes. We also understood our work as an opportunity to affirm the Law School’s commitment to public interest as both a professional and institutional norm.

One initial goal was to provide at least some recommendations, primarily procedural, that could be implemented in the 2017-18 fellowship cycle. In September 2017, the Working Group made a series of unanimous proposals to the Dean, including: (1) investment of more resources to expand post-graduate fellowship opportunities; (2) adoption of a common deadline and a coordinated application process with common features for all Yale fellowships; (3) provision of more information and counseling for applicants seeking public interest fellowships; and (4) improvements in data collection and dissemination.

The Working Group agrees that more expansive career advising and alumni mentoring would be helpful to students seeking fellowships as well as other public interest positions. Members learned that the Law School is already overhauling the alumni networking platform. In addition, several CDO initiatives are still underway, and are described below.

The Working Group also spent significant time discussing various possible substantive changes to the fellowship programs. Members of the Working Group agree that the Law School should invest more resources to expand post-graduate fellowship opportunities. Determining which substantive changes and what kinds of expansion are most beneficial are complex, and pending more discussions, no recommendations have yet been made.

The outstanding issues include, most critically, how such an expansion should occur. The Working Group has discussed the benefits of more fellowships, and the significant infusion of resources it would require. We have also discussed the tradeoffs between committing more resources to fellowships or to COAP or other important institutional priorities. We also considered how to use existing funds to stretch them further, e.g. whether to do small partial funding as some schools have, and ask for funds from sponsoring organizations, whether to find ways to have more one-year fellowships, whether to expand partial funding for a second year of
funding, conditioned on significant commitments from host organizations (as the Liman, Bernstein, and Robina fellowships sometimes provide). The Working Group also discussed potential changes to the criteria for fellowship awards. We determined that more analysis was needed about issues such as a preference for current JD students over alumni; JD students/alumni over LLM students/alumni; applicants seeking a first fellowship over those seeking a second fellowship; or those seeking to convert a fellowship directly into permanent employment, rather than those seeking to fill a gap year before a clerkship. Members did not all agree about whether the Law School should have a set of overarching criteria for the selection of fellows, for example, valuing an applicant’s long-term commitment to public interest work, as contrasted to factors such as the feasibility of the proposed project or diversity within the fellowship class as a whole.

Dean Gerken asked that the Committee continue into this year, to determine if we might make recommendations on these remaining important issues. We aim to review the implementation of the new procedures for applications and to complete our work by July 1, 2018. Below, we provide an overview of the current fellowship opportunities, and summaries of the concerns and data and of the recommendations provided to date.

II. Overview of Post-Graduate Public Interest Fellowships at YLS

The Law School has nine different post-graduate fellowship programs supporting full-time, year-long public interest work. The total number of fellowships available fluctuates from year-to-year depending on the availability of endowment funds and fundraising.

- **Arthur Liman Public Interest Fellowships**: Support one year of full-time work in the U.S. in a law-related endeavor designed to further public interest, generally under the sponsorship of an existing organization or possibly through a start-up project. Open to all graduates of the law school, regardless of graduation year. The fellowship numbers have grown substantially from its inception, when in 1997 it supported one fellow. Each year, depending on funds, six to nine fellowships are available, and a new fellowship (the Resnik-Curtis Fellowship), funded for at least three and hopefully more years, became available under the Liman Center for 2018-2019. On occasion, Liman supports extensions if host organizations provide significant support and if a fellow has shown that continuation for additional months will be beneficial to the project undertaken for the fellowship.

- **Gruber Fellowships in Global Justice and the Gruber Fellowships in Women's Rights**: Support one-year placements with host organizations to work on projects relating to global justice and/or women’s rights. Open to students and recent graduates of any Yale graduate and professional school, up to three years after graduation.

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1 The International Court of Justice (ICJ) Judicial Internship/Clerkship is for 10 months. The Law School also offers grants through the Mary A. McCarthy Memorial Fund for Public Interest Law, which typically range between $500 and $10,000 for short term public interest work over the summer or in the year after graduation. For the purposes of this report, the ICJ Judicial Internship/Clerkship is included but the McCarthy Memorial Fund is not.
• **YLS Public Interest Fellowships (YPIF):** Support one year of full-time, project-based work or staff attorney positions with public interest organizations or offices at any level of government. Open to all graduates of the law school, up to three years after graduation. Each year, at least six fellowships are available.

• **Yale Law Journal-YPIF Fellowships:** Expand the YPIFs with three additional one-year fellowships, which seek to enhance the connections of legal scholarship, practice, and service. YLJ agreed to fund these three fellowships for at least five years, starting in 2016-2017, on the condition that the Law School fund no fewer than six YPIFs during each of those years. The YLJ Fellows, after completing their year in public service, will publish reflections on their experience in the Journal’s online component, the Forum.

• **Robert L. Bernstein Fellowships in International Human Rights:** Support one year of work anywhere in the world and are intended to foster innovative approaches to human rights advocacy or to promote work on important human rights issues that have received relatively little attention. Applicants are encouraged to create projects with appropriate organizations, but independent projects are also considered. The Bernstein Fellowship typically funds 2-3 fellows per year. The Bernstein Fellowship occasionally funds extensions beyond the original one-year period.

• **Robina Foundation Human Rights Fellowships:** Support work anywhere in the world by enabling experiences of six months to a year in a number of categories: judicial clerkships in international and foreign courts and tribunals with substantial responsibility for human rights issues; international criminal tribunal internships; internships with international organizations concerned with human rights; and independent research on human rights topics. The Robina Fellowship typically funds 2-4 fellows per year. The Robina Fellowship occasionally funds extensions beyond the original fellowship period.

• **Heyman Federal Public Service Fellowships:** Support recent graduates who wish to work closely with high-level leaders in the federal government for one year, either through an existing position or through a “special assistantship.”

• **International Court of Justice (ICJ) Judicial Internship/Clerkship:** Supports one recent law graduate selected by the ICJ for a ten-month position with an ICJ judge.

• **Permanent Court of Arbitration in The Hague Fellowship:** Supports one fellowship to work on staff at the PCA for one year. Open to graduating students and recent alumni.

In addition, students routinely apply for and obtain general-purpose national fellowships, including the Skadden, Equal Justice Works, and Echoing Green, as well as organization-specific fellowships such as the ACLU’s Karpatkin Fellowship. The Career Development Office maintains a list of approximately 35 outside fellowships, the availability of which varies year to year. A copy of that list is included in the appendix to this report.
III. Summary of The Concerns Identified

The following discussion reflects information gathered by the Working Group, both about programs at other schools and from students and faculty about fellowship programs here.

Although peer school data are somewhat limited, our data collection indicates that YLS both pioneered and offers significantly more internal public interest fellowships per capita than our peer schools. For the fellowship year 2017-18, Yale awarded 33 such fellowships, compared to 31-33 by Harvard (which has much larger classes) and 9-10 at Stanford.2 Nonetheless, through the course of the Working Group’s discussions, we identified six major challenges.

1. Mismatch between supply and demand of YLS-funded fellowships
   Some faculty and staff had understood the year-to-year availability of fellowships to roughly match demand. Others had a sense that applicants outnumbered fellowships. An examination of the relevant data revealed that in recent years, there has been a gap between supply and demand, more significant in some years than others. For example, in 2013-2014, there were 78 fellowship applicants and 31 recipients; in 2016-2017, 38 applicants applied, and 27 received fellowships.

2. Accuracy and ease of accessing information regarding YLS-funded fellowships
   Students expressed concern about the lack of easily accessible and thorough information about the number of fellowships available versus the number awarded. Relatedly, students reported frustration with the decentralized nature of information about fellowships and about opportunities to connect with alumni or to develop mentoring relationships as part of the development of a successful fellowship proposal. Students also wanted more information about criteria for fellowships and the priorities of different selection committees.

3. Burden of applying for multiple internal and external fellowships
   Many students have reported that the process for applying for fellowships is unnecessarily burdensome. The difficulties stemmed from separate application processes for different fellowships, differences in application deadlines and requirements, and an expectation that some applications include exhaustive research on the legal problems on which the applicant seeks to work. Longer and differing applications also heighten the workload for reviewers and administrators.

   Because many of the programs fund similar forms of work, students typically apply for multiple fellowships. However, because of non-uniformity in application deadlines and decision timelines, multiple fellowship committees (both internal and external) may consider the same applicants simultaneously. Among the YLS-funded fellowships, cascading deadlines have led to applications being considered by relevant committees sometimes at the same time, and in other instances sequentially. Further, some YLS fellowship committees seek to delay final decisions to enable applicants to receive a fellowship or other form of employment from an external source. Moreover, some YLS

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2 These figures are the Working Group’s best estimates based upon the schools’ websites and ABA reports.
fellowship committees interview applicants. In short, the time from application to decision varies somewhat among the different YLS fellowships.

4. **Insufficient integration of mentorship with fellowship and public interest advising**
   There are many resources and individuals within the Law School providing advice on fellowships and public interest and facilitating mentor relationships, but despite efforts to be helpful, students have not always experienced these systems as well integrated and accessible. In addition, there was some concern among Working Group members that insufficient advising could lead students to over-rely on YLS fellowships, rather than applying for both non-fellowship employment and fellowships from sources outside the Law School.

5. **Real and/or perceived disadvantage of YLS fellowship applicants when applying to staff attorney positions with host organization**
   Students reported that some public interest employers who sponsor students for fellowships will not consider those same students for staff attorney positions. Students report that some employers believe that Yale students can easily or even automatically obtain fellowships, and do not want to allocate scarce resources to hiring them as a result. Students have felt ill-equipped to navigate this issue with prospective employers. One issue was information, as students are not always aware of how fellowship programs support applicants and non-applicants in obtaining work such as staff attorneys in non-profit legal service offices or in firms focused on public interest lawyering; in some cases, fellowship committee members have helped some applicants get jobs because they were being considered for or had been awarded fellowships.

6. **Impact of clerkship-driven gap years on demand for YLS-funded fellowships**
   At least some demand for public interest fellowships may be driven by the proliferation of gap years due to the breakdown of the clerkship hiring plan. This use raises questions about the primary purposes of fellowships and of whether gap years achieve that purpose. Historically, fellowships have been an important bridge to public interest careers. If many students are now using them to fill a gap year, we need to learn more about the individuals who have done fellowships in gap-clerkship years and whether they are doing so as part of a public interest plan, as well as information about non-fellowship career alternatives available to students. Gap year fellowships may in addition serve other worthy goals, such as giving students who move to academia or other sectors a focused, year-long experience working with public interest organizations.

As the introduction reflects, it was based upon this articulation of the issues that the Working Group sought to make recommendations in four areas: (1) fellowship applications (including deadlines, contents, and eligibility requirements); (2) CDO/career counseling and resources (including dissemination of information to applicants and employers, and transparency of data); (3) alumni relations (including outreach and networking with alumni in order to support fellowship applications); and (4) overall fellowship availability.
IV. Summary of Available Data

CDO has compiled data for the past 10 years regarding the number of fellowship applicants and recipients each year, for both internal and external fellowships. As reflected in the chart below, those data reveal a relative stability in the total number of fellowships available in recent years but significant fluctuation in the number of applicants. As a result, there is a substantial variation in the gap between supply and demand.

We do not have a good understanding of what accounts for the variation in total number of applicants. Exogenous circumstances, such as the Great Recession, the highly variable pattern of clerkship hiring and the end of a comprehensive plan, and the aftermath of the 2016 election, do not map neatly onto the data. We also lack a good understanding of the variation in the ratio of J.D. to J.D.-alumni applicants, and the numbers of LL.M. applicants, which appears to be low in numbers but needs further analysis. We also do not know how many of the people who apply for fellowships withdraw, either because they have found other jobs or decided to pursue other paths. Further, while some of the fellowship programs have post-fellowship information, we do not yet have comprehensive data on what people do after all of the fellowships.

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<tr>
<th>Fellowship Year</th>
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<th>NON-YLS AWARDS</th>
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*As noted above, comparable data for peer schools, including Harvard and Stanford, are not available. For the fellowship year 2017-18, Harvard awarded 31-33 fellowships and Stanford awarded 9-10. The per capita fellowship rate in 2017 was approximately 0.165 (Yale), 0.06 (Harvard), and 0.055 (Stanford).

V. First-Round Recommendations (implemented in the 2017-18 fellowship cycle)

A. Fellowship Applications

1. Common Deadline: We proposed a common application of February 1 for all YLS public interest fellowships. Our goal was to move the YLS deadlines out of the first semester, when both external fellowship deadlines and other term-time obligations add to the pressure of completing fellowship applications. The February 1 deadline is also...
intended to allow students to have time for a break from YLS-based work between semesters while still being able to use the intercession to work on their applications. The later deadline may create some administrative obstacles, as committees struggle to wrap up all decisions before the spring break. Because the Working Group urges committees to notify fellowship recipients as quickly as possible, the precise deadline may need to be modestly revisited after the close of this cycle.

2. **Common Application:** In order to reduce the workload involved in applying for multiple fellowships, the Working Group recommended a “common app” for all YLS public interest fellowships. The Working Group developed a common application, developed by comparing and harmonizing existing applications. The fellowship programs collaborated and used the common application as the basis for a new online application platform. The Working Group will review the results of the new process once the application cycle has closed.

3. **Word Limit:** In order to further reduce the application workload, the Working Group proposed the following word limits. The first two limits would apply to all applications, while the expanded project description would be specific to Liman:
   a. Personal statement: 500 words
   b. Project or position description, including a timeline: 1500 words
      For Liman, the project description must reflect how the project would engage with the relevant legal regime and may include an additional 1500 words, for a total of up to 3,000 words in the project description (including footnotes).

4. **Other Applications:** Not all applicants for YLS fellowships have pursued outside fellowships for which their proposals are otherwise eligible. In order to ensure that students maximize their chances of obtaining public interest employment, the Working Group recommended that applicants be asked to list other fellowships and public interest jobs for which they have applied or for which they plan to apply and to provide a brief explanation if they have not made any other applications. Applying for external funding is not a requirement for receiving a YLS-based fellowship, but it is strongly encouraged, absent extenuating circumstances. This expectation should be conveyed to students before the fellowship cycle starts to give them adequate time to apply for other fellowships or employment. Requesting this information is intended to communicate an expectation that applicants pursue other avenues for public interest employment, including other fellowships and staff attorney positions. Those recommendations of course entail what is reasonable in light of goals and geographical constraints, if any. That list is in addition to the word limits set out above.

5. **Advising/Consultation Requirement:** Students who consult with fellowship program directors in the process of developing their proposals consistently produce stronger applications. For that reasons, many of the fellowship programs have required that applicants consult with program directors. To further entrench this norm, the Working Group proposed that all programs explicitly require consultation with the relevant program director prior to submitting a fellowship application. To operationalize this,
the program directors made sure the requirement was included in all application information and also included the requirement on the common application.

Note: Some fellowships currently strongly recommend that applicants consult with other fellows – past or current – who have worked in the area of the application. The common application recommends that applicants consult with 2-4 people in the field and requires them to list the people with whom they have consulted.

B. CDO & Alumni Affairs Support and Guidance for Students

1. Dedicated webpage for fellowships: The Working Group recommended that the CDO website, in collaboration with fellowship committees, host a one-stop shop containing announcements, links to available internal and external fellowships, fellowship materials, and videos of past informational/alumni panels.

2. Creation of FAQs: In order to improve the quality of information that students and alumni have regarding different fellowship programs, CDO should post a Frequently Asked Questions document on the fellowships website. The FAQ should aim to resolve, as fully as possible, common student concerns regarding criteria for fellowships, selection process, etc.

3. Improved email correspondence: In order to help CDO email regarding public interest opportunities stand out, CDO should label such messages “Fellowship Digest” or “Public Interest Digest.”

4. Continued data collection and dissemination: In collaboration with fellowship committees, CDO should continue to collect and share data regarding the total number of fellowship applicants and recipients each year. CDO, in partnership with other fellowship programs, is gathering data for this fellowship cycle.

5. Advice to students and employers regarding eligibility for staff attorney positions and external fellowships: CDO should provide students with guidance on how to navigate relationships with fellowship sponsors while applying for full-time positions or external fellowships. In addition, CDO should provide clear guidance to sponsoring organizations to ensure that students applying for fellowships are not disadvantaged in consideration for staff attorney positions. Additional advice regarding whether organizations should sponsor multiple candidates for Yale-based fellowships should be developed and posted online.

6. Fellows & Public Interest Alumni Database: The Working Group recommended that CDO make it easier to identify alumni who had fellowships or who work in public interest organizations. CDO currently maintains a database, called Career Connections, with job and contact information on alumni who have volunteered to provide career advice and networking opportunities for students and other alumni. In addition, the law school is developing a new online alumni platform, which will also provide increased opportunities for current students (and graduates) to find alumni with relevant experience and to connect with them directly.
7. **Fellows & Public Interest Alumni Mentor Program**: CDO should pilot a program that pairs students interested in public interest careers, including fellowships, with alumni. As part of the program, it should invite alumni to meet with students, either individually or in groups, in person or via Skype.

8. **Advising on how to leverage alumni networks**: During an informational panel or in a Fellowship Digest e-mail targeting 1Ls interested in fellowships, CDO should explain to students how alumni connections can help in the fellowship process and give tips on how to contact and create alumni connections.

9. **Alumni Affairs**: Alumni Affairs should undertake to try one or two events dedicated to public interest alumni meeting with interested students. These events can occur during Alumni Weekend on campus or in cities during the summer (like the minority receptions that took place in D.C. and NYC last year).