



LAW FIRM FELLOWSHIP AND ROTATION MODELS

There are several fellowship and/or rotation models in place already in Illinois and around the country, a few examples of which are described in more detail below. These programs typically have focused on newly admitted attorneys and were intended to maximize the firm's pro bono commitment while serving as a recruiting and skills-building vehicle for new associates. In addition to these motivations, the current challenging economic climate has led firms to expand—or in some instances introduce—these programs as a means to place underutilized attorneys and thereby reduce firm costs. In addition to those firms who are trying to find public interest law placements for the laid-off employees, a variety of “emerging models” have been adopted by firms recently. These include deferral rotations for incoming classes of associates and extensions of existing fellowship models. Several firms are now in various stages of discussing and/or developing such programs.

TRADITIONAL MODELS

PILI Graduate Fellowships: PILI's Program provides for law firms' incoming associates to work for participating public interest law agencies during their bar exam summers, before beginning work at their firms. PILI Fellows are essentially “in residence” at participating agencies for a reduced 300-hour schedule to allow for formal bar study. The Program is designed for graduates who have already accepted permanent employment with a Chicago-area law firm. Participating firms may decide how many Fellows to sponsor, the amount to be paid to Fellows, and the method of payment. For more information about this program, contact Susan Curry at 312-832-5129 or scurry@pili-law.org.

Katten Muchin Rosenman Public Service Fellowship: Under its First Year Public Service Fellowship Program, Katten makes a donation to each agency that is sufficient to cover salary and benefits for the associates during the year of service at the given public interest law agency. Associates are placed on the payroll of the agency, not the firm, in order to avoid conflicts that might limit the scope of the associate's work. Following one year of service at a public interest law organization, the Fellow returns to Katten as a second-year associate. For more information about this program, contact Jonathan Baum at 312-902-5479 or jonathan.baum@kattenlaw.com.

Jones Day Pro Bono Fellowship Program: The Jones Day Pro Bono Fellowship Program places a newly hired associate at a legal services agency for one year, allowing the new attorney to gain valuable experience while helping ensure equal access to justice. The associate is an employee of the agency, not the firm, and the firm pays the agency a lump sum equal to salary plus benefits. At the conclusion of the Fellowship, the Fellow returns to Jones Day as a second-year associate. For more information about this program, contact Lee Ann Russo at 312-269-4283 or larusso@jonesday.com.

Philadelphia Public Interest Fellowship: This program provides an opportunity for new attorneys at participating firms to defer private practice for a year while they perform valuable public service at one of Philadelphia's legal services agencies, such as Community Legal Services, the Education Law Center and the Support Center for Child Advocates. The fellowship is administered by the Philadelphia Bar Foundation and is underwritten by a private law firm employer, which spreads the first year salary over two years; the law firm employer also provides benefits. For more information about this program, visit www.philadelphiabar.org.

Covington & Burling Rotation Program: These programs allow groups of attorneys (primarily mid-level) and staff to work up to six months at DC-based legal services organizations. For decades, Covington associates, paralegals and secretaries have staffed the Neighborhood Legal Services Program, handling a full range of civil legal problems. At another agency, one associate and a paralegal work full-time in six-month rotations handling custody and adoption cases. At still another, associates work half-time on landlord/tenant cases while they continue to handle a reduced caseload at the firm. Most recently, the firm has also established eight-day rotations for staff attorneys at a variety of other legal service organizations in D.C.

EMERGING MODELS

Latham & Watkins: Latham recently announced it is deferring the start date for the class of 2009 to mid-December 2009. It is also offering all those in that incoming class the option to further defer start dates to October 2010. The firm will pay those who select the extended deferral option \$75,000 and is encouraging, but not requiring, those lawyers to engage in volunteer or community service projects during the deferment period.

Morgan Lewis: Morgan Lewis recently announced that they will defer the start dates for new associates so that incoming entry-level associates will start with the firm in October 2010. Each affected individual is being offered the opportunity to work in a public interest organization between October 2009 and his or her start date, and the firm will pay each a \$5,000 monthly stipend while the associate is working at the public interest organization.

Simpson Thacher Fellowship Program: Simpson Thacher recently announced that it has extended the duration of its public interest fellowships from three months to one year, with the expectation that the associates will return to the firm after their service. The law firm is offering fellowships to 15 associates with one to three years of experience and paying them \$60,000 up front. They will not remain employees of the firm while they work for the nonprofit, although they can keep their insurance benefits. Associates can choose which nonprofit organization to work for, and the program is available to associates at all of the law firm's offices.

OTHER FELLOWSHIP MODELS

Skadden Fellowship: Funded by the law firm of Skadden Arps, these highly competitive fellowships are awarded for two years of service at a legal services project or agency, typically to recent law school graduates. Skadden provides each Fellow with a salary and pays all fringe benefits to which an employee of the sponsoring organization would be entitled. For those Fellows not covered by a law school low income protection plan, Skadden will pay a Fellow's law school debt service for the tuition part of the loan for the duration of the fellowship. However, the Fellows are not employed by Skadden nor is there ever an expectation that the Fellows will be employed by Skadden at any time in the future. For more information about this program, visit www.skaddenfellowships.org.

Equal Justice Works Fellowship: This is a two-year fellowship program made possible by funding from law firm sponsors (as well as corporate and other charitable entities). EJW provides each host organization with up to \$39,000 annually toward a Fellow's salary. Each host organization is instructed to set its Fellow's salary commensurate with what a standard entry-level attorney with similar experience would receive at that organization. The organization must provide the difference

if the salary level exceeds \$39,000. EJW provides loan repayment assistance to Fellows who qualify through its Loan Repayment Assistance Program (LRAP). There is no expectation of future employment with law firm(s) sponsoring an EJW Fellow. For more information about this program, visit www.equaljusticeworks.org.

CONSIDERATIONS IN ESTABLISHING A FELLOWSHIP OR ROTATION PROGRAM

Here are some things to consider when exploring the establishment of a Fellowship or Rotation Program:

- *Messaging*: How will the firm message the program to its attorneys, clients, agencies, public?
- *Length of time*: 3 or 6 months, 1 or 2 year(s)?
- *How to pay*: Is a contribution made directly to the agency? A lump sum paid to the attorney? Is the attorney on the firm payroll?
- *What to pay*: Full salary? Portion of full salary? Salary equivalent to a legal services attorney with commensurate experience?
- *Are Benefits provided?* As part of the contribution to the agency? Remain on firm benefit plan?
- *Where will the attorney be located*: At the agency's offices? At the firm's offices?
- *Malpractice*: Will the attorney be covered under the agency or firm malpractice policy?
- *Conflicts*: If the attorney remains an employee of the firm, there may be a client or subject matter conflict. These can be avoided if the attorney is an employee of the agency rather than the firm.
- *Expectation of return*: Is there an expectation that the attorney would return to (or be hired by) the firm at the end of the fellowship period?
- *Expectation of class status*: Will the attorney maintain their class status? Will they be included in events, activities and trainings available to those from their class?