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Attorneys Take Supreme Court Advocacy Back to School

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Legal Times
July 20, 2006

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image: Caroline Fong

The allure of Supreme Court advocacy, Washington, D.C.-style, is spreading among top law schools. Lawyers from two D.C. firms are working with law schools that are launching Supreme Court litigation clinics this fall and others, we hear, are not far behind.

Andrew Pincus and Charles Rothfeld, D.C. partners at Mayer Brown Rowe & Maw, will be sharing their high court skills at Yale Law School. And Mark Stancil, who is moving this week from Baker Botts to the smaller appellate shop of Robbins, Russell, Englert, Orseck & Untereiner, will be working on Supreme Court cases with 3Ls at University of

Virginia School of Law.

"I adore teaching, and this is my best opportunity to build up more experience at the Supreme Court," says Stancil, who lives in Charlottesville, Va., but works in D.C. Adds Pincus, "Supreme Court advocates by nature have an academic bent."

Top students at both schools, many of them on law review, will be working on real-life petitions and both merits and amicus curiae briefs in pro bono cases. Yale Law School professor Dan Kahan reports that students there are clamoring to sign up.

The model for the ventures, all concede, is Stanford Law School's clinic, launched three years ago by upstart Supreme Court advocate Thomas Goldstein, now with Akin Gump, and professor Pamela Karlan. The clinic landed several cases that were granted review by the high court, giving the students a priceless selling point on their resumes. Other schools, feeling competitive pressure from their top students, are following suit.

But all agree that the clinics are not just a ploy for law firms to win free labor from eager law students. Stancil estimates he'll devote more than 400 hours per year to teaching and supervising the UVa clinic. And Goldstein, modest about the proliferation of clinics, advises that he and wife Amy Howe have spent as much time supervising and editing the students' work as they might have gained from the endeavor. "You have to be prepared for a very considerable time commitment," Goldstein says.

Harvard, where Goldstein teaches Supreme Court advocacy during the winter term, is also considering a full time clinic, and both Northwestern University School of Law and Georgetown University Law Center are said to be studying the idea in conjunction with other D.C. firms.

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