

UVA LAW | So You Want To Be a Law Professor?

KIMBERLY J. ROBINSON: I'm just going to share my own personal journey to becoming a law professor. So when I went to law school, I was planning to be a civil rights lawyer. And that is what I became.

Upon graduation, I litigated cases for school districts that focused on school funding equity issues, I worked for the United States Department of Education on issues of civil rights. So sex discrimination, disability discrimination, and race discrimination. So I helped to draft regulations about these issues, I helped to write guidance about these issues. This was exactly what I went to law school to do.

What ultimately started happening was, I was just asking questions about why we have the inequalities we have in education. And so those questions are sort of first generation questions. Like, sort of, how did we get here to where we're trying to address all these areas of inequality? Why is the system so broken? Why do some kids get a terrible school and some kids get an excellent school?

And so these are the kind of fundamental questions that I was thinking about and wanted to start writing about. And as you might imagine, those are not the questions that come up in litigation that the federal government is engaging in, right? Those are questions underlying the litigation and those are questions underlying the policies that we're creating, but they're not questions that your supervisor at the Department of Education is asking you to write about, right?

And so ultimately I decided to go on the market-- and then this was actually something that a faculty mentor of mine recommended that I do in law school. I was his teaching assistant. He said, I think you would make a great law professor. And I was like, no, no. I think I'm going to go and be a civil rights lawyer. I'm very clear. I'm one of those goal-oriented people, I make a lot of lists. And it was like, law school, check, clerkship, check, and then be a civil rights lawyer.

But he was right in that he saw something in me that suggested I might sort of enjoy teaching and I might enjoy the intellectual inquiry that you get to engage in as a professor. So as a professor, I get to write and think about, why is our education system broken? And I get to propose solutions for how we could build a better system.

Those are things that, oftentimes in litigation, you're not always engaging those first generation questions. And so that is, for me, one of the things that I really love about being a law professor. So one is-- so in terms of thinking about, why do I enjoy being a law professor? There are several reasons.

One, I get to sort of, for the most part, except for my teaching schedule, I get to write and think about-- I get to create my own set of, sort of, goals for work and sort of what I'm working on. I set my research agenda, no one is setting that for me. So that's a lot of autonomy and flexibility, right?

I mean, as long as I continue to be productive, and focused on scholarship, and speaking, and those kinds of things, no one's going to come in and tell me, this week you have to write about this. And next month you have to write about this. I really set my own research agenda. And that's incredible, I mean, to be able to write about the things you're passionate about, think about the things you're passionate about, research about the things that you're passionate about. So that level of autonomy is something that you will not find in many areas of law. So that is one of the things I love about being a law professor.

Another thing is that I love research and writing. So basically I could research and write, sort of, all day. I'm a complete nerd. I embrace that in myself. And I love researching, and I love writing, I love reading. Like, I just love all of it. So I could write all the time.

And so one of the great things about that is that that is part of what I'm supposed to be doing as a law professor is researching, writing, putting out scholarship. I mean, for me, it's really just a question of, like, I just want to get more scholarship out and more scholarship out. It's not about, oh, I have to write today. It's like, oh, where can I carve out some time to write, so that I can do part of what I love?

Another thing that I really love-- and this is how I approach my classes-- is I really love engaging with students and encouraging them to think about being social engineers. So I challenge my students to think about and understand not just what the law is, but I want you to think about what the law should be. And in all of my classes I encourage students-- I teach upper-level classes-- so I'm not in the core curriculum.

And I'm challenging students in all of my classes to think about, how is the law contributing to inequality? And how could you reform it to reduce inequality and create a more just society? So I love encouraging and challenging students to think about that. I've had so many students come to me and say, my entire time in law school no one has ever asked me, what should the law be? They're mostly telling me what the law is, and we think about what the law is, and maybe even its strengths and weaknesses. But you're the first professor to ask me, what should the law be?

And so I'm always asking students that question. Like, not just-- I help them understand what the law is. You can't say what the law should be until you know what it is. But I do always encourage them to think about what it should be. And then I challenge them, like, you will be out there making law. You are the future justices, and judges, and lawyers, and reformers who are shaping issues of educational inequality. So I challenge them to really think about how they could help to reform the system.

And finally, the last thing I really love about being a law professor-- although I'm sure there are others. I love how flexible and family-friendly it is. So my husband and I have three daughters. We have two young ones at home, and then one who's already graduated from college. And being a parent is a very busy responsibility.

And so I can-- if I'm done teaching for the day-- I can go see my daughter's 4:00 volleyball game and cheer her on with her teammates. I can pick my kids up from school sometime. I can tell you I end up, usually, making up that time some other time, whether it's early in the morning or late at night. But there is a flexibility there that I can be present to my kids when they're awake.

And for me, that was something really important. I really wanted to be the one who was raising my kids, be the one who was there for them. And so being a law professor really allows me to do that. I craft my schedule. There's no one clocking when I come in and when I come out, when I take vacation or when I don't.

I am productive and doing my job, so no one's sort of tracking. I'm not tracking my hours, I'm not tracking all those things. I'm just doing the things that I love, which I do organically. And then I have the space and the flexibility to make a schedule that I can be there for my family and be available. And to me, that is priceless. I would find it really difficult if I could not be present to my family in the ways that I am.

Do I sometimes have to be at work late, and they stay after school and stay late? Absolutely. I can't pick them up every day. But I love that I can even do that sometimes. And so for me, that flexibility is something that I really love. So that's me.

**RICHARD C.
SCHRAGGER:**

Great. So I'm Rich Schragger. I'm the Chair of the Academic Placement Committee. And this is the committee. Professor Nelson, Professor Robinson, and myself are the faculty members on that. What we do is we assist folks in going on the academic teaching market. And we'll talk a

little bit more about that.

My path to academia runs through, also, some practice. I graduated law school, I clerked for a year on the Third Circuit, then I went into a law firm in Washington DC. I wanted to be a trial lawyer. I turned out to be not a very good trial lawyer because I didn't like conflict. Turns out you need to like conflict to be a trial lawyer. I got anxious about conflict it turns out.

So I then-- although I did enjoy certain practices, certain parts of the practice. I transitioned to law teaching by doing a fellowship and teaching some legal writing courses at Quinnipiac University Law School, and then went on the teaching market after that. So that is fairly straightforward.

I had practiced for about 2 and 1/2 years, I went on the teaching market about three or four years after clerking. So about five years after graduating. That's a pretty standard kind of timeline. Sometimes they're longer, sometimes they're a little shorter.

Teaching, as someone told me, is a loophole in life, law teaching in particular. You get all those benefits that professor Robinson talked about. There are lots of ways to be a teacher. You don't have to-- we're on the research faculty, which means we do a lot of research and writing, and we teach most of the basic classes in law school.

There are also clinical faculty, there are administrative kinds of faculty that are engaged in academia as well. So there are a range of ways to get into the legal academy. For clinical faculty, for example, they're excited because they get to bring cases and still be active litigators in many cases, or transactional lawyers, but they get to work with students, and they get to do a little bit of teaching and scholarship on the side. For research faculty, the research and writing is a bigger piece of it. But also, the teaching is obviously a big draw for those of us that do it.

Let me say a little bit about the nuts and bolts of going on the teaching market, just because it's sort of a mystery. It's actually quite straightforward. You could go on the teaching market tomorrow if you wanted to. It's really the preparation for going on the teaching market that's the important part.

But just working backwards, the way we hire, at least research faculty in law schools, is we all show up in Washington DC at a big hotel and we interview folks who have filled out a form and sent us their resumes. It's just a super centralized system. There are anywhere between 300

and 600-- maybe some more depending on the years-- people who have filled out this form.

It's operated through the Association of American Law Schools, the AALS, and it's called the meat market. That's a terrible word for it, but that's what it is. That happens in the fall. It happened a couple of weeks ago. And that's the market, the place where entry-level law teachers go.

Law faculties have a committee that screens the resumes of potential entry-level law teachers. Those are submitted to those committees in July or August of that summer, and then they reach out to potential candidates between then and the meat market to ask them to come to 20-minute interviews in hotel rooms. This looks a little bit like OJI in a way, but it's in a hotel room, which is weirder because there's, like, a bed there and then--

And then the committee meets with those folks for 20 minutes at a time, and then decides whether to bring some of them back for full-day interviews. And the full-day interviews involve office interviews. Again, similar to things you might do for other kinds of jobs, and what's called a job talk. Which, for research faculty, means presenting a paper, an original research paper to the faculty and answering questions about it. Sometimes meeting with students, you meet with the dean and so on.

That's the whole thing. That's how the system works. It's actually quite low-cost. It's very centralized and very convenient in that respect. The working up to that, to getting to a place where you're an attractive candidate for law teaching is a different matter. And we're going to talk a little bit about that. Do you want to talk about--

KIMBERLY J. Yeah, what to do?

ROBINSON:

RICHARD C. Yeah, talk about what's to do, yeah.

SCHRAGGER:

KIMBERLY J. Yeah, so you all are probably-- if you're interested in teaching, are thinking about, what should
ROBINSON: I be doing right now if I want to be a law professor? And there's a number of things to think about. So my first recommendation to you is to think about being a research assistant.

Why might you want to do that? You're going to need some faculty members who know you well and can speak highly of your work. That can happen from a seminar-- a small class. So that's my second recommendation. Take some seminars and small classes where faculty

members get to know you well.

But I really think there's nothing to substitute from being a research assistant. In part because you get a one-on-one relationship with a faculty member. Even in a seminar of 16, that's still quite a lot of people around the table who are sharing their opinion, whereas when you work one-on-one with a faculty member doing research, you just get that close relationship where they really get to know you.

And they can talk about your work, they have-- when I write recommendation letters, I write about the assignments students have done for me, I write about how they did, were they thorough, was the memo clear, was it-- I write about their analytical skills. Are they professional? On time? All those kinds of things. All those things are established in this relationship.

And so I definitely encourage you to think about being a research assistant. There's many ways to do that. A lot-- most of us hire research assistants over the summer. Most of us hire more than one. But also-- so you might think about, like, which professors are working in the areas you are interested in. Also, there's something called directed research where you can get to know a faculty member well.

And then the other way, kind of the second recommendation is think about a seminar or independent research. So independent research is another one-on-one chance with a faculty member. The faculty member you are then writing a paper that you want to write, but you have a faculty member supervising you. So that's another way to get to know a faculty member well, to establish a relationship with them, so that when you go on the market, sort of, five years later, they should have a recollection of, yes, I worked with you weekly for a semester. That's a relationship that is going to stand up for some time.

So you want to look for those opportunities to have close interactions with faculty members because you're going to need these recommenders. Third thing you want to-- so those are the sort of first two. First, either a research assistant or [INAUDIBLE]. The second is a seminar or some kind of independent research.

Third is you definitely want to go on to a journal and write if at all possible. I know that's not always possible for all journals. I'm actually very new in Virginia, so I'm still learning the journal system here. All the journals are a little bit different. But my sense is there are many

opportunities to be on a journal. And so that's a wonderful thing because there are many law schools who have, like, three journals. And you have far more than that.

And so the nice thing about a journal is, one, you are forced to look at a lot of reading. Right? You side check things, you look at writing. And by editing and making recommendations on other people's writing, your own writing gets better. So Professor Schragger and I were actually on law review together, and we site checked a lot of articles in our time in law school.

But I'm definitely attributing law review to making me the writer I am today in some substantial part, because it just-- when you are editing people's sentences over and over you just write your sentences better, because you're, like, well, I don't want to be-- I don't want to have all these extra words. I don't want to have [INAUDIBLE] things happening. So you start to become a better writer by editing other people's work. And you really-- I mean, you learn *The Bluebook* inside and out, and you learn what strong citations are and weak citations are, right? So you learn how to really site to a primary source for a particular proposition.

So additional things you want to think about. You do want to think about how you are performing in law school. Grades do matter. Upon graduation they do-- one of the only times I've had my transcript looked at upon graduation was when I went on the teaching market. And my first school that I taught I was Emory University, and they said, send us your transcript. And I was like, no one has asked me for my transcript for a really long time.

And so, I mean, obviously, it stood the test of time. But you want to think about the courses that you're taking as well as how you're performing in class. You are all at a wonderful law school and probably know that you will graduate and be able to get a job.

But you don't want that to be a reason to sort of stop engaging in your coursework, one, is it's just a tremendous loss for you, but two, a law school may eventually-- especially if you're an entry-level candidate-- less likely when you're a lateral candidate-- I haven't had-- since my first [AUDIO OUT] anyone ask for a transcript. But your entry-level job, they may want your transcript. They want to see, sort of, how you did in law school, and sort of what you were taking, what you were thinking about then. And so somebody, some day, may be looking at your transcript and making assessments about who you were as a law student.

So those are sort of some of the main things to think about in law school. I think the other thing to do is, depending on the type of faculty member you want to be-- so for example, if you want to be a clinical professor one day, then certainly you want to take advantage of those

opportunities in law school. You don't have to do every clinic. That would be overwhelming, right? But just definitely pick some that you're excited about. Same thing, if you want to be a research faculty, then again, as I mentioned, like, take advantage of opportunities in law school to write, to try to publish a student note, to try to even publish a paper outside of a student journal, or even one that you can publish right upon graduation.

And then finally, I think one thing to really think about in terms of what to do in law school is if you do a great job with a paper here, it can be a great foundation for a paper that you eventually publish. You may not publish it during your time in law school, but it can have the seeds of an article that becomes a publishable paper.

And so even if you-- even if, for example, *Law Review* turns you down and you're not able to publish your paper there, that doesn't mean some other journal is not going to think it's great and pick it up. And so you want to not only think about the options that UVA would give you to publish, but upon graduation, once you have that JD after your name, other journals will think about your piece as a possibility for publication. Hard to publish at others schools when you are a law student, but not so much when you have the JD after your name.

And then finally, I would say, think very hard about doing a clerkship. So this is one of the things that law schools, for whatever reason, we look for clerkships as a marker of sort of excellence among the student body. And clerkships are something where you can gain valuable experience, and-- remember I was saying you're going to need some recommenders who know you well. Your judge can serve as a recommender.

So when I went to Emory, they called-- I had clerked for Judge Browning on the Ninth Circuit in San Francisco. And they called him. And they asked, what kind of law clerk was she? Now, mind you, I went on the market, like, eight years later. But still, they wanted to talk to my judge, and ask my judge, what was she like as a law clerk? Was she good at research? Was she-- how was her writing? All those things, they asked this of my judge, even though it had been quite some time that I would have continued to develop as a lawyer.

So I would say those things are the things to think about. There's reasons outside of becoming a law professor to do a clerkship. I really think it's one of the best jobs you can have upon-- as a lawyer. Like, just getting inside a judge's chambers, and getting inside their head, and watching how chambers work, and getting to talk with other judges. It's really fun and invaluable.

You get some real insights on how judicial opinions are made, and decided, and written. And so that has a value just in and itself. But if you're thinking about teaching, it's also just kind of one of the markers that people look for when we are considering candidates. So those are the things that I would think about. You want to add to that?

RICHARD C. SCHRAGGER: So I would just add, one of the things you're hearing here are folks like us who have just a JD. Am I right about that?

KIMBERLY J. ROBINSON: Yes.

RICHARD C. SCHRAGGER: I have an [INAUDIBLE]. The advanced degree is a JD. There are other members of this faculty who have a slightly different route, and I just want to mention that at the outset, which is a number of our faculty also have a PhD.

And that's much more common than it used to be. It's still not it's still not the overwhelming number of faculty, but it's a significant number of faculty. And those folks have either done a joint JD-PhD, at sort of the same time, or they did PhD and then the JD, or vice versa.

And what we see in terms of PhDs are mostly history and economics. I think those are the dominant ones, but also sociology, psychology PhDs also. And in those cases, the route towards academia is more conventional in terms of, say, the wider university. That is, to get a job in the wider university, obviously, you have to have a PhD in most cases.

And you do research and writing. You complete a dissertation. You then go on the teaching market, say, in an English department or an economics department or a history department on the basis of that work, which you will then, say, turn into a number of articles or a book or something like that.

And that process can be long. It can be five years, six years, seven years in the PhD. If you're also doing a JD, you're adding two or three years to that.

So there are folks that have those joint degrees. And they're doing a more traditional route, at least in terms of the wider university as opposed to those of us who have received a JD, then did some practice, then transitioned to the market. And let me just say something about that transition.

In order to transition to the market as a JD from practice, it's often necessary to get some time

off, either through a fellowship or some kind of visiting teaching or visiting professorship. And that's what I did when I taught at Quinnipiac. Very part-time in the legal writing program-- that gave me time to do some writing, which is what I needed to do.

Because when you then go on the teaching market, you are competing with some PhDs who have spent the last five years doing, say, a dissertation or a series of articles or working on a book. And you're somebody coming out of practice. You need a little bit of time to also produce some work.

But as a research faculty member, what law schools are looking for is some evidence of scholarly productivity and promise. And it ranges. Different law schools have different criteria for that.

Some will want to see a ton of writing, and some will just want to see, say, one or two pieces. It just depends. And it's very variable.

But these are two different routes. And if you're thinking, hey, maybe I'm into the academic route, but I really want to do the PhD as a joint degree, that's another way to do this.

KIMBERLY J. ROBINSON: Yeah. I would just add one of the advantages of doing the PhD is people tend to publish off of their PhD for years after. So they've done this body of work. And they pump out multiple papers from the PhD and usually a book or two from the PhD work.

And so that is a huge running start in your academic career. You have all this work to kind of feed off of. You're not doing original research then.

You've done the original research to earn the PhD. And so you start publishing articles and then, ultimately, a book or two from your PhD work. And so that really gets you on a running start for your publishing career.

RICHARD C. SCHRAGGER: So should we take questions?

KIMBERLY J. ROBINSON: Yeah, questions.

RICHARD C. SCHRAGGER: Yeah.

KIMBERLY J. That was a lot of information we just gave you. But we welcome your questions. Yeah?

ROBINSON:

STUDENT: How common is it for students to go straight from clerkship to legal academia rather than going out to the field and then coming back to legal academia?

RICHARD C. So in the old, old days, say Alan Dershowitz at Harvard, he graduates number one in his class.

SCHRAGGER: He clerks. He clerks for the Supreme Court. And then Harvard brings him back as the youngest professor. And then he gets youngest tenured professor. He liked to brag. I had him as a criminal law professor.

In any case, we don't do that anymore very much. That is, I think it's probably quite unusual to go from a clerkship right to an academic job, a tenure track academic job, without something in between. It's possible to do that if you've done the PhD first, then you clerked. Because that's the traditional timing for PhDs. But even PhDs do sort of post-doc fellowships in between, much, much more than they used to.

So I think, again, for just the JD who's, say, clerking, there's usually some period of practice or some fellowship or probably both. What I would say is law schools are a little wary of folks who've been out for, say, more than five or eight years. I think your trajectory is a little bit longer, a little bit longer out in the world.

Once you're out past a decade or something and trying to transition back in, that's a little trickier, in part because you've been further away from the Academy for longer. That doesn't mean you don't do it. Rachel Harmon on our faculty was doing civil rights litigation in the Justice Department for at least a decade and transitioned into the Academy.

So it's not a hard and fast rule. But three to five years out of graduation from your JD is sort of the rough window. Again, it's not a hard and fast rule.

But it would be quite unusual to come out of your clerkship, unless you had written a couple of books. You're very precocious. You wrote a bunch of books in high school. That would do it. And then you could get there-- yeah, but good question.

KIMBERLY J. I think part of what happens when people are out a really long time is that you always raise the question of do they want to be a professor? Or do they just want to leave their firm? And so-- I mean, you'll see, that if you go to a firm there is a place where people start to just peel off. And

ROBINSON:

the question is did they peel off to the Academy because they want to be here, they're longing to be a law professor?

Because we want you to love it. The tenure process is rigorous. And once people are granted tenure, it's very rare for someone to be removed. And so you want somebody who's passionate about teaching and passionate about writing, not just that they're in a house on fire and they're trying to get out of it.

So that's part of the question that has to be answered. And many people have answered that successfully and said yes, I did this. I was passionate about this litigation. But I'm equally passionate about being a professor. But that's the question that gets raised is what's the motivation and what's the back story there. Yeah?

STUDENT: My question was and you guys might not know this, but those of us that are planning to finance our degrees with PSLF. It's a public school. Does that still qualify? Or would I have to-- because you were saying, like, 10 years being too long, would you have to wait to do the 10 years of PSLF if that's how you're trying to finance your degree before moving in because that wouldn't qualify as qualified employment?

RICHARD C. This is for the public?

SCHRAGGER:

STUDENT: [INAUDIBLE]

RICHARD C. Yeah. So I don't know the answer to that. And I take it there are also salary caps for that. Is

SCHRAGGER: that right?

STUDENT: Not for the government--

RICHARD C. Oh, I see. OK. OK. So I just don't know the answer, as a public law school, whether that would

SCHRAGGER: qualify. But that's a good question. We can find out.

KIMBERLY J. Yeah. We can research that. Yes ma'am?

ROBINSON:

STUDENT: So for someone who is thinking about practicing in international law but still wants to be a professor eventually, one day, does a clerkship path look different? Because I've noticed that [INAUDIBLE] tend to do their clerkships, I guess, one or two years after graduation. And I was

just wondering how that would look for a junior corporate attorney.

**KIMBERLY J.
ROBINSON:**

That's a great question. So one of the things to think about doing if you're thinking about becoming a corporate law professor is to think about clerking on the Supreme Court of Delaware. So this is where just so much of corporate law comes from. And so that's a really prestigious clerkship, if you're going to go into teaching in that way.

I think, still, there is great value for even someone who's going to teach corporate law to do a clerkship. An appellate clerkship isn't as-- even though it's litigation, it's not as litigation focused as a district court clerkship. And so what you're learning at the clerkship is things like writing, research, analytical skills, all those skills.

Those are still going to be valuable for a corporate attorney. There's nothing on that list that a corporate attorney doesn't need. And so it's still very valuable to have that experience.

**RICHARD C.
SCHRAGGER:**

We do have folks who, I think, went into the corporate world without clerkships and then came into teaching. And that's because they gained some specialty in that world, in the world of finance or the world of corporate law. I think you should clerk, regardless. I agree with that recommendation. But they are looking for something slightly different.

And also one thing, if you're interested in sort of corporate law, it's very economics heavy. And so some expertise in economics, not necessarily a PhD, although that might be something that you think about, but gaining some understanding and fluidity with economic concepts. Because a lot of the corporate law today is very economics heavy.

**KIMBERLY J.
ROBINSON:**

The other thing I will say about going into the market and wanting to teach anything in corporate law is it can be tougher for law schools to hire corporate law faculty. Because corporate law faculty often are paid very well. And so they often don't want to leave their corporate jobs.

And so my experience from being at three different law schools is that in looking for corporate faculty, it was definitely a little bit harder to find people who could research and write and do all those things and had strong corporate experience. Because those people often want to continue doing corporate work. And so it was actually something that we would work very hard at, to find great corporate candidates who wanted to come and teach and write about corporate law, instead of practicing corporate law.

RICHARD C.

And this raises this question about fields, what you might think about studying and being a law

SCHRAGGER: professor. There's obviously continuous need in law schools for teaching the core courses. And so as you think about this, well, which courses did I like?

I liked property. That was strange, I know, but nevertheless. And so when I sort of transitioned, I thought, oh, I'd like to maybe teach property and write a little bit about property.

I also liked my local government law course. So I decided I'd write in that. That's less of a demand in law school. So it wasn't particularly strategic to think in those terms.

Corporate law is an area which is always a great need and getting good corporate law people can be challenging. So committees are looking for that kind of combination of interests. But it's very hard to tell, year to year, what law schools will need.

There was a period of time where intellectual property was something every law school really was desperate for and they were less desperate for constitutional law, for example. But sometimes that flips. And now there seems to be a lot of interest in constitutional law.

And law schools do hiring very differently. So at UVA, we do look for particular fields and particular classes that people can teach. But often, we're trying to hire just the best people in the market at the time. That's still a consideration, what they're teaching, but not as much.

There are law schools who say, hey, we need a civil procedure person. They need to be able to teach civil procedure, and they need to be able to write in this field, as well. Or we need a corporate law person. We don't have anybody teaching corporations. We really need that and they should write in this field, too.

So one of the things folks do as they're putting together their package, and this is later in the process, they're thinking about, well, what are the things I might teach? What are some of the needs that law schools might have? What you don't want to do is be a person who only writes in a tiny little field that is what we would call, on a committee, a luxury item for law schools. You want to be a little bit broader than that so that you can teach a basic first year course, you can maybe teach a basic second year course.

And you write in areas where there'll be a community of scholars, not just a very, very, very narrow place. Even though you certainly should write about what you're interested in. But when you're sort of thinking about this, that's sort of what committees are looking for, more generally.

STUDENT: The more greatly focused faculty-- is there a baseline? Because most of what you've been talking about is more geared to the research faculty. Is there a baseline of research and certain experience to have in addition to, then, expertise in a given area, or is it much more focused on that person's ability or expertise in the given field that they'd be teaching [INAUDIBLE]?

KIMBERLY J. ROBINSON: I think it's partly expertise in that area. The other thing that's very helpful is does the person have any management experience. Because you are managing a clinic, you are managing students, you're interfacing with clients. You want to actually know that they have experience managing multiple assignments and can kind of do the administrative part of a clinic.

The student may not see it. But there's quite a bit of administration going on with clinics. And so it's great if someone has great people skills, they know how to manage multiple individuals on a diverse array of projects, as well as if they have taught at all. So for example, even just teaching a course at the local law school, wherever you happen to be practicing, lots of law schools love having people from the community come in and teach something that they have a need for. And so having some teaching experience also can be very valuable for clinical faculty.

RICHARD C. SCHRAGGER: What you'll see, and this is different from the research faculty and clinicians, are they have usually a long track record of doing the thing that they're doing in the clinic. They did it out in the world, sometimes a much longer time than, say, the five to eight years or so-- not always. There are law schools and, again, it depends, it's quite different, that have research and writing demands that they place on clinical faculty. And they might be on a tenure track, for example. So that's a little bit different.

Also, the clinical faculty hiring process doesn't always go through the AALS meat market that I mentioned. Often, we just post for a position, like an appellate litigation clinic position. And then we get a resumes in the door.

And that process is sometimes independent of the entry level market. And again, these are usually people with certainly more experience. A lot of our clinicians were practitioners in that area before they came in.

CALEB NELSON: I'm Caleb Nelson, also of the committee. I just thought I'd underline a couple of things that Professor Schragger and Professor Robinson said that I think are really important. So just

working backward from how law schools hire people, and this is mostly for research faculty type positions, but working backward from the meat market.

I think to get your foot in the door at the meat market, to get an interview, and then to be in the ballpark, I think pretty much you have to have at least two major write-ins under your belt, which would include at least one major published writing besides your student note, so one article in a law review that's already appeared. And the second one that's exactly like that, except that it hasn't yet been published, that can serve as your job talk, but it's basically done. It, too, is a finished piece of work.

And many people these days have more than that, have more [INAUDIBLE], which makes it all the more important what Professor Robinson said about while you're in law school now, doing work of the sort that can serve as the basis for one of those articles. Because you have the luxury now of having a certain number of years where you're a student and you get to research and write without having to go hours on some other job, you can get some foundation for that. But be aware that that is kind of the price of admission, is at least two major pieces of work, and sometimes more than that.

That's one reason why fellowships have taken off. I think one of the differences between the hiring market these days and the hiring market when I was in an entry level candidate, is that many, many, many more people are coming out of either PhD programs or fellowships where they've had the opportunity to write. I have actual data on this.

Sarah Lawsky is a professor at UC-Irvine, compiles the entry level hiring report each year. So the numbers are a little noisy, because they're based on self-reported data. So just people, when they get their jobs, or schools, when they hire somebody, post something. They can send Sarah an email that gets compiled in this report.

But last year, she says 82 reported hires. Of that 82, zero had neither a fellowship, nor a clerkship, nor a PhD or JSD. So everybody had at least one of those three criteria, one of those three credentials-- a doctorate, a fellowship, or clerkship. Only three of the 82 simply had a clerkship.

So 96% of the folks who were hired had either a fellowship or a doctorate, which includes JSD, but either a PhD or JSD, or both a fellowship and a doctorate. And that's because of the writing that Professor Robinson was talking about. That just the price of admission for being considered for a research faculty position is having, at this point, a fairly substantial body of

work beyond just a student note.

And as Professor Schragger says, I think, as you're thinking toward that, you do want to be strategic about what you're writing in. Because you want to write in areas that there's a need for in law schools. So if you're choosing, I want to write this major paper and spend a year of my life on this topic, I think it's a good idea, other things being equal, for it not to be a luxury item type topic, but instead more at the core of what law schools do, just because there's more demand for that kind of faculty member, I think.

STUDENT: Just-- you guys were talking about fellowships. Does that include VAPs, or are VAPs separate?

CALEB NELSON: I think that includes VAPs.

RICHARD C. SCHRAGGER: Yeah. So there's a range of kind of fellowship options. One is where you're doing some legal writing teaching. There's a couple of fellowships like that out in the world.

That's sort of what I did, although I was just I didn't really have a fellowship. They didn't give me any identity at all. They just told me to teach this class.

I then transitioned into a visiting assistant professorship. Because I was not really that in the initial year and taught a substantive class. They needed somebody to teach civil procedure, so I taught it. But these are the same. They do the same kinds of things.

And they're not they're not always easy to find, necessarily. Right? Sometimes a law school will have visiting assistant professorships, and sometimes they won't. Sometimes they'll have a need, like Quinnipiac had a need for civil procedure. It wasn't an official fellowship program, but I was around. So that was just helpful to be in the building, it turned out.

So those are good. And I think Professor Nelson is right. The folks we have helped on the market have often had a couple of years to do some of this stuff and do a little bit of writing beforehand. Yeah?

STUDENT: You guys mentioned SJDs. Do you think those are very valuable, or are on par with a PhD? It seems like a lot of faculty don't have SJDs.

KIMBERLY J. ROBINSON: So that's a great question. I mean, I think the PhD is valuable because you just get to do such a deep dive into something. And the time that you invest really yields great scholarship afterwards, assuming that you spent the time wisely.

And so I have to be honest. I don't know as much about the SJD. I think it's a much shorter program. And so part of what the PhD has going for it is just that you've just been researching and writing for a really long time. And so you can feed off of that, like I'm saying, once you become a faculty member.

I don't know if an SJD, given that's a shorter time frame, is going to have that same benefit. It doesn't mean that people don't go on the market with an SJD. They do. But one of the benefits of the PhD is your deep expertise in your particular field that you then feed off of for future research.

**RICHARD C.
SCHRAGGER:**

The SJD-- sorry, just a quick comment. The SJD was traditionally more for international students to get a basis in US law. There is now-- Yale has started a PhD in law program. And that's pretty new. And I think, for them, there's still some questions about how successful.

But I think it's been pretty successful in terms of then placing students. And those are students who have JDs, who, for whatever reason, don't want to pick a cognate discipline and then get time to write and do get a PhD. It's through their graduate program at Yale. That's the only program like that, I think, in the country at this point. But more and more people are interested in it for this reason.

And we hired someone out of that program, Molly Brady, who sadly left for Harvard. Also, she's doing pretty well out of it. I think probably the most successful recent candidate of that program. And we identified her first, of course.

[LAUGHTER]

So we were so smart.

**KIMBERLY J.
ROBINSON:**

Yes?

STUDENT:

I just wanted to ask if you could speak more about the fulfillment [INAUDIBLE] especially transitioning from the [INAUDIBLE] to advising what the law should be. Do you feel [INAUDIBLE], and how does that work?

**KIMBERLY J.
ROBINSON:**

Yeah. That's a great question. So first of all, I mean, one of the things we haven't talked about is, as faculty members, lots of us engage in litigation and engage in sort of reform work, engage in products, we sit on commissions. We do all kinds of things that are impacting the

world.

So our soul impact isn't through our scholarship or through our students. It's that we're out there. We are out there engaging these issues.

And so one of the great things, though, about engaging as a faculty member is you get to choose the products you engage in, as opposed to your boss telling you what you're about to engage in. And so it's great. Because you have people calling you and saying, can you take on this? And depending on what projects I have going on, which are usually a lot, oftentimes, I turn those roles down.

But there are times. For example, right now, I'm working with a think tank in DC. Because this think tank has a broad reach across the country where they're disseminating the scholarship of various scholars around the country to lawmakers to help shape education.

So I was, like, yeah, that I want to do. Right? I want to get my scholarship into the hands of the people making the laws. And so that was a energetic yes to, whereas other products, so oh, do you want to write a brief for something, those I occasionally think about doing or take on, but much less likely. There is some litigation right now that's going through the federal court about a federal right to education that I may eventually get on a brief on. But that's because I've written two books about the topic. So that's really close to my heart.

But so we definitely get to have an impact sort of beyond our students and beyond our scholarship. So many of us are just involved in litigation, involved with think tanks, involved with reform projects. And so we just have a lot of flexibility to sort of take on those products.

You can only take on so many of those, because you have teaching and writing responsibilities. But you can pick and choose the ones that are just a great fit for you. And so I personally find it very rewarding to have those kinds of projects happening.

Because I do want to make sure that my work is not sitting in an ivory tower. I want it out there helping kids. I mean, the whole reason I went into education law is because I care about the fact that there's so much inequality in education.

So that is really important to me. If I just felt like other scholars were reading my work, I would feel like I hadn't accomplished exactly what I became an academic to do-- part of why.

RICHARD C.

Yeah. There's a range of practices. Some law professors, let's say, they're a legal historian.

SCHRAGGER: They're in the archives. That's what gears them up. Some are out in the world, but they're not necessarily interested.

For other law professors, they're doing litigation and amicus briefs and the American Law Institute and legal reform all the time and applying their scholarship to real cases. So there's a nice range of options and you do have the flexibility to do all that. In terms of fulfillment, I think the teaching is hugely fulfilling. I think we've said that already.

And I think for lots of us, that's one of the big pluses of the job. Which is to be in an environment with young people, interacting, learning with them, doing the teaching that that teaches us a lot of times. So that's really fun for us. And being in a university environment is really, really nice. So that's always been a big plus for me.

KIMBERLY J. ROBINSON: One of the things we want to leave you with as a committee is to make sure that you all reach out to us as you're thinking about the market. And we don't mean when you're about to push send on the form that goes to AALS. You won't contact us well in advance of that process. One of the things we're trying to do is encourage UVA students to think about becoming law professors. You'll all have the credentials to do so. And so we want to encourage people to think about this.

And part of what's needed is someone to sort of help and guide you. And that's what our committee is for. Even if the composition of it may change eventually, the Academic Placement Committee is here to help you go onto the market. I know I had a mentor who explained all of what was just explained to you here, but also just held my hand through the whole process.

Because I can tell you, like going and presenting your first paper to an entire room of faculty is an intimidating thing. Right? And so what I did, my mentor set up for me-- there were two different mock job talks that I did. So I sat with faculty, a much smaller number, but staff, and did my talk.

And they gave me feedback on am I moving my hands too much, which you can tell that I do. Or am I saying "uh" too much? Or am I not answering the question? Or you may want to say this.

And so I did that multiple times. I can still picture in my mind doing a moot job talk in a couple of law professors' dining room, right? I can still see it. And they're faculty at GW right now. But they were helping me and shepherding me onto the market.

Well, we want to do that for you all. We have, already this year, talked with and done sort of mock interviews with candidates who are from UVA who are going on the market. And we want to be that resource for you. So we just want to make sure people are aware of that, that you have this resource. And if you go on the market, we are here to support you in doing that.

RICHARD C. SCHRAGGER: Yeah. And all the things before that. So if you have questions for us, I live over there on the first floor.

KIMBERLY J. ROBINSON: I live on the third floor, for now.

RICHARD C. SCHRAGGER: Yeah. You're on the third floor. But come and see us. It's never too early. It's never too late, frankly. And we can talk about it.

And after this, if a question occurs to you, we're available. So we want to make sure. If you have friends and neighbors who might be interested, too, tell them we're here, too.

The Academic Placement Committee is awesome. They're great people to hang out with. Right? And so come and hang out with us. Thanks for coming everybody.

KIMBERLY J. ROBINSON: Yes. Thank you.

[APPLAUSE]