UC Irvine's inaugural class jumps out of the gate with clerkships

By Don J. DeBenedictis

SANTA ANA - The day after UC Irvine School of Law student Xenia Tashlitsky applied for a federal judicial clerkship, she got an email from the judge, asking her to call. She did, and was hired on the spot over the phone.

Tashlitsky, who graduates this May as a member of UCi's first class, still has not met U.S. District Judge Charles Lynwood Smith Jr. nor visited his chambers in Huntsville, Ala.

Her speedy success in obtaining a prestigious federal position is not typical of all members of UCi's small inaugural class, but it does exemplify the still-new law school's success at placing students in judicial clerkships.

Nearly a quarter of the school's 2012 graduates have landed judicial clerkships next year, a higher percentage than Harvard. The numbers could put UCi ahead of every law school except Stanford and Yale if past years' results hold steady and well ahead of its University of California counterparts.

"We're building a culture of clerkships at the law school," said Elizabeth Schroeder, the assistant dean of student services.

Of UCi's 58 graduates, 14 - or 24.2 percent - have lined up clerkships so far, 11 of them with federal district judges or circuit court judges. Two of the remaining three will work for U.S. bankruptcy judges and the third with an Alaska Supreme Court justice.

Harvard's 592 graduates-to-be, on the other hand, so far have lined up 111 clerkships for next year, plus another 22 clerk posts in 2013, according to Sarah Marston of the school's public information office. That's a combined total of 22.5 percent of the class.

At USC Gould School of Law, 12 of the 217 third-year students have accepted clerkships, or 5.5 percent of the class, according to spokeswoman Lori Craig.

All those numbers could go up, because some judges still are interviewing potential clerk, said Schroeder at UCi.

According to statistics gathered by U.S. News & World Report, the only law schools to beat UCi's 24 percent are Yale and Stanford. In 2009, the latest year for which full figures are available, 30.6 of Yale's students and 26 percent of Stanford's landed judicial clerkships.

Neither school could give data for the 2012 class, although in 2010 Stanford put 30 percent of its graduates in federal clerkships, plus another 2 percent with other judges.

U.S. News reported that in 2009, UC Berkeley School of Law placed 11 percent of its graduates with judges, while UCLA placed 9 percent, and UC Davis placed 5 percent.
Although critics recently have questioned whether some law schools exaggerate their graduates’ employment success, that criticism largely has focused on overall employment and so far not on clerkships, according to Kyle McIntee, executive director of the Law School Transparency website.

Reasons for UCI’s unusual early success certainly include the small number of students in its initial class, who all received full scholarships. “The faculty really know our students,” Schroeder said, which helps in writing letters of recommendation.

Another reason is Dean Erwin Chemerinsky.

"People certainly know about the [school] and Dean Chemerinsky's experiments,” said David Rodwin, who will clerk for 4th U.S. Circuit Judge Andre M. Davis in Baltimore. “They wanted to meet people who were part of that.”

Chemerinsky made recommendations for several students, including Rodwin, Tashlitsky and Ari Yampolsky.

"There’s an incredible amount of encouragement and support," said Yampolsky, who will be clerking for 6th U.S. Circuit Judge Jane Stranch in Nashville. "Everybody in the administration, from the dean on down, was very helpful."

Yampolsky said his classmate and wife, Emmanuelle Soichet, also will be clerking in Nashville, for U.S. District Judge John Nixon.

The school’s clerkship numbers could retreat in coming years as class size increases, scholarships decrease and the school’s novelty fades.

Still, Schroeder believes the culture of clerkship will continue.

"Now that we're doing well, the second class is hearing the buzz and is very interested in clerkships."

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**Intellectual Property**

**Effort to soften Internet piracy bill starts to crumble**

As Congress chugs forward with internet piracy legislation favored by Hollywood, a San Diego-area lawmaker's effort to make the bill more palatable to the tech industry appears to be crumbling.

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**Law Practice**

**Jones Day's Irvine IP head goes to boutique**

The intellectual property head of Jones Day's Irvine office is decamping the firm after nearly 25 years of employment and taking his practice to Newport Beach IP and entertainment boutique One LLP.

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**Criminal**

**Realignment spurs debate over new offender class**

Nearly three months into California's criminal justice realignment, new prosecution tactics and strategies are slowly emerging from district attorney's offices around the state. But like most aspects of realignment, uncertainty abounds.

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**Labor/Employment**

**American Apparel settles EEOC charge**

American Apparel Inc., a Los Angeles-based clothing manufacturer, will pay $60,000 and modify its American with Disabilities Act compliance procedures to settle a federal lawsuit filed by the Equal Employment Opportunity Commission.

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**Corporate**

**Coca-Cola's general counsel steps aside**

Beverage giant Coca-Cola Co. announced Thursday that its general counsel, Geoffrey J. Kelly, is retiring after working at the company for 42 years.

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**Environmental**

**Oil drilling to undergo review**

Government regulators took the first steps toward potentially expanding oil drilling off the California coast Monday by announcing they are seeking public comment on crafting an environmental review for drilling proposal near Santa Barbara.

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**Law Practice**

**McKenna Long hires Assistant U.S. Attorney in L.A.**

In an effort to expand its white-collar criminal defense practice on the West Coast, McKenna Long & Aldridge LLP has picked up Assistant U.S. Attorney Raymond O. Aghaian and will add him as a partner in the firm’s L.A. office on Jan. 4.

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**Government**

**Fresno decision a small victory against budget cuts**