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REINING IN RUNAWAY RECRUITING

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The Big Law hiring market has run away, and everyone is paying the price. This manufactured “arms race” for talent harms students, educators, career counselors, and Big Law itself. Big Law now plays an outsized role in law school life, collaterally disrupting foundational educational processes and professional relationships that should be complementary. The cascading costs are logistical, psychological, and political. Rectifying Big Law’s rampant recruitment practices will build a more equitable, sustainable, and thriving profession.

INTRODUCTION	168
I. THE UNRAVELING OF THE BIG LAW HIRING MARKET	169
II. THE RIPPLE EFFECTS OF RUSHED LEGAL RECRUITING	172
A. Firm-ly Inefficient	172
B. All Students Suffer	176
1. FOMO-Driven Recruiting Is Neither Strategic nor Functional	176
2. Privilege Prevails	178
3. Exacerbating an Existing Wellness Crisis	180
C. Learning Languishes Along With Its Foundational Relationships	182
1. Backwards Timing	182
2. Transactional Education	184
3. Mission–Profession Tension	185

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D. Repercussions Reverberate in Other Sectors and Harm the Ecosystem	185
III. WE'VE BEEN HERE BEFORE: THE FEDERAL CLERKSHIP HIRING MARKET	187
IV. STRATEGIES, SYNERGIES, AND SOLUTIONS	189
A. Law Deans Safeguarding Pedagogy	190
B. Bar Associations Protecting the Profession	191
C. Students Leading Us Forward	193
D. Let's Look Beyond Law	195
CONCLUSION	199

INTRODUCTION

Law firms have always fought fiercely for top legal talent. But we've now moved from competitive to callous—a conclusion that all stakeholders seem to name and acknowledge unequivocally. Indeed, not a single school nor student seems to think this is a good process. Firms don't like it, either, but they feel like they can't sit on the sidelines while their rivals recruit this early.¹ When recruiting becomes ruthless, it's gone too far.²

Big Law recruiting, in its current frenzied form, is playing an outsized role in reshaping institutions and relationships—and disrupting both education and the profession. The payoff (if there is any) does not nearly justify the metastasizing harms. Firms are operating a costly, sweeping process that is inefficient and based on thin, or problematic, assessment criteria. This system breeds privilege and distorts the hiring market myopically, leaving students largely fueled by fear of missing out (FOMO), not functional decisionmaking metrics.³ And students feel nothing short of gaslit as schools continue touting best practices in wellness and formative assessment.

We've been here before in the clerkship market, and we restored normalcy.⁴ Absent systemic change, we will be here again. This problem calls for holistic action to mend the fraying market and restore the synergistic relationships between educators and employers to support students and ensure the profession's vitality. We must preserve pedagogical

1. On the Merits: Everyone Hates Early Law School Recruiting, but Everyone Does It, at 15:40–48, 18:08–26 (Spotify, Dec. 19, 2025).

2. See generally Jamie R. Abrams, BigLaw's Manufactured 'Arms Race' for Talent Recruitment Harms Us All, A.B.A. J. (June 18, 2025), <https://www.abajournal.com/voice/article/big-laws-manufactured-arms-race-for-talent-recruitment-harms-us-all> (on file with the *Columbia Law Review*) [hereinafter Abrams, Manufactured Arms Race] (urging action to resolve the many harms associated with Big Law's accelerated hiring timeline).

3. See *infra* Part II.

4. See *infra* Part III.

best practices and promote hiring equities and efficiencies alike. We need only look to law school leadership, bar organizations, our students, and other market sectors to rein in runaway recruiting.

I. THE UNRAVELING OF THE BIG LAW HIRING MARKET

Law firms competing to hire top talent is not new. But these market forces have escalated, disrupting students' educational experience. No matter the economic mood, law firms' pursuit of students "historically has remained fierce."⁵ Firms compete for law students just as they compete for clients: "[A]dversarial, often bare-knuckled, competition is in their very DNA."⁶ Differentiating between firms is difficult, so firms "signal" their quality to clients through their lawyers' credentials.⁷ Because firms' futures hinge on their human capital, their longevity and viability depend on recruiting top-caliber associates.⁸ So law firms hire 2L students for the summer and offer strong summer associates post-graduate employment.⁹ These summer programs thus provide a pipeline, meaning "the summer associates of today are the partners of tomorrow."¹⁰ And to staff their complex, high-value cases and transactions, firms need "large standing armies" of outstanding associates at the ready.¹¹ Given that "a law firm is

5. Karen Sloan, Yale, Stanford Yield to Summer Associate Recruitment 'Creep'. Other Top Law Schools Resist, for Now., Reuters (Feb. 14, 2024), <https://www.reuters.com/legal/legalindustry/yale-stanford-yield-summer-associate-recruitment-creep-other-top-law-schools-2024-02-14/> (on file with the *Columbia Law Review*) [hereinafter Sloan, Resisting Recruitment Creep]; see also Tom Ginsburg & Jeffrey A. Wolf, The Market for Elite Law Firm Associates, 31 Fla. St. U. L. Rev. 909, 911 (2004) ("The war to attract this talent results in stiff competition.").

6. Nora Freeman Engstrom, Jonah B. Gelbach & David Marcus, How a Rule 23(b)(2) Class Action Could Save Law Firms From Trump, 78 Stan. L. Rev. Online 40, 45 (2025), <https://review.law.stanford.edu/wp-content/uploads/sites/3/2025/07/Freeman-Engstrom-et-al.-78-Stan.-L.-Rev.-Online-40.pdf> [<https://perma.cc/2ZMP-VTVK>]; see also Alfred S. Konefsky & Barry Sullivan, In This, the Winter of Our Discontent: Legal Practice, Legal Education, and the Culture of Distrust, 62 Buff. L. Rev. 659, 677 (2014) ("In the private sector, competition is king.").

7. See Bruce E. Aronson, Elite Law Firm Mergers and Reputational Competition: Is Bigger Really Better? An International Comparison, 40 Vand. J. Transnat'l L. 763, 767 (2007) ("As competition is based largely on firms' reputations for quality, elite firms have become desperate to signal their quality to clients and other core constituencies.").

8. See T. Colpan & L.R. Skibell, Managing Risk to Reputation: The Challenge of the Internet for Legal Recruiting, 2005 Stan. Tech. L. Rev. 2, ¶ 2 (on file with the *Columbia Law Review*) (recognizing that an "underappreciated aspect" of firms' ability to attract—and retain—clients is connected to their ability to recruit strong associates).

9. David Lat, Biglaw's Accelerated Recruiting Is a Lose-Lose-Lose Situation, Substack: Original Jurisdiction (Dec. 18, 2025), <https://davidlat.substack.com/p/biglaw-a-ccelerated-recruiting-of-first-year-or-1l-law-students-is-bad> [<https://perma.cc/6ZMA-HD8R>] [hereinafter Lat, Lose-Lose].

10. *Id.*

11. Konefsky & Sullivan, *supra* note 6, at 680–81.

its people,”¹² it’s no wonder firms try to outmaneuver one another to secure the best students.

Before 2020, law firm recruiting had a “built-in” structural constraint on the timing of the selection process—“2Ls had to be back on campus.”¹³ So law schools could set the rules of engagement. But once the COVID-19 pandemic hit, interviews became virtual, and law firms no longer needed to collaborate with the law schools.¹⁴ By taking a direct-to-consumer approach to gathering applications through online portals and engaging with students through virtual interviews,¹⁵ firms were able to control the process, blithely unaffected by the collateral consequences this timing shift causes for students, professors, staff, and other market sectors. Firms could interview students when they wanted. And they quickly perceived that they could then get an edge over their competitors.¹⁶

Without any regulation or guidelines among employers and law schools, law firms have dramatically “shortened the recruiting runway.”¹⁷ Firms now solicit applications from students during 1L Fall before they’ve ever taken an exam or earned a grade. In fact, the timeline for 2L associate hiring has bled into and, in some instances, leapfrogged 1L summer hiring. Unrestrained, firms jockey for position; early movers snap up seemingly attractive applicants.¹⁸ Then other firms hire earlier still. The preemptive strikers set the time frame. This summer associate recruiting process has been characterized as a “devolution,”¹⁹ a “classic collective ac-

12. Colpan & Skibell, *supra* note 8, ¶ 2.

13. See Lat, Lose-Lose, *supra* note 9 (quoting David Wilkins, Professor, Harv. L. Sch.).

14. See *id.*; see also Meghan Tribe, Cooley Dials Down Recruiting Pressure Cooker for Summer Program, *Bloomberg L.* (Feb. 9, 2026), <https://www.bloomberglaw.com/product/blaw/bloomberglawnews/business-and-practice/BNAd9f4ff7e8040001> (on file with the *Columbia Law Review*) [hereinafter Tribe, Cooley Dials Down Recruiting Pressure] (mentioning “the waning influence of law schools in the process”).

15. See Karen Sloan, Law Firm Recruiting Race Pushes Into Students’ First Semester, *Reuters* (Dec. 18, 2025), <https://www.reuters.com/legal/litigation/law-firm-recruiting-race-pushes-into-students-first-semester-2025-12-17/> (on file with the *Columbia Law Review*) [hereinafter Sloan, Recruiting Race] (apprising that direct applications to firms from 1Ls via online recruiting platform Flo Recruit spiked 1,300% and firms held 6,700 interviews in November 2025, five times more than in November 2024).

16. See On the Merits, *supra* note 1, at 04:40 (recounting firms’ decision to embrace an earlier recruiting timeline).

17. Sloan, *Resisting Recruitment Creep*, *supra* note 5.

18. See Summer Associates Survey: A Changed Process, *Law360*, at 8 (May 2025), <https://www.law360.com/articles/2336429> (on file with the *Columbia Law Review*) (relaying that students at the traditional “top-14” law schools fielded interviews and received job offers earlier than students at other law schools); see also On the Merits, *supra* note 1, at 12:54 (ruing that early hiring “gives a much greater weight to students at elite or well-known law schools,” exacerbating inequality in the profession).

19. David Lat, *Judicial Notice* (11.30.25): Dismissed, Substack: Original Jurisdiction (Nov. 30, 2025), https://davidlat.substack.com/p/dismissal-georgia-trump-case-james-comey-tish-james-criminal-latham-kirkland-lateral-partner-hiring?utm_campaign=email-

tion problem,”²⁰ a “feeding frenzy,”²¹ “well and truly broken,”²² even “insane”²³ or downright “bonkers.”²⁴ But Jami McKeon, former chairperson of Morgan, Lewis & Bockius LLP, insists that firms “absolutely” must recruit students before their first exams because “[t]hat’s what the market is right now.”²⁵ In other words, firms are animated by a “self-created” perception of scarcity.²⁶

This dynamic process by which each firm recruits earlier and earlier to get an ostensible jump on its competitors is the hallmark of an unraveling market.²⁷ The summer associate market fits the definition of a stage-one market²⁸: Hiring dates have gotten progressively earlier and

post&r=dcpya&utm_source=substack&utm_medium=email (on file with the *Columbia Law Review*) [hereinafter Lat, Dismissed] (internal quotation marks omitted).

20. *Id.*

21. Eric Killelea, Big Law’s Pushy Recruiting Pressures First-Semester Students, *Bloomberg L.* (Nov. 25, 2025), <https://news.bloomberglaw.com/business-and-practice/big-laws-pushy-recruiting-pressures-first-semester-students> [https://perma.cc/VHN4-DXE9] (internal quotation marks omitted) (quoting Marcie Davis, Assistant Dean of Career Servs., SMU Dedman Sch. of L.).

22. Kathryn Rubino, Exclusive: Biglaw Firms Farming Out Law School Recruitment Efforts to Current Law Students, *Above the L.* (Oct. 10, 2025), <https://abovethelaw.com/2025/10/exclusive-BigLaw-firms-farming-out-law-school-recruitment-efforts-to-current-law-students/> [https://perma.cc/NJG6-EVDW] [hereinafter Rubino, Firms Farming Out Law Recruitment].

23. Lat, Dismissed, *supra* note 19.

24. *Id.*

25. Killelea, *supra* note 21 (internal quotation marks omitted) (quoting Jami McKeon, then-Chair, Morgan, Lewis & Bockius LLP); see also Sloan, Resisting Recruitment Creep, *supra* note 5 (“Nobody likes it . . . but there is a sense of FOMO going on—if you don’t do this early recruiting, you’ll miss out on the best candidates.” (internal quotation marks omitted) (quoting Nikia Gray, Exec. Dir., Nat’l Ass’n for L. Placement)).

26. See On the Merits, *supra* note 1, at 19:03 (decrying the perception of scarcity as “self-created” because firms all tap the same top schools for talent and encouraging firms to think more broadly about potential sources of students); see also Lat, Lose-Lose, *supra* note 9 (noting that “[t]he firms are generally unhappy, but they feel they have no choice” because they’re competing for a similar pool of talent (internal quotation marks omitted) (quoting Lois Casaleggi, Assoc. Dean for Career Servs., Univ. of Chi. L. Sch.)).

27. Unraveling is a type of market process in which transactions occur before actors can incorporate important information into their decisions. See George L. Priest, Reexamining the Market for Judicial Clerks and Other Assortative Matching Markets, 22 *Yale J. on Regul.* 123, 126 (2005); cf. Lat, Dismissed, *supra* note 19 (reflecting on the nature of firms as talent-driven businesses, such that they fret about all the good students getting taken, leading to a “race to the bottom”).

28. Stage-one markets are characterized by an accelerated rate of unraveling: Employment offers come so early that applicants are nearly indistinguishable. Dissatisfied with the situation, many market participants “vigorous[ly] debate” potential regulations. See Priest, *supra* note 27, at 144 (internal quotation marks omitted) (quoting Alvin E. Roth & Xiaolin Xing, Jumping the Gun: Imperfections and Institutions Related to Timing of Market Transactions, 84 *Am. Econ. Rev.* 992, 996 (1994)). While still decentralized, stage-two markets have implemented regulations specifying the time before which offers and other contacts cannot be made. There is more order in the marketplace, but congestion—bunching interview and offer deadlines—and cheating among participants plague this option. See Christopher

have, by impinging on 1L Fall, moved to the earliest feasible hiring date.²⁹ Toward the end of stage one, hiring occurs so early that employers struggle to distinguish among the candidates.³⁰ At this point, various stakeholders propose ways to police the process.³¹ And here we are. Everyone is frustrated and fatigued.

Law schools have a three-year institutional memory. Soon, no current students will know that recruiting does not have to be run this way—collapsing the mythical sequencing that law school will “scare you to death then work you to death” into one whopper of a 1L Fall. At this critical juncture, we propose immediate action to address the systemic nature of these harms holistically.

II. THE RIPPLE EFFECTS OF RUSHED LEGAL RECRUITING

The benefits of this recruiting timeline—if there are any—surely do not exceed the costs. Everyone is suffering, including firms, law students, legal educators, and other legal sectors.

A. *Firm-ly Inefficient*

Without coordination or traditional assessment metrics, the hiring process is inefficient.³² An efficient market demands participants’ ability to weigh alternatives.³³ The accelerated hiring timeline robs both students and law firms of this transparency. Firms hire students based on little information³⁴ and interview far more candidates than they hire.³⁵

Avery, Christine Jolls, Richard A. Posner & Alvin E. Roth, *The New Market for Federal Judicial Law Clerks*, 74 U. Chi. L. Rev. 447, 448–49, 476–78, 481–82 (2007).

29. See Christopher Avery, Christine Jolls, Richard A. Posner & Alvin E. Roth, *The Market for Federal Judicial Law Clerks*, 68 U. Chi. L. Rev. 793, 848 (2001) [hereinafter *The Federal Judicial Clerkship Market*] (quoting Roth & Xing, *supra* note 28, at 996); see also *id.* at 858 (citing Roth & Xing, *supra* note 28, at 1004–05) (observing that, rather than the summer associateship itself serving as a control on unraveling, the summer associate recruiting market has unraveled over the years).

30. See *id.* at 848 (citing Roth & Xing, *supra* note 28, at 996).

31. See *id.*

32. See Ginsburg & Wolf, *supra* note 5, at 915–30 (conducting an empirical study of the economics of the recruiting market in Chicago); see also Aronson, *supra* note 7, at 781 (acknowledging that, while herd behavior is inefficient, it is rational to go with the flow to avoid being left behind).

33. See Priest, *supra* note 27, at 164 (citing *The Federal Judicial Clerkship Market*, *supra* note 29, at 799).

34. See Ginsburg & Wolf, *supra* note 5, at 946 (“[L]aw firms hire based on little information not necessarily because doing so is optimal or desirable, but rather, because *the market structure . . . leave[s] them no choice.*”).

35. See *id.* at 931; see also Mary Kate Sheridan, *Recruiting Remodel*, Legal Mgmt., Dec. 2014, at 2 (excoriating firms for relying nearly exclusively on interviews, so they wind up “picking someone based mostly on likability . . . using a completely random, unsystematic, unscientific approach that makes no psychological sense” (internal quotation marks omitted) (quoting Dr. Larry Richard, Founder & Principal Consultant, LawyerBrain LLC)).

Uncertainty abounds: Firms extend offers years in advance anticipating future need, students' job qualifications are in flux, and students' legal self-knowledge is nascent. As one Big Law partner rued, "It's dispiriting."³⁶ Students and firms make premature, half-baked decisions.

Mismatches metastasize when firms recruit newly matriculating students because "[t]here's an information vacuum both ways."³⁷ Firms are sourcing their human capital and investing in the firm's future without the common denominator of a full 1L year allowing students modest space for academic growth and identity formation. Students hired based on a stellar showing in their first semester may reflect a cohort ready to perform well in traditional, common-law subjects. But this approach overlooks the fact that some of the most competitive students with the most well-rounded skillsets blossom later, as courses diversify and students grow.³⁸ In fact, Professor Asad Rahim proclaimed that a primary driver behind the proliferation of the 1L Langdellian model, where professors lead students in question-and-answer inquiry through the assigned course materials, was not its educational effectiveness but its sorting function.³⁹ Rahim reasoned that the competitive ethos enshrined in traditional pedagogy revealed to outsiders which students ascended from these classroom conditions.⁴⁰ So, without more knowledge, firms instead attempt to mitigate the information deficit by relying on summer programs to more rigorously vet students.⁴¹ But the efficacy of this approach is "open to question,"⁴² too. Rather than gauging students' fitness as future associates, summer programs strongly emphasize social events and softer assignments.⁴³

36. Lat, Lose-Lose, *supra* note 9 (internal quotation marks omitted) (quoting Maureen Linch, Partner, Cleary Gottlieb Steen & Hamilton LLP).

37. Sloan, *Recruiting Race*, *supra* note 15 (internal quotation marks omitted) (quoting Kate Reder Sheikh, Recruiter, Major, Lindsey & Africa).

38. See Deborah Jones Merritt & Daniel C. Merritt, *Unleashing Market Forces in Legal Education and the Legal Profession*, 26 *Geo. J. Legal Ethics* 367, 377 (2013) ("After just one year of law school, the profession has already sorted likely winners from losers."); see also *id.* (musing that students who "lost the first-year [grading] lottery" can gain ground through upper-level courses, moot court participation, and journal membership).

39. See Asad Rahim, *The Legitimacy Trap*, 104 *B.U. L. Rev.* 1, 11–13 (2024) (positing that the Langdellian "survival-of-the-fittest" curriculum revealed to firms which students could weather stressful working conditions and, therefore, potentially handle life as an associate).

40. See *id.* But see Jamie R. Abrams, *Inclusive Socratic Teaching: Why Law Schools Need It and How to Achieve It*, ch. 3, at 48–56 (2024) (outlining more inclusive and equitable ways to deliver traditional pedagogy).

41. See Ginsburg & Wolf, *supra* note 5, at 938 ("Firms cope as best they can by running summer programs to function as a screening device . . ."); Angelie Ala, *Why Your 2L Summer Job Can Make or Break Your Career*, *LawCrossing*, <https://www.lawcrossing.com/article/900056066/Why-Your-2L-Summer-Job-Can-Make-or-Break-Your-Career/> (on file with the *Columbia Law Review*) (last updated Aug. 6, 2025) (dubbing the summer associate position a "high-stakes audition for [students'] future in the legal profession").

42. See Ginsburg & Wolf, *supra* note 5, at 938.

43. See *id.* at 933 (questioning summer associate programs' utility as screening mechanisms since their marketing objective runs counter to their substantive goals).

Firms also incur heavy recruiting costs to yield their summer classes. The interview process is “highly redundant” because the same students garner multiple offers from firms.⁴⁴ And each attorney who devotes time to interviewing and fielding tedious, individualized networking queries is forgoing billable work, adding to the recruiting tab.⁴⁵

Signing students so far out comes with reputational risk as well. While it can take years for a firm to solidify its standing with clients, associates, and students, its reputation can quickly take a tumble.⁴⁶ If a firm overhires and then defers students, it can suffer backlash in the marketplace. Firms can go from being lauded to lambasted in mere months.⁴⁷ Delaying start dates and, even worse, laying off associates, can be a major PR misstep.⁴⁸

Plus, firms face steep replacement costs when associate attrition rates are high. Junior lawyers pose a losing financial proposition: The profit margins on new associates’ work are thin because they bill at lower rates and need greater oversight from more experienced attorneys.⁴⁹ But that’s just the beginning. Attrition multiplies—and magnifies—the costs of hiring law students.⁵⁰ Firms often do not recoup their initial investment because associates do not generate positive cashflow until the end of their third year.⁵¹ And most Big Law firms see their associate ranks reduced after

44. *Id.* at 934–35.

45. Sheridan, *supra* note 35, at 4.

46. See Colpan & Skibell, *supra* note 8, ¶ 27; see also David L. Brown, The Top Big Law Firms Shaping the Future, *Best L. Firms* (Oct. 10, 2025), <https://www.bestlawfirms.com/articles/the-top-big-law-firms-shaping-the-future/6944> [<https://perma.cc/Z82E-MYVJ>] (citing a Law.com survey showing that how a firm contended with the Trump Administration’s political pressure “moderately,” “significantly,” or “extensively” influenced sixty-five percent of students’ summer employment decisions (internal quotation marks omitted)); Daniel Barnes, Law Students Say They Want to Work for the Firms Standing Up to Trump, *Politico* (Apr. 11, 2025), <https://www.politico.com/news/2025/04/11/law-firms-trump-law-student-recruiting-00007900> (on file with the *Columbia Law Review*) (proclaiming that students view the law firms challenging Trump’s executive orders as “more appealing destinations”).

47. See Colpan & Skibell, *supra* note 8, ¶ 36 (suggesting that the prevalence of information online about firms affects student perception and forces firms to manage their reputations carefully).

48. See, e.g., Kathryn Rubino, Major Biglaw Firm Delays Start Date for Some Incoming Associates, *Above the L.* (July 25, 2025), <https://abovethelaw.com/2025/07/major-BigLaw-firm-delays-start-date-for-some-incoming-associates/> [<https://perma.cc/662C-DH2V>] (calling A&O Shearman LLP’s decision to delay start dates “a real bummer” for future associates); Kathryn Rubino, First the Litigation Partners Left Paul, Weiss. Now Associates Are Being Pushed Out, *Above the L.* (May 6, 2026), <https://abovethelaw.com/2026/05/first-the-litigation-partners-left-paul-weiss-now-associates-are-being-pushed-out/> [<https://perma.cc/P78R-X3NE>] (implying that Paul, Weiss, Rifkind, Wharton & Garrison LLP’s recent round of “stealth layoffs” is either “nakedly cynical” or “delude[d]”).

49. Alan James Kluegel, The Ties That Bind: The Relationship Between Law Firm Growth and Law Firm Survival, 53 *Seton Hall L. Rev.* 201, 215 (2022).

50. See Joshua Johnson, Associate Attrition and the Tragedy of the Commons, 1 *CRIT: Critical Studs. J.* 48, 95 (2008) (estimating that associate attrition strips firms of “millions of dollars of profit each year”).

51. See Ginsburg & Wolf, *supra* note 5, at 913.

three years.⁵² In fact, over the last decade, the top five revenue-generating firms⁵³ lost 43.96% of their associates on average by the three-year mark.⁵⁴ Since replacing a departing associate can range from \$200,000 to \$500,000,⁵⁵ firms instead allow for associate losses by recruiting aggressively and hiring larger cohorts of students.⁵⁶ Attrition comprises a “central component” of the firm’s business model,⁵⁷ augmenting firms’ original outlay.

What’s more, firms’ early hiring hinders their flexibility and hampers their ability to respond to market uncertainty.⁵⁸ Despite the hype that AI is poised to transform the delivery of legal services and dampen demand for junior lawyers,⁵⁹ firms are engaging in a land grab.⁶⁰ Sixty-three percent of Big Law firms report that AI will affect their personnel needs and alter their lawyer leverage models in the coming years.⁶¹ But, even on the cusp

52. See SurePoint Technologies, U.S. AmLaw 200 Attrition Statistics Data for 2015–2022 Entry Level Hires (on file with the *Columbia Law Review*); see also Johnson, *supra* note 50, at 61 (corroborating that seventy-eight percent of departures occurred within a firm associate’s first five years).

53. See Kathryn Rubino, *The 2025 Am Law 100 Ranking Is Here!, Above the L.* (Apr. 15, 2025), <https://abovethelaw.com/2025/04/the-2025-am-law-100-ranking-is-here/> [<https://perma.cc/T5AE-7DZ7>] (naming Kirkland & Ellis LLP; Latham & Watkins LLP; DLA Piper; Skadden, Arps, Slate, Meagher & Flom LLP; and Gibson, Dunn & Crutcher LLP the top five firms by revenue in 2024).

54. See U.S. AmLaw 200 Attrition Statistics Data for 2015–2022 Entry Level Hires, *supra* note 52 (aggregating Kirkland & Ellis’s, Latham & Watkins’s, DLA Piper’s, Skadden’s, and Gibson Dunn’s entering classes and number of departing associates to determine a three-year attrition rate).

55. See Jarrod F. Reich, *Capitalizing on Healthy Lawyers: The Business Case for Law Firms to Promote and Prioritize Lawyer Well-Being*, 65 *Vill. L. Rev.* 361, 400 (2020) (covering the costs of an associate’s departure, “which could include advertising, recruiters’ time and salary, interviewing expenses, and training”); see also Johnson, *supra* note 50, at 78–79 (hypothesizing that compensation models that reward partner rainmaking and revenue-generating encourage partners to exploit associate labor rather than bolster retention).

56. See Johnson, *supra* note 50, at 52; see also Kluegel, *supra* note 49, at 215 (conceding that firms must make significant capital investments in their student hires “[b]ecause it is difficult to identify high-value attorneys during the recruitment process”).

57. Johnson, *supra* note 50, at 67.

58. See Tribe, *Cooley Dials Down Recruiting Pressure*, *supra* note 14 (contending that hiring early “can be dicey” for firms more vulnerable to market downturns).

59. See Karin Matussek & Laura Avetisyan, *AI Is Forcing Big Law to Rethink Business as Usual*, *Bloomberg L.* (June 1, 2026), <https://news.bloomberglaw.com/business-and-practice/ai-is-forcing-big-law-to-rethink-business-as-usual> (on file with the *Columbia Law Review*) (validating a widespread prediction that hiring will slow because “AI-led changes could lead to major transformations in how law firms are structured,” with fewer low-level employees needed to review documents and compare contracts).

60. See Sloan, *Recruiting Race*, *supra* note 15 (questioning firms’ rush to “lock in” top students even though an AI boom could depress demand when those students graduate in 2028); see also Samantha Robbins, *From Big Law to Legal Education: The Trickle Down Effect of the Recession*, 27 *Geo. J. Legal Ethics* 841, 848 (2014) (informing that firms project their hiring needs two years in advance when making summer offers).

61. Lat, Lose-Lose, *supra* note 9 (citing Citi Glob. Wealth & Hildebrandt Consulting LLC, 2026 Citi Hildebrandt Client Advisory 25 (2025), <https://www.citiglobal>

of change, firms continue to cling to—and be confined by—the competition for 1L talent.

B. *All Students Suffer*

This timeline torments students. They are pressed to make data-less decisions that leave them choosing between attending class and networking.⁶² They are assessed on inequitable or unfair criteria. And the wellness implications are stark.

1. *FOMO-Driven Recruiting Is Neither Strategic nor Functional.* Most glaringly, Big Law's hustle to hire pulls droves of students out of the classroom in their first months of law school.⁶³ "Law schools aren't mere credentialing factories."⁶⁴ The average law school costs eighty-two thousand dollars annually,⁶⁵ and the first year particularly is packed with foundational knowledge and skills acquisition.⁶⁶

Big Law's networking events now begin October of 1L Fall and are overwhelmingly conducted off campus.⁶⁷ Structurally, this leaves students

wealth.com/content/dam/cpb/internet/www-citiglobalwealth-com/wealth-at-work/docs/2026_CitiHildebrandtClientAdvisory.pdf.coredownload.inline.pdf (on file with the *Columbia Law Review*)).

62. See Law360, *supra* note 18, at 13 ("I cannot emphasize enough how much [the recruitment process] interfered with my education and my 1L summer internship experience. I had to prioritize interviews over my ability to attend work or read for class." (quoting an anonymous student)).

63. See Anna Korschak, *How Early Big Law Recruiting Undermines Legal Education*, Nat'l Jurist (Dec. 2, 2025), <https://nationaljurist.com/how-early-BigLaw-recruiting-undermines-legal-education> (on file with the *Columbia Law Review*) ("[F]aculty members face the challenge of competing with the noise of recruiting pressures in their classrooms. The first semester of law school—a time meant for intellectual immersion—is increasingly fragmented by career anxiety and employer outreach.").

64. Jeanne Fromer & Mark Lemley, *State Supreme Courts Can Resolve Early Legal Recruiting Mess*, Bloomberg L. (June 23, 2026), <https://news.bloomberglaw.com/legal-exchange-insights-and-commentary/state-supreme-courts-can-resolve-early-legal-recruiting-mess> [<https://perma.cc/US5Z-ULJP>].

65. See Anna Hicks-Jaco & Mike Spivey, *What We Learned From Law Schools' 2025 ABA 509 Disclosures*, Spivey Consulting Grp. (Dec. 23, 2025), <https://www.spiveyconsulting.com/blog-post/2025-aba-509-disclosures> [<https://perma.cc/4CD2-WMQN>]; see also Willis A. Jones, *Examining the Determination, Consistency, and Variation of Law School Cost of Living Estimates*, AccessLex Inst. (Jan. 2021), <https://arc.accesslex.org/grantee/73> [<https://perma.cc/46FY-XGAM>] (verifying that the cost of attendance has increased significantly since 1985).

66. See *Why Does the First Year of Law School Matter So Much?*, JD Advising, <https://jedadvising.com/first-year-of-law-school-matters-much> [<https://perma.cc/ZS6S-4AFV>] (last visited Aug. 5, 2026) (stressing the importance of the first-year foundational curriculum).

67. See Emma Cueto, *Law Student Recruiting Moves Further Off Campus*, Law360 (Jan. 26, 2026), <https://www.law360.com/pulse/mid-law/articles/2434099/law-student-recruiting-moves-further-off-campus> (on file with the *Columbia Law Review*) ("About four-fifths of law school summer associate recruiting in 2025 happened through employer-sponsored channels, as opposed to more traditional law school-sponsored channels . . .").

having to miss late afternoon or evening classes to participate. But even if they can juggle nighttime networking, they may have to forgo either sleep or class preparation walking the time management tightrope. While no one event is problematic, the aggregate effects have hit students hard.⁶⁸

Students, understandably, go to these mixers because they are styled as a critical entry point. While many students are unable to articulate *why* they are attending, they have conveyed to us and their other professors a distinct, nearly universal sense that they will lose out on something (or even be viewed negatively) if they do not show up. But first-semester 1Ls inherently lack performance data to assess their viability both as marketable candidates and as students academically able to rebound from missing course content. Student absences can be especially acute in the Legal Research & Writing (LRW) classroom because peer review and assignment feedback often are delivered during class time.⁶⁹ So a private market monetizing teaching legal writing and analysis *before* law school has materialized, now distinctly positioned around job readiness.⁷⁰

Missing objective viability measures, such as GPAs, law review acceptance, and writing assignment feedback, students are left with nothing more than FOMO tempting them to join an overly saturated pool of candidates. Hardworking and well-intentioned students should not be put in this unfair position. Students should not have to choose between studying law and searching for the law job.⁷¹

68. See Letter from Student Ass'ns & Gov'ts to Daniel R. Thies, Chair, Council of the A.B.A. Section of Legal Educ. & Admissions to the Bar (Jan. 1, 2026) [hereinafter Law Student Letter] ("Under heightened early-career and academic pressure, students are deprived of the time necessary to study diligently and may experience worsening mental health.").

69. See Diana Donahoe & Julie Ross, Ctr. for Comput.-Assisted Legal Instruction, Commenting, *in* Legal Writing Pedagogy: Commenting, Conferencing, and Classroom Teaching (2013), <https://legalwritingpedagogy.lawbooks.cali.org/chapter/commenting> [<https://perma.cc/YE6A-P8BX>] (discussing how an LRW class builds from early drafts to final papers as students work toward achieving various pedagogical goals); Diana Donahoe & Julie Ross, Peer Review and Self-Evaluation Exercises, *in* Legal Writing Pedagogy, *supra*, <https://legalwritingpedagogy.lawbooks.cali.org/chapter/effective-peer-review-and-self-evaluation-exercises-as-formative-assessment-tools/> [<https://perma.cc/Y9KY-X8NB>] (hailing the benefits of peer review in LRW classes).

70. See, e.g., Pre-L Law School Prep Classes, Spivey Consulting Grp., <https://www.spiveyconsulting.com/pre-l-prep> [<https://perma.cc/U4BE-NLEG>] (last visited Aug. 5, 2026) (advertising consulting services, including sessions to "get a head start on legal writing"); Dear 1L® Academy, Writing L. Tutors LLC, <https://writinglawtutors.com/courses-rising-1l-prep> [<https://perma.cc/PH9X-8P42>] (last visited Aug. 5, 2026) (offering a prep course for incoming 1Ls, including support on résumés, cover letters, networking, and legal writing).

71. See Xiumei Dong, When Firms Hire Before Grades, What Drives Decisions?, Law360 (May 19, 2026), <https://www.law360.com/pulse/articles/2477817> (on file with the *Columbia Law Review*) (revealing that over seventy percent of students surveyed agreed "the application process interfered with their academic performance").

The existing approach also is profoundly opaque.⁷² It is a “hurry up and wait environment” in which students do not even know what they might be waiting for. Their networking events might yield access to a summer job, perhaps a 2L job, or, potentially, nothing.

And, of course, students can misjudge firms in this environment. Firms can look the same to students; it’s genus Big Law. But firms can be quite different—different business models, cultures, practice strengths.⁷³ As legal journalist and former recruiter David Lat expressed, “The students don’t know what they don’t know.”⁷⁴ One Big Law partner echoed, “They don’t have as clear a sense of what they want to do . . . [a]nd it’s more challenging for firms to plan for the future, when we have a group of individuals who are less certain about what they want to do in the law.”⁷⁵ If anything, more students will renege on their 2L plans after their 1L summers because they’ve changed their minds about practice area or location.⁷⁶ Committing at the midpoint of 1L year ensures inefficiency.

2. *Privilege Prevails.* Early hiring intensifies elitism, inequity, and inequality in the profession. It leaves employers either trying to access performance data before it’s final and comprehensive or making do without it.⁷⁷ But basing referral and selection decisions on performance *during* 1L Fall risks violating the spirit of the Family Educational Rights and Privacy Act (FERPA), which prohibits disclosing confidential student information except for enumerated reasons⁷⁸ to give students privacy over their grades. Asking professors or upper-level students to identify top students taps into confidential—and incremental—information disingenuously.

Yet, handpicking top Big Law contenders *without* grades is riddled with bias, suggesting that the process might overly rely on commonalities between the candidate and the evaluator, such as shared undergraduate

72. See Cueto, *supra* note 67; Law Student Letter, *supra* note 68, at 2.

73. See On the Merits, *supra* note 1, at 09:58.

74. *Id.* at 17:29; see Law Student Letter, *supra* note 68, at 2 (complaining that current law students feel “underprepared and underinformed” about their potential path, location, or practice group).

75. Lat, Lose-Lose, *supra* note 9 (internal quotation marks omitted) (quoting Maureen Linch, Partner, Cleary Gottlieb Steen & Hamilton LLP); see Law Student Letter, *supra* note 68, at 2 (confessing that they’re applying for associate positions before their academic and professional interests have time to “meaningfully develop”).

76. See Ginsburg & Wolf, *supra* note 5, at 932 (confirming that, with more time and exposure in law school, students may develop an interest in or aptitude for certain specialized areas like tax or real estate).

77. See Dong, *supra* note 71 (bemoaning how 1L fall grades “have taken on added weight” as the “primary academic filter in summer associate hiring”).

78. See Family Educational and Privacy Rights Act, 20 U.S.C. § 1232g. Examples of exemptions include disclosures to specified entities, disciplinary action in academic records, and investigations into terrorism. *Id.* § 1232g(h)–(j).

institutions,⁷⁹ similar social circles, or other subjective criteria. Pre-law school performance instead fills the information void, depriving students of the chance to succeed in law school and sending the implicit message that their (potentially) \$250,000 investment in legal education is ancillary, not central, to becoming a lawyer.⁸⁰ There are real risks that this model “rewards proximity to privilege.”⁸¹

This race to recruit prejudices first-generation students and students from historically underrepresented backgrounds because they likely lack contacts with Big Law or don’t realize the stakes until it’s too late.⁸² It also risks leaving behind students who do not thrive in the narrow pedagogical performances of the first year⁸³ but excel in other areas like client

79. Cf. Aaron L. Nielson, *The Future of Federal Law Clerk Hiring*, 98 Marq. L. Rev. 181, 211 (2014) [hereinafter Nielson, *Future of Federal Law Clerk Hiring*] (“Uncertainty thus favors the better brand and those students with better undergraduate credentials.”).

80. Cf. Priest, *supra* note 27, at 172, 181–82 (explicating that when the time of an offer becomes the market currency, decisionmakers will distinguish among candidates based on students’ earlier accolades).

81. Lat, Lose-Lose, *supra* note 9 (internal quotation marks omitted) (quoting Kourtney James, Former Diversity Recruiting Manager, Morgan Lewis & Bockius LLP); see also L. Sch. Admission Council & Nat’l Ass’n for L. Placement, *2025 1L Class: Student Awareness and Impact of Accelerated Big Law Recruitment* 12 n.18 (2026), <https://www.lsac.org/sites/default/files/research/LSAC-NALP-Report-1L-2025-BigLaw-Recruitment-v6-ACC.pdf> [<https://perma.cc/74UT-FHQW>] [hereinafter *Student Awareness and Impact Survey*] (relating that recruitment continues to be concentrated at the most selective law schools, which have less representation of first-generation college graduates and students from diverse racial and ethnic groups).

82. See Rubino, *Firms Farming Out Law Recruitment*, *supra* note 22 (criticizing the accelerated recruiting schedule for “uniquely disadvantag[ing] law students without a built-in network of Biglaw contacts”); see also *Student Awareness and Impact Survey*, *supra* note 81, at 3 (underscoring the advantage men, continuing-generation college students, and students attending highly selective law schools have, as they demonstrated higher awareness of Big Law recruitment timelines before beginning law school); Khrystan Nicole Policarpio & Grecia Orozco, *Together but Unequal: How the COVID-19 Pandemic Exacerbated the Inequities Harming Minority Law Students*, 55 U.C. Davis L. Rev. Online 91, 95 (2022), <https://lawreview.law.ucdavis.edu/archives/55/online/together-unequal-how-covid-19-pandemic-exacerbated-inequities-harming-minority> [<https://perma.cc/CG5J-DVFT>] (blaming “harsh and rigorous” firm recruiting for highlighting historical barriers); Julianne Hill, *As Recruitment for BigLaw Summer Jobs Moves Up, Impact Hits 1Ls Hard, Study Finds*, A.B.A. J. (June 11, 2026), <https://www.abajournal.com/web/article/as-recruitment-for-biglaw-summer-jobs-moves-up-impact-hits-1ls-hard-study-finds> (on file with the *Columbia Law Review*) (“[T]hose with stronger institutional support and personal networks were ahead of the game.”).

83. See Nielson, *Future of Federal Law Clerk Hiring*, *supra* note 79, at 184–85 (articulating that an unregulated clerkship hiring market may disadvantage groups, such as women, who perform less well in their first year than male students, despite the fact that the divergence in their grades disappears as school continues); see also Mallika Balachandran, Roisin Duffy-Gideon & Hannah Gelbort, *Speak Now: Results of a One-Year Study of Women’s Experiences at the University of Chicago Law School*, 2019 U. Chi. Legal F. 647, 647–48 (concluding that, at the University of Chicago, “women graduate with honors proportionately less frequently, participate voluntarily in class less, and are less likely to be satisfied with their law school experience than men”); Molly Coleman, *Harvard Law*

counseling, courtroom advocacy, negotiation, and transactional drafting.⁸⁴ And it disadvantages schools that do not build out costly 0L curricular add-ons,⁸⁵ as well as students who need to earn money in the summer before law school. In sum, an accelerated recruiting arrangement advantages the already advantaged.

“Talent” is not preordained at 1L orientation. To adopt this mindset is myopic. Talent develops from students’ inquisitive growth mindsets, thoughtful feedback and adaptation to it, resilience and persistence, problem-solving, creativity, and self-reflection. The accelerated recruiting timeline bets against education itself and sends an exclusionary message that students score so-called “prestigious” jobs based on their pedigree or preexisting network alone.⁸⁶

3. *Exacerbating an Existing Wellness Crisis.* Asking students to apply for jobs as they adjust to law school amplifies an existing wellness crisis.⁸⁷ Law students do not arrive at law school distinctly depressed or unhappy relative to their non-law-school peers.⁸⁸ Yet they graduate “less intrinsically motivated, less hopeful, and less happy” than they arrived.⁸⁹

Students report feeling psychological distress as early as the first six months.⁹⁰ Indeed, in the first year, students “experience[] large reductions

School’s Glass Ceilings, Harv. L. Rec. (Apr. 24, 2018), <https://hlrecord.org/harvard-law-schools-glass-ceilings/> [https://perma.cc/6WJJ-LWBM] (critiquing the effects of Harvard Law men outperforming women academically, as Latin honors and grades function as a “gatekeeping mechanism” for prestigious legal opportunities: clerkships, jobs at top law firms, and public interest fellowships).

84. See Molly Bishop Shadel, Sophie Trawalter & J.H. Verkerke, Gender Differences in Law School Classroom Participation: The Key Role of Social Context, 108 Va. L. Rev. Online 30, 31 (2022), https://virginialawreview.org/wp-content/uploads/2022/02/ShadelTrawalterVerkerke_Book_108_Final.pdf [https://perma.cc/M6WX-TVBU] (performing studies and concluding that female law students speak less than male students, with “that gap appear[ing] during the first year and disappear[ing] by the end of the third year” and closing when professors take a more intentional approach to calling on students and when the class size is smaller); Daniel E. Ho & Mark G. Kelman, Does Class Size Affect the Gender Gap? A Natural Experiment in Law, 43 J. Legal Stud. 291, 295 (2014) (studying a decade of Stanford Law students and discovering that women match or outperform men in smaller, simulation-based classes).

85. See, e.g., Zero-L, Harv. L. Sch., <https://hls.harvard.edu/hls-online/zero-l/> [https://perma.cc/9L4K-CN5U] (last visited Aug. 5, 2026) (delivering a digital course “designed to ensure that everyone can gain the foundational legal knowledge needed to thrive in law school and to enjoy a deeper understanding of how the U.S. legal system works in everyday life”).

86. See Abrams, *Manufactured Arms Race*, supra note 2 (advocating instead for more equitable practices based on skills and knowledge).

87. See Lat, *Lose-Lose*, supra note 9 (labeling the accelerated recruiting process “seriously problematic”).

88. See Kathryn M. Young, Understanding the Social and Cognitive Process in Law School That Creates Unhealthy Lawyers, 89 Fordham L. Rev. 2575, 2575 (2021) (portraying students as arriving with “unexceptional psychological profiles”).

89. Id. at 2575–76 (footnote omitted).

90. See Nerissa Soh, Fiona Burns, Rita Shackel, Bruce Robinson, Michael Robertson & Garry Walter, *Law Student Mental Health Literacy and Distress: Finances, Accommodation*

in positive affect, life satisfaction, and overall [subjective well-being], and large increases in negative affect, depression, and physical symptoms.”⁹¹ The stress levels just rise through to graduation.⁹²

The “legal ‘success’ paradigm” undermines student wellness as it shifts students’ focus to external comparisons.⁹³ Students “lose self-confidence and self-esteem after beginning law school, and become insecure and isolated” as they become entrenched in pursuing “grades, external recognition, and money or position,” which are “inherently competitive goals, values, and motives [that] promote tension and insecurity and . . . minimize satisfaction and well-being in the lives of many law students and lawyers.”⁹⁴ This creates an unfulfilling cycle that “supplants the intrinsic drive for growth, actualization, intimacy, and community, thereby exacerbating the negative effects on well-being.”⁹⁵ Instead of looking for the right career path or extracurricular opportunities *for them*, students follow visible hierarchies, leaving them with little “internal satisfaction.”⁹⁶

These wellness concerns feed into the legal profession,⁹⁷ so educators and employers are both invested. Many law students are actually quite surprised by the strength of the community that they build with professors and classmates early on.⁹⁸ But students lose “hope of genuine social solidarity” when they compete in their classes.⁹⁹ Law students quickly internalize that “success is relative, not absolute,”¹⁰⁰ sowing tension as law schools strive to create community and professional identity while stacking

and Travel Time, 25 Legal Educ. Rev. 29, 36 (2015) (indicating clinically important increases in psychological symptomatology of law students within six months of enrollment).

91. Kennon M. Sheldon & Lawrence S. Krieger, Does Legal Education Have Undermining Effects on Law Students? Evaluating Changes in Motivation, Values, and Well-Being, 22 Behav. Scis. & L. 261, 272 (2004).

92. Nancy J. Soonpaa, Stress in Law Students: A Comparative Study of First-Year, Second-Year, and Third-Year Students, 36 Conn. L. Rev. 353, 377–78 (2004).

93. Lawrence S. Krieger, Institutional Denial About the Dark Side of Law School, and Fresh Empirical Guidance for Constructively Breaking the Silence, 52 J. Legal Educ. 112, 122 (2002).

94. *Id.* at 120–22.

95. *Id.* at 122.

96. *Id.*

97. See generally Cecilia A. Silver, More Than Mere Lip Service: A Mansfield Rule for Well-Being, 122 Mich. L. Rev. Online 1 (2023), https://michiganlawreview.org/wp-content/uploads/sites/3/2023/06/122MichLRevOnline1_Silver.pdf [<https://perma.cc/GA6R-2FYU>] (pushing law firms to pursue a preventative, systemic approach to attorney well-being).

98. See Sheldon & Krieger, *supra* note 91, at 283 (measuring “increases in extrinsic values and declines in self-determined motivation” over students’ time in law school).

99. Young, *supra* note 88, at 2585; see *id.* (affirming that law students “compete with each other in every doctrinal class and often in their legal research and writing classes as well,” which erodes their sense of community).

100. *Id.*; see *id.* (attesting to the implications of the law school grading curve).

students against each other.¹⁰¹ Students sense that this model is often competition for competition's sake because it does not fully reflect the legal profession.¹⁰² Serving a client's needs and solving their legal problems calls for collaboration and coordination. Practicing law is a team, not an individual, pursuit.

The current recruiting timetable creates even more undue pressure for first-year students who are acclimating. As NALP Director Nikia Gray agonized, "The level of stress that this has added to the whole law school experience, which is already stressful in itself, is unprecedented."¹⁰³ Students now "jam[]" their Thanksgiving, winter and spring breaks with BigLaw recruitment tasks, steepening an acute wellness crisis and creating inequities for those balancing travel, family caregiving, paid employment and health barriers."¹⁰⁴ In this new recruiting era, "[g]rades became the goal for 1Ls over learning (*explicitly* so now while perhaps always *implicitly* so)."¹⁰⁵ Students with Big Law offers now "feel[]" entitled to—and frankly desperate for—the grades that match the contingent offers."¹⁰⁶ This is a flawed pivot for an already tenuous wellness picture.

C. *Learning Languishes Along With Its Foundational Relationships*

Rushed Big Law recruiting has played an outsized role in legal education and has left collateral destruction throughout it, too. Big Law morphs the law school mission from fostering equitable and inclusive learning environments *supporting* the pursuit of professional opportunities into perceptively *gatekeeping* those professional opportunities.

1. *Backwards Timing.* This timing is backwards. Big Law beginning its hiring *before* assessments upends education. Instead of students

101. See *id.* (comparing law schools' "explicit" message that "students are part of the same community" with their "implicit" message that "the more successful these people in your community are, the less successful *you* will be").

102. See *id.* at 2586–87 (reinforcing how the law school environment inculcates a "gladiator" mentality where students learn to "value[]" competition over problem-solving," an approach that "does not even mirror the legal profession" (internal quotation marks omitted)).

103. On the Merits, *supra* note 1, at 08:27.

104. Abrams, *Manufactured Arms Race*, *supra* note 2; see also Meghan Tribe, Big Law Recruiting Push Takes Toll on Students, Survey Says (1), Bloomberg L. (June 11, 2026), <https://news.bloomberglaw.com/business-and-practice/big-law-recruiting-push-negatively-affects-students-survey-says> (on file with the *Columbia Law Review*) (documenting that Big Law's "aggressive recruiting" hurt first-year students' mental health, with over half of the three thousand 1Ls that NALP surveyed reporting that early recruiting negatively affected their year).

105. Abrams, *Manufactured Arms Race*, *supra* note 2 (emphasis added). Then, after locking down both their 1L and 2L summer jobs in short succession, many students disengage from learning entirely. See Law Student Recruitment Chaos: Possibilities for Reform?, N.Y.C. Bar Ass'n (Mar. 17, 2026), <https://services.nycbar.org/EventDetail?EventKey=OCI031726> [<https://perma.cc/T2TL-YRAH>].

106. Abrams, *Manufactured Arms Race*, *supra* note 2.

progressing from introductions to formative feedback to summative feedback to references and career support, students start with references and career support before receiving formative and summative feedback.¹⁰⁷ This timeline inverts the educational process and the illustrative work of references. First-year students must now solicit references before professors have evaluated them, distorting the student–professor relationship and the reference both.

Professors now face immense pressure for one-on-one time with students, but, anecdotally, that time has been less focused on academic adjustment and content mastery than on students positioning themselves for a future reference. Indeed, many students show up to their first office hours appointments toting their résumés. References should communicate the depth of the recommender’s relationship with the student and their observations of the student’s skills and qualifications in the classroom. But rather than students openly revealing vulnerabilities and knowledge gaps to further their learning and long-term success, the references themselves can become students’ goal. Besides impeding learning, this practice hollows out references, even as it increases students’ seeking of them.¹⁰⁸

These timing transpositions are more dire in the LRW classroom where professors are performing more—and earlier—formative assessment. LRW faculty typically give regular feedback.¹⁰⁹ Courses are carefully calibrated to progress from no-stakes to low-stakes to high-stakes assignments.¹¹⁰ The LRW course structure is designed so that the students’ first writing assignment is worth less than later assignments to facilitate growth and development consistent with educational best practices.¹¹¹ Big Law’s hurried hiring timeline impairs the learning process.

This resequencing also converts formative, lower-stakes assessments into penultimate, seemingly career-altering condemnations. Students interested in Big Law might no longer absorb a delicate “needs work” comment because they see the feedback as fatal instead of foundational. They switch into panic mode instead of growth mode. And those with the means to do so might then expend exorbitant resources learning the

107. See *id.* (lamenting that 1Ls work on their résumés before submitting any assignments and skip classes to attend firm events).

108. See *id.*

109. See, e.g., Legal Writing Class Teaches More Than Memos, Yale L. Sch. (Sep. 27, 2022), <https://law.yale.edu/yls-today/news/legal-writing-class-teaches-more-memos> [<https://perma.cc/XWN2-2ENS>] (profiling Yale Law School’s Introduction to Legal Analysis & Writing course and declaring the “detailed feedback” students receive on their legal writing assignments the class’s “secret sauce” (internal quotation marks omitted) (quoting Cecilia A. Silver, Dir. of Legal Rsch. & Writing, Yale L. Sch.)).

110. See Donahoe & Ross, Introduction, *in* Legal Writing Pedagogy, *supra* note 69.

111. See generally Donahoe & Ross, Peer Review and Self-Evaluation Exercises, *in* Legal Writing Pedagogy, *supra* note 69 (explaining that formative assessment monitors learning in a lower-stakes environment to improve teaching and to measure learning growth before the stakes are higher).

material through tutors and private programs to get a leg up on their peers.¹¹²

2. *Transactional Education.* The shift in recruiting has pedagogical problems, but, perhaps more notably, it has relational ones. Students may erroneously believe that faculty members are blockading their access to the highest-paid and most heavily sought job placements. This mindset is particularly problematic when applied to LRW faculty given the “academic caste” system.¹¹³ Big Law’s recruiting timing perverts law schools’ educational mission.

Effective education depends on relationships: between faculty and students, among students, and between an institution and its students.¹¹⁴ These relationships help students develop their professional identity, flourish in school, manage wellness, and launch successful and sustainable careers.

Big Law’s turbulent timetable transforms the professor–student dynamic from relationship-building to power-centered. Professors are improperly situated as gatekeepers instead of as champions of students’ academic success, which, *in turn*, propels professional success. The perceived value of *which* professors students encounter also changes; 1L professors who have Big Law connections now might have a professional advantage or incur greater demands, which warps the educational process. A strong professor might no longer be thought of as an educator, but a powerbroker. Office hours shift from a site for development, growth, and outreach to a site for networking.

Accelerated hiring also complicates the Teaching Assistant (TA) role. TAs serve as a steadying force, helping students with content and acclimation support. They are not intended to become references or job referrals. Rather, armed with recent experience, they are ambassadors, shepherding students toward knowledge mastery, skills acquisition, and classroom confidence. But Big Law hiring now includes an added twist—enlisting upper-level students to flag top students.¹¹⁵ Upper-level students with Big Law offers are sometimes equipped with expense accounts to

112. See Pre-L Law School Prep Classes, *supra* note 70; Dear 1L® Academy, Writing L. Tutors LLC, *supra* note 70.

113. See Darby Dickerson, President’s Message: Abolish the Academic Caste System, Ass’n of Am. L. Schs., <https://www.aals.org/about/publications/newsletters/aals-news-fall-2020/presidents-message-abolish-the-academic-caste-system> [<https://perma.cc/DV67-29K3>] (last visited Aug. 6, 2026) (spotlighting “pay equity and security of position [as] still serious issues” for clinical instructors, who often “carry a disproportionate share of the teaching and service loads so that others can focus on research”).

114. See Peter Felten & Leo M. Lambert, Relationship-Rich Education: How Human Connections Drive Success in College 1 (2020) (emphasizing how vital relationships are to higher education and using that framing to “re-envision everything from classroom teaching and student success initiatives to institutional cultures and structures”).

115. See Rubino, Firms Farming Out Law Recruitment, *supra* note 22.

recruit promising prospects.¹¹⁶ This dynamic conflates—and confuses—peer support and campus leadership roles.

Finally, students' extracurricular choices may be affected. Students are less likely to vie for positions on law journals and moot court since these activities will no longer be perceived as résumé boosters.¹¹⁷ Hasty firm hiring means students will lose the value of these experiences and exposures.

Educational relationships are vital to learning. To distort, invert, or co-opt these relationships harms everyone. Students need time to meet their classmates and their professors and to cultivate meaningful relationships *before* employers rely on those relationships to assess job readiness.

3. *Mission–Profession Tension.* Legal educators and practitioners must work together to better the profession. Law faculty wholeheartedly want to help train practice-ready students, trumpet their students' strengths and abilities, and tweak their own pedagogies in conversation with employers about their needs and expectations. This is a reciprocal relationship that should deploy equitable practices that are fair, methodical, paced, thoughtful, and grounded in skills and knowledge, not gambles and guesses.

Instead, Big Law's recruiting revision has forced legal educators to conform to its timeline in ways that impose mightily on everyone. Law faculty must—and do—adapt, but the costs are crushing. Big Law's behavior strains a relationship that should be synergistic.

D. *Repercussions Reverberate in Other Sectors and Harm the Ecosystem*

This timeline creates cascading market consequences. Big Law already exerts a strong gravitational pull for students because participation is plug-and-play. And many law students flock to Big Law firms because they need the salary to service their high law school debts.¹¹⁸ But, by rushing firm recruiting, students now must choose whether to forgo public-interest or public-sector work in their 2L summer (and, in some cases, their 1L summers, too)¹¹⁹ before they've studied public-law subjects like constitutional law or taken statutory-law courses like tax or securities.¹²⁰

116. See *id.*

117. See *On the Merits*, *supra* note 1, at 09:13 (detailing a drop in law students' interest in participating in law review, journal, and moot court).

118. See Christopher D. Iacono, *Legally Unhappy: How US News and Law Schools Have Failed and How This Can Be Fixed*, 37 *Touro L. Rev.* 219, 247 (2021) ("Large debt forces law school graduates into BigLaw.").

119. See Killelea, *supra* note 21 (chronicling the rise of "jumbo offers," which confine students to their chosen firms for two summers).

120. Rahim, *supra* note 39, at 61.

Worse still, some Big Law firms bestow bonuses on 1Ls they hired for employment as 2Ls.¹²¹ On the surface, these salaries support public-interest work and skills development. But, in reality, these paychecks prevent students from working for a Big Law competitor.¹²² Even with a partly altruistic motive, the consequences of compensating these students are “distorting the public interest sector by flooding it, temporarily and strategically, with students whose long-term trajectories point firmly toward corporate practice.”¹²³ This regime could also create complicated ethics checks that further sap the already stretched public interest system, especially given the complex political dance underway with Big Law firms and the Trump Administration.¹²⁴ And it leaves some public interest-focused students hustling for meager public interest stipends working alongside future Big Law attorneys earning ten times more for the same work. In fact, Big Law-sponsored public interest interns might make more for their eight-week foray than the full-time employees supervising and supporting them. This framework sends a problematic message to students that the public interest market is some sort of rumspringa instead of its own worthwhile professional sector. Or, perhaps even worse developmentally, students just blow off their 1L summer entirely, suggesting we’ve lost the plot on skills development and professional-identity formation altogether.

These phenomena hasten “public interest drift,” in which top students who embark on law school oriented toward public interest work might instead succumb to the siren song of a Big Law salary because they

121. Stephanie Francis Ward, *Where Can 1Ls Get Five-Figure Signing Bonuses?*, A.B.A. J. (Mar. 26, 2026), www.abajournal.com/news/article/where-can-1ls-get-five-figure-signing-bonuses [https://perma.cc/W2YT-CDRR] (last updated Mar. 27, 2026).

122. See Christine Charnosky & Dan Roe, *Public Interest Stipends Open Latest Front in Law Firms’ Competition for Summer Associates*, Law.com (Mar. 25, 2026), <https://www.law.com/2026/03/25/public-interest-stipends-open-latest-front-in-law-firms-competition-for-summer-associates/> (on file with the *Columbia Law Review*) (counting at least fifteen law firms awarding bonuses up to fifty thousand dollars to 1Ls for committing to 2L employment); N.Y.C. Bar Ass’n, *supra* note 105 (deploring 1L “stipend frenzy” because the practice costs firms considerably, particularly since the 1Ls “aren’t doing anything for [the firms]”); see also Ward, *supra* note 121 (raising ethical concerns that paying students not to work “at some swath of jobs” may constitute an impermissible restriction on practice under Model Rules of Professional Conduct 5.3 and 5.6 (quoting Melissa Hart, Chair-Elect, Council of the A.B.A. Section of Legal Educ. & Admissions to the Bar)).

123. *BigLaw’s \$50K Public Interest Stipend War: What It Really Means for Law Students*, LawFuel (Mar. 30, 2026), <https://www.lawfuel.com/BigLaw-public-interest-stipend-1l-recruiting-arms-race/> [https://perma.cc/6HPT-XXH6].

124. See, e.g., Memorandum on Preventing Abuses of the Legal System and the Federal Courts, 2025 Daily Comp. Pres. Doc. 387, at 1–2 (Mar. 21, 2025), <https://www.govinfo.gov/content/pkg/DCPD-202500387/pdf/DCPD-202500387.pdf> [https://perma.cc/RN26-RLZR]; Exec. Order No. 14,230, *Addressing Risks From Perkins Coie LLP*, 90 Fed. Reg. 11,781 (Mar. 6, 2025); Molly Redden, *Trump’s War on Big Law Means It’s Harder to Challenge the Administration*, ProPublica (Aug. 6, 2025), <https://www.propublica.org/article/trump-law-firms-accountability-environment-police-lgbtq/> [https://perma.cc/5PYU-U8ML].

cannot risk lingering and languishing waiting for public interest jobs to post.¹²⁵ The shrinking supply of federal government legal jobs compounds the situation.¹²⁶

All in all, Big Law hiring undermines establishing meaningful relationships within education and reshapes the relationship between the academy and the profession.

III. WE'VE BEEN HERE BEFORE: THE FEDERAL CLERKSHIP HIRING MARKET

The current summer associate recruitment debacle has a historical analogue: the clerkship market.¹²⁷ Before the Law Clerk Hiring Plan regulated the hiring process, federal judges, law deans, and students lamented that the system was “cutthroat and unseemly,”¹²⁸ “undignified,”¹²⁹ “long . . . beset by temptation and greed,”¹³⁰ “akin to a frenzy of voracious piranhas,”¹³¹ “anarchic . . . inefficient, expensive, disruptive, and demeaning.”¹³² Indeed, describing the mid-1990s clerkship hiring scene, one future law dean lamented that it “fails to provide judges and applicants with adequate information about each other, fails to maximize the preferences of the participants, deprives student applicants of bargaining power, disrupts the law school educational process, . . .

125. See Rahim, *supra* note 39, at 61 (“Students are asked to take a potentially life-changing leap while blindfolded: to forego significant wealth to pursue professional interests that may be largely unfamiliar to them.”); Fromer & Lemley, *supra* note 64 (chastising firms for foisting the compressed recruiting timeline on students, which can discourage them from considering public interest or government career opportunities and deprive them of any “real choice, because the offer won’t wait”); cf. Zoe Yu, *The Well-Traveled Path*, *Slate* (July 21, 2025), <https://slate.com/life/2025/07/harvard-ivy-league-careers-consulting-finance-tech.html> [<https://perma.cc/2VDY-J4QN>] (characterizing the allure of investment banking and consulting positions as the “safe prestigious thing,” “a bit like a conveyor belt” because the process follows a “step-by-step trajectory” (internal quotation marks omitted) (first quoting Kevin Roose, *Journalist*, *N.Y. Times*; then quoting a recent Harvard graduate)).

126. Courtney Rozen, *US Federal Workforce Drops to Lowest Level in at Least a Decade*, *Reuters* (Jan. 8, 2026), <https://www.reuters.com/world/us/us-federal-workforce-drops-lowest-level-least-decade-2026-01-08/> (on file with the *Columbia Law Review*) (last updated Jan. 12, 2026); David Thomas, *Lawyers Leaving US Government Drive Workforce Shift*, *Reuters* (Jan. 29, 2026), <https://www.reuters.com/legal/government/lawyers-leaving-us-government-drive-workforce-shift-2026-01-29/> (on file with the *Columbia Law Review*).

127. See Lat, Lose-Lose, *supra* note 9 (“[F]irms have this crazy sense of desperation that they’re going to miss out on the ‘best’ students. It’s very much like clerkship hiring.” (quoting Tanina Rostain, Professor, Geo. Univ. L. Ctr.)).

128. Carl Tobias, *Salvaging the 2013 Federal Law Clerk Hiring Season*, 91 *Wash. U. L. Rev.* 243, 244 (2013) [hereinafter Tobias, *Salvaging*].

129. Patricia M. Wald, *Selecting Law Clerks*, 89 *Mich. L. Rev.* 152, 156 (1990).

130. Mark W. Pletcher & Ludovic C. Ghesquiere, *In Restraint of Trade: The Judicial Law Clerk Hiring Plan*, 78 *U. Colo. L. Rev.* 147, 155 (2007).

131. *Id.* at 152.

132. Louis F. Oberdorfer & Michael N. Levy, *On Clerkship Selection: A Reply to the Bad Apple*, 101 *Yale L.J.* 1097, 1108 (1992).

‘punishes late bloomers,’ . . . is generally riddled with externalities,” and “allows judges to . . . perpetuate[] an ‘old-boy network.’”¹³³ Sound familiar?

“Between 1985 and 2002,” clerkship hiring “steadily accelerated,” encroaching on students’ 2L year.¹³⁴ Students’ academic focus was disrupted, and faculty recommenders were left endorsing students based on limited academic records.¹³⁵ But instead of waiting for students to burnish their credentials or expanding the pool of potential prospects, judges raced to extend early offers so that they could get, in their view, the pick of the law school litter.¹³⁶ Judges who felt that they “los[t] out” on clerks then pursued students earlier still, and so on.¹³⁷ “In short, it’s competition all the way down.”¹³⁸

So a coalition of federal appellate judges and law schools attempted to establish some ground rules for hiring. Only 3Ls and graduates could comprise clerkship candidates.¹³⁹ Judges abided by a universal date to review applications and conduct interviews.¹⁴⁰ Law schools embargoed releasing transcripts and letters of recommendation until the appointed application window.¹⁴¹ The Association of American Law Schools agreed to police the 2002 Plan to prevent judges from “finagl[ing], cheat[ing], or . . . hedg[ing].”¹⁴²

But, a few years later, the 2002 Plan collapsed. The rise of the Online System for Clerkship Application and Review (OSCAR) platform hastened its demise.¹⁴³ Judges inevitably stopped complying.¹⁴⁴ The market unraveled, and chaos reigned once more.

133. Annette E. Clark, *On Comparing Apples and Oranges: The Judicial Clerkship Selection Process and the Medical Matching Model*, 83 *Geo. L.J.* 1749, 1752–53 (1995) (quoting Trenton H. Norris, *The Judicial Clerkship Selection Process: An Applicant’s Perspective on Bad Apples, Sour Grapes, and Fruitful Reform*, 81 *Calif. L. Rev.* 765, 774, 785 (1993)).

134. Tobias, *Salvaging*, *supra* note 128, at 244.

135. Wald, *supra* note 129, at 156; see also Oberdorfer & Levy, *supra* note 132, at 1108 (complaining that the accelerated hiring timeline restricts “the information available to both judges and students”).

136. See Oberdorfer & Levy, *supra* note 132, at 1098 (narrating the devolving clerkship selection state of affairs at the end of the twentieth century).

137. Nielson, *Future of Federal Law Clerk Hiring*, *supra* note 79, at 192.

138. *Id.* at 190.

139. See Pletcher & Ghesquiere, *supra* note 130, at 148.

140. See Tobias, *Salvaging*, *supra* note 128, at 244 (“The plan that emerged, capitalized on the Tuesday following Labor Day as the benchmark when students could first proffer, and courts receive, applications.”).

141. See Pletcher & Ghesquiere, *supra* note 130, at 161.

142. *Id.*

143. See Nielson, *Future of Federal Law Clerk Hiring*, *supra* note 79, at 184 (“The Plan failed because its enforcement mechanisms—primarily OSCAR’s automated application process, augmented by buy-in from law schools and the anchoring role of the D.C. Circuit—were not sturdy enough to withstand the competitive pressures put on them.”).

144. See Aaron L. Nielson, *Reflections on the End of The Federal Law Clerk Hiring Plan*, 112 *Mich. L. Rev. First Impressions* 22, 24 (2013), <https://repository.law>

After several false starts, amid growing discontent from judges, students, professors, and law school deans, the Law Clerk Hiring Plan was resurrected—and refashioned—in 2018.¹⁴⁵ The revived Plan centers on a single start date after students complete their 2L year.¹⁴⁶ Proponents touted the Plan’s ability to remedy the information shortage inherent in an unregulated hiring process. In fact, then-Judge Merrick B. Garland praised the Plan’s timeline, which alleviates “the pressure that clerkship applications would add to the already pressured first year” and allows students time to forge relationships with faculty, join journals, and participate in other law school pursuits.¹⁴⁷ What’s more, the Plan benefits first-generation professionals who lack “good information about the value of clerking or the process of applying.”¹⁴⁸ While the Plan is by no means a panacea,¹⁴⁹ the clerkship hiring market is now much more palatable for all participants.

IV. STRATEGIES, SYNERGIES, AND SOLUTIONS

The threats to legal education and the legal profession are staggering.¹⁵⁰ Like the clerkship market, counteracting the entrenchment

umich.edu/cgi/viewcontent.cgi?article=1003&context=mlr_fi [https://perma.cc/4RPK-LJWP] (suggesting the Plan’s downfall was inevitable because the Plan demanded cartel-like coordination when judicial self-interest favored competition); see also Nielson, *Future of Federal Law Clerk Hiring*, *supra* note 79, at 184 (conducting an autopsy on the 2002 Plan and attributing its failure to the overwhelming competitive pressures of the clerkship market).

145. See Carl Tobias, *The Federal Law Clerk Hiring Pilot and the Coronavirus Pandemic*, 54 U.C. Davis L. Rev. Online 1, 7–8 (2020), <https://lawreview.law.ucdavis.edu/archives/54/online/federal-law-clerk-hiring-pilot-and-coronavirus-pandemic> [https://perma.cc/P8XF-HV39]; see also Diane Wood & Aaron Nielson, *A(nother) New Plan for Clerkship Hiring*, 102 *Judicature*, no. 2, 2018, at 70, 73 (styling the 2018 Plan as an initial two-year pilot).

146. See *Law Clerk Hiring Plan Extended*, United States Courts (Nov. 12, 2020), <https://www.uscourts.gov/data-news/judiciary-news/2020/11/12/law-clerk-hiring-plan-extended> [https://perma.cc/S6XA-DTF7] (requiring all participating judges to delay scheduling interviews for twenty-four hours after a universal submission date).

147. *Id.* (internal quotation marks omitted) (quoting Merrick B. Garland, then-Judge, U.S. Ct. of Appeals for the D.C. Cir.).

148. *Id.* (internal quotation marks omitted) (quoting Merrick B. Garland, then-Judge, U.S. Ct. of Appeals for the D.C. Cir.).

149. See Cecilia A. Silver, *Write On: Skills Assessments in Clerkship Hiring*, 119 *Nw. U. L. Rev. Online* 278, 280 (2025), https://scholarlycommons.law.northwestern.edu/context/nulr_online/article/1351/viewcontent/WRITE_ON_SKILLS_ASSESSMENTS_IN_CLERKSHIP_HIRING.pdf [https://perma.cc/PAQ6-WBTD] (campaigning for judges to adopt writing assessments to democratize clerkship selection); see also Kathryn Rubino, *The Federal Clerkship Market Is Broken, and the Judges Know It, Above the L.* (June 18, 2026), <https://abovethelaw.com/2026/06/the-federal-clerkship-market-is-broken-and-the-judges-know-it/> [https://perma.cc/MZ6T-QFK7] (blaming the Plan and OSCAR for spawning a mass application problem, which exacerbates the practice of “stacking” multiple clerkships before entering practice).

150. See *FIRE Survey: Law Professors Report Widespread Self-Censorship and Fear of Speaking Freely*, Found. for Individual Rts. & Expression (June 9, 2026), <https://www>.

and longevity of the accelerated hiring issues demands cooperation from a constellation of constituents. All stakeholders must shape the solutions symbiotically to strengthen the ecosystem. We need *systemic* changes, not incremental ones. Many are easy and costless, yet they mitigate great harm.

A. *Law Deans Safeguarding Pedagogy*

Law school deans can—and should—play a vital collaborative role in retreating from early recruiting for the sake of their students. While law school deans may be leery of precipitating a probe or hitting the headlines, they can unite to offer altruistic, non-commercial, pedagogical, procompetitive justifications¹⁵¹ for protecting foundational educational processes supporting professional-identity formation.¹⁵² In fact, law school deans were instrumental in pushing back clerkship hiring and boycotting the *U.S. News* rankings. On the clerkship front, before the Law Clerk Hiring Plan was instituted in 2002, former Yale Law School Deans Guido Calabresi and Anthony Kronman spearheaded efforts to organize the academy to convince federal judges to endorse a later clerkship interview date.¹⁵³ Then in 2017, 111 law school deans ushered in the Plan's renaissance by signing a letter urging judges to defer clerkship hiring until

fire.org/news/fire-survey-law-professors-report-widespread-self-censorship-and-fear-speakin-g-freely [https://perma.cc/FL7F-37DJ] (finding fifty-eight percent of faculty thought legal education was heading in the wrong direction).

151. See Lat, Lose-Lose, *supra* note 9 (sharing University of Chicago Law Professor Eric Posner's view that "[o]ne natural possibility would be for the law schools to get together and agree not to permit law firms to recruit before the second year," but warning that an official agreement might raise antitrust concerns (quoting Eric Posner, Professor, Univ. of Chi. L. Sch.)); see also Pletcher & Ghesquiere, *supra* note 130, at 177 (theorizing that the 2002 iteration of the Law Clerk Hiring Plan would be subject to a Rule of Reason analysis, balancing the extent to which it restrains the free market against plausible procompetitive justifications).

152. Section 1 of the Sherman Act prohibits coordinated conduct that constitutes an unreasonable restraint of trade. 15 U.S.C. § 1; Phillip E. Areeda & Herbert Hovenkamp, *Antitrust Law: An Analysis of Antitrust Principles and Their Application* § 1509a (5th ed. 2026); see also *Antitrust Laws, Legal Info. Inst.*, https://www.law.cornell.edu/wex/antitrust_laws [https://perma.cc/52W3-KMKD] (last visited Aug. 5, 2026) (distinguishing between per se and Rule of Reason violations of the Sherman Act). Because law schools seek to circumscribe the timing of Big Law recruiting, which is not inherently illegal, a court would review the restriction under the Rule of Reason. See Areeda & Hovenkamp, *supra*, § 1509a ("[T]he per se rule deters a practice that is almost always pernicious and almost never justified."); N.Y.C. Bar Ass'n, *supra* note 105 (categorizing coordinated restriction of Big Law's hiring timeline as potentially posing a Rule of Reason antitrust problem). Although there are some anticompetitive aspects to a less tightened timeframe, procompetitive benefits include producing a more efficient exchange of information, preserving schools' pedagogical mission, and protecting students' well-being. See Korschak, *supra* note 63 (clamoring for collective action to repair recruiting to ensure law schools provide "more robust law school experiences" and produce "more fulfilled young lawyers"). But, despite a likelihood of success, schools could confront costly, time-consuming litigation. Zoom Interview with Sam Weinstein, Professor of L., Cardozo Sch. of L. (Apr. 7, 2026) (notes on file with the *Columbia Law Review*).

153. Priest, *supra* note 27, at 133, 177.

after students' 2L year to give students more time to focus on their studies before plunging into the hiring process.¹⁵⁴ And the deans of Yale and Harvard empowered other law schools to drop out of *U.S. News's* data collection, which resulted in revamped rankings.¹⁵⁵ By penning an open letter to firms,¹⁵⁶ law school deans can precipitate recruiting reform, thoughtfully justifying why the profession benefits from this restraint.¹⁵⁷

B. Bar Associations Protecting the Profession

Bar associations—formal and voluntary, national and local—have a powerful place in the recruiting picture as well. Legal education has a structurally myopic viewpoint on entering the profession. Big Law has its own protectionist interests. Both might be otherwise inclined to celebrate an incremental win pushing the Big Law hiring timeline back by mere months.

Bar associations provide the political infrastructure for protecting the profession with a 360-degree perspective.¹⁵⁸ Bar associations safeguard the profession's integrity, independence, rigor, and ethics in their credentialing, educational, and advocacy work.¹⁵⁹ They are also a site where lawyers, as individuals, can advocate separately from the entities that

154. Wood & Nielson, *supra* note 145, at 70.

155. Francesca Maglione, *US News Alters Law School Rankings After Yale, Harvard Quit*, Bloomberg (Jan. 3, 2023), <https://www.bloomberg.com/news/articles/2023-01-03/us-news-to-change-law-school-rankings-after-yale-harvard-quit> (on file with the *Columbia Law Review*); Patricia Hurtado & Francesca Maglione, Yale, Harvard Law Schools Exit 'US News' Rankings Over Flaws (2), Bloomberg L. (Nov. 16, 2022), <https://news.bloomberglaw.com/us-law-week/yale-law-school-drops-u-s-news-rankings-over-profound-flaws> (on file with the *Columbia Law Review*).

156. An open letter to firms should survive antitrust scrutiny because there's no action to enjoin. Rather, the schools are simply identifying a problem and asking the firms to stop engaging in early recruiting. Zoom Interview with Sam Weinstein, *supra* note 152.

157. While schools should avoid anything that might look like an agreement, it's permissible for a dean to take unilateral action and have other deans pick the same path, follow-the-herd style. Similar to the *U.S. News* scenario, this tacit coordination should evade Sherman Act antitrust liability. *Id.*

158. See Marvelle C. Webber, *Origin and Uses of Bar Associations*, 7 A.B.A. J. 297, 300 (1921) ("But the Bar Association has not been content merely with reforms in the law, but from the beginning has been earnest in its endeavor to elevate the standard of the legal profession.").

159. For example, the D.C. Bar has espoused its commitment to "[a]id the courts in carrying on and improving the administration of justice," "[p]romote access to justice and enhance the delivery of legal services to those in need," "[f]oster and maintain high ideals of integrity, learning, competence in public service, and high standards of conduct," "[s]afeguard the professional interests of the members of the Bar," "[e]ncourage and support the activities of voluntary bar associations," "[p]rovide a forum for and publish information about the practice of law, the science of jurisprudence and law reform, and the relationship of the Bar to the public," and "[c]arry on a continuing program of legal research and education." Who We Are: Purpose and Mission, D.C. Bar, <https://www.dcbar.org/about/who-we-are/mission> [<https://perma.cc/NU6X-E8MD>] (last visited Aug. 4, 2026).

employ them.¹⁶⁰ In fact, the American Bar Association passed a resolution in August 2026 spurring stakeholders to take action on these recruiting issues, a measure we wholly support:

RESOLVED, That the American Bar Association urges law schools, private legal employers, bar associations, and other stakeholders in the legal community to study the impact of accelerating law firm recruitment timelines on the quality of legal education, the well-being of law students, and the long-term health of the entry-level legal hiring market; and

FURTHER RESOLVED, That the American Bar Association urges law schools, private legal employers, bar associations, and other stakeholders in the legal community to consider, in their respective recruitment practices and policies, the educational, professional, and equitable interests of law students, including their need for adequate time to develop the analytical, ethical, and professional competencies that the first year of legal education is designed to foster.¹⁶¹

Specialized voluntary bar associations, such as women's bar associations and the National Bar Association, likewise, have spent decades paving equitable pathways into Big Law (and other sectors), seeking to diversify and strengthen the profession.¹⁶² Specialty bar organizations, like

160. Indeed, perhaps because of this political power, mandatory bar associations, which require all licensed lawyers in their jurisdiction to join and pay dues, are currently under attack and even being dismantled. See, e.g., Press Release, FTC Endorses Florida Supreme Court Action Eliminating the ABA's Bar Admission Monopoly, FTC (Mar. 31, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/ftc-endorses-florida-supreme-court-action-eliminating-abas-bar-admission-monopoly> [<https://perma.cc/BAQ4-ETQW>] (last visited Aug. 5, 2026) (“[T]he Florida Supreme Court’s action represents an important step in undermining the ABA’s monopoly on the accreditation of law schools, especially in light of other state and federal initiatives . . . underway. The letter applauded those developments and encouraged more states to take similar steps to reduce reliance on ABA accreditation . . .”).

161. ABA, Resolution 403, at 1 (2026), <https://www.americanbar.org/content/dam/aba/directories/policy/annual-2026/403-annual-2026.pdf> [<https://perma.cc/K8PF-EYW6>].

162. See Women's Bar Ass'n of the D.C. Initiative on Advancement & Retention of Women, *Creating Pathways to Success for All: Advancing and Retaining Women of Color in Today's Law Firms* 4 (2008), https://wbadc.org/wp-content/uploads/2021/02/WBA_Initiative_CreatingPathwaysToSuccessForAll_200805.pdf [<https://perma.cc/H79Z-L3P4>] (“The [Women's Bar Association] recognized that addressing the special issues affecting women of color in law firms was a necessary next step . . .”); Women's Bar Ass'n of the D.C. Initiative on Advancement & Retention of Women, *Creating Pathways to Success: Advancing and Retaining Women in Today's Law Firms* 3 (2006), https://wbadc.org/wp-content/uploads/2021/02/WBA_Initiative_CreatingPathwaysToSuccess_200605.pdf [<https://perma.cc/5VKK-GBR4>] (“Wanting to take the next steps of creating real change for women attorneys, the Women's Bar Association of the District of Columbia undertook an Initiative on the Advancement and Retention of Women.”); Jamie R. Abrams & Daniela Kraiem, *Banding Together: Reflections on the Role of the Women's Bar Association of the District of Columbia and the Washington College of Law in Promoting Women's Rights*, 4

the communications bar and trial lawyer associations, also advance lawyers within specific subject matters.¹⁶³ As caretakers of the profession and the legal practice platform more broadly, bar associations can fulfill their core mission by convening collaborators to create comprehensive change.

C. *Students Leading Us Forward*

Students can also capitalize on their collective power to call for a market correction.¹⁶⁴ Law firms go to great lengths to lure—and land—the best students.¹⁶⁵ Where law students hold “tremendous power to influence the practice of large law firms,” they should exercise it.¹⁶⁶

Previous generations of law students “have proven a driving force” in catalyzing change.¹⁶⁷ Indeed, law firms’ pro bono programs proliferated based on student pressure.¹⁶⁸ To promote transparency for students selecting firms, Yale Law School’s YLW+ and Stanford Law’s Building a Better Legal Profession compiled data and ranked firms based on gender composition, parental leave, and diversity; these metrics propelled more firms to formulate family-friendly policies.¹⁶⁹ In 2020, Harvard Law

Mod. Am. 42, 48 (2008) (“The early [Women’s Bar Association] provided women lawyers with the companionship and support of other women who simply understood.”).

163. See Judith Kilpatrick, Specialty Lawyer Associations: Their Role in the Socialization Process, 33 Gonz. L. Rev. 501, 513 (1997) (showcasing the Association of Trial Lawyers of America’s efforts to support members’ continuing education and professional development); Fed. Commc’ns Bar Ass’n, Diversity Pipeline Program 2023 Student Packet 5 (2022) (publicizing how the Federal Communications Bar Association works to encourage lawyers’ diversity and professional development within its own sphere).

164. See Andrea Kupfer Schneider, Abigail R. Bogli & Hannah L. Chin, The New Glass Ceiling, 2024 Wis. L. Rev. 1687, 1713–14 (equipping law students to ask probing questions during interviews to better choose firms that prioritize advancing women and inviting students to spur reform); see also *id.* at 1692 (commenting that law students are “uniquely positioned” to effect change by pressing law firms on issues like gender equality during the interview process); Andrew Bruck & Andrew Canter, Note, Supply, Demand, and the Changing Economics of Large Law Firms, 60 Stan. L. Rev. 2087, 2130 (2008) (exhorting students to use their bargaining power to call for greater accountability and effect change at firms).

165. See Rubino, Firms Farming Out Law Recruitment, *supra* note 22 (specifying Sullivan & Cromwell LLP and Paul, Weiss, Rifkind, Wharton & Garrison LLP as two of the firms furnishing 3Ls with expense accounts to “wine and dine” 1Ls).

166. Bruck & Canter, *supra* note 164, at 2116.

167. Raymond H. Brescia, Lessons From the Present: Three Crises and Their Potential Impact on the Legal Profession, 49 Hofstra L. Rev. 607, 646 (2021).

168. See Bruck & Canter, *supra* note 164, at 2119–20 (citing Jerry J. Berman & Edgar S. Cahn, Bargaining for Justice: The Law Students’ Challenge to Law Firms, 5 Harv. Civ. Rts.-Civ. Liberties L. Rev. 16, 17 n.1 (1970)) (tracing firms’ pro bono programs to 1960s Columbia, Harvard, Georgetown, NYU, Penn, Stanford, and Yale law students’ reform efforts).

169. See Schneider et al., *supra* note 164, at 1692–93; Bruck & Canter, *supra* note 164, at 2121, 2129; see also Marc Galanter & William Henderson, The Elastic Tournament: A Second Transformation of the Big Law Firm, 60 Stan. L. Rev. 1867, 1871, 1923 (2008) (prodding law students to exercise their market power because firm lawyers “are deeply

students protested a Paul, Weiss, Rifkind, Wharton & Garrison LLP recruiting dinner, calling out its representation of fossil fuel-industry interests to dissuade potential associates from joining the firm.¹⁷⁰ And, at the height of the #MeToo movement, a nonprofit organization campaigned to have law firms jettison mandatory arbitration clauses for employment disputes.¹⁷¹ Students' grassroots organizing can spur firms' transformation.

Market forces have "sparked a crisis in the industry."¹⁷² But students are banding together to reform Big Law recruiting. On January 1, 2026, eighteen law schools' student associations and governments¹⁷³ addressed a letter to the American Bar Association.¹⁷⁴ The letter bemoaned how the accelerated timelines have "begun to undermine legal education, student and staff well-being, and the recruitment market."¹⁷⁵ Because the breakneck pace of recruitment "compromise[s] the quality of students' legal education,"¹⁷⁶ the students sought an audience with the ABA¹⁷⁷ to

concerned" but feel "powerless to resist the stifling market forces that drive their decisions" (internal quotation marks omitted) (quoting Larry Kramer, From the Dean, Stan. Law, Fall 2007, at 1, <https://law.stanford.edu/stanford-lawyer/articles/from-the-dean-15/> [<https://perma.cc/7NC2-UBLY>])).

170. Brescia, *supra* note 167, at 646 n.220; Umair Irfan, The Surprising Protest of Exxon's Law Firm at Harvard Law, Vox (Jan. 16, 2020), <https://www.vox.com/2020/1/16/21067763/harvard-law-climate-protest-exxon-paul-weiss> (on file with the *Columbia Law Review*).

171. See Stephanie Francis Ward, A Group of Harvard Law Students Is Trying to Get Rid of Mandatory Arbitration Clauses, A.B.A. J. (Sep. 1, 2019), <https://www.abajournal.com/magazine/article/parity-to-the-people> (on file with the *Columbia Law Review*); Patrick Smith, Law Students Protest Outside Paul Weiss's New York Office Over Firm's Exxon Representation, Law.com (Oct. 9, 2020), <https://www.law.com/americanlawyer/2020/10/09/law-students-protest-outside-paul-weiss-new-york-office-over-firms-exxon-representation> [<https://perma.cc/A3DE-JE6A>].

172. Bruck & Canter, *supra* note 164, at 2130.

173. The eighteen signatories represent the traditional "T-14" schools: Columbia Law School Student Senate; Cornell Law Students' Association; Duke University School of Law, Duke Bar Association; Georgetown University Law Center, Student Bar Association; Harvard Law Student Government; New York University School of Law, Student Bar Association; Northwestern Pritzker School of Law, Student Bar Association; Penn Carey Law Council of Student Representatives; Stanford Law Association; University of California, Berkeley, Student Association at Berkeley Law; University of California, Los Angeles, Student Bar Association at UCLA Law; University of Chicago Student Body Poll; University of Michigan, Law School Student Senate; University of Texas at Austin, Student Bar Association; University of Virginia School of Law, Student Bar Association; Vanderbilt Bar Association; WashU Law Student Bar Association; and Yale Graduate and Professional Student Senate. Law Student Letter, *supra* note 68; see also Lat, Lose-Lose, *supra* note 9 (clarifying that the T-14 now consists of seventeen schools because of a four-way tie for fourteenth).

174. Law Student Letter, *supra* note 68.

175. *Id.*

176. *Id.*

177. See Henry Liu, Law Students Lament Early Job Recruitment in Letter to Bar Association, Yale Daily News (Jan. 20, 2026), <https://yaledailynews.com/articles/law-students-lament-early-job-recruitment-in-letter-to-bar-association> [<https://perma.cc/2AT6->

fashion a recruiting system that prizes “legal education, professional development, and informed career decision-making.”¹⁷⁸ This is a critical opportunity for the ABA to listen to the voices of the future and lead the way forward.¹⁷⁹

Other student initiatives oppose Big Law outright or plug public-interest pathways. For example, a cohort of Harvard Law students devised a “You Are Not Alone” campaign publicly resisting Big Law recruitment, including student testimonials espousing the values, skills, and ethics driving their careers elsewhere.¹⁸⁰ Likewise, Georgetown Law students organized “Opting out of Big Law,” a sign-on initiative where students could anonymously pledge not to participate in the Big Law recruiting bonanza and reflect on their choice.¹⁸¹

These efforts to modify the Big Law hiring model and build a community around alternatives offer a promising and uplifting start.

D. *Let’s Look Beyond Law*

It’s not just law firms that are jumping the recruiting gun. Investment banking firms, consulting shops, and tech companies have started wooing college students as early as freshman year.¹⁸² Sociologist Amy Binder has coined this circumstance where campus culture herds students down particular prescribed paths “career funneling.”¹⁸³ Playing on students’ insecurities, corporate recruiters “tap into a fear of failure hard-wired into students who’ve spent their young lives chasing academic success.”¹⁸⁴ And,

RG7LJ] (depicting the letter as seeking “a baseline for a . . . dialogue” about the compressed recruiting timeline’s impact on students’ academics, career exploration, and well-being (internal quotation marks omitted) (quoting Caitlyn Lee, L. Student, Yale L. Sch.)).

178. Law Student Letter, *supra* note 68.

179. See Letter from Daniel R. Thies, Chair, Council of the A.B.A. Section of Legal Educ. & Admissions to the Bar, to Michelle A. Behnke, President, A.B.A. (Feb. 27, 2026) (on file with the *Columbia Law Review*) (referring the students’ request for a dialogue about accelerated recruiting to the President of the ABA because it concerns “a wider issue facing the legal profession”).

180. Kayleigh Hasson, Katherine Owojori & Liana Wang, Public Interest-Minded Students at Harvard L. Sch., Why We’re Not Doing Big Law Recruitment: “You Are Not Alone” Testimonials, Harv. L. Rec. (Dec. 15, 2025), <https://hlrecord.org/why-were-not-doing-big-law-recruitment-you-are-not-alone-testimonials/> [https://perma.cc/33V8-29JF].

181. Join the Public Interest Community, https://docs.google.com/forms/d/e/1FAIpQLScSQg_ZcsNwSm3-Ixb_qObWFmUjkGqJoaWQtdYR4XfBI5P9aQ/viewform [https://perma.cc/3SNF-DHDA] (last visited Aug. 5, 2026).

182. Owen Tucker-Smith, A Campus Backlash Is Brewing Over Wall Street’s Ivy League Recruitment Drive, Wall St. J. (Nov. 14, 2025), https://www.wsj.com/us-news/education/a-campus-backlash-is-brewing-over-wall-streets-ivy-league-recruitment-drive-c7e6cda9?mod=panda_wsj_section_alert (on file with the *Columbia Law Review*).

183. *Id.*

184. Evan Mandery, How America’s Elite Colleges Breed High-Status Careers—and Misery, Mother Jones (Sep. 24, 2025), <https://www.motherjones.com/politics/2025/09/elite-ivy-league-colleges-endowment-inequality-career-funnel-finance-management-consulting-tech-recruiting/> [https://perma.cc/UEC8-KL36]; see *id.* (remarking that many

particularly for low-income and first-generation students, the prospect of paying off loans and financing family is too tantalizing to pass up.¹⁸⁵ So Class Action, a confederation of students, academics, and alumni, is developing a “national playbook” to curb recruiting creep and encourage non-corporate options like public service and education.¹⁸⁶ Here, too, the campus community is rising up and pushing back.

The medical residency matching model¹⁸⁷ has been gaining traction, too. In devising an alternative to the chaotic clerkship hiring process, several judges extolled a computerized match to “soften the harshness of the Mayday market”¹⁸⁸ and enable clerk selection to progress in a “more orderly and businesslike manner.”¹⁸⁹ Law students also have expressed enthusiasm for a recruiting process in the medical-match mold.¹⁹⁰ The mechanics of the medical match are straightforward: A centralized clearinghouse allocates spots based on fourth-year medical students’ and programs’ preferences.¹⁹¹ Indeed, the medical match is designed to push decisions as late as possible so students strengthen their self-knowledge and programs have a sense of staffing needs.¹⁹² And because all offers are tendered simultaneously, the match increases efficiency, eliminates confusion, and removes the pressure to commit early or revoke acceptances.¹⁹³ Matching minimizes disruption and maximizes options.

Business schools have hopped on the medical-matching bandwagon for investment-banking recruiting. Wharton, Columbia, NYU Stern, and Yale

students board the “high-status hamster wheel” based on familial expectations or perceptions of prestige).

185. *Id.*

186. Tucker-Smith, *supra* note 182.

187. Adopted in 1978, the National Resident Matching Program was designed to allow medical students to determine their residencies as late as possible in their fourth year of school while giving programs sufficient time to fill positions. An algorithm allocates admission all at once based on participants’ preferences. Both applicants and programs submit confidential rank-order lists; the algorithm then matches each applicant to the highest program that also offered the applicant a spot. See Clark, *supra* note 133, at 1756–57.

188. Wald, *supra* note 129, at 162; *id.* at 163 (submitting that a matching system “deserves at least a fair trial as a last hedge against the anarchic open market so many judges and law schools now deplore”); see also Stephen R. Heifetz, *Efficient Matching: Reforming the Market for Law Review Articles*, 5 *Geo. Mason L. Rev.* 629, 629 (1997) (proposing a more efficient, centralized clearinghouse for law review article submission as an antidote to the “rather haphazard” market that “produces suboptimal matches and high transaction costs”).

189. Oberdorfer & Levy, *supra* note 132, at 1108; see also *id.* at 1099 (plugging a matching model to remedy the “most noticeable and significant problem with the current system: lack of information”).

190. See Law Student Letter, *supra* note 68 (favoring a recruiting process comparable to the medical match).

191. Clark, *supra* note 133, at 1753; see also Trenton H. Norris, *The Judicial Clerkship Selection Process: An Applicant’s Perspective on Bad Apples, Sour Grapes, and Fruitful Reform*, 81 *Calif. L. Rev.* 765, 791–92 (1993) (recommending instituting a congressionally enforced matching system for federal clerk hiring).

192. See Clark, *supra* note 133, at 1756.

193. *Id.*

participate in an internship interview process that includes about twenty-five banks.¹⁹⁴ The banks follow a systematic schedule for pursuing students: They host on-campus dinners in October, hold one-on-one coffee chats in November, and conduct both first- and second-round interviews over a two-week period in late December and early January.¹⁹⁵ Each school creates its own algorithm aimed at aligning students' and banks' preferences.¹⁹⁶ At a designated time, the banks notify the schools who their picks are and how many openings they have for each school.¹⁹⁷ Students then rank all the banks with which they had second-round interviews; if their top pick or second choice coincides with the banks' selections, then it's a match.¹⁹⁸ The total number of offers each student can receive depends on the school: At NYU Stern, no one can obtain more than two, while at Columbia, it's one.¹⁹⁹ The beauty of the matching process is that since the schools know how many slots each bank aspires to fill, the schools can manage a data-informed after-market.²⁰⁰ So if banks don't reach their desired yield, the schools can alert the banks to the students who ranked them highly but not in first or second place.²⁰¹ The banks can then contact those students.²⁰² Through this approach, the business schools and banks operate efficiently and expand their employment options.

The merits of a match are many. A centralized matching solution²⁰³ would eliminate most incentives to interview early.²⁰⁴ A standardized interview window of several weeks would lessen the likelihood that

194. See Telephone Interview with Kim Lewis-Collins, Exec. Dir., Full-Time MBA Career Servs., NYU Stern Sch. of Bus. (Sep. 26, 2025) (notes on file with the *Columbia Law Review*) [hereinafter Kim Lewis-Collins Interview] (naming Wells Fargo, Goldman Sachs, JP Morgan, Morgan Stanley, Citi, Jefferies, and Bank of America as employers involved in the matching program for New York City-based positions).

195. *Id.*; see also Zoom Interview with Abigail Kies, Assistant Dean, Career Dev., Yale Sch. of Mgmt. (Sep. 9, 2025) (notes on file with the *Columbia Law Review*) [hereinafter Abigail Kies Interview] (mapping out the timeline of the matching model at the Yale School of Management).

196. See Kim Lewis-Collins Interview, *supra* note 194 (instructing that a Wharton professor developed a matching model, which an NYU Stern professor then adapted for NYU Stern School of Business); see also Unprecedented Number of CBS MBA Students Placed in IB Summer Internships, Colum. Bus. Sch. (May 1, 2024), <https://business.columbia.edu/insights/business-society/unprecedented-number-cbs-mba-students-placed-ib-summer-internships> (on file with the *Columbia Law Review*) (reporting on the debut of OfferLink, Columbia Business School's matching algorithm, and trumpeting that 115 first-year MBA students accepted internships at twenty-three different investment banks).

197. Kim Lewis-Collins Interview, *supra* note 194.

198. *Id.*

199. *Id.*

200. *Id.*; see also Abigail Kies Interview, *supra* note 195.

201. Kim Lewis-Collins Interview, *supra* note 194.

202. *Id.*

203. Even matching is not a *systems* fix because it only syncs up one slice of the hiring pie—private practice. But it's a start.

204. See Killelea, *supra* note 21 (denouncing the current system for pressuring students to interview early to avoid getting left behind).

students would miss classes. By confining interviews to a discrete period, students and firms can more easily, and effectively, compare their options while the experience is fresh; the flow of information would increase. With more grades available, firms would have a more accurate appraisal of students' academic acumen and legal writing chops.²⁰⁵ Firms also could consult the attorneys with whom the students worked during the summer to gauge their capabilities in a practice setting. And a later time horizon would give students more breathing room to determine whether working for a particular firm—or any firm—is right for them.

To be sure, law firm buy-in is critical to the success of a centralized process.²⁰⁶ While firms may be wary of running afoul of antitrust law, firms' coordination may pass muster if it's seen as having an educational rationale.²⁰⁷ Firms also have a way of telegraphing their intentions—look at how they set compensation through conscious parallelism.²⁰⁸ As Georgetown University Law Center Professor Tanina Rostain observed, “If a leading firm . . . was willing to wait, that might inspire other firms to follow, and something might change.”²⁰⁹ All firms would benefit if they “could somehow lock arms.”²¹⁰

205. See Meghan Tribe, *Susman Godfrey Jumps Off Speedy Law School Recruiting Track*, Bloomberg L. (Mar. 25, 2026), <https://news.bloomberglaw.com/business-and-practice/susman-godfrey-jumps-off-speedy-law-school-recruiting-track> (on file with the *Columbia Law Review*) (cheering litigation boutique Susman Godfrey LLP's decision electing to “buck[] the trend” by reviewing candidates' files after June 30, when students have a full year of grades, because retention is a key goal, and the firm wants to “hire people with the plan to make them partners” (internal quotation marks omitted) (quoting Nick Spear, Co-Chair of Emp. Comm., Susman Godfrey LLP)).

206. On a small scale, some firms have already embraced matchmaking. Harnessing the power of AI, firms collaborate with companies like Thine and Suited to customize algorithms and assessment tools that identify students who share characteristics with the firms' existing top performers. See Rimsha Syeda, Note, *An Intelligent Path for Improving Diversity at Law Firms (Un)Artificially*, 29 Mich. Tech. L. Rev. 307, 323–24 (2023) (terming Suited's assessment tool a hybrid personality test and LSAT-esque logical reasoning exam). In this way, firms can screen for students who would work well and fit into the culture. See *id.* The service JDMatch also offers students and firms an opportunity to connect online, with both parties ranking each other according to their preferences. Sheridan, *supra* note 35, at 4.

207. If firms mutually arrange interviews and deal with schools individually, as the business schools do, that “shouldn't be problematic from an antitrust perspective.” Zoom Interview with Sam Weinstein, *supra* note 152, at 3; see also Ginsburg & Wolf, *supra* note 5, at 948 (imparting that antitrust law does not “present an impenetrable barrier” to market coordination for firm associates).

208. See Roy Strom, *Big Law's AI Race Is Ripping Up Its Follow-the-Leader Culture*, Bloomberg L. (June 4, 2026), <https://news.bloomberglaw.com/business-and-practice/big-laws-ai-race-is-ripping-up-its-follow-the-leader-culture> (on file with the *Columbia Law Review*) (noticing “firms' nearly uniform addition of nonequity partners” and their expansion into the same markets, which “perfectly demonstrate[] Big Law's follow-the-leader culture”); N.Y.C. Bar Ass'n, *supra* note 105 (“There really isn't competition on compensation because [firms are] tacitly colluding on compensation structure.”).

209. Lat, Lose-Lose, *supra* note 9 (internal quotation marks omitted) (quoting Tanina Rostain, Professor, Geo. Univ. L. Ctr.).

210. Cf. Freeman Engstrom et al., *supra* note 6, at 42–43 (imploping law firms to band together to file a Rule 23(b)(2) class action contesting Trump's executive orders to “benefit[] the legal profession en masse”).

CONCLUSION

The solutions are simple; they cost us nothing. Let students complete their 1L year unencumbered by Big Law. Let students learn doctrine, acquire skills, develop a professional identity, and acclimate to law school. Let students cultivate meaningful educational relationships. Let students' first summer job experiences inform their second. Students will know more, understand their strengths, and be more authentic and well-rounded. Everyone wins.

There's a universal appetite for change, but there is not the unifying infrastructure to achieve it without intentionality. A market solution, exemplified by the medical matching model, would avoid these pedagogical pitfalls, prioritize all participants' preferences, and bring much-needed order to the current recruiting chaos. Together, we can build a more durable and sustainable system, bridging education and practice. Our profession will be better for it.