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METROPOLITAN DESK

Stanford Law Students Get Early Supreme Court Duty

By **MICHAEL FALCONE** (NYT) 709 words

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CORRECTION APPENDED

PALO ALTO, Calif., March 14 - In his first semester at Stanford Law School here, James Darrow studied landmark Supreme Court cases in his textbooks. He never expected he would soon be working on cases that may end up in textbooks.

But that is what Mr. Darrow and eight classmates are doing at the Supreme Court Litigation Clinic at the law school, the only program in the country devoted to giving law students hands-on experience at the highest court.

Students in the clinic help represent clients with cases before the Supreme Court, writing briefs and filing petitions for writs of certiorari, the formal papers in which the court is asked to hear a case. Although the students do not argue cases, they help lawyers prepare oral arguments.

Last semester, Mr. Darrow, 28, worked on *Georgia v. Randolph*, which tests the limits of the Fourth Amendment and could set an important legal precedent for police searches. Working on such a high-profile case is a rare opportunity for a law student. "You're helping to make law for the entire nation," Mr. Darrow said. "That's a heady thing."

Founded by Prof. Pamela S. Karlan, a constitutional law scholar at Stanford, and Thomas C. Goldstein, a partner at Goldstein & Howe in Washington, the two-year-old clinic is involved in pro bono cases, many of which come through that firm. And it already has an impressive record.

The Supreme Court grants less than 1 percent of the more than 8,000 petitions to hear cases that it receives annually. But it heard five cases that the clinic helped file since early 2004 and declined to hear three. The clinic has also taken part in other cases. So far this term, the clinic has represented clients in four cases, almost as many as any law firm nationwide. The clinic has a fifth case scheduled for argument next month.

The clinic has won four cases dealing with the interpretation of the Fair Labor Standards Act, the Americans With Disabilities Act, federal bankruptcy laws and age discrimination. The court has ruled against the clinic's clients in three cases.

Professor Karlan and Mr. Goldstein, both experienced Supreme Court advocates, have argued six of the clinic's cases. They supervise the students, along with Mr. Goldstein's law partner and wife, Amy Howe, and Kevin Russell, a lawyer at the firm.

"The most important lessons we try to teach aren't actually about how to write a cert petition or how to conduct a Supreme Court oral argument," Mr. Goldstein said. "It is much more about the process of litigating a case at a very high level, against very talented adversaries, and in front of a very well-prepared bench."

Competition for the clinic's nine slots is fierce, despite a workload that students say exceeds the academic credit they get.

"I must have spent two weeks reading property law cases going back to the 1800's to learn as much as I could about how they factored into our case," said Lauren Kofke, 27, who helped prepare Mr. Goldstein for argument in *Georgia v. Randolph*.

Professor Karlan said that students might initially not want to work on a bankruptcy case or an intricate provision of a federal law. But, she said, "When they actually worked on those issues, they loved it."

The group has attracted attention from the Supreme Court bar, including the government's top litigator before the court, Solicitor General Paul Clement. He met with clinic students at Stanford in January.

Clinic participants have landed clerkships with federal judges, and two have won highly coveted jobs as Supreme Court clerks.

Each semester the students go to Washington for at least one oral argument, usually for a case they have worked on. Mike Abate, 28, a recent graduate and clinic participant, attended the argument in the first case that the clinic successfully appealed.

"It's one thing to work on a case and get it granted; it's another thing entirely to go and watch the argument unfold and to see the justices grappling with your case and your issues," said Mr. Abate, now a clerk for a federal court judge. "It was humbling for us to know that the majority of what we wrote during our last year and a half of law school went to the Supreme Court."

Correction: March 20, 2006, Monday An article on Wednesday about Stanford Law School's Supreme Court Litigation Clinic, a semester program that gives students hands-on experience at the court, misstated its uniqueness. A three-week course at Harvard Law School given by Thomas C. Goldstein, who helps run the Stanford clinic, also focuses on Supreme Court litigation.