

Judges Demand "Disruptive" Behavior of Law Students to be Reported to Employers



Two federal appeals court judges, James Ho and Elizabeth Branch suggested that law schools should inform potential employers if students participate in protests that disrupt speakers on campus. In an article for the National Review, the judges argued that law schools should punish students who engage in "disruptive tactics" and noted that they fail to "teach students how to become good citizens." If schools are unwilling to impose consequences themselves, they should at least identify the disrupters, so that future employers know who they are hiring, the judges added. Ho and Branch are scheduled to speak on Wednesday at Yale Law School.

The article was written in response to the recent disruption of Fifth Circuit Judge Kyle Duncan's appearance at Stanford Law School on March 9th. Protesters interrupted Duncan's remarks, with videos of the event showing the judge facing off against the demonstrators who were critical of his rulings. In a letter of apology to Duncan, Stanford University officials said that "what happened was inconsistent with our policies on free speech."

Duncan faced criticism from civil and LGBTQ rights organizations after Donald Trump nominated him to the Fifth Circuit in 2017. The organizations argued that he took positions that were harmful to the LGBTQ community. The incident at Stanford is part of a trend of conservative speakers being met with protests and "shouted down" by students who disagree with their views.

Ho, who attracted attention for his boycott of hiring future clerks from Yale Law, criticized the school for handling student demonstrations at events featuring conservatives on campus. Branch later joined the boycott. In their article, the judges argue that "schools should inform employers if they're injecting potentially disruptive forces into their organizations," adding that "otherwise, more and more employers may start to reach the same conclusion that we did last fall — that we have no choice but to stop hiring from these schools in the future."

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Ho and Branch are among several federal judges scheduled to speak at the Yale event about friendships across divides and judging in partisan times. The judges' suggestion that law schools should inform employers about student protestors has attracted criticism from some quarters.

The suggestion by federal appeals court judges James Ho and Elizabeth Branch that law schools should inform potential employers about students who participate in protests that disrupt speakers on campus has sparked controversy. While some argue that such a policy could stifle free speech and dissent on campus, others believe that it is necessary to prevent disruptive behavior and protect the free speech rights of all students. The incident at Stanford Law School involving Fifth Circuit Judge Kyle Duncan is just one example of the ongoing debate over free speech on campus and the role of universities in promoting civil discourse. As the conversation continues, it is important to find a balance between protecting free speech and maintaining a safe and respectful environment for all students.