

Solomon Amendment Task Force Update: Why Employers Should Care

By O'Brien Kelley and Hilary Ware

The impact that the Solomon Amendment has on NALP member schools is evident: it raises countless questions and logistical challenges about recruiting practices and the schools' obligations to accommodate all recruiters in the fairest way possible. Most NALP member schools are generally aware of the Solomon Amendment, and the creation of the Solomon Amendment Task Force is a good indication that members would like to be even better informed.

One of the challenges the Solomon Amendment Task Force faces, however, is to educate employers about the Solomon Amendment. After all, why should they care? Most law firms think that their recruiting practices, by and large, are unaffected by the Solomon Amendment. Here are a few ways, however, in which the Solomon Amendment affects employers:

- The students that employers are recruiting are aware of the Solomon Amendment, and very often have strong views on it. If employers have no idea what students are talking about when they raise the Solomon Amendment, employers risk looking out of touch with the very candidates they are seeking to recruit;
- The accommodations that law schools often make to lesbian, gay, bisexual, and transgender ("LGBT") students in light of the Solomon Amendment can affect the ways in which employers recruit LGBT students, and employers who fail to take advantage of those opportunities miss real chances to recruit those students. For example, some member schools send students to Lavender Law, an LGBT legal conference and career fair, and if employers are not aware of the chance to attend Lavender Law themselves, they miss a tremendous opportunity to demonstrate their interest in LGBT candidates; moreover,
- Many students, not just LGBT students, gauge an employer's commitment to diversity and quality-of-life on the employer's stance on prominent social issues. Students, aware of the Solomon Amendment, may make decisions about an employer's culture based on the employer's position on the Solomon Amendment, regardless of whether the Amendment impacts an individual student directly.
- Finally, on a more philosophical level, some employers will be supportive of the Solomon Amendment and some employers will adamantly oppose it.

Employers often take a stand on issues that they feel are important, and not being aware of the Solomon Amendment results in a real missed opportunity for a dialogue within the employer about its beliefs and commitment to this issue and actions it thinks are appropriate, including lobbying in support of or in opposition to the Solomon Amendment.

The Solomon Amendment Task Force hopes that, by including employers as well as member schools, it will be able to educate everyone about what the Solomon Amendment is, why it matters to all NALP members, and the best course of action to respond to it.

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