

October 25, 2019

Comment from Jeffrey S. Lubbers, Special Counsel

- 1) The mention of “threats of facing jail time of paying fines” [in lines 87-88 and 158] is a bit unmoored. Can you add something like “for making false statements etc.”? On the other hand, if there really is a risk of such penalties for making false statements, maybe it should be mentioned. I’m really not sure about this one. Might be worth discussing. I do agree that the example in the appendix in VACANY 2 is unnecessarily scary and intimidating.
- 2) The recommendation that agencies without honors programs should establish them [in lines 113-114 and 207] needs more thought. From this it appears that the defining characteristic of an honors program is that it allows the immediate hiring of students. If that were the case I would have no objection, but in my experience some honors programs have made it impossible for applicants to be hired as attorneys unless they were admitted to the honors program. In that sense it can be a restrictive, and even seen as elitist. I’m not saying that it is necessarily a bad thing to have one, but it may not be a good thing for every agency to create this door as an exclusive entryway to hire attorneys.