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LAW SCHOOLS REQUIRE BIGLAW FIRMS TO DISCLOSE RESPONSES TO WORKPLACE HARASSMENT

Law students applauded new transparency measures, which require firms to disclose whether summer associates must sign forced arbitration agreements

Cambridge, MA — Today, the nation’s top law schools issued a letter to all law firms recruiting on their campuses, requiring the firms to disclose whether they require summer associates to sign forced arbitration agreements and non-disclosure agreements (NDAs) related to workplace misconduct, including sexual harassment.

In the wake of #MeToo, it was revealed that several prominent law firms were requiring incoming summer associates to [sign mandatory arbitration agreements](#), effectively mandating that employees sign away their right to go to court if they ever experience illegal treatment at work. These provisions covered all employment-related claims between the student and the firm, including sexual harassment and all other forms of discrimination — sweeping reports of sexual harassment and other workplace misconduct into secretive proceedings that [favor firms over victims](#). Some firms only presented students with these (required) contracts months after they accepted a summer job.

Molly Coleman, a rising second-year student at Harvard Law School, praised the mandatory disclosure as a step in the right direction: “Contractually surrendering rights contributes to workplace cultures in which discrimination and harassment are facts of life for too many women who work for law firms. We are pleased that we will soon have a better sense of the scope of the problem, but we know this is just a first step toward our ultimate goal of firms dropping these contract provisions for employees at all levels.”

In response to outcry from the legal community, several major firms have already [dropped forced arbitration clauses](#) from their contracts. Now, firms that insist on sweeping sexual harassment under the rug with forced arbitration will be required to disclose those policies to potential summer associates before students decide where to interview or work.

- The survey — issued today by Yale Law School with input and support from all Top 14 law schools — will require firms to disclose whether they require summer associates to sign forced arbitration agreements and related NDAs. They will also be asked to provide

essential information regarding firm policies for responding to workplace misconduct. Survey results will be available on June 8, 2018, and released to students at all participating schools.

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