

***Policy on the Filing or Joining of a Brief or the Issuance or
Joining of a Report by a Law School Faculty Member, Clinic, Center,
Institute, Program, or Student Organization***

(1) Faculty members

(a) When the faculty member is counsel of record (or one of the lawyers) on a brief representing a client

When a faculty member is counsel of record (or one of the lawyers) on a brief representing a client, the faculty member should not use the name of the Law School. The faculty member may use the mailing address of the Law School as his or her business address and may also use the faculty member's law school telephone number and e-mail address, as long as the name of the Law School is not used.

(b) When the faculty member is not representing a client and is filing or joining a brief or issuing or joining a report in his or her individual capacity

If a faculty member files or joins a brief in his or her individual capacity (as, for example, when a faculty member files or joins an *amicus curiae* brief in an individual rather than representative capacity) or issues or joins a report, s/he may use the Law School's address as his or her business address and s/he also may use his or her law school telephone number and e-mail address. The faculty member can identify his or her title and affiliation with the Law School as long as the brief or report clearly states that the title and institutional affiliation are provided for identification purposes only and that the views expressed should not be regarded as the position of the Law School. (This policy does not mandate the use of a specific verbal formulation for this purpose. As one example of a suitable statement, the brief or report could say: "This [brief or report] has been prepared [or joined] by an individual [or individuals] affiliated with New York University School of Law, but does not purport to present the school's institutional views, if any.")

(2) Clinics

A Law School clinic may file a brief or join an *amicus curiae* brief or issue or join a report if the clinic student(s) on the case and a supervising faculty member conclude that this action would further the interests of the client or, where relevant, that this action would further the advocacy and pedagogical purposes that the clinic's fieldwork is designed to serve. A supervising faculty member of the clinic must supervise the preparation of the brief or report (or, with regard to the signing of an *amicus* brief or report prepared by others, must approve the decision to join the *amicus* brief or report). The brief or report must bear the name of the supervising faculty member as well as that of the clinic. If the brief or report mentions the name of the Law School, the brief or report must make clear that the Law School's name is being given solely for purposes of identification of the clinic's affiliation, and that the views expressed by the clinic in the

brief or report should not be regarded as the position of the Law School. (This policy does not mandate the use of a specific verbal formulation for this purpose. As one example of a suitable statement, the brief or report could say: “This [brief or report] has been prepared [or joined] by a clinic operated by [or affiliated with] New York University School of Law, but does not purport to present the school’s institutional views, if any.”)

(3) Centers, Institutes and Programs

A Law School Center, Institute or Program may file a brief or join an *amicus curiae* brief or issue or join a report if a Faculty Director of the Center, Institute or Program concludes that this action would further the interests that the Center, Institute or Program was established to serve. A Faculty Director of the Center, Institute or Program must review the brief or report and expressly agree to the Center’s, Institute’s or Program’s filing or joining of the brief or issuing or joining the report. (In any Centers that do not have a Faculty Director, an Executive Director of the Center, Institute or Program should perform the functions ordinarily performed by a Faculty Director in connection with this policy.) The brief or report must make clear that any mention of the Law School’s name is solely for purposes of identification of the organization’s or program’s affiliation and that the views expressed in the brief or report should not be regarded as the position of the Law School. (This policy does not mandate the use of a specific verbal formulation for this purpose. As one example of a suitable statement, the brief or report could say: “This [brief or report] has been prepared [or joined] by a [Center or Institute or Program] affiliated with New York University School of Law, but does not purport to present the school’s institutional views, if any.”)

(4) Student organizations

(a) Student organizations that have a Faculty Advisor

A student organization of the Law School may file a brief or join an *amicus curiae* brief or issue or join a report if the organization and a Faculty Advisor for the organization conclude that the brief or report is of a sufficiently high quality and that filing or joining the brief or issuing or joining the report would further the interests that the student organization was established to serve. The Faculty Advisor must review the brief or report and expressly agree to the student organization’s filing or joining of the brief or issuing or joining the report. The brief or report must make clear that any mention of the Law School’s name is solely for purposes of identification of the student organization’s affiliation and that the views expressed in the brief or report should not be regarded as the position of the Law School. (This policy does not mandate the use of a specific verbal formulation for this purpose. As one example of a suitable statement, the brief or report could say: “This [brief or report] has been prepared [or joined] by a student organization affiliated with New York University School of Law, but does not purport to present the school’s institutional views, if any.”)

(b) Student organizations that do not have a Faculty Advisor

If a Law School student organization that does not have a Faculty Advisor wishes to file a brief or join an *amicus curiae* brief or issue or join a report, the student organization should consult a Vice Dean (or, if a Vice Dean is not available at the relevant time, the Director of Clinical and Advocacy Programs). If a Vice Dean (or, if unavailable, Director of Clinical and Advocacy Programs) concludes, after review of the brief or report, that the brief or report is of a sufficiently high quality and that the student organization's filing of the brief or the joining of the *amicus curiae* brief or the issuing or joining of a report would further the interests that the student organization was established to serve, the student organization may proceed with the filing or joining of the brief or the issuing or joining of the report. The brief or report must make clear that any mention of the Law School's name is solely for purposes of identification of the student organization's affiliation and that the views expressed in the brief or report should not be regarded as the position of the Law School. (This policy does not mandate the use of a specific verbal formulation for this purpose. As one example of a suitable statement, the brief or report could say: "This [brief or report] has been prepared [or joined] by a student organization affiliated with New York University School of Law, but does not purport to present the school's institutional views, if any.")