

Gibson Dunn Sees Jump in Higher Ed Work, as 'Break Glass in Case of Emergency Firm'

By Abigail Adcox

September 17, 2026

What You Need to Know

- Gibson Dunn has formalized a higher education industry group that will pull together more than 85 attorneys from across the firm.
- The firm is currently representing six universities in over a dozen Justice Department and Equal Employment Opportunity Commission investigations and four universities in congressional investigations and testimony.

Jason Schwartz, a partner at Gibson Dunn & Crutcher who leads its higher education industry group, said he is advising more than double the amount of university clients in highly sensitive-matters as he did three years ago.

Specifically, before summer of 2023 (when the U.S. Supreme Court found race-based affirmative action in college admissions was unlawful), Schwartz said he would have had “one or two university clients at any given time. Now, he has “six [university clients] right now, all at the same time, all with very high profile sensitive matters,” he added.

Gibson Dunn has seen such a steady uptick in its work advising university clients in navigating federal investigations and sensitive matters that it has now formalized a higher education industry group.



Courtesy photo

The new group, the firm said this month, brings together 85 attorneys from across the firm to address client needs, including advising universities in federal and state investigations, employment, civil rights and tort-type litigation, regulatory and business matters.

“We’ve been doing this work for a while, but it’s kind of built up to a crescendo where our university clients are really facing extraordinary, unprecedented issues, and we thought it made sense to formalize what we were doing,” said Schwartz.

The firm is currently representing six universities in more than a dozen Justice Department and Equal Employment Opportunity Commission investigations and four universities in congressional investigations and testimony.

"Our practice is different than a lot of the other firms that do higher ed work. We don't do a lot of the day-to-day advice and counseling and compliance work. We're really more of the break glass in case of emergency firm for colleges and universities. And unfortunately, that fire alarm has been ringing more often," Schwartz added.

Even since the Supreme Court decision over race-based admissions decisions in *Students for Fair Admissions v. Harvard*, higher education entities and universities have been flocking to Big Law for advice. And President Donald Trump's second term has created even more business for firms advising university clients.

The Trump administration has opened dozens of investigations into universities related to alleged Title VI violations regarding antisemitic harassment and discrimination, foreign funding and diversity and equity and inclusion programs.

Several universities, including the University of Pennsylvania and Columbia University, have announced settlements with the government, while others such as Harvard University have challenged the Trump administration's actions in court.

And earlier this month, the Internal Revenue Service proposed new regulations that could cancel the tax-exempt status of universities it claims have given preferential treatment to minority students, a move that could prompt further litigation.

"I'm not aware of a past administration that has used a whole of government approach to try to reform higher education, but that is the agenda here, coming directly from the president and the White House," said Schwartz.

"A college [general counsel] said to me today... that they now feel like they are more heavily regulated than the pharmaceutical or firearms industries," he added.

Gibson Dunn's higher ed group will pull together lawyers from across the firm, including labor and employment, litigation, antitrust and white collar lawyers.

Cynthia McTernan, a partner at Gibson Dunn who also leads the higher education industry group, said that they've designed the industry group in a cross-disciplinary way to reflect the "multidisciplinary approach" the Trump administration has taken in examining higher education.

A number of other firms have existing education practice groups, including Cozen O'Connor, Hogan Lovells Cadwalader, Jenner & Block, Wilmer Cutler Pickering Hale & Dorr and O'Melveny & Myers.

For instance, Harvard turned to Jenner & Block, Quinn Emanuel Urquhart & Sullivan, King & Spalding, Ropes & Gray and Lehotsky Keller Cohen to fight the Trump administration's decision to prohibit international students from enrolling.

Meanwhile, the University of California, Berkeley School of Law has employed Wilmer for assistance, according to a notice letter this month, which alleges the school violated Title VI by discriminating against Asian and white applicants based on race.

And the Ohio State University turned to Ropes & Gray, as it agreed to pay the government \$2.1 million to settle allegations that it failed to disclose ties between its faculty and the Chinese government, according to settlement documents this month.