

10 FAQ

POST-GRADUATE JUDICIAL CLERKSHIPS

1. What is a post graduate judicial clerkship?

In addition to research attorneys who work permanently for a court or “permanent” law clerks who work for individual judges, opportunities exist to clerk for a judge for one or two years. Typically, this employment commences in the September following the bar examination. Clerking responsibilities include research and writing on pending legal issues, drafting legal opinions and managing the judge’s calendar. Occasionally, the post graduate law clerk also assists the judge personally in preparing for speaking engagements and other activities.

2. Do all judges have post graduate judicial clerks?

No. In the state courts in California, post graduate judicial clerkship positions were eliminated in the early 1990s. On the Superior Court level, some judges may have clerks, but they are not hired on a regular schedule and such appointments are infrequent. Other states, however, may have positions open yearly on both the trial and appellate levels. There are resources available to investigate post graduate judicial clerkships out-of-state.

On the federal level, most judges, including appellate judges, district court judges, magistrates and bankruptcy judges, have at least one law clerk on rotation. In recent years, judges have been increasingly inclined to limit the number of rotation clerks in favor of “permanent” clerks. The federal system also has “specialty courts” including Tax Court, the Court of International Trade, the Court of Military Appeals, the Court of Veterans Appeals and the Court of Federal Claims. Some federal agencies that employ administrative law judges will hire judicial clerks. U.S. Supreme Court clerks usually first clerk with federal court judges considered “feeders” to the Supreme Court.

3. Why would I want to clerk?

There are numerous reasons to consider a post graduate judicial clerkship, including but not limited to the following:

- a. To elevate your resume
- b. To benefit from observing the judicial process from behind the bench
- c. To observe attorneys in court and to understand how to practice nor not practice law
- d. To work with people who love the law and debate issues
- e. To receive an introduction to a local bar, perhaps outside the Orange County area
- f. To form a relationship with other clerks and judges
- g. To develop a strong foundation in a particular area of law like bankruptcy, tax.

4. What qualifications do judges generally seek in post graduate judicial clerkships applicants?

In general, judges seek applicants who are academically excellent and belong to law review, moot court, a journal or another honors organization. The federal court and the highest state court tend to be more competitive than the trial court on the state level. The application process in a few courts, especially in the major metropolitan areas, is extremely competitive. Students contemplating a post graduate clerkship are encouraged to “spread their net” as wide as possible.

5. What should be included in an application packet?

Most judges require the following:

- **a cover letter:** The cover letter should highlight your academic excellence, externship experience especially in the judiciary, your geographic nexus to the court's location, and any outstanding/interesting qualities or events in your life that make you stand out. You must create a merge file so that each letter is personalized with an inside address and a salutation with the judge's name.
- **a resume:**
- **a current transcript:** Unless a judge should specify otherwise, a copy of your official transcript should suffice.
- **a writing sample:** The writing sample you choose should be the best piece of unedited legal writing you have done to date. It must be error-free. The sample must be understood by the non-specialist reader.
- **letters of recommendation (3):** At least two of these letters should come from law school faculty members. The third can come from a legal employer for whom you have worked. Each letter should be merged with your data merge file so that the letter is addressed to an individual judge.

The Career Services Office recommends that all documents, including the letters of recommendation, be mailed in one packet. Please consult with the Director of Career Services regarding direct assistance offered by the office in the document collection process.

6. When should you apply?

For state courts, the application period may be as early as the end of your second year of full-time study and as late as the end of your final year. The Career Services Office subscribes to the Guide to State Judicial Clerkships available online at <http://vermontlaw.edu/career>. Username: guide2006 Password: dusty. The office intends to renew this subscription yearly. Application information should also be available on individual state court web sites. When notified, the Career Services Office posts judicial recruiting announcements on LawMatch.

The application timetable for federal judicial clerkships is more formal. All application packets must be mailed on the Tuesday after Labor Day. Only graduating students may request consideration. Hence, the student applies one year before the start date of the judicial clerkships.

Do not wait until the last minute to organize your mailing. Application packets that arrive late are unlikely to receive consideration, as most judges will begin scheduling interviews the following week and begin interviewing one week later.

7. Where can I get directory information on judges?

The Career Services Office subscribes to several directories that should prove helpful in compiling a list of judges. In addition, www.uscourts.gov provides an overview of the federal judiciary, directory information on all judges and actually job postings. See #6 above for state court judicial information.

More and more federal judges are using the online application system exclusively. It is called "OSCAR," the Online System for Clerkship Application and Review

OSCAR is a web based system which allows clerkship applicants to select the federal judges to whom they wish to apply then build and submit their applications on line. Applicants upload cover letters, resumes, transcripts, and writing samples and submit electronic requests for

recommendation letters to their recommenders. When the applications are complete, and according to a pre-set date in September, the judges log on and begin the hiring process.

While not all federal judges have chosen to use the OSCAR system, last year over 385 judges representing all judicial circuits accepted applications only through this system. Access to this system for registration purposes will commence on May 15, 2006.

8. What salary could I anticipate as a post graduate judicial clerk?

Salary depends on the court and may be as low as \$30,000 and as high as \$55,000. Federal law clerks, straight of law school, will be compensated beginning at the JSP-11 level with a cost of living adjustment in certain areas. For most graduates, the long-term benefits far outweigh the low salary.

9. How important is political affiliation?

Most judicial decisions do not turn on politically-charged issues. Do not use the President who nominated a judge as a litmus test of affiliation. Often, a judge's political affiliation can change. Some judges, but definitely not all, seek applicants with their political beliefs. If you get an interview, you would want to research this possibility further.

10. How can the Career Services Office assist me in this application process?

For students applying to the courts in a timely manner (neither too early nor too late), the Career Services Office will

- Review resumes and cover letters
- Act as a clearinghouse for all your documents
- Provide photocopying service for writing sample at no charge
- Assist in packaging for mailing
- Pay the postage