

# **SECTION V**

## ***Judicial Clerkships***

## WHAT IS A JUDICIAL CLERKSHIP?

A judicial clerkship is a position where a graduate works closely with a judge and his staff to handle the court's caseload. Post-graduate clerkships typically last for one or two years, depending on the jurisdiction and/or the discretion of the judge.

Trial level clerks have close contact with the litigation process. Typically they conduct legal research and analysis and draft opinions and bench memoranda for pretrial motions. They also provide advice for the resolution of issues, attend hearings and trials, mark exhibits, and prepare *voir dire* and jury instructions. The clerk is heavily involved in case litigation and essentially serves as a liaison between the judge, attorneys and litigants.

Appellate law clerks focus more on intense writing and editing opinions and bench memoranda. In many ways, an appellate clerkship is a continuation of the law school experience because it is more academic and reflective. Since the facts in an appellate case are limited to those from the trial court, appellate clerks have less contact with attorneys and litigants, and spend little to no time in a courtroom. Instead these clerks work collaboratively with other judges and clerks to create, join or dissent in the opinions of the court.

## WHY CONSIDER A CLERKSHIP?

Judicial clerkships offer a natural transition from the theory you learned in law school to application in the real world. As a clerk, you'll gain insight into inner workings of a judge's chamber and the judicial system. In addition, you will spend significant time developing your writing, research, analytical, communication and interpersonal skills, all of which will make you a better lawyer and more marketable to a wide variety of employers. In fact, many employers—particularly those in academia and litigation firms—place a premium on the training and will give you credit for the time spent working as a clerk.

While there are many advantages, there are additional factors that should be taken into consideration when deciding whether to clerk. For example, clerkships often pay less than other entry-level positions. Also, clerkships are typically short-term positions. Consequently, clerks must seek permanent employment following the conclusion of the clerkship. In addition, judge's chamber staffs are small so clerks often have to perform significant administrative work. Despite these facts, clerks are often the first to say that the value of clerkship far outweigh any perceived disadvantages.

## TYPICAL QUALIFICATIONS

Qualifications will vary by the court. Judicial clerkships with federal or state appellate judges tend to be more competitive than those with state court trial level judges. It is important to check the criteria for each judge to determine how best to position yourself for success. Qualifications regarding federal judges may be found online at [https://oscar.uscourts.gov/qualifications\\_salary\\_benefits](https://oscar.uscourts.gov/qualifications_salary_benefits).

For more information regarding state courts, you may review the individual state's qualifications online using the Vermont Guide to State Judicial Clerkships at <http://forms.vermontlaw.edu/career/guides/>. The password and username may be found on your Symplicity homepage.

## CLERKSHIP APPLICATIONS MATERIALS

Depending on the court and the jurisdiction, you will be required to submit a resume, a cover letter, transcript, writing sample(s) and a list of references or recommendation letters. All of these documents should be free from error. In addition, your cover letter should focus on your: research, writing and analytical skills; ties to the local jurisdiction; common sense; integrity; attention to detail; interpersonal skills; commitment to public sector employment; knowledge of procedural rules; and good communication skills.

## FEDERAL COURT

Many federal judges hire clerks as needed using the OSCAR (online system for clerkship applications and review) online platform to advertise their openings. Please note they do not adhere to a specific hiring timeline. Rather, judges hire on a rolling basis and often years in advance. Consequently, students seeking to apply for post-graduate federal judicial clerkships through [OSCAR](#) should begin to search for clerkship openings that align with their graduation date.

**For rising second-year students:** beginning on July 1, 2017, rising second-year law students (or those graduating in 2019) can gain full access to OSCAR. Applicants will be able to register for an account, upload documents, identify recommenders, search for positions, and submit/finalize applications without any restrictions.

### SPECIAL TIPS:

1. Applying for a federal clerkship is a competitive process in which GPA and class rank are extremely important. Typically, federal judges are looking for students who have ranked in the top 5-10% depending on the applicant's school.
2. Contact your references early to ask for a letter of recommendation. Please remember that your recommenders will need time to prepare a letter on your behalf, upload the same to OSCAR, and are likely fielding recommendation requests from multiple students.
3. All of your written application materials including resume, cover letter and writing sample must be PERFECT. Have your resume and cover letter reviewed early. Spend time incorporating suggested changes to your writing sample. It will be worth the extra effort!
4. For more information concerning the clerkship process, check out *Behind the Bench: The Guide to Judicial Clerkships* by Debra M. Strauss, Esq. available in the Career Development Library.

## STATE COURTS

For state clerkships on the supreme and appellate level: these courts tend to seek applicants earlier and could begin screening candidates as early as spring of your second year of law school if not earlier. For state trial clerkships, you should apply directly to the judge's chamber with resume and cover letter in the summer before your last year in law school.

For more information on State appellate and trial clerkships, see Vermont Guide to State Judicial Clerkships:

<http://forms.vermontlaw.edu/career/guides/>

The password and username may be found on your [Simplicity](#) homepage.

Many Delaware Law students apply to the jurisdictions below:

### **New Jersey:**

Please note that New Jersey has a direct mailing AND centralized process for collecting post-graduate clerkship applications. These processes typically begin in June. New Jersey courts application procedures can be found at:

<http://www.judiciary.state.nj.us/lawclerks/>

Additional helpful information about New Jersey clerkships can be found at:

<http://www.judiciary.state.nj.us/lawclerks/lawclerkletter.pdf>

Note: The Judiciary Law Clerk Vacancy Notice is usually updated in May.

### **Delaware:**

<http://courts.delaware.gov/>

### **Maryland:**

Listing of current judges:

<http://www.courts.state.md.us/hr/judgelist-ex.html>

<http://www.courts.state.md.us/>

### **Pennsylvania:**

<http://www.pacourts.us/courts/#>

Contains links to the various Pennsylvania Courts and listings of current judges/justices.