

# **SECTION V**

## ***Judicial Clerkships***

## **WHAT IS A JUDICIAL CLERKSHIP?**

A judicial clerkship is a position where a graduate works closely with a judge and their 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. Because the facts in an appellate case are limited to those from the trial court proceeding(s), 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 from 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 will gain insight into the inner workings of a judge's chamber and the judicial system. In addition, you will spend significant time improving 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 this 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. Despite these facts, clerks are often the first to say that the value of their clerkship far outweighs any perceived disadvantage.

## **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 to best position yourself for success. Qualifications for federal clerkships 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 located at <http://forms.vermontlaw.edu/career/guides/>. Login criteria are on your [Simplicity](#) 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 search for openings that align with their graduation date and judge's availability. Please also consult [OSCAR](#) for the Law Clerk Hiring Plan, if in effect, outlining a timetable for submission of law clerk applications and timing of the interview process. PLEASE NOTE: not all federal judges follow the voluntary Law Clerk Hiring Plan.

#### **SPECIAL TIPS:**

1. Applying for a federal clerkship is a competitive process in which GPA and class rank are extremely important. Typically, federal judges seek students who have ranked in the top 5-10% depending on the applicant's school; although some federal judges are open to applicants in the top 25% of their class or do not list a class rank preference at all.
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 field recommendation requests from multiple students.
3. All of your written application materials including your 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.

### **STATE COURTS**

State clerkships on the supreme and appellate level 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 chambers with a resume and cover letter in the summer, typically 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 [Symlicity](#) homepage.

Many Delaware Law School students apply to the jurisdictions below:

### **New Jersey:**

Please note that New Jersey has an online centralized process for collecting applications for post-graduate judicial clerkships. These processes typically begin sometime between late-May or mid-June. The New Jersey Courts' application procedures can be found at: <https://www.njcourts.gov/public/find-jobs/become-a-law-clerk>

### **Delaware:**

#### **Delaware Courts**

1. The Delaware Supreme Court – Highest Court – extends offers to clerks as early as late summer, two years in advance of the clerkship. Students seeking to clerk upon graduation should be prepared to send out resumes and required submissions *at the beginning of their second year.*
2. The Delaware Court of Chancery – Trial Court – accepts applications two years in advance of the clerkship. Students seeking to clerk upon graduation should be prepared to send out resumes and required submissions *at the beginning of their second year.*
3. Students seeking to clerk in one of the three counties of the Delaware Superior Court or Delaware Family Court should be prepared to send out resumes and required submissions the *summer before through the beginning of their third year.*

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

### **Pennsylvania:**

1. The Pennsylvania Supreme Court – Highest Court – accepts applications through early spring of the student's second year. Students seeking to clerk upon graduation should be prepared to send out resumes and required submissions *at the beginning of their second year.*
2. The Pennsylvania Superior Court and Commonwealth Court – Mid Level Appellate Court - follow the same schedule as the Supreme Court. Applications are accepted through early spring of the student's second year. Students seeking to clerk upon graduation should be prepared to send out resumes and required submissions *at the beginning of their second year.*
3. The Pennsylvania Court of Common Pleas of Philadelphia (First Judicial District) and other Judicial Districts hire graduates of accredited law schools as full-time personal or pool clerks *when vacancies occur.* Applicants should submit materials to HR to be included in an "eligibility file," and/or also

*apply directly with the hiring judge the summer before their third year.* Pool positions, when available, are posted at <http://courts.phila.gov>.

4. Temporary Internships are available in the fall, spring, and summer as unpaid positions. *Students in these unpaid positions might qualify for the Summer Service program, which supports students who are eligible for and receive a Federal Work Study award and are working off-campus for a non-profit, non-partisan agency in community service. In addition, the Pennsylvania Higher Education Assistance Agency has a similar matching program for Pennsylvania students working for eligible Pennsylvania employers. Questions about these funding options should be directed to the school's Financial Aid office. Students should also look online for fellowships and scholarships for public interest/public service placements.*
  
5. Other Judicial Districts – Applicants should submit materials directly to the trial judge or court administrator for the judicial district where the trial court is located. *Application requirements vary by judicial district.*

<http://www.pacourts.us/courts/#> -- Contains links to the various Pennsylvania Courts and listings of current judges/justices.