

University of Oregon School Of Law

Judicial Clerkship Guidebook

Table of Contents

GENERAL INFORMATION	3
FOREWORD	3
THE BASICS: JUDICIAL CLERKSHIP DEFINED	3
WHY YOU SHOULD CONSIDER A JUDICIAL CLERKSHIP	4
BASIC QUALIFICATIONS	4
BUILDING YOUR APPLICATION	5
HOW TO CHOOSE A COURT	5
THE HARD PART: PREPARING YOUR APPLICATION	5
THE NITTY GRITTY: YOUR APPLICATION UP CLOSE	7
INTERVIEWING	9
PREPARING FOR THE INTERVIEW	9
THE INTERVIEW	9
AFTER THE INTERVIEW	10
APPENDIX: RESOURCES	11
CLERKSHIPS GENERALLY	11
FEDERAL JUDICIAL CLERKSHIPS	11
STATE JUDICIAL CLERKSHIPS	12

General Information

Foreword

By now, you've probably heard about judicial clerkships, but have a slew of questions. The purpose of this guidebook is to outline the types of judicial clerkships available, explore the application process and related timelines, and to point out additional resources to help with your job search. If you do not see the answers you are looking for, please check with a member of the Center for Career Planning and Professional Development (the Career Center) for additional information. We are happy to help. Good luck!

The Basics: Judicial Clerkship Defined

Judicial clerkships take place after graduation from law school and typically last for one-to-two years. A judicial clerk is a full-time, paid assistant to a judge. Their responsibilities will depend on the judge and the court, and may include legal research, drafting memoranda and court opinions, proofreading, cite checking, and maintaining the docket and library.

Trial court clerks are usually more involved with the litigation process than appellate court clerks. Trial court clerks often get tasked with drafting trial briefs and opinions, maintaining correspondence with attorneys and witnesses, and assisting with the various stages of litigation. Appellate court clerks usually spend the majority of their time reviewing trial court records and briefs, researching applicable law, and drafting memoranda and opinions. You should consider these differences when deciding the court for which you are interested in clerking.

A judicial clerkship is not the same thing as a judicial externship. Judicial externships are rarely paid and are performed prior to graduation, either in the summer or during the school year. Judicial externships can be an excellent stepping stone toward obtaining a clerkship after graduation, but you should check with the judge you are interested in working for, as some judges make it a point not to hire their externs as clerks.

For more information about judicial externships, please visit <https://law.uoregon.edu/become-practice-ready/field-placements>.

Why You Should Consider a Judicial Clerkship

A judicial clerkship is an excellent stepping stone between law school and the professional world. A clerkship provides an unparalleled view into the judicial system. Clerks gain exposure to a wide variety of substantive law while sharpening legal research, writing, and analytical skills. Judicial clerkships represent one of the primary entry-level positions currently available to new law school graduates, and offer an experience that the majority of legal employers value in new hires. Graduates pursuing all practice areas will benefit from the experience, networking, and resume boost gained from performing a judicial clerkship. Unlike many student externships, judicial clerkships are paid. See https://oscar.uscourts.gov/qualifications_salary_benefits#salary. Starting salaries for state judicial clerks vary based on the jurisdiction.

Basic Qualifications

Judicial clerkships are only offered to law school graduates, and federal clerkships typically require U.S. citizenship. See https://oscar.uscourts.gov/citizenship_requirements for more information. Beyond that, hiring considerations vary by judge and court. High grades and class ranking are helpful, but not dispositive. An applicant's experiences in college, law school, and the professional world are all things judges consider when hiring clerks. You should research the court(s) and judge(s) you are interested in for more detailed information on their hiring criteria. The Vermont Law School Guide to State Court Clerkships is a helpful place to begin your state court-related research (see Appendix A for link and password). For further information related to federal eligibility requirements, see https://oscar.uscourts.gov/qualifications_salary_benefits#qualifications.

Building Your Application

How to Choose a Court

There are a number of factors to consider when choosing where to apply. As a general rule of thumb, be open to new locations, but do not apply to a court in a city or state where you would never live, even short-term. Federal clerkships are more prestigious (and therefore more competitive) than state clerkships, and higher courts are more prestigious than trial courts. As mentioned above, trial clerks tend to get more hands-on litigation experience, while appellate clerks usually do more research. The type of court that appeals to you will depend on the sort of experience you want to get out of your clerkship. See <http://abovethelaw.com/career-files/preparing-your-clerkship-application/> and <http://thegirlsguidetolawschool.com/08/how-to-decide-what-clerkship-to-apply-for/> for more ideas on where and how to apply.

The Hard Part: Preparing Your Application

First, make sure you are working on these five steps:

1. Get on OSCAR. <https://oscar.uscourts.gov/register>
2. Contact your recommenders.
3. Build an extensive list of judges. (Be inclusive. If you really want a federal clerkship, you should be willing to move.)
4. Complete a Judicial Clerkship Recommendation Letters Request Form, available in the Career Center or in the document library on Symplicity.
5. Update, tailor, and polish your resume, cover letters, and writing sample. Call or visit the counselors in the Career Center for help.

Federal Court Clerkships: The Federal Law Clerk Hiring Plane is in its 2nd Pilot Year.

For students who enter law school in 2018 (graduating class of 2021) Judges will not seek or accept formal or informal clerkship applications, or seek or accept formal or informal recommendations, before **12:00 pm EDT on June 15, 2020**.

Judges also will not directly or indirectly contact applicants, or schedule or conduct

formal or informal interviews, or make formal or informal offers, before **12:00 pm EDT on June 16, 2020.**

A judge who makes a clerkship offer will keep it open for at least 48 hours, during which time the applicant will be free to interview with other judges.

Students will gain access to OSCAR on February 5, 2020 to register for an account, upload documents, search for clerkship positions, and build online applications. The system will store these applications and release them to judges on June 15, 2020 at 12:00 pm EDT.

Students should regularly check OSCAR and sign up to receive notifications of new clerkship openings to ensure that opportunities are not missed. For more information on the suggested guidelines and best practices offered to federal judges for consideration in the hiring process, see <https://oscar.uscourts.gov/hiring-practices>.

If you do not secure a clerkship for the year following graduation (or even if you do), you should consider applying for subsequent years because some judges prefer to hire experienced attorneys as law clerks.

Although some judges do not widely distribute notices of openings, there are now some significant databases on the Internet that post notice of many of these opportunities (see Appendix A for links). In some cases, however, you may need to contact the judge or court to determine the application process and time frame.

State Court Clerkships: Many state trial judges hire judicial clerks. Application deadlines vary depending on state, court, and judge. For the most part, deadlines fall between the December and February before graduation. However, some courts start much earlier. New Jersey, Michigan, and Alaska may begin advertising up to 15 months before the clerkship start date, and Portland-area judges hire year round as needed. Students should check with the court(s) of their interest for precise dates.

Generally, state appellate courts hire during a student's second year of law school. The Oregon Supreme Court, Court of Appeals, and Tax Court typically advertise openings in December or January of the second year. This notice is posted on Symplicity. The deadline this year is April 6, 2020. See

<https://www.courts.oregon.gov/courts/appellate/go/Pages/LawClerk.aspx>. Interviews

are in May and June, and offers typically extended by July 1. A student submits one application to the Oregon Judicial Department, which goes to all judges with openings.

Students interested in applying for judicial clerkships in other states must usually submit applications to each judge of their interest. Many appellate judges post their own notices of openings and set their own timelines for applications. Most will take applications and hire during the second semester of a student's second year of law school, with some exceptions. A student interested in clerking with a state appellate judge outside Oregon should check with the Career Center during their second year. If information on a particular judge is not available in the resources in the Appendix, the student should contact the court or judge's chambers about the application process and upcoming openings.

The Nitty Gritty: Your Application Up Close

Judicial clerkships are competitive, so your application should be flawless. Mistakes and typos will not be forgiven. For additional help on composing your application, check out <http://thegirlsguidetolawschool.com/08/make-your-clerkship-application-shine/> and <http://abovethelaw.com/career-files/preparing-your-clerkship-application/>, and visit the Career Center.

The Cover Letter: This gives the judge his or her first impression of the applicant. If it is not polished and error-free, the applicant will not get an interview. Cover letters should be brief (with rare exception, limit to one page), but inclusive. Explain why you want to clerk for the specific judge, court, and/or geographic location. If your connection to the area is not obvious, be sure to point it out. If the court is specialized, such as the Oregon Tax Court, explain why you are interested in that particular area of law. Summarize your legal training, scholarship, and intellectual achievements, using specific examples; describe a research project you particularly enjoyed working on, or a law review experience that developed a particular skill. Highlight qualifications that the judge prefers, such as a public service background, or academic focus. Consider including a paper or published piece that you discussed in your cover letter. If you did not participate in a journal, emphasize other writing experiences and achievements.

Resume: Your resume should be no longer than two pages and should include your most recent cumulative grade point average, membership to organizations, research and writing experience, and recent and relevant work experience. Highlight journal membership, publications, and research projects. Elaborate on relevant work experience, such as summer intern/externships.

Transcripts: Do not forget to include an unofficial transcript with each application. Send an official transcript if the judge requests one.

Letters of Recommendation: Judges usually require 2-3 letters of recommendation. These should be from professors who know you well and can write about your specific skills and achievements. Professors who you have researched or written for are good examples. A third letter may be from a supervising attorney. To obtain letters of recommendation from your professors, please follow the instructions included on the Judicial Clerkship Recommendation Letters Request Form available in the document library on Symplicity. Please note that requests can take up to three weeks to process.

Writing Sample: Your writing sample should be your best work. It can be a paper, law review note, article, or memorandum. Your sample should be between five to ten pages. If the piece you want to use is longer, use an excerpt and label it as such. If you wish to use a piece from work, get permission and make sure any confidential information is removed. Your sample should be self-edited and proofread. Many judges consider your cover letter your most accurate writing sample and recognize that the writing sample you submit has been written, edited, and rewritten. Be aware that some judges require more than one writing sample so it is good practice to keep a longer sample (approximately 10 pages) and a shorter sample (approximately 5 pages) on hand.

Interviewing

Preparing for the Interview

Judicial clerkship interviews are even more important than the application. Judges only invite students who they are genuinely interested in for interviews, so not very many are given. You should be prepared to accept an interview promptly. If you have applied for clerkships out of state, you can politely request interviews to be scheduled in the same time frame, but be prepared to make multiple trips. Some out-of-state judges will allow interviews over the phone or by video conferencing. You should talk with the judge and the Career Center beforehand to make arrangements.

Interviews typically last between 15 minutes and 2 hours. You should prepare a list of questions to ask the judge and be prepared with answers to questions they may ask you. Be especially prepared to discuss your writing skills, particularly anything mentioned in your resume or cover letter, and your writing sample. Brush up on your knowledge of the judge with whom you are interviewing and the court in which they preside. Also be prepared to chat with the other clerks and the secretary before or after the interview. Not only can they offer helpful advice, but the judge will consider their opinion of you, too, because you will be working with them if you are hired. The day before the interview, call to confirm the date, time, location, and duration of your interview. For additional preparation, schedule a mock interview with the Career Center.

The Interview

Arrive early. As with any interview, timeliness is vital. Give yourself time for traffic, getting lost, and other life variables. Bring an extra copy of your resume, cover letter, transcript, and writing sample with you. Try to relax. Judges understand that the process is harrowing. They want to get to know you more than what you know, so do not worry about getting grilled on legal knowledge. Be prepared to accept or decline an offer for the clerkship at the end of your interview. If an offer is extended, you may not be given the

opportunity to think about it, or wait to hear from a preferred court. This is why you should not apply for a clerkship that you do not actually want.

After the Interview

Promptly send a thank-you note to the judge for his or her consideration of you as a candidate. The note should be respectful, flawlessly written, and professional in tone, and should sincerely communicate your ongoing interest in the position.

If you accept an offer for a clerkship, you need to notify all judges with whom you have interviewed or accepted an interview so they can take your application off the table. Also be sure to let the Career Center know about your new clerkship.

Appendix: Resources

Clerkships Generally

Northwest Consortium Judicial Clerkship Database: The database for the west coast and Rocky Mountains. It is an excellent resource for judicial openings.

<http://law.byu.edu/northwest-consortium/judicial-clerkship-information.php>

The American Bench: Judges of the Nation.

Available in the reference section of the Law Library

CQ Press Federal & State Judicial Clerkship Directory: General information about federal and state court systems.

Available in the Career Center

Judgepedia: An online encyclopedia of courts and judges.

<https://ballotpedia.org/Judgepedia>

The Robing Room: Attorneys and professionals review judges.

<http://www.therobingroom.com>

Above the Law: Advice on finding and applying for judicial clerkships.

<http://abovethelaw.com/careers/law-students/>

The Girl's Guide to Law School: The pros and cons of clerkships, how to choose a court, and how to improve your application. Despite the name, the advice is gender neutral.

<http://thegirlsguidetolawschool.com/get-a-lawjob/federal-judicial-clerkship-application/>

Symplicity: In the Document Library you can find the directions and form for requesting recommendation letters. Many Oregon-based state and federal clerkships are also posted in Symplicity.

Federal Judicial Clerkships

OSCAR: This should be one of the first sites you visit. You can search for clerkships, find important deadlines, and edit and submit applications.

<https://oscar.uscourts.gov/drupal/content/federal-law-clerk-hiring-plan>

NALP: Helpful information about navigating the clerkship process.

<http://www.nalp.org/judicialclerkships>

Federal Judicial Center: Has biographies of federal judges
<http://www.fjc.gov/public/home.nsf/hisj>

United States Courts: Has information on federal courts and working for the judiciary.
<http://www.uscourts.gov>

Almanac of the Federal Judiciary: One of the best reference works for federal judicial biographies.
Available on Westlaw and in the reference section of the Law Library

Behind the Bench: The Guide to Judicial Clerkships by Debra M. Strauss
Available in the Career Center

State Judicial Clerkships

Oregon Judicial Department: The resource for Oregon Courts and information about clerkships.
<https://www.courts.oregon.gov/courts/appellate/go/Pages/LawClerk.aspx>

Vermont Law School Guide to State Judicial Clerkships
<http://forms.vermontlaw.edu/career/guides/>
Username: silver
Password: maple

National Center for State Courts: Job Postings and State Court directory.
<http://www.ncsc.org>

CQ Press Directory of State Court Clerks & County Courthouses: Basic phone and address information for state trial court clerks.
Available in the Career Center