

VERMONT LAW SCHOOL

OFFICE OF CAREER SERVICES
JUDICIAL CLERKSHIP INFORMATION GUIDE
2008 - 2009

JUDICIAL CLERKSHIPS

Introduction

There are numerous resources available to help you decide whether clerking is right for you – as well as explaining how to navigate the application process. Many of these resources are listed below, but the following is designed to provide a more general discussion of clerking that will help point you in the right direction.

What is a judicial clerkship?

A judicial clerkship is the opportunity to work directly for a judge or judges. Typically, judicial clerkships last for a period of one or two years. The primary duties of a judicial clerk involve assisting a judge with a variety of tasks, including conducting legal research, drafting opinions, editing, writing memoranda, analyzing legal issues, and performing cite checks.

Value of a clerkship

The value of a judicial clerkship to your professional development and ultimate career success cannot be overstated. It is an excellent way to bridge the gap between law school and the practice of law. Serving as a judicial clerk after law school can be an extremely beneficial experience for a variety of reasons:

- Clerks have the rare opportunity, at the start of their careers, to view the judicial process from the perspective of a judge.
- Judges often develop mentoring relationships with their clerks, which continue after the clerkships end.
- Clerks may have the opportunity to meet and observe many attorneys, which not only may lead to future employment possibilities but also provides the opportunity to see different advocacy styles in action.
- Because legal employers hold judicial clerkships in high regard, your marketability will likely improve as a result of your clerkship.

Clerkship opportunities

There are a range of clerkship opportunities available. Judicial clerkships exist at both the federal and state levels. Clerkships are also available in specialty courts and within administrative agencies. When considering clerkships, think about the following opportunities:

- Federal district and appellate courts
- Federal bankruptcy courts
- Court of International Trade
- Court of Federal Claims

- Tax Courts
- State supreme and appellate courts
- State general trial courts
- State specialty courts
- Court Staff Attorney positions

- Administrative law tribunals, such as the US Nuclear Regulatory Commission - see <http://www.nrc.gov/about-nrc/employment/judicial-law-clerk.html>

There are some basic differences between trial and appellate level clerkships. A trial court judicial clerk's duties generally are broader in scope and relate to the litigation process. In contrast, an appellate court clerk's duties are more academic in nature since they involve addressing more complicated legal issues in depth. Clerks in specialty courts will perform duties similar to trial court clerks while gaining a greater understanding in a particular field of law.

Where have Vermont Law School graduates clerked?

VLS graduates have clerked across the country, on both the federal and state level. Here is a sampling from the Class of 2007:

- the U.S. Court of Appeals for the Second and Third Circuits;
- the U.S. District Court in Bangor, ME;
- federal administrative law judges in DC and AZ; and
- the AK, CO, CT, DE, HI, MA, ME, MD, NH, NJ, and VT state trial and appellate courts.

How do I learn more about judicial clerkships?

In addition to talking with counselors in OCS, faculty and alumnae who have clerked can be excellent sources of information on the particulars of clerking. Additional print and online resources available to learn about state and federal judges and judicial clerkships include:

- **Almanac of the Federal Judiciary:** A two-volume set, the Almanac gives thumbnail sketches of judges, including biographical information, summaries of noteworthy opinions, and anonymous critiques by lawyers (available in the Career Services library).
- **Federal Judiciary:** www.uscourts.gov – Information about and links to federal courts.
- **Online System for Clerkship Application and Review (“OSCAR”):**
<https://oscar.symplicity.com/index.php> - the single centralized resource for notice of available federal clerkships, clerkship application information, and law clerk employment information. [The U.S. Tax Court, the U.S. Court of Appeals for the Armed Forces, and the U.S. Supreme Court are not included in OSCAR.]
- **Judicial Yellow Book:** The Yellow Book contains biographical profiles and contact information for federal judges and state appellate judges, including education and previous experience. The profiles can also include staff information, when provided by chambers, including law clerks with law schools attended (available in the Career Services library).

- **VLS Guide to State Judicial Clerkship Procedures:** Published annually by VLS, the Guide describes clerkship opportunities for all levels of state courts throughout the U.S. (Available in the Career Services library and online at [http://www.vermontlaw.edu/career/index.cfm?doc_id=93]).
- *Want's State and Federal Directory of Judges* for an overview of each state's court system, a list of state court appellate judges, and a list of federal judges (available in OCS).
- See "Additional Resources" attached hereto as Appendix A.

The application process

What application materials are required?

Applications for judicial clerkships generally include:

1. Resume (see samples at [<http://www.vermontlaw.edu/emplibrary/ACF15C6.pdf>])
2. Cover Letter (see Clerkship Cover Letter handout at [<http://www.vermontlaw.edu/emplibrary/ACF724C.pdf>])
3. Transcript – Make sure the registrar has listed, if appropriate, Law Review, Vermont Journal of Environmental Law, Moot Court, Dean's Fellow, TAMCT, etc.
4. Letters of Recommendation – We suggest that you send out the required number of letters of recommendation with your initial application. At least one letter of recommendation should come from a law professor who is familiar with your research and writing skills. The other letter(s) may come from past or present employers who are familiar with your work.
5. Writing Sample – Check the particular judge's application requirements to determine whether or not a writing sample is required. If a writing sample is required, you should submit your best work (it should be yours alone, not something written jointly or edited by another). A legal memorandum or brief is most appropriate; however, you may use an article you wrote for a journal, if you wish. Your writing sample should not exceed 8 – 10 pages.

How do I begin the process of applying for post-graduate judicial clerkships?

The following steps are designed to help you begin (and plan) the process of applying for a post-law school judicial clerkship.

Step 1 – Identify the state and federal court judges in your geographic area(s) of choice

Clerkships, particularly on the federal level, are extremely competitive. As such, OCS encourages students to be mindful of the number of states and judges to whom they apply. Notwithstanding that OSCAR simplifies this process on the front end of the federal level, it can become quite expensive to apply for clerkships because of the cost of sending the materials and traveling to an interview, both of which you will bear. We suggest that you focus on geographic areas to which you

have ties and/or where VLS graduates have been successful in the past (see above). To begin your list:

1. Consult the available resources for an overview of the federal judiciary - with links to individual federal courts.
2. Consult with OCS for a list of the states in which VLS students apply most frequently.

Step 2 – Research how your judges hire and when their deadlines are

State court judges hire in one of two ways: either you apply directly to the individual judge or centrally to an office that facilitates the hiring of judicial law clerks for a judge. Deadlines also vary from court to court, from the spring of the second year to the fall of the third year. Familiarize yourself with the applicable deadlines.

1. Consult *The VLS Guide to State Court Judicial Clerkship Procedures*. You may need to supplement this step by going to state court web sites and/or calling individual courts.

Federal judges all hire directly and require that you submit (or have uploaded onto the OSCAR system to be released) your materials on the same day – historically, the day after Labor Day. They vary in that each judge may request different application materials and/or may require that you **only** submit your materials in a specific way (either online or via U.S. mail).

2. Federal judges list their application materials on OSCAR, which is the single centralized resource for notice of available clerkships, clerkship application information, and law clerk employment information. Judges indicate whether they are not hiring or, if they are hiring, whether they wish to receive applications electronically or in hard copy. Follow the link to OSCAR for user guides and general information.
3. We recommend you develop a chart to keep track of the different requirements of each state and/or judge. See Appendix B for a sample chart and Appendix C for a sample time line.

Step 3 – Research the judges

Research the judges on your list to help you prepare your cover letter.

1. For state court judges, consult the *Judicial Yellow Book* (in OCS) and state court web sites.
2. For federal judges, consult the *Judicial Yellow Book* (in OCS) and the *Almanac of the Federal Judiciary* (available in OCS and online via Westlaw).

Step 4 – Prepare Your Application Materials

Application materials are critical when applying for judicial clerkships. The primary responsibilities of a law clerk are research and writing, and your application materials are the first indication of your ability to perform these skills. If you have grammatical, typographical, or spelling errors anywhere in your materials, you will likely be eliminated as a candidate. As noted above, the typical clerkship application includes a cover letter, resume, transcript, writing sample, and letters of recommendation from faculty members and/or employers. See the OCS handout (available in OCS or online following the links provided) for more details on each of the application materials listed above and to view samples.

Step 5 – Work with the Faculty and the Office of Career Service

Faculty letters of recommendation are typically requested by judges. It is critical that you give faculty members a reasonable amount of time to prepare a letter, and OCS time to process requests, so contact them early on in the process. Career Services helps facilitate clerkship applications by providing a mail merge service for faculty letters of recommendation. Specifically, we merge the faculty member's letter to the list of names and addresses that you have prepared. **We recommend that you submit Clerkship Mail Merge Request forms, a copy of which is attached as Appendix D, and faculty letters of recommendation to our office at least one month prior to the due date.** **Note: Since not all faculty members use this service, it is important that you coordinate this part of the process with your recommenders directly.**

Student cover letters may also be merged to your list by Career Services (or through the OSCAR system).

For more information:

If you have questions about whether a judicial clerkship is right for you, where to apply, or how to prepare your application materials, Career Services counselors are available to assist you. To schedule an appointment, please call 802-831-1243 or stop by our office, which is located on the second floor of Dearing House above Barrister's Bookstore.

Appendix A Additional Resources

OSCAR - Online System for Clerkship Application and Review
<http://oscar.symplicity.com>

The Federal Court Locator
<http://vls.law.vill.edu/Locator/fedcourt.html>

Federal Court Information
http://dir.yahoo.com/Government/U_S__Government/Judicial_Branch/Federal_Courts/ - And -
<http://www.courts.net>

Federal Judicial Center
<http://air.fjc.gov/newweb/jnetweb.nsf/hisj> - comprehensive and fully searchable judge biographies.
For FJC's list of judicial vacancies and nominations go to -
<http://www.uscourts.gov/vacancies/judgevacancy.htm>

Federal Judiciary Home Page
<http://www.uscourts.gov/employment/vacancies.html#>

Federal Magistrate Judges Association - contains information about clerkships with federal magistrate judges and allows you to e-mail your resume as an attachment
<http://www.fedjudge.org/content/lawclerks.htm>

Vermont Law School's Guide to State Judicial Clerkship Procedures
http://www.vermontlaw.edu/career/index.cfm?doc_id=93

Senate Judiciary Committee Judicial Nominations and Confirmations
<http://judiciary.senate.gov/nominations.cfm>

State and Local Government on the Net
<http://www.statelocalgov.net/index.cfm>

U. S. Federal Courts Finder
<http://www.law.emory.edu/FEDCTS/>

Yale University
<http://www.law.yale.edu/outside/scr/library/nom/index.asp> - database of recent federal judicial nominations and confirmations

Behind the Bench; the Guide to Judicial Clerkships, Strauss, 2002 by the BarBri Group (in OCS library)

Federal Appellate Court Clerking: A Survival Guide, Joseph L. Lemon, Jr.

http://maestro.abanet.org/trk/click?ref=zpqri74vj_3-4186x1614dx12282&

Federal District Court Clerking: A Survival Guide, Calvert G. Chipcase

<http://www.abanet.org/abastore/index.cfm?section=main&fm=Product.AddToCart&pid=5150313>

Appendix B
Clerkship Mail Merge Request Chart

Student Name: _____

State/Level of Court e.g. VT Supreme Court or MA Probate Court, etc.	Contact Information e.g. central contact or judge(s) name(s)	Application materials See <i>Guide to State Judicial Clerkship Procedures</i>	Application Due Date(s)
		Cover letter Letters of Recommendation: _____ _____ _____ Resume VLS transcript Writing sample	
		Cover letter Letters of Recommendation: _____ _____ _____ Resume VLS transcript Writing sample	
		Cover letter Letters of Recommendation: _____ _____ _____ Resume	

		VLS transcript Writing sample	
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Appendix C
Time Line

spring / before leaving for the summer / early summer (at the latest)	<ol style="list-style-type: none"> 1. Familiarize yourself with the <u>federal</u> clerkship application process. 2. Ask VLS faculty for letters of recommendation.
spring semester through the fall semester (since deadlines vary)	<ol style="list-style-type: none"> 1. Research <u>state</u> court judicial clerkship application deadlines. 2. Submit Clerkship Mail Merge Request form and electronic copy of <u>state</u> clerkship cover letter to OCS one month before application deadline. Note: many judges prefer to receive the application materials early.
spring – summer	Start compiling your <u>federal</u> and <u>state</u> clerkship application materials
Summer - fall	Continue to monitor <u>state</u> court deadlines.
Early September (see OSCAR for exact date)	Mail <u>federal</u> clerkship applications today and/or have prepared on OSCAR for “release” from system.

Appendix D Judicial Clerkship Mail Merge Request

To the student: Please complete this form to initiate your participation in the state judicial clerkship mail merge process. The information you provide allows us to track our progress in completing your requested cover letters and/or letters of recommendation. Note: due to the high volume of requests, you can expect to receive your letters **within 2 – 3 weeks**.

Name: _____ Class year: _____

I would like the following materials merged: __ Cover Letter* __ Letters of recommendation**

*Please email your cover letter to both Matthew Houde, mhoude@vermontlaw.edu, and Barbara Lernihan, blernihan@vermontlaw.edu.

State Court Mailing Addresses: For all state courts besides New Jersey and Alaska, please provide the state court mailing addresses in an Excel spreadsheet using the instructions provided below. Note: Judges' contact information changes frequently, so the spreadsheet insures that we have the correct information. For New Jersey and Alaska, see Barbara Lernihan for instructions.

1. Open Excel Template:
 - a. File → Open → K:\Students\Shared\Career Services Template\Template.xls
2. Rename and save the file before entering your data:
 - a. File → Save As → Select your drive → Name your file, e.g. Yourlastname.statename.xls
3. Type your data into the spreadsheet:
 - a. Move your mouse pointer to cell A3 (Mr./Ms. column) and click. Enter your data.
 - b. Tab to next cell (B3 - FNAME), first name. Enter your data.
 - c. Tab to next cell (C3 - MNAME), middle initial. Enter your data.
 - d. Tab to next cell (D3 - LNAME), last name. Enter your data.
 - e. Tab to next cell (E3 - SUFFIX), suffix (e.g. Esq.). Enter your data.
 - f. Tab to next cell (F3 - RTITLE), title (e.g. Hiring Attorney). Enter your data.
 - g. Tab to next cell (G3 - ENAME1), first line name of court. Enter your data.
 - h. Tab to next cell (H3 - ENAME2), second line name of court. Enter your data.
 - i. Tab to next cell (I3 - ADDRESS1), first line of address. Enter your data.
 - j. Tab to next cell (J3 - ADDRESS2), second line of address. Enter your data.
 - k. Tab to next cell (K3 - CITY), city. Enter your data.
 - l. Tab to next cell (L3 - STATE), state (e.g. VT). Enter your data.
 - m. Tab to next cell (M3 - ZIP), zip (e.g. 05068 or 05068-0171). Enter your data.
 - n. You have completed entering one address. Press the "Enter" key to return to column A and the next row number. Repeat steps a – m for all addresses.

4. When finished entering your data, please save your file (it is a good idea to save frequently to ensure you don't lose your data in the event of a power outage):
 - a. File → Save As → Select your drive → Yourlastname.statename.xls
5. When finished entering and saving your data, send your electronic file to both Matthew Houde, mhoude@vermontlaw.edu, and Barbara Lernihan, blernihan@vermontlaw.edu, for processing.

Submit this form and an electronic copy of your state clerkship cover letter to Career Services one month before the application deadline.