



Feature

Working in Chambers: Judicial Clerkships Provide a Unique Career Experience

By Ursula Furi-Perry

For law students and new attorneys, judicial clerkships are exciting and highly coveted positions with plenty of responsibilities and rewards alike. “A judicial clerk is someone who acts as the judge’s assistant at every stage of the proceeding,” explained Debra Strauss, attorney and former federal clerk for the Southern District of New York. She is also the author of *Behind the Bench: The Guide to Judicial Clerkships* and the mind behind www.judicialclerkships.com. “The experience is very close and personal and also varied.”



From sitting in at pretrial conferences to helping with motions to conducting legal research to preparing *voir dire* questions and jury instructions, judicial clerks are closely involved with cases. “They may also help in chambers, write speeches, and accompany the judge to events,” Strauss said. Most appointments last for a year, but some clerks hold the position

for up to five years, with qualifications and appointments differing by jurisdiction. Judicial clerks’ tasks often vary according to the level and location of the court for which they work. While clerks at the trial level are highly involved in the courtroom, “there are clerkships at the appellate level which involve more research and writing in chambers and less courtroom exposure,” said Strauss, noting that judges often rely heavily upon their clerks’ research and writing skills.

Research and writing have taken up the majority of Mary Theresa Kenny’s time. The recent graduate of Pace University School of Law just finished a one-year clerkship at the New York State Superior Court’s Appellate Division, Third Department. “We prepared preliminary reports for the panel of judges who will be hearing a particular case,” Kenny described. Between reading trial court records, identifying and researching legal issues, and writing recommendations to the court, Kenny found she had to manage her time well. “We had deadlines, and I needed to understand that I wasn’t going to get an extension,” said Kenny.

In addition to time constraints, judicial clerks are challenged by “having to switch caps so quickly,” Kenny said, explaining she could find herself researching labor law one day and writing about criminal issues the next. “You need to be able to work under pressure and juggle many different tasks,” agreed Strauss. “The knowledge that what you do is real, rather than a law school exercise, is a bit overwhelming at first.” Kenny found the reality of her job one of the most rewarding parts

of her clerkship, particularly “when you’re involved in a case where someone has been seriously wronged and lost on the lower level and the court is able to rectify the situation.”

Getting face time with a learned judge is also among the job’s rewards. “You’re working with a judge who is so wise and learning a tremendous amount about the actual practice of law, which cannot be learned in any other part of the law,” Strauss believes. One of the things Kenny learned while reviewing other attorneys’ oral arguments is that the scripts so often used by law students don’t usually work in real life. “You need to know your case inside out, and it’s better to respond to your opponent’s argument,” Kenny said. Besides other attorneys, clerks work closely with all court employees. “Life in chambers is very egalitarian,” explained Strauss. “It’s important to have a teamwork attitude.” In fact, increasing numbers of judicial clerks are taking these positions after having worked in a legal environment. “Most clerkships are directly after law school, but there has been an increasing trend for lawyers with a year or two of practice [to become clerks],” Strauss said.

When it comes to these prestigious positions, it’s no surprise that landing the job can be difficult. “Clerkship positions are so competitive to obtain,” said Strauss. “Given the great number of applicants for each position, judges look to grades, law review involvement, and evidence of strong research and writing skills.” While top students usually end up in top positions, Strauss and Kenny both recommend that students participate in internships or externships with a judge during their time in school. Doing so might also help with the competition. “That was one of the highlights of my law school experience,” said Kenny of her internship. “[The judge] really took time with her interns and showed us how to improve our writing skills.”

Both Strauss and Kenny advised candidates to keep a wide variety of potential positions in mind, looking to different



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levels and locations. Applicants should also “have a strong writing sample edited and ready to go and have their letters of recommendation organized,” Kenny recommended. “It was

a fantastic experience and one that I would absolutely do again.”

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