



Feature

## Judging the Judiciary: Is a Position With the Courts Right for You?

By Cary Griffith

**The American judiciary is one of the largest legal employers in the world. It has offices in most cities, every county, and at the highest levels of state and federal government. Among its ranks are some of the most powerful figures in law. It has more employment opportunities than most corporations on the Fortune 500 list. And it offers some of the profession's best health, retirement, and related benefits. But it's not for everyone. Is it right for you?**



### The American Judiciary

At its most fundamental, the American judiciary is comprised of court systems designed to interpret and apply the laws to resolve disputes. Because there is a U.S. Constitution, state Constitutions, and federal and

state laws, there are federal and state judiciaries.

While that sounds relatively simplistic, the modern apparatus designed to support the American judicial system is anything but. At a federal level, the number of institutions and employees dedicated to providing administrative, legal, management, and program support and services to the federal court system is massive. "In 1940," according to the Administrative Office of the U.S. Courts, "the ... Office... consisted of some 70 employees providing basic administrative support to about 1,800 judiciary employees. Today, over 900 employees provide a broad array of support services to the Judicial Conference and its committees, as well as to the more than 30,000 judiciary employees working in more than 800 locations."

Similarly, state judiciaries are comprised of several different types of offices, thousands of employees, and are among each state's largest employers. The Judicial Branch of Illinois, for example, includes the Illinois Supreme Court, the Illinois Appellate Court, and the Circuit Courts. Of course, the Illinois judiciary is much larger than just the courts. Administrators support the judges, and professionals prosecute and defend everyone appearing before the judges.

Similar to the Administrative Office of the U.S. Courts, Illinois has the Administrative Office of Illinois Courts. The Administrative Office provides the necessary support to help manage the state's complex legal system. Additionally, four related offices comprise the Administrative Office. All of the

preceding illustrates that the federal and state judiciaries are among the largest legal employers in the country.

### Judiciary Jobs

Do you have to be an attorney to work for the judiciary? Of course not. The American judiciary employs a wide variety of non-attorney professionals. Visit the Federal judiciary website and you can search through a list of jobs ranging from Administrative Law Clerk to Case Manager to Official Court Reporter to Satellite Librarian to U.S. Probation Officer, and more than 30 other possible positions. But are any of these, or their state judiciary counterparts, worth pursuing?

That depends.

When asked what he liked about his job, Harry Gaylord, a Law Librarian with the Supreme Court Law Library of Illinois, said, "I would say mainly the legal research, helping people find what they need from our legal materials." He couldn't think of anything he didn't like. When pressed, he finally said, "The pay could be a little bit better, but I can't complain about that either. I went into this profession not expecting a lot of money. There are more important things in life than money."

### Compensation and Other Occupational Benefits

Harry Gaylord's perspective may be a good one if you're banking on a career in the American judiciary. Even if you're a top judge, the vast majority of law firm partners are going to be much better compensated than you. To put it in perspective, the 2000 Year-End Report on the Federal Judiciary (published each year by the U.S. Supreme Court) stated: "As of January 1, 2001, our federal district court judges make \$145,100 and our court of appeals judges are paid \$153,900 per year. Yet many partners in top firms in large cities now make in excess of \$500,000 per year."

States judges' salaries aren't much better. In Ohio, the Chief



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Justice's 2004 salary was \$136,800, while Ohio Supreme Court Justices earned \$128,400, Court of Appeals Judges \$119,700, a full-time Municipal Court Judge \$103,450, and a part-time County Court Judge \$59,500.

At those rates, particularly when compared to their private-practice colleagues, federal and state judges aren't burning up the earnings ladder.

Still, for many lawyers the benefits of being a judge outweigh compensation concerns.

"I like being an appellate judge," explains James C. Nelson, a Justice for the Montana Supreme Court. "I've always enjoyed researching legal issues and writing. [And] I like the ability to make a significant difference in people's lives." Nelson identifies two common reasons most judges enjoy their work: its nature (research and writing), and its inherent importance.

### Becoming a Judge

If those judicial salaries sound reasonable, you could consider getting a job as a judge. But at least for the higher level position, it's not easy. Again, according to the U.S. Courts for the Federal judiciary website, becoming a federal judge is like joining a very exclusive country club. "Supreme Court justices, court of appeals judges, and district court judges are nominated by the President and confirmed by the United States Senate, as stated in the Constitution. The names of potential nominees often are recommended by senators or sometimes members of the House who are of the President's political party."

Unfortunately, the process for becoming a state judge is similar to the process for becoming a federal judge, with usually one very important difference. While higher state court judges are first appointed, in most states they are not appointed for life. That means periodically (usually once every six years), they need to stand for re-election. In the past, the public almost always voted for the incumbent. However, in

today's more politicized environment, there are no guarantees.

There are, too, many lower-level judges, magistrates, arbitrators, mediators, and conciliators who are not appointed positions. While these lower-level, usually specialized magistrates don't enjoy the kinds of salary levels of their more lofty judicial colleagues, they can still be very rewarding positions.

### Judiciary Jobs as Stepping Stones

For many lawyers, employment in the judiciary can be a brief but important stepping stone. Every year, top law school graduates who have passed the bar serve in judicial clerkships. The clerkships usually involve legal research, writing, and working in a close day-to-day relationship with a judge.

According to Thomas S. Leatherbury, a partner in the Dallas office of Vinson & Elkins and Chair of the firm's Employment Committee, "A judicial clerkship gives you unique insights and sharpens your writing and analytical skills." Moreover, Leatherbury notes, a clerkship exposes young lawyers to "a wide variety of cases and lawyers. All of those things help lay a great foundation to be in private practice."

Serving as a judicial clerk makes a young lawyer much more marketable than his or her non-clerk peers. It's the kind of occupational seasoning firms like Vinson & Elkins, a mega-law office with more than 800 lawyers worldwide, seek out and remunerate. In fact, approximately 20% of Vinson & Elkin's first-year lawyers come to the firm after serving at least one year in a judicial clerkship. The firm believes in the value of clerkships so much, it has a program to assist firm law clerks with finding judicial clerkship positions, and it has a special compensation schedule for those who have served as clerks.

The American judiciary is large, robust, and always hiring. Whether you're a lawyer or a non-attorney professional, you may find a rewarding career with the courts.

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