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INTRODUCTION

Each year, a number of Notre Dame Law School graduates begin their careers by serving as judicial clerks. NDLS alumni can be found nationwide at all levels of the federal and state judiciary. Among the most prestigious and competitive employment opportunities, clerkships provide new attorneys with the rare opportunity to observe the judicial decision-making process from a judge’s perspective, making them a very practical opportunity early in a career. These positions are a valuable way to bridge the gap between law school and the practice of law.

Usually lasting one or two years, clerkships provide a way to learn about effective advocacy, broaden one’s understanding of procedural issues, and gain exposure to a wide array of legal practice areas while meeting many practicing attorneys, as well as judges and fellow clerks. Additionally, their significant legal knowledge and insider’s view of the court system make judicial clerks especially attractive candidates to prospective employers. A judicial clerk’s main duties include legal research, writing bench memoranda, drafting orders and opinions, proofreading and cite checking, communicating with counsel, and assisting the judge during courtroom proceedings. Outside of gaining valuable practical experience, clerks often see the judges for whom they clerk become both mentors and friends.
SELECTING A COURT

- **Federal Courts**: U.S. Supreme Court, Circuit Courts, District Courts, Magistrate Judges
- **State Courts**: State Supreme Courts, Intermediate Appellate Courts, Trial Courts in some states
- **Specialty Courts**: Bankruptcy Court, Tax Court, Court of Federal Claims, Court of International Trade, Court of Appeals for the Armed Forces, Court of Appeals for Veterans Claims, International Tribunals, Administrative Law Tribunals

FEDERAL COURTS

The following is a breakdown of Article III federal courts:

**United States Supreme Court**: These clerkship positions are obviously the most competitive. In fact, U.S. Supreme Court Justices almost never hire current law students to serve as clerks. In order to be considered for a clerkship with the U.S. Supreme Court, applicants must almost always have completed a clerkship at the federal Court of Appeals level. Certain courts, such as the Court of Appeals for the D.C. Circuit, and certain judges are considered more likely to feed their clerks into a U.S. Supreme Court clerkship than others. Still, the credentials of individuals selected for such positions are almost always extraordinary. Researching the judges for whom recent hires clerks is an excellent way to track feeder judge trends. For more information on the U.S. Supreme Court, visit its website at [www.supremecourtus.gov](http://www.supremecourtus.gov).

**United States Court of Appeals**: There are twelve regional circuit courts of appeal with approximately 179 judgeships. Each judge at the Court of Appeals level will normally have three or four clerks. With a limited number of positions available and given the complexity of legal issues involved, these clerkships are highly prestigious and quite competitive, with certain circuits more competitive than others. The D.C. Circuit, the Second Circuit and the Ninth Circuit are often regarded as the most competitive, but all of the clerkships are remarkably selective. For a map of circuits and links to circuit court websites, visit [www.uscourts.gov/links.html](http://www.uscourts.gov/links.html).

**United States District Court**: There are ninety-four judicial districts in the United States. There are two different clerkship options at the federal trial court level. First, there are several hundred active U.S. District Judges across the country, most of whom have two law clerks. Second, U.S. District Magistrate Judges frequently hire judicial clerks. Magistrates generally handle pre-trial matters for trials before the District Court, trials for petty offenders and other matters depending on the district. For a map of circuits and links to circuit and district court websites, visit [www.uscourts.gov/links.html](http://www.uscourts.gov/links.html).

The following link offers a map of the United States circuit and district courts: [http://www.uscourts.gov/court_locator.aspx](http://www.uscourts.gov/court_locator.aspx)
SPECIALTY COURTS

United States Bankruptcy Court: Created under Article I, bankruptcy courts generally function as units of federal district courts. Judges are appointed to fourteen-year terms by the court of appeals for the circuit in which the district is located. Judicial clerks at the Bankruptcy Court are responsible for reviewing cases, writing memoranda of law and answering attorney questions regarding court procedures and policies. For a map of circuits and links to bankruptcy courts across the country, visit www.uscourts.gov/links.html.

United States Tax Court: An Article I court, this is the only forum where a taxpayer may dispute a deficiency before paying the disputed tax in full. Judges are appointed to fifteen-year terms. The nineteen active judges are each allowed two law clerks, senior judges are allowed one clerk, and special trial judges (who serve a function similar to a magistrate judge) are also allowed one clerk. The court is physically located in Washington, D.C., but the Judges travel nationwide to conduct trials. For more information on the U.S. Tax Court visit www.ustaxcourt.gov.


United States Court of Federal Claims: This court deals with suits against the United States, specifically tax refund suits, government contract claims, Fifth Amendment takings claims, and other monetary claims founded upon the Constitution, federal statutes and regulations, and contracts with the United States. An Article I court, it consists of sixteen judges appointed to fifteen-year terms and sits in Washington, D.C. For more information, visit www.uscfc.uscourts.gov.

United States Court of International Trade: This court has nine judges most of whom have two law clerks. Sitting in New York City, this court has nationwide jurisdiction over cases involving international trade and customs laws. It can decide any civil action against the United States or its agencies arising out of any law pertaining to international trade. This is an Article III court, so it consists of nine judges (and some senior judges) who are appointed to lifetime terms. The jurisdiction of this court is over civil actions against the United States arising from federal laws governing import transactions. For more information, visit www.cit.uscourts.gov.

Court of Appeals for Veterans Claims: This Article I court has exclusive jurisdiction over final decisions by the Board of Veterans’ Appeals. The seven active judges are appointed to fifteen-year terms. The court is located in Washington, D.C. For more information, visit http://www.uscourts.cavc.gov/.

U.S. Court of Appeals for the Armed Forces: This court exercises worldwide appellate jurisdiction over persons subject to the Uniform Code of Military Justice. It reviews court-martial convictions and regularly addresses issues of constitutional law, statutory interpretation, criminal procedure, evidence, and national security law. The court is composed of five civilian judges appointed to fifteen-year terms and is located in Washington, D.C. For more information, visit http://www.armfor.uscourts.gov/newcaaf/home.htm.
**Administrative Law Courts:** There are over 1000 judges in federal administrative agencies (e.g., Department of Agriculture, Department of Commerce, Commodity Futures Trading Commission, Department of Labor, Small Business Administration, and Department of the Interior). They hear cases pertaining to their particular agencies. There are 33 offices that employ Administrative Law Judges, but not every ALJ hires a law clerk. It is recommended that you contact the office in which you are interested to determine if there are law clerk positions available. [http://www.nalp.org/uploads/Federal_ALJ_Post_Graduate_Clerkships.xls](http://www.nalp.org/uploads/Federal_ALJ_Post_Graduate_Clerkships.xls)

**STATE COURTS**

A judicial clerkship in a state court, particularly a state’s highest court, is just as highly regarded by many employers as a federal clerkship. In fact, a state court clerkship provides a better fit for the professional goals of many law school graduates. If you know you would like to practice in a particular state, clerking for a state court judge will expose you to state law and while connecting with local attorneys, judges, and court personnel. This is especially helpful if you hope to practice in a field primarily defined by state law, such as criminal or family law.

State judges do not follow a uniform hiring schedule, so you must begin researching early to see when judges in your state are hiring. **Some state courts have application deadlines in the spring of 2L year.** You will want to research your courts of interest early to remain ahead of important deadlines. See the following resources for an overview of state court hiring information:

- [The Vermont Law School Guide to State Court Judicial Clerkship Procedures](http://example.com): (Login: balsam; Password: fir) contains deadlines, application instructions, and contact information for all state courts.
- [The NALP Judicial Clerkship Section’s Inside Information to Select State Court Clerkships](http://example.com) provides additional information regarding state court hiring timelines and court structure and is meant to be used in conjunction with the Vermont Guide.
- [The National Center for State Courts](http://example.com) provides useful links to all state court websites, as well as state court statistics and tools for comparison.
- [The State Courts Guide](http://example.com) compiled by the Federalist Society describes how each state’s highest court is selected and provides links to state court news.
Selecting a Court: Additional Factors to Consider

- **Location** – Judges in rural areas may receive far fewer applications than judges in metropolitan areas, so consider expanding your search beyond major urban areas. Some judges prefer students with a connection to the area, meaning an application in your home state may give you an advantage.
  - Search geographically for federal courts online at the Court Locator
  - Applying to several judges in the same courthouse or city may enable you to obtain more interview offers. If one judge invites you for an interview, you can contact other judges in the area to whom you applied and request interviews with them while you are in the vicinity

- **Length of Clerkship** – Two-year clerkships are generally less competitive than one-year clerkships. Being open to a longer commitment may increase your chances of obtaining a position.

- **Magistrate Judges** – Some magistrate judges conduct a wide range of criminal hearings, while others focus on complex civil cases. These clerkships can be fast-paced and a good option for students wishing to spend a lot of time in court. They can also provide a stepping stone to a clerkship with a federal district or appellate judge. Each district individually decides which duties to assign to magistrate judges, however, so be aware of each judge’s docket before you apply.

- **Trial or Appellate Level** - An appellate-level clerkship is more academic in nature than a trial-level clerkship as it involves extensive research and writing. Appellate clerks are often present for oral arguments, but have limited interaction with counsel. A trial clerk’s duties are generally broader in scope. Trial clerks have more interaction with attorneys, as they may serve as a liaison between judge and counsel, assist with discovery meetings and conflicts, and attend trials and settlement conferences.

- **Competitiveness** – For an idea of the relative competitiveness of various courts, see this list of GPA ranges of Notre Dame Law School graduates hired as clerks in the past few years. (NetID required). Note that courts in the Second, Ninth, and DC circuits are considered the most competitive.

- **Senior Judges** – Federal judges can take senior status once they reach age 65 if their years of service plus their age amount to 80. Some senior judges restrict their work to particular types of cases, but many still carry full caseloads. They may also travel around the nation to sit by designation in other courts. Do your research before applying to these judges; review their docket to see if they have a light caseload or if they hear cases that might not interest you.
  - For more information, read Senior Status: An Active Senior Judge Corrects Some Common Misunderstandings
• **Recent Appointees** – New judges may not receive many applications, but they often need clerks immediately. See the following link for Federal Judicial Confirmations.

• **Specialty Clerkships** - Staff Attorney and Pro Se Clerk
  o **Staff Attorney**: An attorney who works for an entire court as a whole, having minimal contact with individual judges. Detailed information on Staff Attorney positions can be found here.
  o **Pro Se Clerk**: A specialized type of staff attorney handling pro se matters, common in district courts. Duties generally include substantive screening of all petitions and complaints, drafting proposed sua sponte dismissals and appropriate orders for the court's signature, and writing advisory memoranda to assist the court in preparing opinions.

## Citizenship Requirement

The Administrative Office of the U.S. Courts states the following with regard to citizenship requirements for employment within the federal judiciary:

Current appropriations law prohibits the use of appropriated funds to pay the compensation of any employee of the U.S. federal government where the duty location is in the continental U.S. unless such person:

1. is a U.S. citizen;
2. is a person who owes allegiance to the U.S. (i.e., nationals of American Samoa, Swains Island, and the Northern Mariana Islands, and nationals who meet other requirements described in 8 U.S.C. 1408);
3. is a person admitted as a refugee or granted asylum who has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or
4. is a lawful permanent resident who is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B).

To comply with requirement No. 4 above, an individual must be a lawful permanent resident (have a green card) and apply for citizenship within a short time of first becoming eligible to do so. An individual is not eligible to apply for citizenship until he or she has been a permanent resident for at least five years (three years if seeking naturalization as a spouse of a citizen). When that occurs, he or she must apply for citizenship within six months of becoming eligible and must complete the process within two years of applying (unless there is a delay caused by the processors of the application). **NOTE**: A lawful permanent resident who is not yet eligible to apply for citizenship at the start of judicial employment may lawfully be employed by the judiciary, provided that he or she submits an affidavit indicating the intent to apply for citizenship when eligible to do so. A sample form of this affidavit has been provided to the courts. State courts may have different rules; you will want to direct your citizenship questions directly to that court.
Clerkship Research Materials

Online Resources:

- For an overview of the role of federal law clerks and court administration generally, see the Chambers Handbook for Judges’ Law Clerks and Secretaries.
- See Practice in the Federal District Courts from the Law Clerk’s Perspective for an account of the responsibilities of law clerks in the federal district courts.
- Rat Race: Insider Advice on Landing Judicial Clerkships
- For a detailed account of how one federal judge selected, utilized, and mentored his law clerks, see Rubin: Practitioner, Professor, and Judge: A Splendid Relationship—Judge and Law Clerk.
- The Value of a Clerkship: Excerpt from Behind the Bench by Debra M. Strauss, Esq.

Hard Copy Resources: Available by request in the CDO

- Almanac of the Federal Judiciary Volumes I, II, and III
- Federal District Court Law Clerk Handbook by Calvert G. Chipchase
- Federal Appellate Court Law Clerk Handbook by Calvert G. Chipchase
- Judicial Clerkships: A Practical Guide by Mary L. Dunnewold, Beth A. Honetschlager and Brenda L. Tofte

Additional resources are listed under Researching Individual Judges on p. 9.
Preparation to Apply for a Judicial Clerkship

I. Coursework

Take classes that show your interest in the type of clerkship you wish to pursue. Below are recommended NDLS classes for federal and state clerkships (in alphabetical order).

Federal Clerkships

- Administrative Law
- Evidence
- Federal Courts
- Federal Courts – Contemporary Problems/Practices
- Federal Criminal Law
- Federal Criminal Procedure
- Judicial Process Seminar

For more extensive course selection advice, you will want to refer to the Law School’s Program of Study in Public Law or speak with a faculty mentor.

For particular courts, any of the following would offer further helpful preparation:

<table>
<thead>
<tr>
<th>Federal Court of Appeals Clerkships</th>
<th>Magistrate Clerkships</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immigration Law</td>
<td>Employment Discrimination Law</td>
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<tr>
<td>Civil Rights</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Federal District Clerkships</th>
<th>Bankruptcy Clerkships</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Rights</td>
<td>Bankruptcy Consumer Law</td>
</tr>
<tr>
<td>Complex Civil Litigation</td>
<td>Business Associations</td>
</tr>
<tr>
<td>Employment Discrimination Law</td>
<td>Commercial Law – Sales</td>
</tr>
<tr>
<td>Post-Conviction Remedies</td>
<td>Corporate Bankruptcy</td>
</tr>
<tr>
<td></td>
<td>Federal Income Taxation</td>
</tr>
<tr>
<td></td>
<td>Secured Transactions</td>
</tr>
<tr>
<td></td>
<td>Securities Regulation</td>
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</table>

<table>
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<tr>
<th>State Court Clerkships</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Law – Sales</td>
<td></td>
</tr>
<tr>
<td>Conflict of Laws</td>
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<tr>
<td>Constitutional Criminal Procedure</td>
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<tr>
<td>Consumer Law</td>
<td></td>
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<tr>
<td>Family Law</td>
<td></td>
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<tr>
<td>Judicial Process Seminar</td>
<td></td>
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<tr>
<td>Local Government Law</td>
<td></td>
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<tr>
<td>Products Liability</td>
<td></td>
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<tr>
<td>Remedies</td>
<td></td>
</tr>
<tr>
<td>Trusts &amp; Estates</td>
<td></td>
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</tbody>
</table>

8
II. Identifying Recommenders: Developing Relationships with your Professors

- Many professors previously clerked, so they can give you valuable insight into what the job is like and whether it would suit you.
  - Notre Dame Professors with Clerking Experience
- You will need at least two (in most cases, three) letters of recommendation from law school professors. It is much better to have a letter from a professor who knows you well than one who has name recognition but cannot speak about you personally.
  - Working as a research assistant or writing a lengthy paper in a class are good ways to get to know a professor and familiarize him or her with your writing abilities and work ethic
  - Approach professors from whom you would like a letter early in your application process (see “Application Materials - Letters of Recommendation” below for more information)

III. Researching Individual Judges

Never apply to a judge for whom you do not truly want to work. You should be willing to accept an offer from any judge to whom you apply so conduct your research carefully. Below are some useful resources:

- Biographical Directory of Federal Judges
- Federal Judicial Almanac (AFJ database on Westlaw) – includes practitioners’ evaluations of judges
- Leadership Directories (Username: ndcdo – Password: irishfootball)
- Notre Dame Alumni in the Judiciary (NetID required)
- Federal Judges Who Have Hired NDLS Grads (NetID required)
- State Judges Who Have Hired NDLS Grads (NetID required)
- Federal & State Judges with Connections to NDLS Faculty Members (NetID required)
- Symplicity – includes a comprehensive list of judges’ contact information
- Directory of Minority Judges (hardcopy available in CDO)
State Court Judicial Clerkship Timeline

The application timelines for clerkships in the state judiciary vary from state to state. The Career Development Office has a subscription to access the Vermont Law School Guide to State Court Judicial Clerkship Procedures (Login: balsam; Password: fir) which provides links to individual court websites, application procedures and timelines. Additionally, NALP’s Inside Information for Select State Court Clerkships document provides information on hiring practices of select states, including Illinois, Michigan, California, and Texas.

- **Note that state court applications involve a bit of legwork on the part of the applicant.** More often than not, it will be necessary to contact individual courts and judges’ chambers directly to ascertain when judges are accepting applications.

- Many state court judges will accept applications in the summer and early fall of your 3L year, although some will hire even earlier. It is recommended that you research the timelines as early as possible in the event that your state judiciary accepts applications early.

- States do not use OSCAR and will likely be hardcopy applications.

**MANDATORY STATE COURT CLERKSHIP DEADLINES**

The deadlines below are mandatory if you wish to participate in the NDLS judicial clerkship application process. Professors and CDO counselors will be unable to assist your application efforts (e.g., completing letters of recommendation, assisting in the compilation of hard copy applications, etc.) if you fail to comply with the deadlines identified below.

<table>
<thead>
<tr>
<th>Deadline Description</th>
<th>Instruction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2016/Spring 2017</td>
<td>Ascertain the hiring timeline for your state court(s)</td>
</tr>
<tr>
<td></td>
<td>of interest and the specific date on which you plan to send applications.</td>
</tr>
<tr>
<td><strong>30 Days Prior to Application Date</strong></td>
<td>Contact faculty members to request letters of</td>
</tr>
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<td></td>
<td>recommendation. Advise the faculty members and staff assistants of your</td>
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<tr>
<td></td>
<td>planned application dates.</td>
</tr>
<tr>
<td>Spring/Summer 2016 But Dependent on Your Court</td>
<td>Draft applications and forward cover letters and resumes to the CDO Judicial</td>
</tr>
<tr>
<td></td>
<td>Clerkships Advisor for review.</td>
</tr>
<tr>
<td><strong>30 Days Prior to Application Date</strong></td>
<td>Submit finalized excel spreadsheet (listing all judges to whom you are</td>
</tr>
<tr>
<td></td>
<td>applying) to faculty recommenders and their staff assistants. <strong>See p. 13</strong></td>
</tr>
<tr>
<td></td>
<td>for detailed instructions on this spreadsheet.</td>
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</tbody>
</table>
**Federal Judicial Clerkship Timeline**

I. For Perspective: The (Former) Hiring Plan

The Federal Law Clerk Hiring Plan (“the Plan”) restricted the hiring of second-year or rising third-year law school applicants, but participation in the Plan by judges was voluntary. The Plan created two sets of judges: On-Plan judges agreed not to hire law clerks earlier than the official hiring plan date, which was the Tuesday after Labor Day of a student’s third year, and Off-Plan judges who hired before that date. Complicating the distinction was that Off-Plan judges were unable to use OSCAR, which adhered to the Plan, to hire meaning they only accepted paper applications.

II. The New Scheme

The Plan has now been eliminated with rising second-year students having access to OSCAR Online System for Clerkship Application and Review (OSCAR) over the summer and applications being theoretically allowed as early as July 1. While most judges have indicated they would like to see three or four semesters worth of grades being hiring an applicant, judges are able to receive applications from second-year students via OSCAR with only two semesters of grades. By creating a profile on OSCAR and receiving updates regarding judges, students will know if a particular judge is hiring. While judges hiring earlier in the process may now receive applications via OSCAR, many who preferred the hardcopy application process may still require applications be sent that way, which will be noted in their OSCAR profile. If you are looking to apply to a hardcopy judge (and the vast majority of state court judges as well are hardcopy), then see Applying to Hardcopy Judges in the Application section below for details and meet with the CDO. For further information on electronic submissions, see the OSCAR Applicant Resources page.

**FEDERAL COURT CLERKSHIP TIMELINES FOR OSCAR**

The below describes the timeline you will want to follow if entering the NDLS judicial clerkship application process.

<table>
<thead>
<tr>
<th>Summer/Fall 2016</th>
<th>Research judicial clerkship opportunities and determine which districts/circuits/judges are of interest. Contact professors regarding letters of recommendation. Create your OSCAR profile and sign up for daily updates.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer 2016 – Summer 2017</td>
<td>Draft applications and forward cover letters and resumes to the CDO Judicial Clerkships Advisor for review. Create draft applications in OSCAR and finalize.</td>
</tr>
<tr>
<td>Ongoing</td>
<td>If requested by your professor, submit finalized excel spreadsheet (listing all judges to whom you are applying) to faculty recommenders and their staff assistants. See p. 13 for detailed instructions on this spreadsheet.</td>
</tr>
</tbody>
</table>
Application

I. Applying to Hardcopy Judges

Some federal judges prefer to accept applications by mail rather than online and almost all state court judges accept applications in this matter. For these judges, the CDO will compile your applications with the letters of recommendation, pay for postage, and mail the packets so they arrive in a timely fashion.

If you wish to utilize these services, you will need to print all your application materials, compile them by judge, and be sure that they arrive with time to spare before deadlines and as soon as possible from the date a judge will receive applications. While judges may have deadlines, it is best to be first with your application. Include a copy of your excel spreadsheet and put your applications, separated by judge, in the same order as the judges are listed in the spreadsheet.

II. Putting Together Application Materials

A) Cover Letter: Every clerkship application needs to include a cover letter. This should be no longer than one page. See the CDO’s Clerkship Cover Letter Guide for information on drafting your cover letter.

B) Resume: Your resume can be the same one that you use for other legal employers. Highlight any writing experience you have, and include a description of your 2L summer position and updated GPA. Remember to keep this document to one page.

C) Writing Sample: Your writing sample should be approximately 10–15 pages, unless you are submitting a note, in which case the document should generally not exceed 30 pages. You may use an excerpt of 10–15 continuous pages from a longer piece if the excerpt is by itself cogent. Be sure to include an introduction to the piece if you use an excerpt or describe the writing sample in your cover letter. If you are submitting work that you performed for a firm or government employer, seek permission from your employer first. Redact names, specific facts, and other identifying data. Make sure your writing sample is completely error-free, including citations! Any grammatical or Bluebooking errors may cost you a clerkship. Your application must demonstrate that you are capable of performing error-free work.

D) Transcripts: Undergraduate transcripts are often requested by judges, so confirm that you have a final, official transcript from your undergraduate institution by spring of 2L year. For paper applications, it is acceptable to mail a copy of this transcript. Paper applications can include unofficial NDLS transcripts or a copy of an official NDLS transcript. For applications via OSCAR, you will create a grade sheet.

E) Letters of Recommendation: You will need two to three letters of recommendation for clerkship applications. The best letters of recommendation come from teaching and research faculty who know you well and have developed a personal relationship with you.
• Identify faculty who know your academic strengths, extracurricular activities, and your personality.
• Ask professors for letters of recommendation as soon as possible for a letter and speak with the CDO about how to create an effective use of your letters of recommendation. Note that some professors limit the number of letters they will write, so it is best to ask early.
• If you have a significant work history, you may want to ask a former employer to write a letter for you.
• Provide anyone who writes a letter for you with your resume, unofficial transcript, writing sample, and a description of what type of clerkship interests you.

**IMPORTANT**
It may take a professor several weeks to write a letter of recommendation. It is in your best interest that the professor not be rushed in this process. Please be respectful of both the professor’s and staff assistant’s time and effort.

**III. Creating a Spreadsheet for your Recommenders**

The below sample spreadsheet format is **required** for notifying professors and their staff assistants of judges for whom you need a paper letter of recommendation. The data needed to fill out the spreadsheet can be obtained from **Symplicity**:

1. Select the “Clerkships” tab.
2. Using “Keywords” search for and select your judges of interest by clicking the box to the left of their names.
3. Click “Export to Excel”.

**Required Excel Spreadsheet Format (NetID Required)**

**NOTE:** Create separate spreadsheet tabs for all hardcopy judges. Also add a separate tab for state court judges.

Send your finalized spreadsheet to the CDO and the staff assistant of each faculty recommender at least three weeks prior to your letter wanting to be submitted. *Please include your name and the date in the spreadsheet title.* *

You must communicate to the faculty assistants where the letters should go: 1) directly to the judge, 2) to you (in a sealed envelope) if you are sending the application yourself, 3) to the CDO if we are sending out your application packets, or, 4) submitted online via OSCAR (for on-plan judges).
IV. Creating your profile in OSCAR

The “Online System for Clerkship Application and Review” (OSCAR) provides numerous helpful instructional documents for applicants. You may wish to begin by reviewing the Applicant Resources page which includes an Overview of the OSCAR process and video tutorials.

- Create a profile in the spring of your 2L year to become acquainted with the OSCAR system.
- Judges will announce via OSCAR that they are hiring for an upcoming term. Stay updated on these openings by signing up for OSCAR email alerts. You can do so by accessing your Contact Information and adjusting your email settings.
- Contact the Career Development Office or the OSCAR support service (866-666-2120) with any questions you may have about the OSCAR application process.

**Interviewing**

Once you begin sending applications, be prepared for a judge to contact you at any time. Promptly return phone messages and emails; delay is disrespectful and may eliminate your chance at an interview. *You must notify the Career Development Office of all clerkship interviews.*

Prioritize your list of judges. If you receive multiple offers to interview, try to meet with your most favored judges first. Judges may cancel interviews scheduled later in the week if they find good candidates early. In addition, some judges make offers at the end of the interview; this is called an exploding offer (see p. 18), and such offers are generally rescinded if not immediately accepted. While a traditional interview is preferred, a few judges may permit you to interview by telephone or video. The CDO can help you arrange a videoconference if necessary.

**IMPORTANT:** Applicants are responsible for making their own travel arrangements and incurring the cost of the trip to the judge’s chambers.

A) **To prepare for your interview:**

- Review your application materials and prepare to discuss the substantive issues in your writing sample
- Be prepared to speak briefly (and articulately) on any hot button current events or interesting legal developments in the news
- If possible, consult with former clerks of the judge to learn more about the interview process
• Review past clerkship interview evaluation forms in Symplicity (Clerkships tab / Interview Evaluations) to see if any recent NDLS students have interviewed with the judge
• Review the judge’s background and recent or prominent opinions
  o [Lexis Nexis Advance](http://www.lexisnexis.com) is especially helpful in learning about a judge’s recent rulings and the overall makeup of his/her docket. Go to the red drop-down tab on the upper left and click “Litigation Profile Suite” to search for your judge. Note that not all districts and circuits are available via this database.
  o [WestLaw](http://www.westlaw.com) features a database of information on judges and attorneys.

Judges and their clerks work in close quarters; consequently, personality and fit are very important. Judges often ask personal questions during an interview that would be out of place in a law firm interview. See the below list of frequently asked clerkship interview questions for more information.

**SAMPLE INTERVIEW QUESTIONS**

*Questions a Judge Might Ask a Judicial Clerkship Applicant*

1. Why do you want to clerk?
2. Why this particular court?
3. What do you hope to learn from a clerkship?
4. Why do you want to clerk for me in particular?
5. Why do you want to clerk in this city (state, region)?
6. What do you consider to be your greatest strengths, weaknesses?
7. What qualities do you have that might make you a valuable law clerk?
8. What are your short- (or long-) range legal career goals?
9. Where do you hope to practice after your clerkship?
10. What type of law interests you most?
11. Describe your work experience.
12. Describe the work you have completed for your law journal.
13. What interests do you have outside of law school?
14. To which judges (courts) have you applied?
15. How would you approach this particular issue/case/problem?
16. Do you prefer to work with others or independently?
17. If you and I disagree about a certain issue, would you have any problems drafting an opinion incorporating my viewpoint?
18. Tell me about the courses (grades, professors) you have had in law school.
19. How will you handle difficult cases, such as those dealing with the death penalty/abortion/healthcare/immigration?
20. Would it bother you to work for a judge with whose judicial philosophy or political leanings you did not agree?
21. Which Supreme Court justice do you most admire? Least admire?
22. How would you go about researching a topic that was unfamiliar to you?
23. What do you think an ideal opinion looks like? (Provide an example, discuss structure)
24. Why did you go to law school?
25. Why did you choose Notre Dame Law School?
26. What has been your favorite class in law school? Favorite professor?
27. What do your parents do for a living?
28. What are your hobbies and interests?
29. What is the most recent book you have read? Most recent movie you have seen?
30. What questions do you have of me?

As with all interviews, you will also be expected to ask questions of the judge. See the below list of questions you can ask during a clerkship interview for a few ideas.

**Questions a Judicial Clerkship Applicant May Want to Ask the Judge**

1. What will be the scope of my responsibilities?
2. What is the nature of your docket?
3. What is your timetable for making a decision?
4. How much contact, if any, do clerks have with counsel?
5. What do you see as the primary role of this court?
6. Do you make oral decisions from the bench or do you believe in writing all opinions?
7. What percentage of my time would I spend in court conducting research, drafting opinions?
8. What attributes/skill sets have your previous clerks had that made them particularly successful in this role?

**IMPORTANT TIP**

Many judges will have their current judicial clerks interview applicants. These interviews should be taken very seriously, as the judges consider the opinions of their current clerks when deciding if a candidate would be a good fit in his/her chambers. Be sure to treat everyone on the judge’s staff with courtesy and respect.

**Questions a Judicial Clerkship Applicant May Want to Ask the Current Judicial Clerk**

1. Describe a typical day as a clerk in this court.
2. What responsibilities do you have?
3. Describe your relationship with the judge.
4. What contact do you have with the other clerks (with practicing attorneys in the area)?
5. Tell me about this city (state, region) as a place to live.
6. How has this clerkship affected your career goals?
7. What percentage of time do you spend in court, conducting research, drafting opinions, interacting with the judge?
8. How is the work divided among clerks?
9. (If the judge is a senior judge) How does senior status affect caseload or type of cases?
10. (If the judge is a chief judge) Do clerks assist in administrative work?
Clerkship Interview Evaluations

The Career Development Office requires that you complete a Clerkship Interview Evaluation Form after each interview. These forms can be found in Symplicity under the “Clerkships” tab on the home page. Select “Interview Evaluation” and click “Add New”. You can then select the judge by sorting alphabetically or searching with a keyword. Kindly include as much information as possible regarding your interview experience. You can also choose to share your name and class year to future applicants.

Note: By using the resources of the CDO to facilitate your clerkship applications, you agree that you will complete these forms. These forms are necessary to ensure that the CDO provide the best support it can not only to you, but to all current and future Notre Dame Law students.

* Completion of Clerkship Interview Evaluation Forms is mandatory. Breach of this agreement will result in the CDO contacting the law school administration and your faculty recommenders to secure your compliance.

Accepting an Offer

Some judges will offer clerkship positions on the spot at the conclusion of an interview. As applicants should only be applying to judges for whom they truly have in interest in clerking, they should be prepared to accept a position immediately. Many of these judges will rescind the offer if it is not accepted immediately (an “exploding offer”). At most, applicants should expect to have twenty-four hours in which to accept. Be aware that requests for an extension might not be looked upon favorably by the judge - and may cause professional embarrassment to both you and the law school. If you accept an interview with a judge, you should be prepared to accept an offer on the spot.

If you leave an interview knowing you could not work with the judge, contact his/her chambers promptly after your interview to withdraw your application. If you accept an offer, withdraw your pending applications immediately either by mail or via OSCAR. For judges with whom you have interviewed, however, call their chambers to indicate that you have accepted another position (and how honored you were to have been considered).
Post-Interview

Send thank-you notes after your interviews to the judge and members of his staff with whom you interacted. Mailing a handwritten note is preferable unless you have previously communicated with the judge via email. Reiterate your enthusiasm for the position, thank the judge for his/her time, and pass on any information you were unable to convey during the interview. Since hiring decisions are made very quickly, send this note within a day of your interview. See these sample thank-you notes for ideas.

Stay in touch with the judge and his current clerks after your interview. If you were told a decision would be reached by a certain date but do not hear from the judge by then, consider contacting his chambers to reiterate your interest in the position.

Contact the Career Development Office

Please feel free to contact any CDO career counselor or Rick Herbst at rherbst@nd.edu with any questions or concerns you may have about the clerkship application process.