

Preparing for Judicial Clerkships: Tips for Students Spending Their Summers in the Private Sector

Prepared by NALP's Judicial Clerkship Committee

Because of the new judicial clerkship timing guidelines, private sector legal employers are facing some new issues. Most larger employers have indicated that interest in a clerkship will have no bearing, positive or negative, on consideration regarding the extension of an offer to join the firm upon graduation. They have a pretty good idea from past years about the percentage of summer associates who clerked and have planned the size of their current summer classes accordingly. No one assumes the change in timing is going to drastically change the end result. Smaller firms, whose needs may not allow as much flexibility, are more likely to consider clerkship applicants on a case-by-case basis.

Communication Between Employers and Students

In order to plan their fall recruiting, employers need a good sense of the number of summer associates who will be seeking clerkships. The new timing of the clerkship interview process makes clear communication on this issue imperative, and you should expect to be asked about it sometime during the summer. Consider the possibility that your employer may be contacted as a reference by a judge and that you may want to use summer work product as a writing sample. If your clerkship application comes as a surprise to your employer, you've made life more difficult for everyone concerned.

Employers are encouraged to make their policies and attitudes toward clerkships known early and often. If you are unsure about your employer's attitude, look for a chance to ask about it. When asked about clerking, remember to convey your enthusiasm for your summer job and interest in your employer while you are explaining your thoughts about clerkship applications. Remember, too, that it is perfectly reasonable to be uncertain about applying for clerkships, especially early in the summer; you need not give a categorical answer to your employer immediately — just be straightforward about what you are thinking.

Learn from Those Who Came Before You

During the summer, seek out former judicial clerks for their ideas about different judges and different types of clerkships, as well as about the value of their clerkships both from their personal and their firm's perspective.

Planning for the Fall

Students interviewing for private sector jobs in their third year are expected to bear the brunt of the uncertainty associated with the new hiring schedule. They will probably face a longer wait as firms sort out their vacancies, and third-year students concurrently applying for clerkships will be more likely to remain in limbo until they know whether or not they will be clerking.

Students are encouraged to report any change in their status promptly to prospective employers. Prompt reporting benefits fellow students who are still seeking jobs as well as employers.

Check out the full report, "The New Face of Fall Hiring: The Effects of the New Judicial Clerk Hiring Plan on Other Hiring Practices" on NALP's web site at www.nalp.org/jobseekers/clerk_rpt.pdf (in PDF format) for a more detailed discussion of these and other ideas. For more detailed information on the law clerk hiring plan, visit www.cadc.uscourts.gov/lawclerk.