



JUDICIAL CLERKSHIP INTERVIEWS – A COMMON QUESTION GUIDE

- **Why do you want to clerk?**
 - ✓ Candidates must always have a well-rehearsed answer prepared for this question which they can deliver in a clear, concise manner without sounding scripted.
 - ✓ A good response will not simply be about “honing research and writing skills.”
 - ✓ A good response should be genuine, incorporate some compelling detail about the candidate’s experience or career goals and be relevant to the judge/court.
- **Why do you want to clerk in my chambers/at this court?**
 - ✓ Variations on this question could address a number of specific points including (1) geographic location, (2) level of court – state v. federal, (3) type of court – trial v. appellate and/or (4) type of judge – magistrate, senior, etc.
 - ✓ Good responses should be direct and specific to the judge/court with whom the candidate is interviewing and should reflect specific knowledge of the judge/court.
 - ✓ Candidates interviewing with specialty courts or courts with more limited jurisdictions should be sure their responses to this question demonstrate their knowledge of the court’s scope as well as their unique qualifications to serve as a clerk at the court.
- **How would a clerkship assist you in reaching your future career goals?**
 - ✓ Variations on this question can include “Tell me about your long-term career plans,” “Do you plan to establish your professional career in this substantive area and/or geographic region,”
 - ✓ This is an opportunity to highlight past accomplishments as well as to demonstrate how clerking fits into the candidate’s overall career path.
 - ✓ A good response should – where applicable – showcase commonalities between the judge’s past experiences and the candidate’s interests and experiences.
- **Why did you choose to attend your Law School?**
 - ✓ Variations on this question could include “How do you like your law school?” or “How are you enjoying your law school experience at your law school?”.
 - ✓ Transfer students should be prepared to talk about both their initial decision to attend law school and their reasoning for changing law schools.
 - ✓ A good response should be direct and positive. It should not reflect any negative overtones or frustrations – even if the candidate is not “in love” with law school.

- **Tell me about your most difficult law school class.**
 - ✓ Variations on this could include “Tell me about your favorite law school class,” “Tell me about your least favorite law school class,” and “Tell me about your law school clinic or externship.”
 - ✓ A good response should always be presented in a positive manner, especially when discussing hard or less enjoyable classes or experiences.
- **How did you select a topic for your Note?**
 - ✓ A variation on this can include “Why did you pick this writing sample to submit?”
 - ✓ A good response will highlight – where possible – an interest in the substantive topic, a complexity of the area of law and/or the newness of a particular topic/area of law.
- **How would you describe your research or legal writing style or method?**
 - ✓ Variations on this could include “Explain the method/process to you use when you draft a memo or a brief,” “How do you know when you are finished researching an issue/topic?” and “How would you approach researching a legal topic about which you have no knowledge?”
 - ✓ A good response will focus on a candidate’s thought process, time management skills and effective resource utilization. The response does not need to address the particulars of any individual issue or matter, but could be bolstered by using specific successful examples drawn from a candidate’s past legal experiences.
- **Describe a challenging situation you’ve encountered in your professional career and how you handled it.**
 - ✓ A variation on this can include “Describe a difficult legal problem you’ve encountered and explain how you resolved it.”
 - ✓ A good response will be specific, based on practical experience and demonstrate the candidate’s ability to exercise workplace maturity, act in an ethical manner and maintain professionalism under pressure.
 - ✓ A candidate’s example does not have to have a positive resolution. If it does not have a positive resolution, the candidate should be able to address what the candidate learned from the experience and how the candidate grew professionally as a result.
- **Why are you the best candidate for this position?**
 - ✓ A variation on this can include “What qualities to you have that will make you an outstanding law clerk?”
 - ✓ A good response will incorporate a candidate’s interest in clerking for this particular judge and one or two key practical experiences that showcase the candidate’s legal skills as well as their workplace maturity and professionalism.

- **If we disagree on a decision, how would you handle the situation?**
 - ✓ A variation on this question, or potentially a follow-up question, could be “Would you have a problem drafting an opinion reflecting my viewpoint if we disagreed?”
 - ✓ A good response will demonstrate the candidate’s deference and respect for the judge while also showcasing that the candidate’s will be comfortable raising issues or concerns to the judge when they may arise.
 - ✓ Candidates should avoid giving a brief yes/no style answer. Candidates should use the opportunity to demonstrate their workplace maturity and professionalism while providing an example of how they can be trusted and relied upon as a law clerk.

- **To what other judges/courts have you applied?**
 - ✓ A variation on this could be “Are you interviewing or have you interviewed with other judges/courts?”
 - ✓ A good response will be honest and direct and will provide some detail about how the candidate approached their clerkship application process.
 - ✓ Candidates should understand that their response will not disqualify them from consideration and that judges understand that candidates apply for multiple positions.

- **Tell me something about you that I wouldn’t know from your application packet**
 - ✓ Variations on this can include “Tell me about yourself,” “What are your interests outside of the law,” and “What activities to you enjoy in your free time?”
 - ✓ A good response will share something that provides a more personal insight into the candidate’s background and/or personality.
 - ✓ Candidates should use their response to show that they are “interesting” and to try to demonstrate how they would be a good fit with the judge/court.

Judicial Clerkship Interviews



What to Expect

Judges make decisions on judicial clerks based largely on “fit” with the judge and the other people who work in the judge’s chamber. Thus, they will be asking questions to get a sense of your work style, work ethic, and personality. They will evaluate your demeanor, appearance, and communication skills because you, as a law clerk, will be the judge’s representative to the outside world. Expect questions on why you want to clerk, generally, as well as for a specific court or judge, how you work/write/research, what your career goals are, and what you like to do in your free time. Any of the documents you provided to the judge (cover letter, resume, writing sample, transcript) are also fair game, so be sure you review each carefully before the interview. The judge will expect questions from you, so be prepared with some.

The interview itself can last anywhere from 15 minutes to two hours. Often, the clerk(s) or secretary is included in the interview process, either formally or informally.

Prep

- Reach out to the CDO Judicial Clerkship Counselor to see if we have any alumni who clerked for the judge who would be able to speak with you about their experiences.
- Go line-by-line through your resume and practice ALOUD responding to someone saying “tell me more about this.”
- Review your writing sample, cover letter, and any significant writing referenced in your application materials and practice ALOUD talking about the issues covered in each.
- Research the court and the judge; take note of any significant recent opinions or decisions
 - For federal judges, check out the Almanac of the Federal Judiciary, as well as LEXIS/Westlaw/Bloomberg
 - Check newspaper sites, such as the Daily Record, that regularly publish articles on the courts
 - Talk to people who may know the judge and/or court: professors, attorneys at your place of work, CDO Counselors, classmates, Maryland alumni, family members, and friends
- Prepare questions to ask the judge
- Discuss your interview with any professors or mentors; many of our professors either served as judicial law clerks or are involved with the judiciary, so they can be a great resource
- Be prepared to discuss current events, particularly those impacting the judiciary
- Schedule a mock interview with the CDO Judicial Clerkship Counselor, as well as a professor, if possible

General Tips & Notes

- Judges typically hire clerks on a rolling basis so try to schedule the earliest available interview appointment with the judge. Judges have been known to cancel all later interviews if they find someone who they want to hire.
- It is expected that you accept the first offer given by a judge and not play judges’ offers off each other. Thus, if you leave an interview and do not feel that working for that judge would be a right fit for you, be sure to withdraw your application immediately.
- Remember, the judge’s assistant likely worked with the judge for a long time and thus can be an important person in the decision-making process. Additionally, always remember to treat everyone you meet in the courthouse as if they have the power to deny you an offer—because they may.
- Be sure to build in plenty of time before your interview. Some courthouses have strange parking arrangements where a shuttle from a remote parking lot must be used. Depending on the time of your interview, there may be a long security line to get into the courthouse. It is better to arrive early and have some time to prepare or observe court than to be late!

Questions You May Be Asked by the Judge

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?
5. Why do you want to clerk in this city?
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. How do you view the long hours and low pay associated with a judicial clerkship?
18. If you and I disagree about a certain issue, would you have any problems drafting an opinion incorporating my viewpoint?
19. Tell me about the courses (grades, professors) you had in law school.
20. How are your organizational skills?
21. What method/process do you use when you write a memorandum or brief?
22. Let me describe both sides of an issue. In whose favor would you rule?
23. What judges have you particularly admired because of style, substance, or ideology?
24. What recent book or article have you read?
25. How important to you are the political views of the judges?
26. How conversant are you with significant current decisions of the United States Supreme Court (or state high court)?
27. Who is your favorite Supreme Court justice and why?

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

1. What will be the scope of my responsibilities?
2. How would you describe your relationship with your judicial clerk(s)?
3. What is the nature of your docket?
4. Tell me about the issues you had to reconcile in your recent decision?
5. What is your timetable for making a decision?
6. Do you allow your clerks to have contact with local attorneys?
7. When do you prefer that your clerks look for post-clerkship employment?
8. Describe your legal philosophy.
9. What do you see as the primary role of this court?
10. What percentage of my time would I spend in court, conducting research, drafting opinions?
11. What criteria do you use in selecting your clerk?

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 are the judge's greatest strengths? Weaknesses?
5. What is the judge's legal philosophy?
6. What contact do you have with the other clerks (with practicing attorneys in the area)?
7. Tell me about this city (state, region) as a place to live.
8. How has this clerkship affected your job search?
9. How has this clerkship affected your career goals?
10. What percentage of time do you spend in court, conducting research, drafting opinions?
11. What have you learned from this clerkship?
12. What criteria seem to affect the judge's selection of a clerk?



Clerkship Interview Prep Guide

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PREPARING FOR CLERKSHIP INTERVIEWS

Prepping for an upcoming clerkship interview can feel rather daunting and it can be difficult to know where to start. This guide will walk you through what you should be doing and thinking about as soon as you receive an invitation to interview.

PRELIMINARY MATTERS

After accepting your interview, you should do the following things:

- Tell us about it! We may have insights about the judge or helpful contacts to share with you. Plus we are genuinely excited when people have interviews, so your news makes us happy! Stop by OCP or send an email to clerkships@umich.edu – let us know the name of the judge and when you are interviewing.
- Let each of your recommenders know about your interview, both because they'll be excited for you, and so they'll be prepared if the judge calls them about you. If anything has changed since the last time you talked to your recommenders about clerkships (updated resume with your summer job, new round of grades, etc.), you should send them your updated materials.
- Try to leverage this clerkship interview to get interviews with other judges to whom you've applied who sit in the general area where your scheduled interview will take place. Contacting a judge's chambers to let them know you'll be in the area doing another interview can prompt another judge to invite you to interview during the same trip. This should only be done, however, when you must travel for the original interview. It does not work if you are interviewing in, for example, Detroit and you are in Ann Arbor for the semester; do not try to leverage a Detroit interview in that case! That being said, if you are interviewing with a judge in California, you may consider the west coast to be the "general area," since it could be much easier to travel from one west coast state to another, rather than take multiple cross-country trips. If you have any questions about this, contact OCP Judicial Clerkship Advisor Greta Trakul at clerkships@umich.edu.
- Optional but strongly recommended: Contact OCP (734-764-0546) and set up a mock interview with Greta Trakul. Even if you feel like you are an interviewing pro, a mock interview can be helpful to shake the cobwebs off and make you start saying aloud the answers to some of the questions you might get during a clerkship interview.

TALK TO PEOPLE

Without a doubt, the best and most helpful information comes from people who have clerked for the judge you are interviewing with or who know the judge personally. It can also be helpful to talk to people who clerked for other judges on the same circuit or in the

same courthouse, former interns, and current students/alums who have interviewed with the judge. The following resources can help you identify those people:

- **Michigan Law Judicial Database:** each judge entry will list whether any Michigan alums have clerked for the judge before. The Database will also provide links to any interview or clerkship feedback forms, if they exist (not everyone remembers to come back and report on their interviews or clerkships – although you will, right?!). To locate contact information for former clerks:
 - [AlumNetwork](#): the online database of Michigan Law alums; accessible through the Alumni Career Toolkit and Student Career Toolkit
 - [Public Service Network](#) (only accessible to current students): found under “Networking Resources” in the Student Career Toolkit
 - [MCommunity Directory](#): many alums still check their umich email accounts, if you can’t find other contact information for them
 - [LinkedIn](#) or just a basic web search can often quickly get the job done
- **List of Current and Past Clerks:** we also maintain a master spreadsheet of all current and past clerks – the information will be the same as in the database, but some people prefer to search (using Control+F) the spreadsheet. The List of Current and Past Clerks can be found on the “Clerkship Counseling” page.
- **List of Clerks for the Upcoming Term:** review the list of people who have accepted clerkships for the upcoming term; check to see whether anyone will be clerking for the judge you are interviewing with, as they will have the most recent impressions of what you can expect from an interview. This list can be found on the “Clerkship Application Resources” page.
- **Student Summer Employment List:** a searchable list that identifies current students who interned for judges the previous two summers (this list is located in the “Networking” section of the Student Career Toolkit on the OCP website).
- **List of Faculty/Staff/Visiting Faculty Who Have Clerk:** a large number of faculty and staff have clerked prior to joining the law school, and are happy to talk about their clerkship experiences.

If all else fails and you are unable to connect with a Michigan Law alum, student, faculty or staff who is familiar with the judge, consider a web search with the name of the judge and “clerk” – this will bring up non-alums who have clerked for the judge; some applicants have had a lot of success blindly reaching out to these individuals. You should always keep in mind that the person you are speaking to may still have a relationship with the judge, and so should approach these conversations professionally and be prepared with questions!

When contacting former Michigan Law clerks, the first thing you should do is check the Michigan Law Judicial Database to see if they filled out interview and/or clerkship feedback forms. If they did, there may be some things mentioned on these forms that you want to follow up on during your conversation. If not, you can ask them some of the questions listed on the forms.¹ In addition, a few other good questions to ask are:

- Do you remember anything specific about the interview that you wish you had known ahead of time? (for example, does the judge always seem to ask a particular question, or drill you on your writing sample, or focus on less substantive questions and more on relaxed/personality-driven questions?)
- As a former clerk, you probably helped the judge when s/he was hiring your replacement. Was there anything particular that you or the judge looked for when selecting applicants to interview and/or when ultimately selecting the clerks?
- What did you like best about your clerkship?
- What do you wish you had known about the clerkship (as opposed to the interview, which is the first question) prior to starting?
- What qualities do you think are most important in a clerk for this particular judge?

Obviously you won't ask all of these questions, so spend some time beforehand thinking about which ones you would like to ask. Then be a great listener!

REVIEW INTERVIEW FEEDBACK FORMS

You should always check the Michigan Law Judicial Database to see whether anyone has filled out an interview feedback or clerkship feedback form. If the judge

¹ Clerkship Feedback Form Questions: What is the daily routine in chambers? What are the types of cases and what is the size of the docket? What is the method of dividing work between clerks? What is the general nature and extent of your responsibilities? How do opinions get written? Does the judge write the first draft? What are the hours of a typical day/week (do you work weekends?)? How does the judge like to communicate with clerks? What is the nature and extent of the mentoring (if any) promised by your judge? How does your judge evaluate clerkship candidates? Are there any particular opinions (by your judge) that a clerkship applicant should read prior to interviewing with your judge?

Interview Feedback Form Questions: How long did the interview last? What kinds of questions did the judge ask? Did the judge seem particularly interested in anything unusual/noteworthy? Are there particular subject areas in which an applicant should be prepared to discuss? Did the judge introduce you to the current clerks? If so, what kinds of things did they ask? Do you know anything about the judge's offer style (for example, does the judge make exploding offers, wait to interview everyone before extending an offer, etc.)? Does the judge look unfavorably upon a request for time to answer?

you're interviewing with joined the bench before 2004, we may also have feedback forms in hard copy – check out the binders on the library shelves in OCP.

RESEARCH THE JUDGE

THE BASICS

You will want to research the judge's biographical information. The document [Resources for Researching Judges and Finding Law Clerk Openings](#) can be found on the OCP Clerkship Counseling page, and contains links to numerous different sources for conducting research.

If you are interviewing with a relatively new federal judge, you may want to look up the Senate Judiciary Committee nomination materials, which can be found at <http://www.judiciary.senate.gov/nominations/judicial>. Search the judge's name, and when you click on the name you should see links to the Committee Questionnaire and the Questions for the Record.

Search for speeches given by the judge, scholarly articles written by the judge, and any news about the judge. If the judge is overseeing a high profile case, you want to know what that case is about.

OPINIONS AND DISSENTS/CONCURRENCES

You want to approach the interview understanding how the judge approaches the law and opinion-writing. Hopefully your conversations with those familiar with the judge will give you a good start on this, but you want to spend some time reviewing the judge's opinions and dissents. Depending on the length of the judge's tenure on the bench, you may have countless opinions to review, or only a handful. Obviously a Lexis and Westlaw search will pull up the relevant docs, but when faced with numerous choices and a limited supply of time to read them, you will need to be strategic about your choices.

You should check the "Noteworthy Opinions" section in the Almanac of the Federal Judiciary (available on Westlaw – AFJ); not every judge will have a "noteworthy opinion" listed, but it is a good starting place. You should also check the feedback forms on the Michigan Law Judicial Database to see if any former clerks/interviewees have suggested cases the judge enjoys discussing or expects you to discuss. Beyond that, a google search may reveal that the judge authored an opinion on a particularly significant or interesting case. Regardless of whether you can identify particularly notable cases, you should always review some cases from the most recent term, or within the past year. Pick a mix of civil and criminal cases to review. Review them with a critical eye; you should be able to identify your favorite and least favorite opinions and be able to discuss why.

If you are interviewing with an appellate judge, also review a few of the judge's dissents and concurrences, as those are often the easiest places to truly hear the judge's voice, free from the constraints that often come from reaching consensus.

RESEARCH THE COURT

Before you go into an interview, you should research the court in addition to the judge. This is particularly important if you are interviewing with a court of limited jurisdiction (Federal Circuit, U.S. Tax Court, Court of Federal Claims, U.S. Court of International Trade, etc.), as you will want to understand the nature and scope of the disputes before the court. But even if you are interviewing with a court of general jurisdiction, it is helpful to know a bit about the court. If it's an appellate court, is it a court of last resort? Is it appeal by right or by leave? If it's a trial court, does the judge have a particular docket (criminal, family, civil)? Are the judges elected or appointed? If you're interviewing with an Administrative Law Judge, you should understand the mission of the department or agency.

RESEARCH THE LOCATION

If you are interviewing in a location where you do not already have strong ties, make sure you have done some research on the city and area of the country where you would be clerking. Judges want to know you'll be comfortable living and working in their city, and a good way to reflect your genuine interest is to know what's going on in that community. You don't have to be an expert – you just need to be aware of what life might be like in that city so you can genuinely talk about why you would want to live there.

STUDY YOUR RESUME

You need to know yourself even better than you know the judge, so take the time to sit down with your resume and study it. You should have a story or example for every entry on your resume. Be able to thoroughly discuss one or two projects for every legal job you've held (including clinics/externships). In particular, you should be prepared to discuss in detail your writing assignments – the legal issues, how you approached the problem, how you tackled any challenges, and how you drafted the final product.

STUDY YOUR WRITING SAMPLE

Know your writing sample inside and out. Know the best arguments in support of and against your position. Be prepared to argue it both ways, and be prepared for the judge to press you on your arguments and conclusions. Do not assume that the details of your writing sample will all come back to you because you spent hours upon hours writing it not that long ago. You will forget, especially under pressure in an interview. Spend the time to reacquaint yourself with it. Also, if your writing sample cites to a case authored by the judge, make sure you reread that case too – especially if you distinguish it or criticize the holding.

STUDY YOUR TRANSCRIPT

Know the classes you took and the professors who taught them. Know the classes you are enrolled in for the next semester, if any. Think about which class was your favorite and least favorite, and be able to discuss why. If you have a bad grade or two that otherwise seems out of place on your transcript, be prepared to discuss what happened. If you started out rough but the grades have continually improved, be prepared to discuss that too. Think about the steps you took to improve – did you meet with your professors? Learn how to study smarter? Work on your exam-writing skills? Hopefully you can point to something other than luck!

CONDUCT A SELF-EVALUATION

Spend some time thinking about why you want to clerk, why you want to clerk for that particular judge, why you want to clerk in that particular court, and why you want to live in that particular location. Be able to articulate why the judge should hire you over other applicants. And be able to discuss your plans for the future – both immediately after the clerkship and longer-term.

PREPARE ANSWERS TO GENERAL INTERVIEW QUESTIONS

While clerkship interviews will include some clerkship-specific questions, you also want to think about the general interviewing advice and review the list of “likely questions” beginning on page 18 in the [Job Search Manual](#) in the Student Career Toolkit (greatest strengths/weaknesses; why you went to law school, etc) and the [Behavioral Interviewing 101](#) handout. Also, outline and practice your response to the most dreaded four words an interviewee can hear: “tell me about yourself”. You can see this one coming a mile away, so lack of preparation reflects particularly poorly on you – and it can make for a rough start to an interview if you’re not prepared. Map out your answer (don’t script it word for word) and practice saying it out loud.

KNOW WHAT’S GOING ON IN THE WORLD

You want to look like (and actually be) a well-rounded person, so make sure you’re relatively up on national/world events – enough so you’re not surprised when someone mentions a major CNN headline. Keeping an eye on legal news is a good idea too. You don’t want to walk into an interview unaware that the U.S. Supreme Court had issued a major ruling the previous day.

PREPARE FOR THE UNEXPECTED

Of course you can’t anticipate every question a judge might ask, but here are a few examples of actual questions asked during clerkship interviews:

- Is there a specific body of Supreme Court cases that you particularly like or dislike? Why?

- What would you do if you took a stance on a particular case and the judge disagreed with you?
- What do you think is the most interesting case before the U.S. Supreme Court this term, and how do you think it should be decided?
- Tell me about your most interesting assignment during your summer at _____. Now argue the other side of this issue.
- What book are you reading right now?
- How would your parents describe you?
- Tell me something about you that is not on your resume.
- How would you approach researching a legal topic that you knew nothing about?
- What is your research and/or writing style or method?

PREPARE QUESTIONS FOR THE JUDGE AND CLERK

Generally, your questions for the judge should stem from your research and should be particular to him or her. Questions that get the judge talking are generally better than questions with “yes” or “no” answers. You can ask clerks the more routine questions or questions about the mechanics of how chambers is run. Only ask questions you genuinely care about the answer to!² A few examples:

- What are you looking for in a law clerk?
- What has been one of your favorite or most challenging cases since you have been on the bench/since you have been a clerk?
- What was your appointment process like? (probably only relevant if recently appointed)
- How are opinions written? Does the clerk or the judge write the first draft?
- Do you keep in contact with your former clerks? What are some of the things they’ve done in their careers since clerking for you?
- How is work divided among clerks?

² It should go without saying that you should NOT ask ANYONE questions about benefits, hours, time off, etc.

- Can you describe a typical day for a clerk?
- What do you like best about your clerkship?

THANK YOU NOTES

You should write a thank you note to the judge and every other person you interviewed with in chambers within 24 hours.

The note does not need to be long – four sentences or so is fine. Thank them for their time, state how much you enjoyed meeting them, and reiterate your interest in the position. If you can think of one thing that you talked about particularly, you can mention that you enjoyed talking with them about that. Proofread, proofread, proofread!

MISCELLANEOUS TIPS

- You may not be able to bring your cell phone into the courthouse – plan accordingly.
- Bring extra copies of all of your materials to the interview
- Keep your recommenders in the loop both before and after your interview. They may be able to make calls on your behalf and they need to be aware that they may be getting a call from chambers about you.
- Remember to smile and to consider this a *conversation* – not an inquisition! A huge part of a clerkship interview is an assessment of your “fit” within the judge’s chambers family, and many judges are looking to see whether they enjoy talking with you.