

# A Complete Guide to Clerkships at the University of Virginia School of Law

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## I. OVERVIEW

### A. Reasons to Clerk.

1. A unique and rewarding experience. Clerking is an extremely valuable opportunity that is unlike anything that you have done in law school or will be able to do in your professional practice. A law clerk serves as a close advisor to a judge, and is uniquely positioned to gain an inside perspective on how courts make decisions. You will work on real cases and help your judge make real decisions that directly impact people's lives. Clerking is an interesting, rewarding experience. Many clerks point to their clerkships as one of the most enjoyable experiences of their legal careers.
2. Mentoring. If you pick the right judge, he or she will be a mentor during your clerkship year and, often, for life. A judge is likely to have enjoyed an interesting and prominent legal career before taking the bench, and will have gained additional wisdom—both legal and practical—through his or her days as a jurist. Because you will be one of only two, three, or four people clerking for your judge during your clerkship year, you usually work closely with your judge and get to know him or her well. In fact, many judges socialize extensively with clerks because they have no one else with whom to speak freely concerning lawyers and cases. Many judges provide their clerks with friendship and advice long after the clerkship has ended.
3. Networking. Clerking helps you build contacts that will last throughout your career. You will get to know your co-clerks, your predecessors and successors in the chambers, and clerks for other judges in the building or on the court, all of whom may be useful contacts for you in the future. You may also get to know the lawyers who practice before the court where you clerk. Most importantly, you will have established a relationship with the judge for whom you are clerking, which may prove to be one of the most valuable contacts that you will have in your career.
4. Job Skills. As a clerk, it is likely that you will attend judicial proceedings, hone your legal research and writing skills by crafting bench memos and drafts of opinions, and be asked to provide advice and counsel to the judge. You will be exposed to many different areas of law and many different styles of lawyering. The concrete job skills earned on the job while clerking translate well to almost any field of law, including not only litigation, but also transactional practice, public policy, and corporate work.

**B. Who Should Clerk.**

1. Grades. Clerking is open to far more people than you might suspect. You do not have to be on the Law Review to get a federal clerkship. Indeed, while the majority of federal *circuit* clerks from Virginia may be on the Law Review, a good number of federal *district* clerks from Virginia are not. Many judges care less about grades than about the entire package reflected in a student's application. Students with grades at or below the mean have obtained federal court clerkships in recent years. State and non-Article III federal clerkships are also open to Virginia students across all grade ranges. Judges on courts with special jurisdiction, including federal bankruptcy courts, generally care far less about an applicant's grades than they do about a sincere interest in the type of law practiced in the court.

2. Career Goals. Clerking is a valuable experience for students interested in virtually any type of career. Clerks learn to analyze and apply the law to complex fact patterns, a skill necessary not just for those who plan to litigate, but also students interested in transactional or regulatory practices. Many clerkships also provide specialized expertise in a particular area of the law.

3. Timing. Traditionally, students have clerked immediately upon their graduation from the Law School. In recent years, however, there has been an increased interest among judges for candidates with 1-3 years of experience. In particular, many Federal Court of Appeals judges are consistently hiring clerks who first complete a district court clerkship, and judges in areas with heavy corporate dockets, such as New York and Delaware, are looking to hire clerks with some experience in that area of law. While many judges still hire rising 3Ls, opportunities are also available for alumni who wish to clerk. If you are considering delaying clerkship applications for 1-2 years to gain experience at a law firm, however, you should check on the firm's clerkship policy, as some will only hold slots for those who clerk immediately after law school.

**C. Types of Clerkships Available.**

1. Federal Courts of Appeals. Most federal circuit judges hire three or four clerks for a term of one year. The lives of appellate court clerks are usually less hustle-bustle and more cloistered than the lives of district court clerks. Appellate court clerks typically read briefs, do extensive legal research, write memoranda to the judge about upcoming cases, attend oral arguments, and write rough drafts of opinions. Federal Court of Appeals clerkships are ideal for students who wish to enter academia or appellate practice.

2. State Appellate Courts. Most state supreme court justices hire 1-2 clerks for a term of 1-2 years. State appellate practice is similar to federal appellate practice. State Supreme Courts and intermediate courts of appeal hear a wide range of cases and cover a wide range of state law, including contracts, family law, criminal law and torts. State appellate court clerkships are ideal for individuals who are interested in appellate law but may not have the grades to compete at the federal court of appeals level.

3. Federal District Courts. Most federal district judges hire two clerks for a term of one or two years. A typical district judge may have a few hundred cases on the docket. Most district judges have their clerks do some or all of the following things: talk with attorneys about case status; attend status and settlement meetings with the attorneys; attend hearings and trials; conduct legal research; prepare research memoranda for the judge; and write rough drafts of opinions and orders. For prospective litigators, a district court clerkship is the ideal job.

4. Federal Magistrates. Most federal magistrate judges hire one clerk for a term of one or two years. Magistrate judges are appointed by the federal district judges of a particular court, serving terms of eight years. Magistrate judges conduct a wide range of judicial proceedings to expedite the disposition of the civil and criminal caseloads of the United States District Courts. To achieve maximum flexibility in meeting the needs of each court, the actual determination of which duties to assign to magistrate judges are left to the individual courts. Many magistrate judges conduct a wide range of criminal hearings, while others handle strictly civil work, often chunks of complex multi-plaintiff litigation. Magistrate clerkships are fast-paced and an excellent learning opportunity for students interested in spending a lot of time in court.

5. State Trial Courts. Many state trial courts hire clerks, sometime for the individual judges, but often one or more clerks to be shared by all of the judges of the court. These clerkships can be a great way to learn about the law and legal community of a state, as well as to expand basic lawyering skills such as advocacy, research, and legal writing. Because state judges are often elected officials, such clerkships can also provide unique contacts with the state and local political communities. These clerkships are ideal for individuals who aim to become prosecutors or public defenders in a particular state, but can also be valuable for anyone interested in litigation generally.

6. Specialized Federal Courts. In addition to the circuit and district courts discussed above, there are also clerkship opportunities with various federal judges

who sit on more specialized courts. The Court of International Trade is an Article III court that holds trials in various trade matters; its offices are located in New York City, but its judges can be assigned to conduct trials at any place within the United States. The U.S. Court of Federal Claims, located in Washington, D.C., is an Article I court that hears various claims against the United States government. Appeals from both tribunals go to the United States Court of Appeals for the Federal Circuit, which also has jurisdiction in matters involving copyright, patent, and trademark. Other non-Article III judges also hire clerks. Federal bankruptcy courts handle sophisticated commercial cases, especially in larger commercial centers. The U.S. Tax Court has jurisdiction over tax cases and handles many complex issues. Many Administrative Law Judges (both in Washington, D.C. and elsewhere) also hire clerks, including at the EPA, the Department of Labor, and the International Trade Commission.

7. Specialized State Courts. In many states, separate courts are assigned to handle matters of probate law, family law, juvenile cases and even environmental matters. If you have a particular interest in one of these fields of law, a clerkship can be a terrific start. Not only will you learn a large amount of substantive law in a short time, but you will have access to the judges and lawyers who practice that law in a particular community.

## **II. DECIDING WHERE TO APPLY.**

### **A. Type of Court.**

1. Gauging the Competitiveness of Clerkships. Ascertaining the competitiveness of clerkships is difficult. Many students err on the side of applying to overly competitive clerkships and wind up empty-handed. As a general rule of thumb, federal circuit court clerkships are the most competitive, followed by federal district court clerkships, followed by state supreme court clerkships, followed by federal “non-Article III” and other state court clerkships. There are, of course, exceptions to this general rule of thumb. For instance, clerkships with district judges in certain regions of the country are sometimes harder to get than clerkships with circuit judges elsewhere, and clerkships on some state supreme courts may be harder to get than clerkships with some federal district judges.

2. Type of Work. While students tend to want to get the “most competitive” clerkship that they can, this is not always the best career choice. If your ultimate goal is to be a prosecutor, than a clerkship in a trial court will provide far more practical experience than a clerkship in an appellate court. If you hope to practice

in a small regional firm, than experience with state law may be more valuable than federal law. Whatever decision you make, be prepared to explain to a judge why you chose that court to apply to.

3. Location. Location can be as important a factor as type of court in ascertaining how competitive a clerkship is. Within each category of courts, the most competitive regions tend to be the District of Columbia, New York, Boston, Chicago, and California. Most students are well-advised to direct at least some of their efforts beyond federal judges of the "Amtrak corridor" from Washington to Boston. Students often choose to focus on one or two areas of the country when applying for clerkships. It is often a good idea to choose an area of the country to which you have a particular tie -- and then add an additional area for some diversification. Judges are often interested in candidates who have some connection to the area of the country. Candidates who are serious about obtaining a clerkship should think carefully about where to apply. You may be well served by expanding your geographic horizons for the short term. The rewards of a good clerkship experience are likely to outweigh any drawbacks of living and working for a year in a place where you do not intend to move permanently. Clerking in a particular region does not in any way commit you to working in that region after the clerkship year.

4. Active vs. Senior judges. After some years of service, federal and some state judges have the option of taking "senior status." Typically, the caseload of judges on senior status is reduced. Depending on the number of cases they will be hearing, though, senior judges remain eligible to hire at least one law clerk (and often more than one). Most senior judges maintain a full and interesting docket, and use their senior status to avoid types of cases that do not interest them. To get information on senior judges, you should talk to current or recent clerks on that court. You can find the names of former Virginia clerks under the reference material at [www.law.virginia.edu/judicialclerkships](http://www.law.virginia.edu/judicialclerkships).

## **B. Number of Applications**

1. General Recommendations. Most judges receive a large number of applications for few clerkship spots. Federal judges may receive a thousand or more applications for two or three positions. Consequently, it is wise to cast a fairly broad net when you begin your clerkship search. The number of judges to whom you should apply depends in part on how badly you want to clerk, how strong your application is, and how much risk you are willing to run. The more

applications you submit, the more likely you are to wind up with a clerkship, and most students who are serious about the clerkship process will apply to at least 40 judges.

2. Limits. Students are limited to 100 applications. This is a combined limit, no matter what method of application is used for the judge. Exceptions can be made in very rare instances. Please know, however, that applying to more than 100 judges is probably counter-productive and may decrease your ability to get good recommendations.

3. Applying to multiple judges on the same court or in the same courthouse is perfectly appropriate. Indeed, there is some advantage to applying to a number of judges on a single court or in a given region, because if one judge offers you an interview, you may be able to call the other judges in the vicinity to whom you applied and request interviews with them while you are in the neighborhood. It is nevertheless prudent to do some research instead of blindly applying to every judge on a court or in a courthouse. Suppose, for instance, that you are interested in clerking for a district judge in a particular city. If you talk to a former clerk or a practitioner from the city, you may well find that there are a few outstanding judges, a large group in the middle, and perhaps a few that you should avoid. In that case, you might decide to apply to all but the last few, or you might decide to apply only to the outstanding ones and also to similarly outstanding judges in other cities.

C. **Research Resources.**

1. The Almanac of the Federal Judiciary provides biographies and lawyers' evaluations of federal judges. This is often the best source for getting a quick overview of a judge, but keep in mind that any single source has its inevitable biases. You should definitely read here about a judge before going to the interview. The Almanac is available in the reserve room of the law library.

2. The Judicial YellowBook: Federal and State Court Judges, published twice a year, provides a comprehensive listing of federal and state appellate court judges. This is the best source of information about state-court judges and includes addresses and phone numbers. The directory includes a brief biography of each judge, as well as the names of current clerks. It is located in the Reference section of the library on the second floor.

3. The Guide to State Judicial Clerkship Procedures. This resource, available at [www.law.virginia.edu/clerkships](http://www.law.virginia.edu/clerkships), is the best source for obtaining information about how to apply for state court clerkships. It is updated yearly by the

University of Vermont. Some of the information has been inaccurate in the past, though, so you should also go to the websites of the particular courts to which you want to apply.

4. Office of Judicial Clerkships Website. The Office of Judicial Clerkships (OJC) has compiled a number of Virginia-specific resources to help you in your search for a clerkship. Available materials include a list of judges who graduated from the University of Virginia, lists of judges who have hired UVa graduates, lists of UVa alumni who have clerked or are clerking, and clerkship interview reports filled in by previous UVA students and sorted by judge.
5. The 'Shipping News is a blog devoted to up-to-date clerkship information for Virginia students. Information on types and availability of clerkships is posted on the site year round.

### **III. ASSEMBLING YOUR APPLICATION MATERIALS.**

#### **A. Cover Letter.**

1. The cover letter is almost always short and sweet, but please be sure that it contains no mistakes of any kind—law clerks do not make typographical errors. Some judges look at the cover letter as a mini-writing sample.
2. If you are applying to an area of the country to which you have a particular connection, this is a good chance to highlight it, particularly if it is not reflected elsewhere in your materials. However, if your connection to the area is tenuous, it is best not to mention it at all.
3. If the reason why you are applying to a court is not obvious (i.e., if it is a state court or a court of special jurisdiction), briefly explain your reasons for applying. You do not need to explain why you are applying to a federal court of general jurisdiction. State courts, however, often expect an explanation of why you believe you are a good fit for the court.
4. Do provide the names of your recommenders in your cover letter, but do not provide telephone numbers or state that your recommenders would be happy to speak with the judge directly unless you have checked with them first.
5. You can include special information if it is both true and relevant. For instance: (1) If you are applying only in a limited area because of family commitments, you can mention this fact; (2) If you plan to practice in the judge's city, or can say that you strongly expect to practice there, you can say

so. (Note: Do not say this for multiple cities; remain honest throughout the process.); (3) if a judge is your first choice, it is appropriate to say so, along with the reason why. This type of information can often help judges zoom in on particularly good candidates for their chambers.

## B. Resume.

1. You can use essentially the same resume format that you used to apply for jobs with firms or public service employers, but understand that many judges are older and they tend to be more socially conservative – do not use tiny print, hard-to-read fonts, or artsy lay-outs.
2. Writing is an important part of most clerkships – make sure to highlight any writing experience you have, and in particular if you were a legal-writing Dillard or won a “best brief” prize, if you have written a student note (or any other publication) or if you serve on the board of your journal. Don’t assume that judges know what a Dillard Fellow is—spell it out.
3. No matter your level of experience, your resume should be no more than one page.

## C. Writing Sample.

1. Most judges require a writing sample. Some judges will require two, and a few state court judges – particularly state trial court judges – may not require any. If you are not sure of whether a judge wants to see a writing sample, you should send one.
2. The writing sample should represent your best work. It is less important that it be of a particular type than that it be flawless and well-written. When choosing among writing samples, keep in mind that judges generally prefer to see work that shows legal reasoning and analysis.
3. Writing samples should be no more than 15 pages in length. Feel free to excerpt 12-15 *continuous* pages from a longer piece. Some judges require writing samples to be shorter – no more than ten pages – make sure to note each judges specific requirements.
4. Some judges require that the writing sample be self-edited. Make sure you follow directions.

5. If you wish to submit work that you did for a firm, government, or public-interest employer, it is crucial that you get permission from the employer first and then indicate conspicuously on the writing sample that you are submitting it with permission. It is your responsibility to redact any information that is confidential or client-sensitive.

**D. Transcript.**

1. All federal judges and most state judges require a transcript. Unless otherwise instructed, you should include your law school transcript with your application.
2. For most applications, you can use your unofficial transcript or a photocopy of your official transcript. If you have a GPA of 3.48 or above, you should use your unofficial transcript – available on Symplicity – because it explains the B+ mean and also states that if your GPA is higher than a 3.48 you are in the top 25% of the class.
3. Some judges also require an undergraduate transcript. If your undergraduate GPA was high (3.75 or above), you should consider sending both transcripts whether the judge has requested it or not.
4. Never use a printout of your grades from ISIS.

**E. Letters of Recommendation.**

1. Most judges require two to three letters of recommendation. At least two of these letters should come from full-time law school faculty. Enough judges require three letters, that we highly recommend seeking three writers at the outset of your application process.
2. In deciding whom to approach, do not be driven exclusively by the grades that you received; a professor can sometimes make a stronger recommendation, with more convincing details, for someone who got a B but talked well in and out of class than for an A student who never spoke at all. If you have questions about which recommenders to approach, please consult the Office of Judicial Clerkships.

3. Good choices for letters of recommendation can often include your small section professor, someone who has supervised your writing, or someone for whom you have been a research assistant.
4. Recommendations from non-faculty are often less helpful than recommendations from faculty members. As with most general rules, however, there are obvious exceptions. A letter on your behalf from someone with whom the judge has a personal relationship can be very helpful; such a person may be able to explain how well you fit the judge's needs. A partner in a law firm (or an equivalent public-sector lawyer) who has worked with many law students and recent graduates from top schools, and who is willing to say that you stand out, may also be able to write a helpful letter.
5. If your letters come from non-faculty members, you are responsible for submitting them on time. Writers who are not accustomed to the academic calendar often have difficulty with the rigorous deadlines of the clerkship process. Each year, some students are left in the lurch when outside recommenders fail to come through. Please take this difficulty into account when seeking outside letters – ask early and keep on top of your recommenders.
6. Give your recommenders the information they need to write a good letter. When you meet with the professor, bring your transcript and resume and any other information that the professor might find useful in composing a letter about you. If you wrote a paper for the person, give him or her another copy. Make sure to fill out your candidate information form (downloadable from the clerkships website) clearly and thoroughly – it is easier for your writer to compose letters if they know the types of courts you are applying to and why. PLEASE FORWARD A COPY OF YOUR CANDIDATE INFORMATION FORM TO THE CLERKSHIP OFFICE WHEN IT IS COMPLETED.
7. Be aware that some faculty may limit the number of letters they will write for you, or agree to write to some judges but not others. Some professors, for instance, will not recommend more than one person to the same judge. Make sure you talk your potential judge list over with your writer in advance.

#### IV. HOW TO APPLY

##### A. Timing.

1. The timing of your clerkship search will depend on the types of clerkships that you apply for and the year in school in which you are applying. Make sure that

you familiarize yourself with the relevant hiring deadlines, as getting your applications out as soon as allowable will be to your benefit.

2. All federal courts are governed by the Federal Law Clerk Hiring Plan. The hiring plan mandates that schools send out clerkship applications no earlier than Labor Day of a student's third year of law school. Not all federal judges abide by the hiring plan, but the law school may not bundle clerkship applications before Labor Day. If you have questions about what to do about a particular judge's hiring practice, please contact [judicialclerkships@virginia.edu](mailto:judicialclerkships@virginia.edu). Please note that in order to send applications out on Labor Day, the Office of Judicial Clerkships needs those materials several weeks in advance. A list of deadlines is published in early spring for fall applicants.
3. Many state courts accept applications earlier than federal courts, and many will still be hiring long after the federal hiring season has ended. As a general rule, state supreme courts hire early – some as early as the winter of your 2L year, while state trial courts may hire as late as the spring of your 3L year. If you are interested in a particular court or state, the best practice is to check with the court directly, as early as possible, to ascertain their hiring needs.
4. If you are applying as a graduating 3L, apply early. Many judges prefer to consider alumni candidates (which you will be) well in advance of rising 3L candidates. Many judges have finished considering alumni by early summer. Consider sending your materials as early as February and March and then updating them in late spring once you have graduated.

#### **B. Creating Your Judge List: Using CARS**

1. The Office of Judicial Clerkships uses an internal system to track student judge selections and organize the production of paper letters of recommendation from faculty. All students who wish to participate in the clerkship process must use the Clerkship Application and Recommendation System (“CARS”).
2. You must enter each judge to whom you are applying on CARS, regardless of whether that judge requires a mailed paper application or accepts online applications through OSCAR. This allows your faculty recommenders to get the complete list of applications and plan accordingly.

3. CARS sole function is to provide your comprehensive judge list, along with judge addresses, to your recommenders. You must still create your application – either on paper or on-line – for each judge to whom you plan to apply.
4. A guide for using CARS can be accessed [here](#). A few important tips:
  - a. You may not request letters of recommendation through CARS – you must first get approval from a professor before you select him or her as a recommender on CARS (or OSCAR).
  - b. CARS is a static database. We update the data at the start of each clerkship cycle and can only upload data on federal judges and state appellate court judges that we receive from the courts. As a result, state trial court judges, newly confirmed judges, or recently changed addresses will not be included in the database. You may enter a state trial court judge, new judge, or new address by clicking on the “request a new judge” link in the upper left hand corner of CARS.
  - c. CARS includes all federal and state appellate judges, not just the ones looking for clerks. It is possible that a judge that you will see on CARS does not actually want to hire clerks for the year for which you are applying, perhaps because that judge uses two-year clerks or career clerks. Although we do our best to flag judges who are not hiring, it is your responsibility to determine whether a judge is actually hiring for the term for which you wish to apply.
  - d. CARS includes both judges who wish to receive paper application and those who wish to receive online applications via OSCAR. We have made every effort to flag the OSCAR judges in CARS, but judges can opt into OSCAR at any time. It is your responsibility to continue to check OSCAR until your applications are released to the judges, and to apply on OSCAR if a judge decides to opt in late in the process. If you find that one of your judges has newly opted into OSCAR, please notify the OJC and your faculty recommenders.
  - e. Your list may not be viewed by faculty or the OJC until you hit the “**Submit Your Clerkships for Final Approval**” link. Once you have done this, the status of your requests (viewable on the “All My Requests” page) will change from “new” to “submitted to faculty.”
  - f. Once you have submitted your requests, they cannot be changed. Please double check that your list is accurate before you hit submit.
  - g. You can use the “**Create Your Own Merge Data**” link to create your own merge data document which you can use for your cover letters and labels. This

function will also allow you to create a data document which you can email to a recommender who is not a full-time faculty member here at U.Va..

C. **OSCAR.**

1. Every federal judge may accept electronic applications through the federally-run Online System for Clerkship Application and Review (“OSCAR”). Only judges who have opted-in to the system may be applied to via OSCAR.
2. If a judge to whom you wish to make an application has opted into OSCAR, then OSCAR is the exclusive method by which you may apply to that judge. You may find out which judges have opted into OSCAR by going to the OSCAR homepage and clicking on “Participating Judges.” You may also use the search function and select “accepts online applications” as a search option.
3. U.Va. does not administer the OSCAR program, and therefore we are limited in our ability to help you if you run into technical issues. However, the OSCAR website includes a detailed User Guide that can walk you through the application process. The User Guide can be found by going to the OSCAR homepage under “Resources.” A few other tips on the use of OSCAR:
  - a. You can create an account on OSCAR by clicking on the applicant registration link. Once you have created an account, you can begin applying to judges. Judges will not be able to view your applications until after Labor Day.
  - b. OSCAR requires that you convert your writing sample to PDF form. The computers in the Law School computer lab have Adobe Acrobat on them to enable you to do this.
  - c. OSCAR will ask you for your class rank. You should indicate “Law School Does Not Rank.”
  - d. Once you have finalized your materials **and your faculty recommendations have been uploaded** you should click “finalize applications.” Once this is clicked, your application may not be altered in any way. Judges will not be able to view your applications until this is clicked.
4. The OJC will help coordinate the uploading of your faculty letters of recommendation to OSCAR. In order to do this as efficiently as possible, we ask you to be aware of the following information:
  - a. Once you create an application to a judge and indicate who your recommenders are, the recommenders will be able to upload your letters of recommendation.

They cannot upload a letter of recommendation for you until you have actually created an application and selected them as recommenders. The application can be in draft form, and can consist of only your resume—but until you actually create an application, the recommenders cannot do their parts.

- b. Recommenders are notified via an e-mail from OSCAR the first time someone lists them as a recommender. They do not receive additional e-mails each time they are added by a new applicant, or each time you add additional judges. Consequently, if your recommenders have uploaded your letters, and you then change your judge list, you will need to notify them of the new requests.
- c. Your letters from U.Va. faculty will be uploaded to OSCAR by their secretaries. If OSCAR shows that letters have not yet been uploaded to the system by early September, you should contact the appropriate assistant to inquire about the status of your recommendations. Please be patient, as the faculty assistants must process many letters, but do make sure that you do not wait until the very last minute to make them aware of a potential issue.
- d. If you use a non-UVA person as a recommender, make certain that you input that person's e-mail address correctly, because that is how OSCAR will communicate with that recommender.

#### D. **Submission of Student Materials.**

1. All paper applications must be completely assembled, with the exception of letters of recommendation from faculty, before they are submitted to OJC. You do not need to bring any materials for any judge to whom you applied via OSCAR. An application packet should include your cover letter (on nice paper, signed), resume, transcript, and writing sample. Applications must be received, in their entirety, by the deadline in order to be sent out on time.
2. Please keep state applications separate from federal applications. We can send these applications out sooner, and it is generally to your benefit that we do so. Please email [judicialclerkships@virginia.edu](mailto:judicialclerkships@virginia.edu) with your state application deadlines and when you would like these applications to be mailed as soon as possible. We will make sure that your letters are processed on time. Also be sure to make your faculty recommenders aware of applications that you intend to be sent before Labor Day so that they are sure to get their letters done.
3. Each application package must be in its own properly addressed, unsealed envelope. You can use either white Tyvek envelopes which are virtually indestructible, or brown envelopes. **Your envelopes must be 9" x 12."** You must use **self sealing**, redi-seal, or

peel off sealing envelopes. Do not use metal clasp envelopes or envelopes that must be licked. The letters of recommendation from your professors will be inserted into the envelopes you submit, and they will be sealed for shipping.

4. Be sure that the envelopes have return address labels on them that read:

**Clerkship Committee**  
**Application of [Your Name]**  
**University of Virginia School of Law**  
**580 Massie Road**  
**Charlottesville, VA 22903-1789**

5. You do not need to put postage on the envelopes, as we will pay for postage for you.
6. Please submit your applications in alphabetical order by the last name of the judge.
7. Please include a list of the judges to whom you are sending applications, and which recommendation letters we can expect to stuff into each application. (You can print this list from CARS.) Every year, students decide at the last minute to drop a couple of applications or have judges who opt late into CARS; you need to let us know in writing so that we are not hunting for those applications. We also need to know what recommendation letters to expect so that we do not seal your applications before all of your materials have arrived. This is particularly important if an outside recommender is sending materials to the school, because that person will not show up in CARS.

**E. Applying After the Peak Season.**

1. Even after the peak season ends, some clerkship opportunities will remain. Keep your recommenders and the Clerkship Committee aware that you are on the market, and they may let you know of suitable opportunities. Clerkship opportunities will be posted to Symplicity and OSCAR throughout the year.
2. Applying to new judges. Judges whose nominations are pending, or who have just been confirmed, will need clerks when they take the bench. For judges nominated in the spring of your 3rd year, you might be the perfect candidate to be a clerk when they open chambers. To track new nominations, you can consult the [Office of Legal Policy website](#) or take advantage of the websites maintained as a public service by various schools (such as Yale). You may apply once the judge is nominated. Many nominees, however, will not make clerkship decisions until they are confirmed, so apply again when the judge is confirmed.

## **V. AFTER YOU APPLY.**

### **A. Interviews.**

1. Timing. The amount of time between receipt of applications and scheduling of interviews varies greatly judge to judge.
2. You pay for your interview expenses. To cut costs, try to schedule as many interviews as possible on the same trip. But don't be over-deterred by these costs. Spending a modest amount of money on the interview process is part of your investment in what is often a special year and in a credential that will serve you well throughout your legal career.
3. Notify the OJC as soon as you are granted an interview with any judge. In addition to helping you to prepare, we can also seek out faculty members with connections to the judge or a faculty member who might be willing to shore up your application with a phone call. If you are lucky enough to hear from more than one judge, we can also help you sift through your options as we have much more information on how many candidates a judge is interviewing, their typical interview rate, etc.
4. Use your leverage to get more interviews. A very important way to get additional interviews is to call other judges when you have already scheduled an interview in their area with someone else. Often, your phone call will lead people in the chambers to review your resume and then call you back to schedule the interview. Not every judge will be receptive to this, but many students each year secure interviews this way. Define "area" broadly. For example, if you will be travelling to the Midwest or West, you might include several states.
5. Preparation. You should obviously spend a reasonable amount of time preparing in advance of the interview. You don't need to read all of the opinions that the judge has written, but you should read some and have a sense of the judge's basic style and outlook. You also should know the basics: when the judge went on the bench, who appointed him or her, and other biographical information. You should also check the collection of judicial clerkship interview surveys available on the clerkships webpage.
6. In addition to learning about the judge, you should give some thought to what you will say about yourself. You should be prepared to talk about anything on your resume, the substance of your writing sample, and any course you have taken in

law school. Additionally, be prepared to answer questions about why you want to clerk, why you want to clerk on that specific court, how clerking will play into your career, and what you feel you can bring to a clerkship.

7. Dress as you would for a law firm interview. Some clerks routinely dress that way at the office and others wear jeans, but you should be attired professionally.
8. Pay attention to the clerks and secretaries. They will often speak with the judge about their impressions of you, and you should treat your time with them as part of the interview. Clerks often can veto an applicant whom they do not like. Talking with clerks is also a good way for you to get information about what the judge is seeking, and you can often develop a sense of what it would be like to work for that judge. Remember, though, that you must impress the clerks both with your talent and with your enthusiasm about working for their judge; you should not just use them as resources.
9. Interviews generally last between 30 minutes and two hours. They may include one session with the judge and another session with one or more of the judge's current law clerks. Do not schedule multiple interviews in the same day without leaving adequate time for each.

## B. Offers.

1. You should not accept an interview if you would not accept an offer, if given, from a particular judge. This does not mean you will accept the offer – sometimes you will have a competing offer or your situation will change before a judge makes his or her decision - but you should not go on an interview if you would not be prepared to accept an offer given at the end of the interview (which does happen). It is often the case that the first offer will not come from a judge who was in your top ten (or thirty choices). If you are undecided at the end of an interview, you can often ask for and get 24 hours to speak with your family or think it over.
2. Once you accept an offer, your decision is final. It is extremely bad form for you to renege on the acceptance. Your actions will reflect badly on future UVa applicants, and it is possible that the second offer that you accepted will be revoked when the other employer learns of your actions.
3. You can signal to a judge in your top tier of choices that you would accept an offer on the spot were one to be extended. Indeed, you can (if you choose) say so

expressly during the interview. Judges, like other people, don't like to be rejected, and your strong statement can make them look more favorably on you

4. If you accept an offer with a second judge after stating that you would be interested in an offer from another judge, then call immediately to the first judge to state that you are off the market. The first judge may be relying on your statement, and simple politeness dictates that you give prompt notice that you are no longer a candidate.
5. If a judge gives you some time to make a decision, it is ok to shop the offer around, but you must be extremely tactful. It generally is not a good idea to shop around in the same court as the initial offer; judges talk with each other, and you can create antagonism if the judge believes you have gone behind his or her back. Once an offer is made, sometimes the most you can do is call a preferred judge with whom you have already interviewed. You can ask if that judge would be able to make a decision on your candidacy in time for you to be in a position to take it.

### C. Other Follow-Up.

1. Withdrawing your application. If you accept an offer (or if you decide not to clerk), you should withdraw your pending applications. For chambers that have not been in touch with you, the standard procedure is simply to write a letter withdrawing your application. For judges with whom you have interviewed (or with whom you are scheduled to interview) but who have not yet gotten back to you with their decisions, you must immediately call their chambers, say how honored you were to have been considered, but report that you must withdraw your applications because you have accepted another offer.
2. Updating your application. It can often be helpful for you to update your application as good news rolls in. The chambers receiving the update will pull out your file, and that may get your application another look. Perhaps you will be lucky enough to have the judge making decisions on the day your good news arrives. Send an update if you are named to some position on a journal or other strong-sounding organization, or if you have a publication.