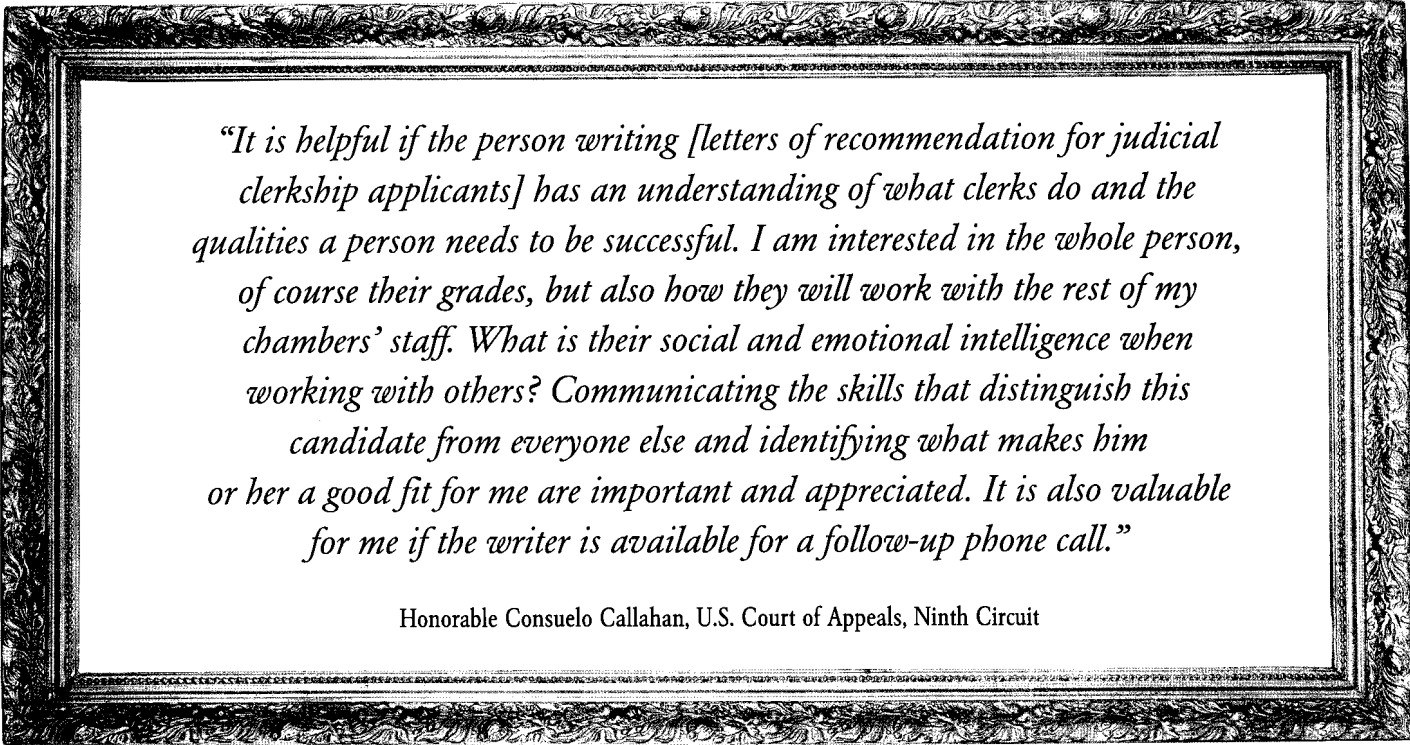


# OBTAINING GOOD JUDICIAL CLERKSHIP RECOMMENDATIONS

BY COLLEEN TRUDEN



*“It is helpful if the person writing [letters of recommendation for judicial clerkship applicants] has an understanding of what clerks do and the qualities a person needs to be successful. I am interested in the whole person, of course their grades, but also how they will work with the rest of my chambers’ staff. What is their social and emotional intelligence when working with others? Communicating the skills that distinguish this candidate from everyone else and identifying what makes him or her a good fit for me are important and appreciated. It is also valuable for me if the writer is available for a follow-up phone call.”*

Honorable Consuelo Callahan, U.S. Court of Appeals, Ninth Circuit

Landing a judicial clerkship is invaluable to budding legal careers. Top grades and class rank, law review or journal writing, legal work experience, and judicial externships are all basics to winning coveted clerkships. How else does one stand out from the stiff competition? Quality letters of recommendation can be the key to separating the contenders in the judge’s hiring decision. What makes a good letter of recommendation? The following suggestions discuss fundamental components of a judicial clerkship letter of recommendation.

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## CULTIVATING RELATIONSHIPS IN ADVANCE

The quality of the relationship between the recommender and student will determine the strength of the recommendation. A recommender must be able to write about the candidate’s abilities in detail. Advising your students early about the importance of cultivating solid relationships with their professors and employers will ultimately make your job working with judicial clerkship aspirants easier. Getting an “A” is not enough. Participating in class, attending office hours, serving as a research assistant, working as a law clerk, judicial extern, or summer associate are all good ways to develop and strengthen relationships with potential recommenders. These interactions allow the recommender to gain a strong sense of the applicant as a legal thinker and writer as well as his or her work habits and overall demeanor.

## CHOICE OF RECOMMENDERS

The quality of the relationship the applicant enjoys with a potential recommender is critical and will influence whom she or he approaches for a letter of recommendation. Recommenders should be able to comment thoughtfully on a student’s research and writing skills, analytical and intellectual abilities, and potential as a lawyer. Choosing recommenders who can speak specifically to the applicant’s abilities and personal characteristics tends to produce genuine and persuasive letters. It is vital that applicants request letters only from those who can write a strong letter of recommendation. They should start the communication carefully by giving a potential recommender a gracious way of declining to write a letter, if necessary.

Judges will usually request two or three letters, and at least one letter should be from a law professor; judges generally appreciate hearing from law professors who speak to the candi-

date's intellectual strengths. Employers can offer insights on how a candidate performs in a real-world setting with the pressures of daily deadlines and expectations. Influential people, either because of their positions or because of their personal relationships with judges, who can also speak directly to the candidate's legal skills and abilities may have a very positive impact. Talking with your applicants about their choice of recommenders can help them obtain markedly improved letters.

## INFORMATION TO PROVIDE TO A RECOMMENDER

Applicants know themselves and know their accomplishments. Even though recommenders will know the applicant well, they may not remember everything germane about the applicant when writing their letters. It is helpful for recommenders to have supportive information when constructing letters. Students should provide a current résumé, a summary of their work for the recommender and other accomplishments, a brief description of why they want a clerkship, as well as a transcript and writing sample. These materials allow the writer to comment thoroughly on an applicant's qualifications. Presenting to recommenders a list of judges to whom the applicant is applying will let the recommender personalize letters for judges they know. Applicants should also provide details on how the letters should be processed, whether for a mail merge or OSCAR online application.

## CONTENT OF THE LETTER

Emphasizing the qualities and abilities necessary for an exemplary law clerk is essential in conveying why a particular candidate should be chosen over all the others. Recommenders should include comments on the following applicant qualities.

*Intellectual abilities:* A strong letter of recommendation must address an applicant's intellectual legal abilities for critical thinking and analysis and his or her reasoning skills. Additionally, the letter should emphasize an applicant's ability to analyze complex facts and

legal doctrines, and then effectively articulate legal arguments.

*Research and writing skills:* The candidate's research and writing skills must be exceptional. A recommender needs to be well acquainted with these skills to write convincingly of the candidate's strengths. Since research and writing comprises the bulk of law clerk work, judges expect law clerks to possess highly accomplished and proficient research and writing skills.

*Personal characteristics:* Law clerks tend to work in a single judge's chambers with only a few staff members. The ability of an applicant to fit into this close work environment is important. Strong letters of recommendation include specifics regarding the ability to take initiative and direction, work well under pressure, complete assignments on time, and project a professional demeanor. In addition, remarks about a candidate's ability to be a team player, get along well with others, and keep confidences will affect the analysis of the candidate's fit within chambers.

*Clerking experience:* Generally, recommenders who have clerked should mention their clerking experience to underscore the writer's understanding of and appreciation for the unique dynamic of a judge's chambers. If the recommender is not familiar with the clerkship experience, applicants should provide an explanation of a law clerk's responsibilities and the qualities judges seek in an effective law clerk.

*Format:* Listed below are details for structuring the letters of recommendation.

- The letters should be individually addressed to the judges, if possible, as in mail merges. In other respects, the multiple letters may be identical.
- The letter should be one to two pages and include a reference line identifying the candidate for whom they are writing the letter and the school she or he attends.
- The introductory paragraph should identify that the writer is recommending the individual as a candidate for a

judicial clerkship. Identifying how the writer knows the candidate can come in either the introductory or the descriptive paragraphs.

- The descriptive paragraphs are the core of the letter. These paragraphs should provide arguments supporting the recommendation and detailing the candidate's abilities, skills, and characteristics.
- The concluding paragraph closes by returning to the purpose of the letter.

## SUFFICIENT TIME

Planning enough time for the recommender to prepare a good letter of recommendation is crucial. Applicants need to keep in mind that the recommenders are busy people; asking them well in advance allows them to consider the request and prepare a thoughtful, compelling letter. In addition, some recommenders agree to write only for a discrete number of students each year. Students who wait too long may be out of luck if the recommender has already agreed to write for other students. Encouraging candidates to request letters from their recommenders as soon as they know the hiring cycles of the relevant courts and judges will improve the ability of the recommenders to meet the requests and, thus, to produce quality letters.

Applicants also should give the recommender details about the timing of the application process. Be sure all applicants know – and share with their recommenders – your career services office's timing requirements and other processing information.

## CONCLUSION

Strong letters of recommendation can tilt the balance in favor of a particular applicant. Advising applicants of the important role their recommenders play encourages them to cultivate relationships, approach potential recommenders early, and provide sufficient information to the recommenders, all of which can help them land the clerkship they seek. ■