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JUDICIAL CLERKSHIPS

I. INTRODUCTION

In the near term, judicial clerks have two basic highly sought after and marketable advantages: an added educational experience and a beneficial stepping-stone for entry into the legal market. In the long term, throughout your legal career, a judicial clerkship magnifies your return on your law school investment in vast ways no other experience can. "According to a [recent] NALP survey, a remarkable 97 percentage of former clerks said they would clerk again, largely because of the value impact their clerkship experience had on their future careers. The intangible benefits of the clerkship experience cannot be overstated. Thus, the Career Center and Faculty recommend as strongly as possible that students consider clerking. We sincerely believe that if you have the opportunity to clerk, you will be grateful for the rest of your career that you did so.

Speak to any former law student who has pursued a judicial clerkship as their initiation into the legal community, and he or she will tell you that it was one of the most beneficial work experiences of his or her career. The former clerk will mention many positive aspects of the clerkship, including the sharpening of research and writing skills, exposure to subjects within the law that he or she did not pursue or have time for in law school, an enhanced confidence in practice skills, and the unique opportunity to learn the court system from the inside out. These benefits are a great deal to gain in the one or two short year(s) following graduation.

Judicial clerkships are considered prestigious positions by the legal community. The clerkship experience offers the opportunity to develop a one-on-one relationship with a particular judge while gaining insight into the court system as a whole. Additionally, this experience provides for unlimited networking opportunities with practicing attorneys.

Judicial clerks are not limited to those who are interested in practicing trial law. In fact, a number of those who have participated in clerkships have never again entered the courtroom. For those who seek to practice other forms of law, the judicial clerkship serves as a maturing experience by providing insight into other aspects of the law. The diversity of insight gained through this experience accounts for one of the reasons that former law clerks tend to have an added advantage in pursuing a legal career.

The Career Center has compiled this Judicial Clerkship Manual to explain the clerkship experience, highlight the benefits of such an experience, and provide specific application information for interested students. The Career Center strongly encourages students who are interested in pursuing a judicial clerk experience to start early. Clerk positions are few in number and highly sought after. The unspoken etiquette of judicial clerkship states that if offered a position, you accept immediately with no questions asked.


Students applying for federal court positions have been asked to apply the fall of their third year (as defined by the NALP guidelines on the plan). For a description of the plan, see "The Law Clerk Hiring Plan" at http://www.cadc.uscourts.gov/lawclerk/. Under the Plan, applications for federal clerkships should be submitted only on or after the first day after Labor Day, and judges will accept and review such applications only on or after that date. Federal judges have been known to stray from this kind of guideline in the past. Therefore, it is recommended that you
contact each judge to which you are applying to verify application procedures. Students applying for some state court positions may apply as early as the fall of their second year.

The Career Center hopes the information in this Manual will demystify the application process for judicial clerkships, as well as offer increased visibility of these unique positions for our Law Students. We are proud of our former students who have had some of their initial training within the court system, and we encourage our current law students to consider judicial clerkships honorable avenues of entry into the legal community. We offer this Manual as an aid to those students who may wish to pursue a judicial clerkship for all of its many benefits.

If you have any questions regarding the duties of a judicial clerk or the specific application process, the reference materials listed in this Manual are available in the Career Center. The Career Center will be happy to answer any questions or provide extra information on specific judges if information is available.

II. DEFINITION OF A JUDICIAL CLERKSHIP

A judicial clerkship is a post-graduate position with a judge or a court, in which the law clerk works closely with the judge as an assistant in handling his or her caseload. The duties of a law clerk range by judge and court from conducting legal research, drafting bench memoranda for pretrial motions and advising the judge on the resolution of these issues, to assisting in the drafting of opinions and the conducting of conferences, hearings and trials. The law clerk sometimes acts as a liaison between the judge and the attorneys or litigants. Depending on the judge, laws clerks may also be responsible for various administrative clerical duties.

Most clerkships are temporary in nature, lasting for a term of one or two years at the discretion of the judge. In some instances, the clerkship continues for a longer period of time, typically in the category of a "career" or permanent clerk. Some judges start their law clerks at the same time, while others stagger the terms, resulting in a "senior" and a "junior" clerk.


III. DUTIES OF A JUDICIAL CLERK

Trial court clerks have close contact with the litigation process. Law clerks sometimes participate in the discovery process, playing a role in assisting to resolve discovery disputes by phone, pre-trial conferences and motions; often this involves practical judgment as to fairness and dispute resolution techniques that can only be learned by watching the process at work. With the law clerk always by the judge's side, the range of tasks for bench (non-jury) trials includes assessing the credibility of witnesses and the evidence, preparing findings of fact and conclusions of law, and drafting or editing final orders. For jury trials, the law clerk will prepare questions for the jury voir dire at the beginning of the trial and the jury instructions for the end of the trial, researching and advising the judge as well on whatever evidentiary issues come up on the spot in the course of the trial. During the trial, the law clerk may act as a courtroom clerk, with or without the deputy clerk, marking exhibits, keeping trial minutes, handling (but not swearing in) the witnesses, and just plain watching the dramatic events of the trial.
Although trial court clerks play a key role in the courtroom, they also do a great deal of behind-the-scenes work. Some judges resolve motions from the bench in an oral decision based in large measure on this work of the law clerk, while others prefer to issue a written opinion, which the law clerk assists in drafting as well.

The appellate clerkship experience is more academic and reflective. The law clerk performs a research function, writing opinions and bench memoranda on the issues of law being appealed. With no courtroom exposure except during the limited times of oral appellate argument, the focus of the work takes place exclusively in chambers or in the library.

Although there are reduced contacts with the litigants and less court exposure, an appellate law clerk can, through observation, gain knowledge of the techniques of oral argument and a greater appreciation for the record. Typically, the appellate clerk helps to prepare administratively for oral arguments, including bench memos summarizing the briefs, analyzing the legal issues, and suggesting questions for the judge to raise or key points needing clarification by the attorneys at oral argument.

Another aspect unique to the appellate court is the amount of contact with other judges and the law clerks from other chambers, in addition to the intensive writing and editing experience with one's own judge. In the process of creating a decision for the court, the draft opinion circulates among the panel of judges and is the object of suggestion and compromise. The appellate clerkship thus offers the opportunity not only to witness first-hand the collective process and collegial interaction among the judges, but also to participate in a significant way.


IV. VALUE OF A JUDICIAL CLERKSHIP

Clerkships are prized from all different perspectives, transcending the distinctions between private practice and the public sector, corporate practice and litigation. Regardless of your future career path in law, a judicial clerkship can be a significant asset to your career. In academia, it is an important credential.

In addition to being a key credential for future law practice in any area, a judicial clerkship is itself a valuable life experience. A clerkship offers a unique opportunity to glimpse behind the scenes of a courtroom into the practical workings of a judge's chambers. The same is true for the once-in-a-lifetime prospect to gain first-hand knowledge of current legal issues, and to impact the law through the judge's decision-making and opinion writing.

The special knowledge and skills you acquire, and the contacts and relationships you develop, are considerable in such a concentrated period of time. The clerkship experience enhances your research, writing and analytical skills. As an additional asset, you join a network of co-clerks, former clerks and future clerks, with a common link to the judge and a mutual interest in each other's lives and careers. The name of "your" judge will be carried with you on your resume of the rest of your professional life. Ultimately, you may gain a lifelong mentor who will take an interest and assist in the development of your future positions.

Most law firms zealously seek law clerks and highly prize those former law clerks included among their ranks. Representatives from one prominent law firm, Hale and Dorr, LLP in
Boston, presented this perspective in a seminar to firms about recruiting and hiring law clerks. Speaking first from his personal experience as a former clerk, Jonathan A. Shapiro, who before joining the firm clerked for the Honorable Joseph A. DiClerico, Jr., Chief Judge of the U.S. District Court for the District of New Hampshire, offered this explanation: "A clerkship is sort of an extension of your educational experience. It's a further and unique training. In particular it's an opportunity for people who have been in largely an academic setting to see, at least for litigation, the soup to nuts process of filing a complaint, pretrial process, pretrial/post-trial motions and, in the case of an appellate clerkship, how the appeals process works."

Judicial clerkships are not just valuable if undertaken immediately out of law school. There is a trend toward young lawyers working a year or two with a law firm or in government and then clerking. Because the value of a clerkship lasts throughout one's career, the beneficial effects of the experience are recouped regardless of whether it happens immediately after law school or a few years later. As for the short term, in either case most law firms will credit the year(s) spent clerking toward their partnership track.

Clerking after working at a firm has several advantages and a few drawbacks. The major drawbacks are the disruption in job continuity and the difficulty in adjusting to a lower income for a year or two. On the advantage side, it provides additional opportunities to apply for clerkships because one can apply in successive years. Your candidacy for a clerkship position will strengthen as you gain relevant work experience. In addition, in the federal court system, clerkship salaries can be dramatically higher (as much as 50-70%) for clerks who have passed a state bar and have worked a year or more.

Finally, most who clerk after working discover that their lateral mobility and marketability has dramatically increased as a result of the experience.

Another factor in gauging the value of a clerkship is whether one's short-term financial situation can bear the lower income. There is every reason in the world to make the sacrifice. It is one that can be proven to payoff handsomely in the long run. However, in the short run, bills must be paid. Thus, this discussion comments on the most likely looming bills for a student -loan repayment obligations. There are a small number of programs that provide loan repayment during the clerkship, but most students will have to rely on another mechanism: loan deferment. While an extremely fugal individual in certain situations may be able to start loan repayments and clerk, many clerks simply defer or forbear loan repayments for the year or two of clerking. This allows the clerk to manage cash flow at an adequate level during the clerkling year(s). Most lenders have perfunctory procedures to effect a deferment or forbearance for this type of situation, without any negative impact on credit ratings, etc. To use an example from another field, lenders expect to have graduates of medical school defer or forbear any loan repayments for at least three years while the M.D. completes a residency. Cash flow is important and must be managed, but we encourage students whose primary inhibition to seriously considering clerking is financial to discuss their situation with a member of the faculty clerkship committee or the Career Center. The numerous advantages of a judicial clerkship are widely recognized. As a consequence, these coveted positions re both prestigious and highly competitive.

V. THE PROS & CONS OF CLERKING

Like most things in life, clerking has its good points and its bad points. The good far outweighs the bad for most people, but everyone is different, and you're the only one who knows what's best for you.

A. Pros

1. Nearly everyone who has clerked describes the job as a fascinating experience. The country is full of lawyers who look back on their clerkship as the best job they ever had.

2. You learn more about how the legal system actually works than it would be possible to learn doing anything else.

3. You get a credential on your resume that will help you for the rest of your career, no matter where you go or what you do.

4. You get to know a judge very well after working closely with the judge for a year. That's worthwhile in itself, but it also gives you a person with clout who will be in your corner for the rest of your career, telling potential employers how great you are.

B. Cons

1. The most serious downside to clerking is that you don't make as much money as you might at other jobs. In the federal courts, salaries vary slightly according to the cost of living in the city where you are located, but they are all generally between $30,000 and $50,000. Salaries in the state courts vary from state to state, generally within the same range. Over the course of your life, there's a good chance that clerking will raise your income by more than you forgo in the first year, but some people legitimately feel constrained by the debt they face upon graduation.

2. A clerkship occasionally makes it difficult to accept a permanent job offer from the employer for whom you worked in the summer between your second and third years of school. Most employers are happy to let you delay the commencement of a permanent job for a year in order to clerk, because they realize the practical educational value of the clerkship. (Some of the larger law firms even provide bonuses for people who have clerked but some employers, especially very small law firms, are unable to hold a position open for a year. The clerkship will most likely open up even more job possibilities, but students who are already certain about where they want to work may need to check with their future employer. If you are uncertain about how to approach this issue with employers be sure to talk to the Career Center.

3. Clerkships will all involve significant writing. This is especially true of clerkships in appellate courts, but even clerks for trial judges have to write. Some people just hate writing; for them, a clerkship would not be much fun.
VI. APPLYING FOR A JUDICIAL CLERKSHIP

A. Timing of Applications

Ideally, students should begin to explore the option of a judicial clerkship in their first year of law school. The prospective judicial clerk can thus engage in activities sought after by judges, such as research and writing skills.

Clerkship terms can be one or two years following a students' graduation from law school. It is recommended that law students contact each court/judge directly to determine what the term length would be with that particular court/judge.

Most judicial clerks' terms with the courts last from September (usually the September following graduation from law school) to the last week of August of the following year.

Each judge establishes their own hiring timelines, and there are resources to help you determine when to apply for a clerkship with a particular judge. The U. S. Federal Courts website which provides information about specific courts is available online at http://www.uscourts.gov.

The following information will help you to understand the general timing of applications:

1. **U.S. Appellate Judges:** A new "Plan for Law Clerk Hiring" has been approved by the federal appeals courts. The plan includes an agreement that hiring for federal appellate law clerks will be done in the Fall of the third year. Therefore, most federal appellate judges will not hire for the 2007-2008 term until Fall 2006. For a description of the plan, see "The Law Clerk Hiring Plan" at http://www.cadc.uscourts.gov/lawclerk/. Under the Plan, applications for federal clerkships should be submitted only on or after the first day after Labor Day and judges will accept and review such applications only on or after that date. Federal judges have been known to stray from this kind of guideline in the past. Therefore it is recommended that you contact each judge to whom you are applying to verify application procedures. If you have questions regarding the new plan, please contact a member of the Faculty Clerkship Committee. (See Appendix 4 for a list of the Faculty Clerkship Committee members.)

2. **U.S. District Court Judges:** Some U.S. District Court Judges will also follow the new hiring plan and not hire until a students' third year. To determine whether or not a specific federal judge hires during the second or third year, check the U.S. Federal Courts website at http://www.uscourts.gov/employment.html.

If application information is not available on a specific federal judge, call the judges' chambers directly to find out

3. **State Courts:** The N.C. Supreme Court and Court of Appeals do post clerkship opportunities with the Career Center. Mostly clerkship openings are by word-of-mouth. Hiring is done throughout the school year. It is best to get your application package in early. The Career Center will assist you in the same manner as with the federal clerkships. If you think you would like to clerk for a certain judge or justice apply even if you do not hear of an open position.
B. Beginning the Application Process

1. Decide on a geographic preference.

2. Decide whether or not you are interested in a federal judicial clerkship or a state judicial clerkship, or both. You may want to base this decision by whether you envision yourself ultimately practicing primarily in the federal courts or the state courts. Please be advised, however, that certain benefits that you receive in clerking, such as sharpening your research and writing skills, will be acquired no matter which level of court you pursue, and these skills will be transferable to any type of legal practice.

If you decide to work at the federal level, decide if you are interested in appellate work, or trial work, as this will influence your decision to apply to either the federal appellate circuit court level or the federal district court.

C. Specialized Courts

There are also specialized courts that hire judicial clerks. They include the following:

- Bankruptcy Court
- Board of Immigration Appeals
- The Court of Appeals for the Federal Circuit (formerly known as the Court of Customs and Patent Appeals)
- The Court of International Trade
- The Court of Veterans Appeals
- Immigration Court
- Magistrate Courts
- Social Security Administration
- Special Court for the Regional Rail Reorganization Act
- The U.S. Court of Appeals for the Armed Forces
- The U.S. Court of Federal Claims
- The U.S. Tax Court

Each federal judicial district has its own Bankruptcy Court, with the number of presiding judges dependent on the caseload of that district. Bankruptcy judges are appointed by the U.S. Court of Appeals judges of each circuit. Students interested in

Pursuing a career in bankruptcy, tax and general business experience may find it beneficial to clerk in a bankruptcy court.

The Board of Immigration Appeals is the highest administrative body for interpreting and applying immigration laws. Judicial Law Clerks are hired through the Department of Justice's Attorney General's Honors Program. Students interested in immigration law should apply to the Attorney General's Honors Program at http://www.usdoj.gov/oarm/.

The Court of Appeals for the Federal Circuit, formally known as the Court of Customs and Patent Appeals, hears all patent appeal cases. It also hears cases from the U.S. Claims Court, the
Court of International Trade, the Merit Systems Protection Board, the Governmental Contracting Board, and tax appeals from the Court of Federal Claims. Students with a background in intellectual property issues may find this court of interest.

The **U.S. Court of International Trade**, located in New York, hears anti-dumping, product classification and countervailing duty matters. It also hears appeals of unfair trade practice cases from the International Trade Commission. Students interested in international law may wish to pursue clerkships with this court.

The **U.S. Court of Veterans Appeals** has exclusive jurisdiction to review final decisions by the Board of Veterans Appeals, an administrative branch of the Department of Veterans Affairs. Cases involve determining entitlement or disability benefits. Students interested in military law and veteran's issues should apply to this court.

The **Immigration Court** falls under the jurisdiction of the Office of the Chief Immigration Judge which is a component of the Executive Office for Immigration Review under the Department of Justice. Judicial Law Clerks are hired through the Department of Justice's Attorney General's Honors Program. Students interested in immigration law should apply to the Attorney General's Honors Program at [http://www.usdoj.gov/oarm/](http://www.usdoj.gov/oarm/).

Federal districts also have **Magistrate Courts**. Magistrate Judges hear criminal and civil pre-trial motions, supervise civil discovery and conduct criminal arraignments. Magistrate judges are appointed by federal district judges to help them with their judicial duties. Magistrate judges cover a wide range of issues, allowing their clerks varied experience in many subjects.

The **Social Security Administration** handles legal problems related to the interpretation and research of the provisions of titles II, XI, XVI and XVIII of the Social Security Act. Students interested in social security law may want to apply to this agency.

The **Special Court for the Regional Rail Reorganization Act of 1973** was created to exercise the powers of a U.S. District Judge in any judicial district to order the conveyance of rail properties of railroads leased, operated or controlled by a railroad in bankruptcy reorganization. Students interested in transportation law may want to apply to this court.

The **U.S. Court of Appeals for the Armed Forces** is the final appellate tribunal to review court-martial convictions from the military services. There is no further appeal from this courts decision. Students interested in military law and veteran's issues should apply to this court.

The **U.S. Court of Federal Claims** is located in Washington, DC. The court hears case actions against the U.S. Government where congressional waiver of sovereign immunity permits such suits. Cases include tax refund suits and breach of government contracts. Students interested in public policy and government law may want to apply to this court.

The **U.S. Tax Court** hears suits involving lack of payment, both overpayment and underpayment, of taxes. The court also adjudicates controversies involving estate and gift taxes. The Pension Reform Act of 1974 enables the court to render judgments regarding qualification of pension and profit-sharing plans. Students with a background in tax, estate planning and probate law and ERISA issues may find this court of interest.
D. Research Judges and Courts

Begin your research on those judges and courts to which you would like to apply. Choose judges in the geographic areas that you have defined, and at the level of judiciary which most interests you. Once you have compiled a list of judges of interest, it may be advantageous to research some of their opinions. You may also be able to acquire some biographical information on particular judges through some of the resources noted in this manual.

Judges in larger cities usually receive more applications than those located in smaller cities. Please be advised that most judges cannot pay travel expenses, thus you will have to fund your own interviewing travel expenses. You should only apply to judges for whom you would clerk if an offer were made. Be prepared at the time of the interview (or shortly thereafter) to accept the judge's offer of a clerkship or to withdraw your application. If you do not withdraw your application, the judge may rightfully assume you will accept a position if offered. If that is not your intention, you should explain your intention to the judge.

Please remember, it is inappropriate to interview with a judge if you would not accept a clerkship offer on the spot.

E. Application Materials

The Career Center will start a file of materials for your selected Judges/Justices. In your judicial clerkship file, you will want to provide the CSO original copies of your resume, law school transcript, writing sample and your list of references. Many judges also request undergraduate transcripts. Your letters of recommendation will be sent from the faculty member to the CSO for inclusion in your package.

You should develop a brief, but succinct, cover letter to be used in transmitting your materials to the court. With all materials available in one file, we can assemble your application packages with greater ease and insure they are mailed on time.

Judicial clerkship application materials typically include:

1. Cover Letter

Your cover letter should simply state:

a. Your status as a student at X Law School along with your year of graduation.

b. The term for which you are applying for a clerkship in the judge's chambers.

c. The items that are enclosed (e.g., resume, transcript, writing sample).

d. The names and phone number of the people who will be sending letters of recommendations (included in your packet), as well as their relationship to you (e.g., a professor for whom you work as a research assistant). As an alternative or in addition, you may prefer to supplement your cover letter and resume with a separate list of references (and in your cover letter.
identify this as an enclosure). Be sure to include their phone numbers as well as addresses. A judge may prefer to call a reference, particularly if operating on a quick time frame.

e. Your contact information (phone number, mailing and email address) as you would welcome the opportunity for an interview.

f. If the court is located far from your law school and you plan to be in town at a particular time (e.g., during a break to visit family and friends), do include these dates.

Do not describe aspects of yourself in glowing terms, but instead briefly discuss your experiences. For example, the fact that you worked throughout law school to finance your education or did extensive research for a professor on a topic of interest shows your traits of reliability and diligence. You would not want to come across as insincere, arrogant, or presumptuous.

If you are applying to a specialized court, you may want to tailor your letter with your own corresponding particular qualifications. For example, if the clerkship is for a judge in the U.S. Court of Appeals for the Federal Circuit, you can accentuate your patent background and technical or engineering expertise, including any relevant coursework.

Correctly addressing your cover letter, with the proper titles, spellings and salutation lines, is crucial. In the address portion of the letter, all judges should be referred to as "The Honorable," followed by the judge's full name, court in which the judge sits, and address. For the salutation, you should use the appropriate title (e.g., Judge, Justice, Chief Justice), followed by the judge's last name (e.g., Dear Judge Jones). Note that judges on senior status should be referred to as "Judge" (not "Senior Judge") in the salutation. (See Appendix 7 for specific examples of the proper manner of addressing a letter to a judge).

Above all, you must be careful to avoid the frequently fatal flaw - any grammatical or typographical errors in your cover letter or in any element of your clerkship application. Your letter should be clear, concise, and generally not longer than one page. It should convey the proper level of formality and professionalism, taking care to avoid being casual or chatty. As is the case with other job applications, you must present yourself at your best effort and abilities. The judge will want a law clerk who is meticulous in this regard, as the quality of his or her writing for the judge will largely depend on these traits. (See Appendix 9 for sample cover letters.)


2. Resume

As for the resume, it is not much different from a resume for any other employer, and need not be significantly altered for the clerkship application process. As such, the resume should be neat, professional, internally consistent, and free of typographical or grammatical errors.
Rather unique to a resume for judicial clerkships is the opportunity to present more of yourself as a person, including relevant non-legal interests. For instance, if prior to law school you started your own business or developed a significant career unrelated to your current pursuits in the law, you should include this background information, which a judge may find adds an interesting dimension to you as an individual. Likewise be sure to list any interesting or unusual skills, experiences or activities such as foreign languages, musical proclivities, travel, or community service. While an "interests" section is appropriate here, we do not recommend a "personal" section, as it tends to get too personal (e.g., your spouse and/or children). (See Appendix 10 for sample resumes.)


3. Writing Sample

The writing sample is one of the most important elements of the application for a clerkship. As such, the writing sample must represent the best quality of your legal writing—meticulous, well organized, demonstrating your strong legal research and analytical skills.

The type of writing sample that may be appropriate depends on the court. For instance, if you are applying to a district court you might be better off with something concrete such as a legal brief or memorandum rather than a historical theoretical or policy-oriented article, for which there might be more latitude in the court of appeals, if at all. A memorandum or brief you wrote for a first year writing class might be suitable, but reread or rewrite it first to make sure it still represents a good example of your best legal writing; your writing has most likely developed and improved since that early effort.

As an alternative to a paper written in law school, you might choose a memorandum or brief prepared during summer employment. It is very important though, and this is from the point of view of lawyers in practice as well, to always check with the law firm or other employer. If this was writing material from a previous summer's experience, it must be cleared with the employer to make sure that it is permissible to use as a writing sample and then indicate that authorization on the writing sample. Another possibility is to redact or generalize the document.

In any event, it is fundamental that this be your original and unedited writing. Co-authored pieces are not ideal as a representation of your work, unless your part is readily severable. A law journal article that has been finished and published may be questionable in that judges will be aware that it has been heavily edited in the process of preparing the article for publication; a more appropriate choice might be an earlier draft of the article as your original work (as long as it is sufficiently polished), with a reference to the final published version on your resume (again, you can always bring that one to the interview).

4. **Transcripts (law school and undergraduate)**

Typically an unofficial, photocopied transcript will be acceptable-and less expensive-unless the judge has specified that the transcript must be an official copy.


5. **Letters of Recommendation**

Letters of recommendation should usually be sent by the individuals writing the letters directly to the judge to whom you are applying. Beginning this year the Career Center will be receiving the letters of recommendation from the faculty members for inclusion in your package. If using someone other than a professor, the recommendation letter should be sent directly to the judge/justice.

The number of recommendations that will be required may vary by judge. As a rule of thumb, generally two or three letters of recommendation will be appropriate. If there are no published requirements to the contrary for that judge, you should aim for three strong letters.

You should choose as a reference someone who you believe will write a strong letter of recommendation on your behalf. Certainly the reference would be from someone in whose class you excelled. Most importantly, this person should know your legal writing well and be able to address your strengths in this regard. If possible, recommendation letters should come from former clerks of the judge to whom you are applying.

An employer or lawyer in practice from a summer job can also be an appropriate additional reference if this is someone who worked closely with you and knows your written work. This employer could also speak positively about other attributes such as work habits and character.


**F. THE APPLICATION PROCESS**

Your Career Services Office is here to assist you every step of the way as you apply for judicial clerkships. Following are nine easy steps to follow to complete your application. Students graduating in the Spring 2007 should begin this process immediately. Application packages will go out the day after Labor Day. Do not delay.

1. Express your judicial clerkship interest to your Career Center. Make an appointment with the Career Center. (Application packages must be reviewed by Career Center).

2. Research judges and justices, make a list of the ones you wish to apply to. You may also see current clerk vacancies on www.uscourts.gov. Remember all clerkship positions are not posted so if you have an interest in a judge and do not see a posting apply anyway.
3. Review information found on the Federal Judges Law Clerk Hiring Plan website and review instructions for OSCAR, the On-line System for Clerkship Application and Review. (See links on Career Center webpage.)

4. Make sure your resume is update and uploaded in Symplicity.

5. Upload a current law school transcript and request an undergrad transcript.

6. Select a writing sample and upload in Symplicity.

7. Upload a list of 3 references with all contact information.

8. Select 2 or 3 Professors to write a letter of recommendation to your selected judge or justice. Remind your selected professor to send the letter to the Career Center to be included in your application package. You will be required to sign a release form. (See appendix 11)

9. Prepare a cover letter for each judge you select and save to a cd.

G. THE INTERVIEW PROCESS

1. Preparation

Preparation is extremely important to the interview process. A key component of this preparation is to learn all you can about the judge. Use the judicial directories to review his or her professional biography. Search on Lexis and Westlaw for the judge's recent decisions and cases and for published journal articles written by the judge. A list of Campbell University, Norman Adrian Wiggins School of Law alumni/ae who are current members of the judiciary and who traditionally hire full-time law clerks are listed in Appendix 3 of the manual. Also, a list of CU Law faculty who served as judicial clerks can be found in Appendix 2 of this manual. These faculty members many have more information regarding the judge or the names of former students either currently clerking for the judge or who have clerked for the judge in the past. Recent CU Law judicial clerks and their judges are listed in Appendix 1 of this manual.

2. The Interview

Judges want to hire someone they have a rapport with during the interview since the two of you will be working closely together. Judges are interested in candidates with enthusiasm and intelligence who are very interested in the law and offer specific skills.
When conducting the interview, judges are likely to ask about classes and grades reflected on your transcript and about the experiences shown on your resume. Your note or article will be discussed if you are on a journal.

You may meet with the current clerk(s) either before, during or after your interview with the judge. Please remember these individuals will also be evaluating you and may have a considerable impact on whether or not the judge hires you.

Finally, many Judges ask their secretary about candidates. Often Judges place significant emphasis on their secretary's impression of the candidate. During the entire application process, the person with whom you will most often speak will be the Judge's secretary. Thus, it is advisable to take care to leave a positive impression with the Judge's secretary.

3. Interview Questions

1. Sample Questions to Ask
   a. What will be the scope of my responsibility?
   b. How do you run your chambers?
   c. What percentage of time is spent in court, conducting research, drafting opinions?
   d. What interaction do clerks have with other members of the judiciary, with outside attorneys?
   e. What criteria are used for selecting a clerk?
   f. What is the timetable for making a hiring decision?
   g. Are clerks able to interview for and accept permanent positions during the clerkship?
   h. What will a typical day be like?
   i. What is the nature of your docket?
   j. What do you see as the primary role of this court?

2. Questions You May Be Asked
   a. Why are you interested in clerking in general?
   b. Why are you interested in clerking for me (the particular judge or court)?
   c. Tell me about your research and writing experience.
   d. Why are you interested in living in (city)?
e. What do you see as the role of a judicial clerk?
f. What is your political philosophy?
g. What do you feel about (anything, include recent and previous cases before the court)?
h. What are your short-term and long-term goals?
i. What do you consider your greatest weakness? Strength?
j. What qualities do you possess that would help to make you a valuable clerk?
k. How would you handle this particular issue, case or problem?
l. What do you hope to gain from this experience?
m. Describe the work you’ve done for your journal.
n. Tell me about your grades/courses/professors.
o. Have you applied to other judges/courts?

4. The Follow-Up

After meeting with a judge, always send a thank you note. If you visited with the judges clerk(s), send a thank you note to them as well. In the note restate your interest and your qualifications or refer to recent events that might influence your chances of obtaining the clerkship (e.g. obtaining a summer position with a certain governmental agency or law firm, winning a mock trial competition).

VII. JUDICIAL INTERNSHIP PROGRAM

The North Carolina Supreme Court Justices and the North Carolina Court of Appeals Judges are always in need of interns. Internships are given for fall and spring semesters and also during the summer. You may apply for an internship as early as the second semester of your first year of law school. Internships are not paid. Academic credit may be awarded. See Dean Currin for specific details.

Each fall, the North Carolina Department of Administration Youth Advocacy and Involvement Office, accepts applications for paid Law Internships. You will also see judicial internships posted on Symplicity. Many but not all Supreme Court Justices and Court of Appeals Judges notify the Career Center of internship opportunities. If you have an interest in an internship by all means apply, even if you have not seen a posting. Your Career Center will assist you. An internship is an excellent first step in obtaining a judicial clerkship.
North Carolina Department of Administration  
Youth Advocacy and Involvement Office  
State Government Internship Program

History

Since 1969, over 3300 college and law students have gone through the State Government Internship Program. It may be the oldest and largest paid internship program of any state government in the United States.

The makeup of the NC Internship Council, which oversees the program, is also unique. The council includes former interns, a legislator, a judge (who also is a former intern), several college professors, and college placement professionals. The Internship Council chooses the projects and interns, thus keeping the program fair and patronage free.

Many of our interns have accepted full time state jobs at their internship sites after graduation. Even some of our legislators were interns in our program!

For more information see our website at: [www.doa.state.nc.us/doa/yaio](http://www.doa.state.nc.us/doa/yaio)
## APPENDIX 1

### RECENT CU LAW JUDICIAL CLERKS

<table>
<thead>
<tr>
<th>Name</th>
<th>Judge/Title</th>
<th>Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anthony Biller ’97</td>
<td>The Honorable William L. Osteen, Sr.</td>
<td>US District Court</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Middle District of North Carolina</td>
</tr>
<tr>
<td>Robert Jones ’97</td>
<td>The Honorable Boyce F. Martin</td>
<td>Chief Judge</td>
</tr>
<tr>
<td></td>
<td></td>
<td>US Court of Appeals Sixth Circuit</td>
</tr>
<tr>
<td>Wendy Keefer ’97</td>
<td>The Honorable J. L. Edmondson</td>
<td>US Court of Appeals Eleventh Circuit</td>
</tr>
<tr>
<td>Len Brown ’98</td>
<td>The Honorable Malcolm Howard</td>
<td>US District Court</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Eastern District of North Carolina</td>
</tr>
<tr>
<td>Catrin Hughes Joyner ’98</td>
<td>The Honorable Kenneth L. Ryskamp</td>
<td>US District Court</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Southern District of Florida</td>
</tr>
<tr>
<td>Daniel Ettefagh ’01</td>
<td>The Honorable Ann Marie Calabria</td>
<td>NC Court of Appeals</td>
</tr>
<tr>
<td>Tobias Hampson ’02</td>
<td>The Honorable Wanda Bryant</td>
<td>NC Court of Appeals</td>
</tr>
<tr>
<td>Jonathan Bumgarner ’03</td>
<td>The Honorable Frank W. Bullock, Jr.</td>
<td>US District Court</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Middle District of North Carolina</td>
</tr>
<tr>
<td>Ashley Canupp ’03</td>
<td>The Honorable I Beverly Lake, Jr.</td>
<td>NC Supreme Court</td>
</tr>
<tr>
<td>Shawn Christenbury ’03</td>
<td>The Honorable I Beverly Lake, Jr.</td>
<td>NC Supreme Court</td>
</tr>
<tr>
<td>Lucinda Clements ’03</td>
<td>The Honorable Edward T. Brady</td>
<td>NC Supreme Court</td>
</tr>
<tr>
<td>Virginia Paris ’03</td>
<td>The Honorable Robert H. Edmunds, Jr.</td>
<td>NC Supreme Court</td>
</tr>
<tr>
<td>Riana Smith ’03</td>
<td>The Honorable Sanford L. Steelman, Jr.</td>
<td></td>
</tr>
</tbody>
</table>
Patricia Wilson ’03
NC Court of Appeals
The Honorable John M. Tyson
NC Court of Appeals

Fred Parker, IV ‘04
NC Court of Appeals
The Honorable John M. Tyson
NC Court of Appeals

Martin Warf ’04
NC Court of Appeals
The Honorable Richard A. Elmore
NC Court of Appeals

Stephen Walker ’07
NC Supreme Court
The Honorable Edward T. Brady
NC Supreme Court

Natalia Isenberg ’07
NC Court of Appeals
The Honorable Ann Marie Calabria
NC Court of Appeals

Stephanie Evans ’08
NC Supreme Court
The Honorable Edward T. Brady
NC Supreme Court

Nicole Shoemaker ’08
NC Supreme Court
The Honorable Paul Newby
NC Supreme Court

Christopher Keitzman ’08
NC Court of Appeals
The Honorable Barbara Jackson
NC Court of Appeals

Elleveve Boyer ‘09
NC Supreme Court
The Honorable Mark Martin
NC Supreme Court

Adam Sholar ‘09
NC Supreme Court
The Honorable Paul Newby
NC Supreme Court

Lynn Percival ‘10
NC Supreme Court
The Honorable Robert N. Hunter, Jr.
NC Supreme Court

Amanda Johnson ‘10
NC Business Court
The Honorable John Jolly
NC Business Court

Matt Cochran ’10
NC Supreme Court
The Honorable Chief Justice Sarah Parker
NC Supreme Court

Tim Ledino ‘11
NC Business Court
The Honorable John Jolly
NC Business Court

Ted Enerson ’11
NC Supreme Court
The Honorable Barbara Jackson
NC Supreme Court
Lauren Miller ’11

The Honorable J. Rich Leonard
United States Bankruptcy Court
Eastern District North Carolina

Laura Bethany Morris ’11

The Honorable Ann Marie Calabria
NC Court of Appeals
APPENDIX 2
CU LAW FACULTY WHO SERVED AS JUDICIAL CLERKS

Bryan Boyd
The Honorable Robert H. Edmunds, Jr.
NC Supreme Court

Alan Button
The Honorable Donald S. Russell
US Court of Appeals Fourth Circuit

Johnny Chriscoe
The Honorable Edward Greene
NC Court of Appeals

Amy Flanary-Smith
The Honorable Willis P. Whichard
NC Supreme Court

The Honorable John B. Lewis, Jr.
NC Court of Appeals

Kevin Lee
The Honorable Herbert J. Hutton, Jr.
US District Court – Eastern District of Pennsylvania

Sarah Ludington
The Honorable Harry T. Edwards
US District Court – D.C. Circuit

Lisa Lukasik
The Honorable Willis P. Whichard
NC Supreme Court

Lucas Osborn
The Honorable Kenneth M. Hoyt
U.S. District Court – Southern District of Texas

Greg Wallace
The Honorable Susan Webber Wright
U.S. District Court – Eastern District of Arkansas
APPENDIX 3

CU Law Members of the Judiciary
Who Traditionally Hire Full-Time Law Clerks

<table>
<thead>
<tr>
<th>Name</th>
<th>Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judge Ann Marie Calabria ’83</td>
<td>North Carolina Court of Appeals</td>
</tr>
<tr>
<td>Judge Donna S. Stroud ’88</td>
<td>North Carolina Court of Appeals</td>
</tr>
<tr>
<td>Judge John M. Tyson ’79</td>
<td>North Carolina Court of Appeals/Recall</td>
</tr>
</tbody>
</table>
GREG WALLACE (Chair – Federal Clerkships)
Associate Professor of Law, received the S.J.D. and LL.M. degrees from the University of Virginia School of Law. He received his J.D. degree with high honors from the University of Arkansas at Little Rock School of Law, where he was editor-in-chief of the law review, won a national appellate advocacy competition, and graduated first in his class. He also holds an M.A. degree from Dallas Theological Seminary. Before joining the Campbell law faculty, Professor Wallace was a visiting professor at the University of Arkansas at Little Rock and had a substantial federal appellate practice. He also served as a law clerk to United States District Judge Susan Webber Wright in the Eastern District of Arkansas. Professor Wallace teaches Constitutional Law, Criminal Procedure, First Amendment Seminar, Federal Courts, Civil Rights Litigation, and Social Security Disability Law, and he coaches appellate advocacy teams. You may e-mail Professor Wallace at wallace@law.campbell.edu.

Other faculty who served as federal clerks: Professor Sarah Ludington
Professor Kevin Lee
Professor Lucas Osborn
APPENDIX 5

REFERENCE MATERIALS

This section provides helpful research information. Furthermore, research should be conducted on each judge to whom a student submits an application.

The list of research materials provided below should serve as an introduction to the various forms of research material on clerkship opportunities. If any questions regarding the referenced materials arise, please feel free to contact the Career services Office.

For biographies, important rulings, and insights on judges:
Almanac of the Federal Judiciary (library reference section)
The American Bench: Judges of the Nation (library reference section)
Judicial Yellow Book (library reference section and Career Center)

For addresses and application information:
Judicial Yellow Book (library reference section and CSO)
NALP Federal and State Judicial Clerkship Directory (Lexis)
Directory of Minority Judges in the United States (ABA) (library reference section and Career Center)
Behind the Bench, The Guide to Judicial Clerkships (Career Center)

For general descriptions of court life and duties of a law clerk:
Chambers Handbook (Career Center)
Law Clerk Handbook (Career Center)

Online Resources:
www.uscourts.gov, The Federal Law Clerk Information System is a searchable listing of federal judges including their hiring criteria and schedules.
www.ncsconline.org, Web sites of State, Federal, and International Courts
www.nccourts.org, Website for North Carolina State Courts System
www.fedlawclerks.com, Former Federal Law Clerks Society Website
https://oscar.symplicity.com, On-line system for clerkship application and review
www.judicialclerkships.com This website helps law students successfully navigate the maze of courts and judicial clerkship opportunities.

www.fjc.gov The Federal Judicial Center is the education and research agency for the federal courts.

Map of Federal Circuits and links to websites of all Federal Appellate, District and Bankruptcy Courts www.uscourts.gov/allinks.html

Information about Administrative Law Judges and Administrative Judges www.faljc.org

US Court of International Trade www.cit.uscourts.gov

US Court of Appeals for Veteran's Claims www.vetapp.gov


US Court of Appeals for the Armed Forces www.armfor.uscourts.gov


US Tax Court www.ustaxcourt.gov

US Social Security Administration www.ssa.gov


US Department of Justice www.usdoj.gov


US Environmental Protection Agency Office of Administrative Law Judges www.epa.gov

Virginia Judicial System www.courts.state.va.us

Maryland Judicial System www.courts.state.md.us

District of Columbia Courts
Superior Court www.dscsc.gov
Court of Appeals www.dcca.state.dc.us

National Center for State Courts: links to various state court websites http://www.ncsconline.org/d_kis/info_court_web_sites.html
Federal Law Clerk Information System

The Federal Law Clerk Information System [FLCIS] is an Internet accessible database that allows prospective applicants to obtain information about law clerk opportunities through the Judiciary's web site -"www.uscourts.gov". Federal judges use the system to post information about the availability and application process for law clerk positions in their chambers. The system also allows judges to advise if a position is not available or has become filled. The FLCIS is becoming the primary resource for applicants seeking information about federal judicial clerkship opportunities.

The Federal Law Clerk Information System is accessible from the "Employment" link of www.uscourts.gov. The home page of FLCIS provides general employment information and guidance on how to use the site. The search options in the program allow applicants to obtain information by judge name, judge type and jurisdiction. The results may be sorted by court, judge name, application dates or start dates. The position announcements include comprehensive information about the selection criteria and application process that is provided by the employing judge.

Each page of the FLCIS web site includes a "HELP" icon to assist users. If additional assistance is needed, feel free to send questions or comments to FLCIS_WEBMASTER@ao.uscourts.gov
APPENDIX 6

JUDICIAL CLERKSHIP CHECKLIST

Judge: ____________________________________________________________

Secretary: ________________________________________________________

Court: ____________________________________________________________

Address: __________________________________________________________

Phone: ____________________________________________________________

Term _______ 1 year _______ 2 years _______ Fixed Term

Are clerks expected to take the bar exam? _______ No _______ Yes
If yes, for what state? ____________________________________________

When are applications accepted? ___________________________________

What should applications include? _________________________________

______ Resume
______ Writing Sample(s) (be sure to check for specific requirements)
______ Law School Transcripts Official?
______ Undergraduate Transcripts Official?
______ List of References
______ List of Letters of Recommendation How many? ______

When do interviews begin?

When are hiring decisions made?

Hiring criteria?

Other information:
# APPENDIX 7

## GUIDELINES FOR ADDRESSING JUDGES

<table>
<thead>
<tr>
<th>Addressee</th>
<th>Form of Address</th>
<th>Salutation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Justice</td>
<td>The Chief Justice of the United States (John G. Roberts, Jr.)</td>
<td>Dear Chief Justice Roberts:</td>
</tr>
<tr>
<td>Associate Justice</td>
<td>Associate Justice Antonin Scalia</td>
<td>Dear Justice Scalia:</td>
</tr>
<tr>
<td>Chief Judge</td>
<td>The Honorable William B. Traxler, Jr.</td>
<td>Dear Judge Traxler:</td>
</tr>
<tr>
<td>Circuit Judge</td>
<td>The Honorable Allyson K. Duncan</td>
<td>Dear Judge Duncan:</td>
</tr>
<tr>
<td>Chief Judge</td>
<td>The Honorable Louise W. Flanagan</td>
<td>Dear Judge Flanagan:</td>
</tr>
<tr>
<td>District Judge</td>
<td>The Honorable Terrance W. Boyle</td>
<td>Dear Judge Flanagan:</td>
</tr>
<tr>
<td>Chief Justice</td>
<td>The Honorable Sarah E. Parker</td>
<td>Dear Chief Justice Parker:</td>
</tr>
<tr>
<td>Associate Justice</td>
<td>The Honorable Paul Newby</td>
<td>Dear Justice Newby:</td>
</tr>
<tr>
<td>Chief Judge</td>
<td>The Honorable John C. Martin</td>
<td>Dear Chief Judge Martin:</td>
</tr>
<tr>
<td>Associate Judge</td>
<td>The Honorable Linda M. McGee</td>
<td>Dear Judge McGee:</td>
</tr>
</tbody>
</table>

State practices vary, and it is essential that you use the correct form. Therefore, be sure to research the specific state practice.
APPENDIX 8

MAP OF THE CIRCUITS OF THE UNITED STATES COURTS OF APPEALS
September 1, 2007

The Honorable William L. Osteen, Sr.
U.S. District Court
Middle District of North Carolina
P.O. Box 3485
Greensboro, NC  27402

Dear Judge Osteen:

I am writing to apply for a clerkship in your chambers for the 2006-2007 term. I have enclosed a resume, law school transcript, and writing sample for your review. The writing sample is a draft of a comment that I am writing for the Campbell Law Review. Letters of recommendation from Professor Hetrick, and Professor Boyd are also included in my application package. A third letter of recommendation from Ms. Julia Lawson, the Litigation Director of Legal Aid of North Carolina, will be sent under separate cover.

Thank you for your consideration. I look forward to hearing from you.

Sincerely,

Jennifer S. Thomas

Enclosures
September 1, 2007

The Honorable R. Lanier Anderson III
United States Court of Appeals, Eleventh Circuit
475 Mulberry St., Room 302
Macon, GA 31201

Dear Judge Anderson:

I write to apply for a clerkship in your chambers to begin in the summer of 2006. I am a third year student at Campbell University, Norman Adrian Wiggins School of Law located in Buies Creek, North Carolina. I was born and raised in Georgia and would like to return home to practice law, and so would like to begin my career by serving as one of your law clerks.

I am a member of the Campbell Law Review, and have enclosed a draft of my note for your review. In addition, I have enclosed a resume and transcript. Letters of recommendation from three of my professors – Professors Hetrick, McQuade, and Bowser are included in this application package.

Thank you for your time and consideration.

Sincerely,

Jennifer S. Thomas

Enclosures
EDUCATION

Campbell University, Norman Adrian Wiggins School of Law
Buies Creek, North Carolina
Juris Doctor Candidate, May 2002
Class Rank: 14th out of 96

Honors and Activities:
- Book Award: Ethics
- Honor Court, 1L Representative
- 1999 Intramural Client Counseling Competition
- 2000 Intramural Moot Court Competition
- Phi Alpha Delta Legal Fraternity
- Section Leader for Hurricane Floyd Relief Effort
- Intramural Football, Basketball, and Softball

University of North Carolina at Chapel Hill
Chapel Hill, North Carolina
Master of Criminal Justice, May 1999

University of South Carolina
Columbia, South Carolina
Bachelor of Science, Criminal Justice, May 1997

WORK HISTORY

Campbell University School of Law, Research Assistant, Professor Richard Lord
Williston on Contracts, May 2004 to present
- Researched case law and statutes in the areas of Admiralty Contracts,
  Telecommunications Contracts, Insurance Contracts, and Contracts for the Sale
  of Securities for the 4th Edition of Williston
- Edited multiple sections of Williston for possible plagiarism
- Read hundreds of cases to determine their relevancy in future editions of Williston

South Carolina Bureau of Protective Services, BPS Officer, April 1998 to June 1999
- Provided protection for people in various state offices: Supreme Court,
  Governor’s Mansion, and State House
- Engaged in intensive nine-week training course at South Carolina Criminal
  Justice Academy
- Received the JP Strom Award (Valedictorian for Criminal Justice Class of 364)
- Maintained order during state functions

YMCA for the Greater Columbia Area, Youth Counselor, August 1995 to January 1999
- Organized activities for after-school programs; provided tutorial homework assistance
- Coached football for Irmo, South Carolina
- Responsible for arranging safe transportation of children to and from at least 6 schools
- Provided support and guidance to troubled children
APPENDIX 11

The Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) prohibits educational agencies or institutions and their employees from disclosing personally identifiable information from a student's educational record without the student's written consent. 20 U.S.C. § 1232g. Specifically, FERPA requires that a student provide a written and signed statement that (1) specifies the records that may be disclosed; (2) states the purpose of the disclosure; and (3) identifies the party or class of parties to whom the disclosure may be made. 34 C.F.R. § 99.30.

Release

I authorize _____________________________________________________ to release the following information in a letter of recommendation or to the following individuals who call or email asking for information about me.

I authorize the release of the following types of information:

_____ My grades on individual assignments.

_____ Information about whether I turned assignments in on a timely basis.

_____ Information about my class participation.

_____ Any other information about my performance.

I authorize __________________________________________________________________ to give the above types of information to the following individuals:

_____ Any person who calls or emails asking for information.

_____________________________________________ (Name of individual, firm, or agency)

_____________________________________________ (Name of individual, firm, or agency)

_____________________________________________ (Name of individual, firm, or agency)

This authorization ends on ____________________ .

Signature ________________________________
Printed Name ________________________________
Date ________________________________