U.S. Supreme Court Clerkships

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CHAPTER 1
OVERVIEW

“A Supreme Court clerkship is the job of a lifetime. It’s hard to beat the combination of great substantive work, dazzling colleagues, and work that matters.”¹

This term, 39 clerks will have the experience of working for a Supreme Court Justice. The Chief Justice and Associate Justices each have four clerks; each of the current retired Justices has one clerk, who works for an active Justice as well as the retired Justice. The Justices hire their clerks for one year. The clerks typically begin in July, well in advance of the opening of the Court term on the first Monday in October. Although the Court term ends in June, the clerks stay on into July to wrap up.

1. The Work of the Clerks²

Supreme Court law clerks have three main responsibilities: screening petitions for certiorari; preparing the Justices to participate in oral arguments and to cast preliminary votes on the outcomes of argued cases; and drafting opinions. In performing the first task, a law clerk works for the “Conference,” that is, for the Justices as a group (minus Justice Alito, who does not participate in the “cert pool”); the other two tasks, in turn, involve work for one’s own Justice.

Screening a petition basically means reading it and writing a “poolmemo.” A poolmemo summarizes the petition, analyzes the issues raised in it, and concludes with a recommendation as to whether it should be granted or denied. The Court receives around 10,000 petitions per year, which works out to roughly six petitions per clerk per week (though this number, as well as the degree of difficulty of petitions, can vary from week to week). Preparing the Justice for oral arguments and for the preliminary voting that follows the argument in a given case typically involves writing a bench memo or discussing the case with one’s Justice—sometimes one, sometimes both. (The Justice’s vote after argument is preliminary because once the opinions in the case have circulated, Justices can and sometimes do change their votes.) In each chambers, the cases are divided among the law clerks for each argument session; in many cases the clerks divide them up, but different chambers have different processes. Since the Court hears about twelve cases per session, a law clerk will generally be responsible for three cases in a session. (The Court usually holds seven sessions per term, roughly one per month from October through April, though from time to time the Court may shift the schedule a bit.) As for opinion drafting, each Justice, of course, has his/her own method. An opinion can be a majority, concurrence, or dissent (or the much rarer “in-chambers” opinion, issued by one Justice alone, in his/her capacity as Circuit Justice, in response to an emergency application for a stay of a lower court’s judgment in a non-capital case pending the Court’s decision on the cert petition in the case).

Although these tasks constitute the bulk of a law clerk’s work, there are several other important activities. For instance, law clerks “clerk check” poolmemos. This involves reviewing poolmemos written by other law clerks, discussing these with one’s Justice, and making one’s own recommendations regarding the petition at issue (principally, whether it should be granted or denied). In addition, a law clerk reviews draft opinions circulated by other Justices, discussing these drafts with his/her own Justice and, again, making recommendations (that the Justice join or not join, that he/she suggest changes, or that he/she write separately). As the term progresses and the backlog of circulating drafts grows larger, this task takes

¹ Quoted from the narrative of Professor Heather Gerken, Yale Law School. See Chapter 3 for the text of her full narrative.
² This section has been drawn largely from a narrative by Christina Duffy Ponsa ’98 (formerly Burnett), clerk to Justice Stephen G. Breyer 2004-05, with updates from other recent clerks. See Chapter 3 for the remainder of her narrative.
up more and more of a clerk’s time. Another significant obligation involves handling emergency petitions; most of these arise in last-minute proceedings in capital cases. Clerks can also be asked to assist their Justice with speeches or articles.

The typical day generally involves some combination of the work described above. Early in the clerkship, poolmemos take up the bulk of a clerk’s time. At first one can’t imagine how one would have time to do anything else, but writing poolmemos does get faster (it has to) and soon, the time spent on bench memos overtakes that spent on poolmemos. Soon after that, drafting and revising opinions, along with reading and commenting on circulating drafts, takes over—although every week of the clerkship, without exception, a clerk will get a stack of petitions, and will have to find the time to write that week’s poolmemos.

2. Qualifications

Obtaining a Supreme Court clerkship is a very competitive process. In recent years, the Justices have confined their hiring to candidates with prior federal appellate clerkships. In some cases, the clerks have also completed a federal district court clerkship. The order of the two clerkships seems irrelevant; several recent clerks completed an appellate clerkship first, and then moved to the Supreme Court after their district court clerkship. Some Justices are particularly interested in the assessment of a candidate by her/his prior judge and prefer to see candidates after, or near the end of their appellate clerkships.

In addition to the assessment of your previous judge(s), your law school performance, your other recommendations, and your previous experience and activities will be part of the evaluation. For a general discussion of clerkship hiring criteria and competitiveness, see Chapter 1 of Judicial Clerkships in the U.S.

A handful of judges regularly send clerks to the Supreme Court; a much larger number have sent one or two. If you want to try to factor in Supreme Court placement when you are researching judges for your initial clerkship applications, the University of Michigan Law School maintains a list of judges who have sent clerks to the U.S. Supreme Court:


3. Financial Considerations

No one chooses a Supreme Court clerkship for the money, but it can be useful to know that the 2012-13 clerks receive a salary of approximately $74,000. There is no salary variation based on experience. Large law firms have added a tangible reward to the intangible benefits of a Supreme Court clerkship, offering signing bonuses in the $350,000 range. Although other types of employers do not offer such bonuses, former YLS clerks have also chosen international organizations, government positions, or other options that best suited their career goals.
CHAPTER 2
THE APPLICATION PROCESS

1. Timing

Each Justice follows her or his own procedure and timing for selection of clerks. The timing can vary by a full year or more from one Justice to the next. Keep in mind, too, that the Justices may change their hiring practices. This variability can make it quite challenging to choose one optimal time to submit your applications. The good news, on the other hand, is that there is no “wrong” time to apply. At any given time, some Justices can be reviewing applications, others interviewing, others collecting applications for review; it is just difficult to know who is in which category.

You can apply for a Supreme Court clerkship as a graduate or as a third-year student. As a third-year student, you should apply during the spring term, to allow for any accomplishments, recommendations or other information to be added to your prior clerkship package. You should plan to supplement your application at least twice. In June or July, submit your final transcript and update your contact information. Then, in the fall, after you have been clerking for awhile, ask your judge to send a letter of recommendation.

After graduation, once you have commenced your clerkship, you have more flexibility in the timing of your applications. You also will have a better chance with the Justices who value the assessment of your lower court judge. You can review Appendix A, “The Process of Each Justice,” to determine the best timetable for you. Because the Justices can vary from year to year, however, plan to submit your application well before a Justice’s selection or “deadline” date.

It is difficult to generalize based on Appendix A, and to find one date that seems acceptable for all twelve Justices. You should certainly feel free to make your own schedule for each Justice and send applications individually or in small groups; confer with your recommenders ahead of time to make sure they understand and are comfortable with your schedule. If you want to consider grouping applications, one possible organizing point could be around the end of October, which should suffice for Justices who have been known to start reviewing in the fall/early winter, such as Justice Souter and Justice Sotomayor. Submitting your applications at a single point would make it slightly easier for your recommenders, though you would need to update your application through the spring. Another possible organizing point would be the preference of Justice Ginsburg and others to receive applications in the winter, around March. That could be an alternative for a single application delivery target (except perhaps Justice Souter, who has used the end of November as a benchmark), or it could serve as a second wave after the fall term group.

Some Justices hire one year in advance, some hire two years ahead, others fall in between, and any of them may change their preference in a given year. It is therefore possible that you could be interviewed in the spring of 2015 and receive an offer for the 2016 term, for example, or be interviewed in the fall of 2015 and receive an offer for the 2017 term.

These differences in hiring timetables can make it difficult for recommenders to call attention to an individual applicant. It can be helpful to talk with your recommenders about whether they know any of the Justices, have any insights into their current hiring schedules, and would be willing to make a call to chambers on your behalf when a Justice is reviewing applications.
If you apply and are not selected, consider applying again the next year. A number of Yale clerks have been chosen on the basis of their second, or even third, applications. Although you can update your application throughout a given year, you should plan to send a whole new packet when the next “application season” starts; former clerks report that the Justices typically discard applications when they have completed hiring.

2. The Application

Since there are only 39 clerkship slots for a Court term, the odds of getting one of them are fairly small. Naturally, you can maximize your chances of securing a clerkship by applying to all twelve Justices, as long as you would be willing to work for any of them. If you sincerely believe that there are some Justices with whom you would be incompatible, then you may decide against applying to them.

The basic application packet consists of the following: 1) cover letter; 2) resume; 3) law school transcript; 4) writing sample; 5) list of recommenders; and 6) at least three letters of recommendation. The basics are covered in Chapter 3 of Judicial Clerkships in the U.S. Below are some tips that relate specifically to the U.S. Supreme Court application process.

Resume: Be sure to list your lower court clerkship, or clerkships, on your resume, even if you have not yet started in chambers. If you have not yet begun your lower court clerkship, you can use “Prospective Law Clerk” as your job title and list the term (e.g., 2015-16).

Writing Sample: You do have more flexibility in choosing a writing sample for the Supreme Court. It remains true that strong, clear writing is the most important quality, outweighing subject matter, length, or document type. Academic writing samples are more common in Supreme Court applications and are often longer than the 5-10 pages recommended in other settings. A good baseline is probably 10 pages, because some Justices seem to prefer shorter samples, and 20-25 pages would probably be the high end for careful reading. This guidance is not intended as a straitjacket; your sample certainly can be longer (or shorter), but it must be consistently good. You also may want to consider two samples that showcase different types of writing, such as an excerpt from an academic piece and a brief or other document (with permission and redaction). You can submit a published piece; alternatively, you could send the version of the publication as originally accepted, if you think that is a better reflection of your own ideas and writing style. If you are concerned about the length of your sample, some options to consider for longer pieces would be 1) to include selected sections, assuming they are comprehensible on their own, and summarizing the full document in your writing sample cover sheet; or 2) to submit the entire article or note and suggest a roadmap in your writing sample cover sheet, pointing to the pages or sections in which the Justice can glean the gist of your argument.

Letters of Recommendation: In general, the Justices ask for three letters of recommendation. Because a recommendation from the lower court judge is often quite significant, four letters are commonly submitted. Your recommenders should send letters directly to the Justices. The letters should come from individuals who know you well and can best discuss your qualifications. In addition to your lower court judge, the Justices also generally expect that at least two of the letters will come from professors. If you are currently working in a non-judicial setting and are comfortable with disclosing your plans to your employer, a recommendation letter from a supervising attorney is appropriate. Letters from these different types of recommenders provide a different perspective on your research, writing, and analytical abilities.

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3 One helpful hint from a former clerk: try to eliminate supras to nowhere. If you are excerpting a longer piece, be mindful of supras or infras that refer to citations outside the excerpt. It is not a deal-breaker, but readers would appreciate knowing what is being cited, particularly if they are familiar with the subject.
The letters also give details about your work ethic and personal qualities, such as organizational skills, attention to detail, and ability to meet deadlines.

*Mailing Your Application:* Supreme Court security protocols dictate comprehensive mail screening. As a result, it takes longer for mail to reach chambers than you might expect. Do not wait until the last minute to send your applications. In addition, you may wish to send your application materials in a manner that confirms receipt, to avoid wondering when (or whether) they arrived.

*Updating Your Application:* Whenever you have additional information, update your application. For example, additional grades, an award, or a publication warrant an updated transcript or resume. If your contact information changes during the summer, or at any other time, send a supplementary letter or updated resume that lists where you may be reached. If your recommenders move during the summer or academic year, make sure to provide their updated contact information.

### 3. Addressing Correspondence to the Court

Cover letters and letters of recommendation should be addressed to the individual Justices as follows:

**The Chief Justice**

**Address Block:**

Hon. John G. Roberts, Jr.
The Chief Justice of the United States
One First Street, NE
Washington, DC 20543

**Salutation:**

Dear Mr. Chief Justice:

**Associate Justices (active or retired)**

**Address Block:**

Hon. Ruth Bader Ginsburg
Supreme Court of the United States
One First Street, NE
Washington, DC 20543

—OR—

Associate Justice Ruth Bader Ginsburg
Supreme Court of the United States etc.

**Salutation:**

Dear Justice Ginsburg:

### 4. Interviews

Each Justice has his or her own style of interviewing. The interviews can range from a short informal conversation to a long substantive discussion of the law. In some cases, the clerks conduct separate interviews; in others, they would not be involved in the interviews at all, though they might meet a candidate.
Prepare for the interview in the same way you would for any other interview. Be sure that you can discuss every entry on your resume in a positive way. Review the points set forth in your writing sample (and publications, if you have them) and be ready to discuss them. Consider opposing arguments as well. Review recent opinions and publications written by the Justice, as well as major decisions issued by the Court in the past year or two.

Be prepared to answer easy questions such as “what did you enjoy about [a particular class or a particular job]?”. Recognize also that you may be challenged with questions related to the law or the Justice’s opinions, such as why you took a particular position in your Note or whether and why you would disagree with one of the Justice’s opinions.

Talk to former YLS clerks about their experiences during the interview process with the Justices who are considering you. Those graduates will be able to provide insight into the Justices’ interview style, as well as typical questions that you can expect from the Justices.

See Appendix A, “The Process of Each Justice,” and the narratives in Chapter 3 for information on the interview process. For general guidance, see Chapter 4 of *Judicial Clerkships in the U.S.*

### 5. Resources

Former YLS Supreme Court clerks are excellent resources for learning about the application process and the work of the Court, as well as the interview process. Many former clerks are members of YLS Career Connections, CDO’s online alumni network, and are willing to discuss their careers with students and other alumni. You can find participants by using the “Advanced Search” feature. You can access Career Connections via the Career Management System (CMS) at [https://law-yale-csm.symplicity.com/students/](https://law-yale-csm.symplicity.com/students/). Students can log in with their NetID and password. Alumni who do not recall their NetID can contact CDO at [cdo.law@yale.edu](mailto:cdo.law@yale.edu) or 203-432-1676 to obtain access.

You can also contact former and current clerks by using the list of YLS Supreme Court clerks in Appendix B; for a quick look at the full roster of Supreme Court clerks for the current term, see Appendix C. Another potential source of information would be the YLS faculty members who have clerked at the Supreme Court. They are listed in Appendix D.

The CDO Library also has full listings of clerks since the 1988-89 term, which is entitled “Supreme Court Clerks 1988 to present.” For an extensive list of former clerks, see [www.en.wikipedia.org/wiki/List_of_law_clerks_of_the_Supreme_Court_of_the_United_States](http://www.en.wikipedia.org/wiki/List_of_law_clerks_of_the_Supreme_Court_of_the_United_States).
CHAPTER 3
NARRATIVES

1. Alumni

CHRISTINA DUFFY PONSA (formerly Burnett) ’98
Columbia Law School, George Welwood Murray Professor of Legal History
Clerk, Justice Stephen G. Breyer, 2004-05
Clerk, Judge José A. Cabranes (2d. Cir.), 2000-01

[See “The Work of the Clerks” in Chapter 1 for the beginning of this narrative.]

The hours are long, especially once the term officially begins in October. I kept to a pretty strict and regular schedule, working 8:30 a.m. to 9:30 p.m. on weekdays and a good number of hours on most weekends. Rarely was I the last clerk to leave the building.

One of the most enjoyable aspects of the job, not reflected in the brief description of a law clerk’s responsibilities above, is the collaboration with other law clerks. Supreme Court clerks spend a great deal of time discussing cases with each other; not surprisingly, this is a stimulating and deeply satisfying part of the job. Needless to say, the time spent interacting with one’s Justice is another of the great pleasures of being a clerk. Law clerks spend little time with other Justices, but there will be several opportunities to meet them throughout the year, and most of them will accept invitations to lunch. (By tradition, each chambers’ new crop of law clerks sends out lunch invitations to the other Justices during the summer, before the official start of the new term.)

While most people apply during their third year of law school or while clerking on an appellate court, you should not take yourself out of the running if for some reason you cannot adhere to this schedule: I applied several years after completing my appellate clerkship. My application materials included a cover letter, CV, transcript, writing sample (a bench memo I’d written during my appellate clerkship, with the parties’ names blacked out, which of course I sent with my boss’s permission), and list of recommenders (in my case, five), who sent their letters directly. You should update your application with any relevant developments (namely, new publications), and, as others will tell you, you should not hesitate to reapply if you do not get a clerkship the first time around: in fact, I know of people who succeeded on the third attempt. The interview with Justice Breyer lasted about 20 minutes and began with pleasantries but quickly turned substantive. You should of course review a Justice’s most important opinions and the Court’s recent opinions before the interview, but Justice Breyer, at least, will not necessarily want to discuss cases at the interview: we spent most of my interview discussing my academic work (I was in graduate school at the time).

Good luck!
Supreme Court clerkships last one year, beginning and ending in the early summer. Normally, each Justice hires four clerks, who will have clerked on a federal court of appeals before starting. Hours vary throughout the year but are no worse than at a law firm—from 40 hours per week over the summer to 60-80 hours by the end of term. Clerks work closely with their own Justices and co-clerks throughout the year and have frequent contact with clerks from other chambers, but generally have little contact with other Justices (although other Justices often do accept lunch invitations).

The most exciting part of the clerkship is working on argued cases. Clerks write bench memos for their Justices, discuss cases with their Justices, work with their Justices to draft opinions, and review opinions from other chambers. Supreme Court cases are often high-profile and have great precedential significance—knowing that an opinion will affect cases across the country can be awe-inspiring. Unfortunately, it can also be stressful, and you’ll never be able to take public credit for anything you worked on. But no other job a few years out of law school offers such an important role in the development of the law.

Another important job duty is the cert pool—screening the thousands of petitions received every year. Justices rely on clerks to identify those few that warrant closer consideration. Clerks also assist with stay applications—for example, nearly every death penalty case in the country comes to the Supreme Court on a last-minute stay application, and clerks must coordinate to ensure their Justices are timely advised. Many clerks also assist their Justices with articles, speeches, or other projects.

Supreme Court clerkships are similar to appellate clerkships in many respects but different in others. One major difference is the extent of contact with clerks in other chambers. Supreme Court clerks frequently discuss upcoming cases with clerks in other chambers. And the clerkship offers many opportunities for inter-chambers socializing (including a weekly happy hour). By the end of the year, you’ll be well acquainted not only with your own co-clerks but with all the clerks in other chambers as well.

When applying for Supreme Court clerkships, it is customary to apply to all nine Justices. An application package (one per chambers) includes a cover letter, resume, transcript, writing sample, and three to five letters of recommendation (sent by the recommenders directly to chambers). Hiring schedules vary widely; some Justices hire students in their 3L year while others hire only during appellate clerkships. You should therefore apply during your 3L year but update your application with new transcripts, publications, etc., as they become available. Ideally, your court of appeals judge (or perhaps law school recommender) might know one or more of the Justices and be able to make a personal appeal on your behalf. If you don’t succeed on your first round of applications, reapply in subsequent years—many succeed only after successive attempts.

Justices’ hiring criteria vary, but three main qualifications are typically the identity of your law school; your law school grades; and the identity and favorable recommendation of your court of appeals judge. If you’re reading this, you already have the first of those three bases well-covered. As to the second, an all-honors transcript is helpful but not essential—one or two passes will not put you out of contention by any means. As to the third, there are several “feeder” judges who consistently send clerks on to the Court—the Law School provides a list of appellate clerkships for the current Supreme Court clerks and all prior Yale clerks, and the Michigan Law School website has a comprehensive list for all prior Supreme Court clerks; consider those resources when applying for (and accepting) a court of appeals clerkship. Other important factors include favorable recommendations of law school professors (particularly those for
whom you have worked), publications, Journal editorship, and the general “well-roundedness” of your resume. Perceived compatibility with a Justice’s legal philosophy is probably relevant to some degree but not dispositive for any Justice.

Justices interview anywhere from four to sixteen applicants. The Justice and his or her current clerks normally conduct separate interviews; chambers vary in the degree to which the interviews are substantive or conversational. Clerks usually have some input into hiring but not a lot. If offered an interview, seek advice from those who previously clerked for that Justice—they have navigated the interview process successfully and also witnessed the Justice’s hiring decisions from the other side. Familiarize yourself with all the Justice’s major opinions and publications, and all the important decisions from the past few terms, any of which might come up in discussion. Prepare responses to hard questions (e.g., “Which opinion of the Justice’s do you most disagree with?”). Mainly, however, the interview is a chance for the Justice to decide whether you seem like a nice person with whom he or she would want to spend a year.

Short of actually being a judge, Supreme Court clerkships—like judicial clerkships generally—are the best legal jobs out there. The application process is time-consuming but well worth it. Good luck!

2. Faculty

HEATHER GERKEN
Yale Law School, J. Skelly Wright Professor of Law
Clerk, Justice David H. Souter, 1995-96 (since retired)
Clerk, Judge Stephen Reinhardt (9th Cir.), 1994-95

A Supreme Court clerkship is the job of a lifetime. It’s hard to beat the combination of great substantive work, dazzling colleagues, and work that matters.

The work of a law clerk varies from chambers to chambers. Every law clerk is involved in the certiorari process, preparing memoranda that will help the Justices decide which cases to accept for review. The chance to see how the certiorari process works in practice is incredibly helpful. Even if one never writes a certiorari petition in one’s career, the process offers a useful lens upon the Supreme Court’s decision making and legal analysis generally. And knowing how the Court identifies the needles in the cert. petition haystack gives a tremendous advantage to any lawyer trying to obtain Supreme Court review.

Law clerks also help their bosses prepare for oral argument and the conferences where the Justices vote on cases. The work is both challenging and engaging. Law clerks read briefs, do research, and pound on the issues with their colleagues, all with an eye toward providing their Justices the best possible assessment of the cases before the Court. The justices are often dealing with cutting-edge legal questions. Now and then they must wrestle with some of the hardest questions law generates. Though it is many steps removed from the job of a Supreme Court Justice, the law clerk’s work is both terrifying and exhilarating. After all, how many people just two years out of law school get a chance to engage at this level?

The most rewarding part of the job, in my view, was helping with the opinion drafting process. Drafting practices varied dramatically from chambers to chambers, with some law clerks writing initial drafts of opinions and others getting involved later in the process. Some justices hewed fairly closely to their clerks’ drafts; others simply used those drafts as a starting point for their own writing. But even those of us who could not identify a single sentence in the U.S. Reports that we drafted nonetheless relished the
experience. The clerk’s primary role is to be a sounding board for her boss, and the intellectual give-and-take involved in helping a justice hash out difficult legal questions is what makes the job so rewarding.

Lots of people overestimate how much influence law clerks have over their bosses. The reason is simple: those clerks willing to reveal confidences about the internal workings of the Supreme Court tend to be the same people who exaggerate the role they played in the Court’s deliberations. The reason to clerk is not to wield power but to take part in what has to be one of the most interesting intellectual exercises on the planet.

Looking back, I realize how much the clerkship has stayed with me. It is not simply the things that I learned while I was there—realizing that the Justices are talking as much to each other as to the advocates when they ask questions during oral argument, learning how the Court “decides to decide,” absorbing all of the lessons about our craft that can be gleaned from the opinion writing process. It is not simply the doors the clerkship opened for me. It is the connection between clerk and judge that continues to influence me in a myriad of ways. I was lucky enough to work for someone who was not only a great judge but a person of exceptional integrity and decency. Whether I’m drafting a brief, writing an academic article, or puzzling through an ethical question, the conversation in my head is always with my old boss. If this were an argument that could convince him—if this were a decision of which he would approve—that would be something.

AMY KAPCZYNSKI, ’03
Yale Law School, Professor of Law
Clerk, Retired Justice Sandra Day O’Connor & Justice Stephen Breyer, 2005-06
Clerk, Judge Guido Calabresi (2d Cir.), 2003-04

(Why) Should I Want a Supreme Court Clerkship?

A law student recently said to me, by way of rhetorical question, “Doesn’t everyone want a Supreme Court clerkship?” I think the answer is “no.” A Supreme Court clerkship is a wonderful thing in many ways, and I am very grateful that I had the opportunity to do one. But for most of my life it was not something that I wanted to do. The below is intended to give you my two cents about why you might or might not want to apply. (I suspect that other narratives will cover the more nuts-and-bolts questions of life at the Court. You can also get a sense of life on the inside of the Court from books like Closed Chambers or The Brethren.)

Why you might want a Supreme Court clerkship: First, and most importantly, it is a tremendous learning opportunity. The cert pool (which usually takes up all of your time in the first months and a day or two a week later on) gives you an overview of the main legal issues and controversies in the country, and teaches you what moves the Court to accept or deny cert. You inevitably learn a good deal about substantive law in the process, particularly habeas law. (Most cert petitions—I would guess about 75%—are from prisoners in the state or federal system.) You also learn a great deal about death penalty law. There are an average of 1-2 executions a week in the U.S. today, and nearly all of them involve a last minute appeal to the Court. Almost all of these appeals are denied, and the time pressure and emotional tectonics are intense. For many people this is the most difficult part of the job.

Your work on granted cases—typically, writing bench memos, helping draft opinions, and engaging in long discussions about the merits with other clerks and your Justice—hones your skills of legal reasoning, and teaches you how to isolate what interests the Court, and when and how the Court addresses (or avoids) key questions in a case. Finally, you learn a great deal about the specific concerns and predilections of the current Court and your own Justice, which can be very helpful if you plan to participate in cases there. It is also very valuable if you are interested in academia, because so many
conversations there revolve around the Supreme Court and how to think about its interpretive strategies and authority.

You might also want a clerkship because it can be a great deal of fun to engage in legal questions in such an intense fashion and to get to know a group of very ambitious and often interesting clerks. The relationship with your Justice can be tremendously rewarding. Lastly, a Supreme Court clerkship obviously has a profound legitimating effect. People will always be interested in your experience, and they will think that you are especially smart because you landed one. This rarely hurts your career, but how important it is to you depends upon what you want to do and how you want to do it.

Why you might not want a clerkship: Very few people go from clerkships into public interest work (a few do go to work for government, and more do so after a few years in a firm). This is probably in part because firm work is so lucrative thereafter (signing bonuses are currently $200,000). Some public interest organizations may also be more impressed with a year’s work in their field than by a year spent at the Supreme Court. So if you want to be a public interest lawyer, you may be better off spending your time and energy building up relevant experience in that field. Second, if you spend your life as a law student aiming for a Supreme Court clerkship, you will likely end up jumping through a lot of hoops and trying to please a lot of people. That will shape who you are and how you understand yourself in the law, not necessarily for the better. It is worth remembering that you can get a Supreme Court clerkship without all of that, by following your own interests and engaging seriously with the life of the law. It might require more luck, but you will also end up with a better sense of your own questions and interests, and it then becomes less important whether you actually get a clerkship. Third, the job is demanding and can put a strain on your personal life, in part because the confidentiality rules mean that you can share only very limited parts of your experience with those close to you. Fourth, the set of things that you can do and say within the Supreme Court as a clerk is very limited. Much of the law and doctrine (and your own Justice’s jurisprudence) is a given, and you may find it difficult to coordinate your own sense of what the law does and ought to say with the demands of the job.

In the end, I suspect most people will conclude that the upsides of the job far outweigh the downsides. It is a pretty terrific opportunity to learn, probably particularly for people who did not always envision themselves working at the Court.

CRISTINA RODRIGUEZ ’00
Yale Law School, Leighton Homer Surbeck Professor of Law
Clerk, Justice Sandra Day O’Connor, 2002-03 (since retired)
Clerk, Judge David S. Tatel (DC Cir.), 2000-01

Applying to clerk on the Supreme Court is fairly straightforward. Applicants should submit a CV, a transcript, and a writing sample (preferably a student Note or other piece of writing that is simultaneously creative and original and legal and analytical). A strong application should also include approximately 4-6 recommendation letters from law school professors, the Court of Appeals judge for whom one has clerked, and, in some instances (e.g., where the applicant has had substantial legal experience, apart from summer positions), former employers. Applicants should apply to all nine active Justices and any retired Justice who still maintains an office/presence at the Court. Each Justice interviews on a different timetable and it takes about a year for all of the Justices to fill their slots for a given term. Students in their third year of law school who have secured a Court of Appeals clerkship can apply, but they should be aware that the trend in recent years has been decidedly away from hiring students still in law school. Justices appear to prefer to hire applicants who already have begun their lower court clerkships (most likely so that the Justices have a Court of Appeals reference to consider).
Each Justice has his or her own idiosyncratic preferences and interview styles. But there are a few general pieces of advice that should be helpful to anyone who has been asked to an interview. I recommend reviewing the opinions of the Court from the most recently completed term, as well as any opinions the Court has released during the current term (if the interview is during term time). Applicants also should familiarize themselves with the most important opinions written by the Justice with whom he/she will be interviewing, and it would also be helpful to read critical analyses of some of these cases. As with Court of Appeals interviews, applicants should come up with answers to standard interview questions (What was your favorite class in law school? What are your career plans? What exactly are you trying to say in your Note?). Finally, those who have been invited to interview should make use of the YLS network of clerks (and any connections made through summer jobs) to gather information about the particular interviewing habits of the Justice in question. Though idiosyncratic, the Justices are not unpredictable, and those who have clerked for them will have highly valuable advice about what to expect.

Though Justice O’Connor has retired, she continues to hire one clerk per year. That clerk works with her on her various retirement projects and is also “contracted out,” so to speak, to one of the other active Justices on the Court, essentially acting as that Justice’s fifth clerk. While any clerkship interview with a Supreme Court Justice is nerve-wracking, Justice O’Connor immediately put me at ease with her warmth and enthusiasm (an experience echoed by most people who have interviewed with her). The interview itself was not long, nor was it particularly substantive. She asked me which of the Court’s cases “raised my hackles” (I was advised by several people not to answer with any of the federalism cases), what my favorite class in law school was, and to discuss my Note (a legal history piece on women jurors in the Western Territories in the Nineteenth Century). We talked about my experience growing up in the West (Texas) and about my family, and I asked her several questions about some of the cases the Court was hearing that term (including what would become United States v. Morrison). I spent twenty minutes in a fairly low-key conversation with the clerks (in some chambers, the clerks are asked to grill the applicants), and I left.

My experience clerking for Justice O’Connor was engrossing, challenging, exciting, and exhausting. Supreme Court clerks in general have four sets of tasks: writing memos to the cert pool; reading briefs and writing bench memos; drafting opinions; and dealing with the Court’s death penalty docket. The experience is highly collaborative. I spent a great deal of time puzzling over issues with clerks in other chambers and soliciting advice from other clerks when drafting opinions, and even when dealing with the more difficult cert petitions (most cert petitions can be dealt with rather quickly, especially after the first few months on the job). The hallmark of the O’Connor experience was the regular conferences she had with her four clerks before each sitting. Before each case, the five of us would discuss the issues she found vexing, and she would solicit input from each clerk on most of the cases. The Justices each interact with their clerks in different ways, but almost everyone emerges from the job having had an intense and eye-opening experience that will always be a career highlight.
Appendix A

The Process of Each Justice
THE PROCESS OF EACH JUSTICE

The information regarding the process followed by each Justice has been compiled from telephone conversations and correspondence with Yale Supreme Court clerks, and telephone conversations with chambers and the Court’s Office of Public Information. In many cases, the clerks report from their own experience and observation, not from first-hand involvement in the hiring process. This information was most recently updated in early 2014.

Chief Justice John G. Roberts, Jr. The Chief Justice has not established a set hiring schedule. He has hired the majority of his clerks in early winter, but for the past several years, he has hired one clerk (including a YLS graduate) during the summer. Candidates can apply during the late fall-early winter, recognizing that they may be contacted promptly or may not be contacted until the following fall.

Associate Justice Samuel A. Alito, Jr. (YLS ’75). Justice Alito does not have a strict schedule, but he has conducted interviews in the fall. When he is ready, he sets up around ten interviews (sometimes more); he is willing to extend offers for the upcoming term and the term commencing in two years. Candidates can apply during the late fall-early winter, recognizing that they may not be contacted until the following fall.

Candidates will meet with Justice Alito’s clerks, as well as the Justice. The “clerk interview” is not as formal as some in other chambers, but candidates should expect a mix of substantive and other questions. Justice Alito’s interviews are also a mix of substantive and more casual questions, but are fairly informal and really serve as an opportunity for him to get to know the candidate.

Associate Justice Stephen G. Breyer. In the past, Justice Breyer’s timetable for applications, interviews, and selections has varied. The last three years, however, have been more predictable. Candidates should apply in the spring, a little more than a year ahead of time. For the 2016-17 term, submit applications in spring 2015. The Justice prefers concise cover letters and writing samples.

Justice Breyer typically calls to schedule interviews between Thanksgiving and Christmas (and can be on quite short notice), conducts interviews in late December and early January, and decides on his clerks in January. Candidates may be interviewed in Boston or in DC; DC interviews typically include a chance to chat briefly with the clerks, but the conversation is not really a formal interview. If you find out when the Justice is putting together his list of candidates to interview, your recommenders can send a follow up fax, email, or letter, or place a telephone call. In November or December, you can get on the Justice’s radar with a call from the judge for whom you clerked or a professor; calls can be quite helpful.

The Justice generally conducts a relatively short, informal interview. It is conversational regarding your resume, writing sample, law school classes, and current job. The best preparation, therefore, is to review your writing sample and other publications on your resume and be ready to discuss legal issues on which you have worked in other jobs/clerkships. It might also be useful to read a couple of articles on the Justice’s general approach to jurisprudence, but there’s no need to read every opinion he’s ever written or study up on every case the Court has decided over the past couple of years. The Justice likes some back and forth, and prefers candidates who can express an opinion and show an ability to defend a position without being belligerent. To test this, the Justice will often challenge your position on something, so don’t be afraid to disagree with him.

Associate Justice Ruth Bader Ginsburg. Submit applications in March and April 2015 for the 2016-17 term. Do not send applications in the fall, and do not call chambers to confirm receipt of the application. Chambers discards applications after the completion of hiring; applicants who reapply should send a new complete packet. In the past few years, Justice Ginsburg has generally interviewed and selected clerks in
July and August. In some cases, the Justice has hired clerks for the term that is one year ahead, and in other cases, she has hired two years in advance.

Justice Ginsburg requires at least three letters of recommendation. With respect to writing samples, she reportedly prefers pieces that develop a substantive idea or argument. The Justice is interested in academic pieces, though prefers concise, and straightforward work. If you submit a long sample, there should be a good reason for each page to be there. You can include a reprint of published work as an additional writing sample.

Interviews have taken place around the time that many of the clerks just started or finished their Court of Appeals clerkships. A couple of clerks have reported that the Justice is interested in hiring candidates who have already finished their lower court clerkship. She has also hired candidates when their clerkships have been underway for some months.

Six to ten applicants typically receive interviews. Law clerks are not formally part of the interview process, though candidates sometimes meet with them. The clerks are available to answer questions. The Justice conducts a conversational interview about background, experience, and the writing sample. The best way to prepare is to be familiar with your writing sample. In the interview, Justice Ginsburg does not expect the conversation to be about her opinions from the previous term.

**Associate Justice Elena Kagan.** Clerkship candidates are generally considered starting in the early spring, although on occasion Justice Kagan will act sooner if she learns of a candidate who seems likely to be secured before then by another Justice. The application should consist of the normal components (resume, transcript, letters of recommendation, writing sample). Letters of recommendation from professors or judges with whom Justice Kagan is familiar are particularly valuable, and a well-timed phone call from a recommender may also be quite helpful.

Justice Kagan’s clerks make a rough cut, selecting perhaps a couple dozen stand-out applications, and the Justice reviews these thoroughly (as well as others, on her own initiative). In the past, approximately twelve to fifteen applicants have been invited to interview for four spots. The interview takes place in stages—first with the Justice, and then with the clerks (or vice versa).

The interview with the clerks can last for about an hour and will be almost entirely substantive, involving detailed discussions about potentially any legal topic, although the focus is usually on recent Supreme Court cases in which the clerkship candidate has indicated an interest. (A common opening question is, “What case from the past couple terms do you think was particularly correct or incorrect, and why?”) The candidate should be prepared to discuss any legal issue that is apparent from his or her resume—any piece of writing referenced and any matter on which the candidate claims to have worked. The questioning can be tough; the goal is to see whether the candidate can think on his or her feet and can articulate and defend sophisticated legal arguments.

The interview with the Justice is usually less substantive, although may also touch briefly on legal topics. The Justice is looking for four clerks with whom she can get along and who can get along with one another. She tends to favor a gender balance, if possible, although has not adhered to any strict rule. She may also ask whether a candidate would be willing to clerk for her in a future Term.

**Associate Justice Anthony M. Kennedy.** The application process varies from year to year. He places a high premium on a letter of recommendation from your lower court judge, although occasionally he has hired applicants who have yet to clerk at all.
Submit your application as early as December nearly two years before the term for which you are applying; e.g., by December 2014 for 2016-17 clerkships. Plan to update your material, as appropriate. If possible, follow this schedule even though Justice Kennedy may not actually hire very soon afterwards and may still consider applicants who apply later. It can be very helpful to have a recommender call the Justice directly, but only if the recommender has a relationship with him that makes a phone call appropriate.

His screening committee of former clerks sifts through applications as they come in and make a first cut. The committee also performs screening interviews, which may involve wide-ranging discussions of hot-button cases and constitutional theory. Justice Kennedy typically invites a small number, five or so, of the screened candidates to interview. He generally conducts interviews in mid-November to early December for clerkships commencing the following summer, though he may make an offer for a subsequent term.

Interviews with Justice Kennedy typically consist of a mix of substantive and “get-to-know-you” questions and last around 20 minutes. The current clerks also interview candidates, generally engaging in a serious, substantive conversation focusing on topics arising from cases the Court has heard in recent terms. The clerks’ interview can last as long as an hour.

**Associate Justice Antonin Scalia.** Justice Scalia has no typical timetable for choosing clerks and no application “deadline.” Apply in fall 2014, and before May 2015, for a clerkship for 2016-17. Justice Scalia has been known to hire clerks during the last semester of law school. Students can apply in March of their third year and then update their applications when a significant amount of new information becomes available; do not update piecemeal.

The Justice requires that you highlight the names of your professor recommenders in your resume or transcript; use a bold typeface or a yellow highlighter. Be sure that your professors’ names for each course are shown on your transcript; if not printed there, write them on the transcript or create a separate list. He expects candidates to have near-perfect law school grades (*i.e.*, one P).

In May, the Justice decides on the candidates that he wishes to interview. He goes over the applications with his current clerks who help in the interview process. Usually five to eight candidates receive interviews for each term.

Justice Scalia tends to interview most people in the summer and fall of the year before the clerkship term begins. The Justice has also interviewed third-year candidates during the summer after they have graduated and begun a circuit court clerkship. Interviews take place after the term’s opinions have been issued in June. He may get in touch with a candidate right after the interview, or several months later, or at any time in between.

Interviews can last for a couple of hours. Clerks have described their interviews as among the toughest and most substantive. Candidates should be prepared to talk about the law. The Justice is interested in hiring clerks who have thought about the law, and not just clerks who share the same views.

**Associate Justice Sonia Sotomayor (YLS ’79).** Justice Sotomayor plans to hire four clerks each term. Although her schedule is not firmly established, her chambers indicated that she would begin reviewing applications in early December. She expects the standard application package, with at least three letters of recommendation.

**Associate Justice Clarence Thomas (YLS ’74).** Justice Thomas generally does not follow a set schedule for hiring. Be flexible regarding the term in which you would be interested in clerking. He considers...
applicants on a rolling basis and sometimes hires two years in advance. The Justice reviews most of the applications personally. Six to eight applicants receive interviews.

In the past, Justice Thomas has selected clerks throughout the year. He may select one or more clerks as early as December, nearly two years before the term is to begin, and the remainder as late as the following November for the upcoming term.

**Retired Associate Justice Sandra Day O’Connor.** Justice O’Connor hires one clerk, who typically also does substantial work in the chambers of another Justice. That can change depending on the Justice’s own projects. Applicants must be willing to spend all of their time working on speeches and writing projects, and assisting with sittings on a lower court. The clerk has an office in the main building, and historically the clerks of retired justices have been well-integrated into the general class of clerks. Justice O’Connor does not have a set schedule for considering applications, but historically has started reviewing applications in late November or early December.

**Retired Associate Justice David H. Souter.** Justice Souter hires one clerk, who will work with another Justice, as well as assist with Justice Souter’s sittings on the First Circuit and any other projects. His hiring is flexible. He may interview any time in the winter/spring, and he may extend an offer more than a year in advance. His chambers indicated that November 30 was still a useful benchmark for applications, since he has often used the winter holidays to review applications. He has accepted later applications, however, and he may not conduct interviews for any applicants until later in the spring.

The Justice places great emphasis on writing skills. Applicants are advised to submit academic writing samples or journal publications which substantially consist of legal analysis.

Justice Souter likes as much information as possible before deciding on candidates. One letter of recommendation must be from the lower court judge for whom you clerked. Your performance as a clerk is highly relevant. If you apply as a third-year student, update the application with a complete transcript in the summer, a recommendation letter from the lower court judge in early fall, and another letter from the lower court judge in January. The Justice prefers to read the recommendations and contact the recommenders for more information, rather than receive unsolicited telephone calls regarding a candidate.

The Justice’s clerk usually assists in reviewing applications at the preliminary stages to make an initial cut. A small number of candidates will be interviewed. In the past, Justice Souter has often begun interviewing in late January or February, but is more flexible with his scheduling now that he is working around his sittings with the First Circuit. The interview is important, as Justice Souter tries to select clerks with whom he will be compatible. Be at ease in talking about your writing sample.

The timing of offers can range from late January to April and beyond. Justice Souter has occasionally allowed clerks to begin work in August.

**Retired Associate Justice John Paul Stevens.** Prior to announcing his retirement, Justice Stevens’ system was consistent for many years. It remains to be seen whether he will vary his routine now that he will only have one clerk to hire, but the following description is likely to continue to provide sound advice:

Justice Stevens accepts applications as early as November for the term commencing two years later. Because he typically interviews near the end of each term, submit applications no later than mid-May (e.g., mid-May 2015 for the 2016-17 term).
The Justice typically hires former federal appellate clerks. Occasionally, he has hired from a state supreme court. Unlike other Justices, Justice Steven has consistently hired YLS clerks to start immediately after their lower court clerkship, which would usually mean the decision was made based on an application submitted before (or perhaps very shortly after) they started their lower court clerkship.

Include law school extracurricular activities on your resume. The writing sample can be a memorandum, a brief, an unpublished note, or a paper. It should not be too long. Provide at least three letters of recommendation, with at least two from law school professors. The Justice relies on recommendations from professors. A letter from your lower court judge is also helpful.

Historically, clerks have screened applications first and then passed some applications on to the Justice, who decides which applicants to interview. The interview has been reported to be a relaxed conversation. The Justice generally interviews when the Court term ends in June and completes hiring in early July of the year before the clerkship begins.
Appendix B

YLS Graduates Who Have Held U.S. Supreme Court Clerkships
YLS U.S. SUPREME COURT CLERKS
(October 1990 through October 2014 Term)

The following is a list of YLS graduates who are serving or have served as clerks to the current Justices. The first date after the clerk’s name is the year of graduation and the second date is the year in which the clerkship commenced.

Justice Samuel A. Alito, Jr.
Brian Barnes '10/'12
(D.C. Cir., Griffith)
Claire McCusker
Murray '09/12
(D.C. Cir., Kavanaugh)
William Levi '10/11
(3d. Cir., Scirica)
Jaynie Randall Lilley '06/09
(N.D. Cal. Patel)
(2d. Cir., Cabranes)
Dana Remus Irwin '02/08
(3d. Cir., Scirica)
Michael Park '01/08
(3d. Cir., Alito, Jr.)
James Hunter '04/07
(3d. Cir., Alito, Jr.)
Geoffrey Michael '00/07
(3d. Cir., Alito, Jr.)

Justice Stephen G. Breyer
Ilana Gelfman '09/'14
(2d. Cir., Katzmann)
(D.M.A., Woodlock)
Michael Gervais '11/14
(9th Cir., Kozinski)
Aaron Scherzer '10/14
(S.D.N.Y., Rakoff)
(9th Cir., Alito, Jr.)
Thomas Schmidt '11/13
(D.C. Cir., Garland)
Sara Aronchick Solow '11/13
(E.D.P.A., Baylson)
(3d. Cir., Scirica)
Joshua Geltzer '11/12
(9th Cir., Kozinski)
Brian Netter '06/10
(D.C. Cir., Rogers)
Natalie Ram '08/10
(2d. Cir., Calabresi)
Elizabeth Dewar '06/09
(9th Cir., W. Fletcher)
(E.D.P.A., Pollak)
Jennifer Nou '08/09
(7th Cir., Posner)
Brianna Gorod '05/08
(S.D.N.Y., Rakoff)
(2d. Cir., Katzmann)

Justice Ruth Bader Ginsburg
Ari Holtzblatt '10/14
(D.C. Cir., Tatel)
Lauren Pardee '10/14
(CA Sup. Ct., Liu)
(2d. Cir., Katzmann)
Joshua Johnson '09/12
(D. Mass., Gertner)
(D.C. Cir., Tatel)
David Newman '06/10
(S.D.N.Y., Rakoff)
(9th Cir., W. Fletcher)

Justice Elena Kagan
Daniel Hemel '12/14
(D.C. Cir., Srinivasan)
(1st Cir., Boudin)
Elizabeth Wilkins '13/14
(D.C. Cir., Garland)
Sophia Brill '11/13
(D.C. Cir., Garland)
Allon Kedem '05/10
(D. Conn., Kravitz)
(2d. Cir., Leval)
(US Supr. Ct., Kennedy)

Justice Anthony M. Kennedy
Caroline Van Zile '12/14
(D.D.C., Boasberg)
(D.C. Cir., Kavanaugh)
Gregory Dubinsky '11/13
(D.C. Cir., Kavanaugh)
(N.D.I.L., Feinerman)
Michael Murray '09/'13
(9th Cir., O'Scannlain)
Richard Re '08/'10
(D.C. Cir., Kavanaugh)
Allon Kedem '05/'09
(D. Conn., Kravitz)
(2d. Cir., Leval)
Steven Shepard '07/'08
(9th Cir., Kozinski)
Curtis Mahoney '06/'07
(9th Cir., Kozinski)
Lisa Marshall '05/'06
(2d. Cir., Leval)
Bertrand-Marc Allen '02/'03
(4th Cir., Luttig)
Steve Kwok '02/'03
(9th Cir., Kozinski)
Igor Timofeyev '01/'02
(9th Cir., Kozinski)
Steven Engel '00/'01
(9th Cir., Kozinski)
Nick Q. Rosenkranz '99/'01
(7th Cir., Easterbrook)
Brett Gerry '99/'00
(D.C. Cir., Sentelle)
William A. Burck '98/'99
(9th Cir., Kozinski)
Stephanos A. Bibas '94/'97
(5th Cir., Higginbotham)
John Elwood '93/'96
(2d. Cir., Mahoney)
Renée Lettow '95/'96
(D.C. Cir., Williams)
Stephen Kinnaird '94/'95
(2d. Cir., Walker)
Brett Kavanaugh '90/'93
(3d. Cir., Stapleton)
(9th Cir., Kozinski)
Jack Goldsmith III '89/'90
(4th Cir., Wilkinson)

Chief Justice John G. Roberts, Jr.
Kathryn Cherry '13/14
(D.C. Cir., Kavanaugh)
Christopher Michel '13/14
(D.C. Cir., Kavanaugh)
Matthew Shapiro '12/13
(4th Cir., Wilkinson)
Caroline Edsall '10/12
(E.D.P.A., Brody)
(D.C. Cir., Kavanaugh)
Frederick Liu '08/11
(8th Cir., Colloton)
(9th Cir., O'Scannlain)

Justice Antonin Scalia
Danielle Sassoon '11/12
(4th Cir., Wilkinson)
Rebecca Krauss-Taibleson '10/11
(D.C. Cir., Kavanaugh)
Evan Young '04/05
(4th Cir., Wilkinson)
Robert Kry '02/03
(9th Cir., Kozinski)
Shay Dvoretzky '00/02
(4th Cir., Luttig)
Kathleen Beecher '93/95
(2d. Cir., Winter)
Emmet Flood '91/93
(2d. Cir., Winter)
Alex Azar '91/92
(4th Cir., Luttig)
Lawrence Lessig '89/90
(7th Cir., Posner)

Justice Sonia Sotomayor
Daniel Winik '11/13
(9th Cir., Reinhard)
Scott Grinsell '09/12
(2d. Cir., Pooler)
Daniel Habib '10/11
(9th Cir., W. Fletcher)
Robert Yablon '06/09
(9th Cir., W. Fletcher)
(US Supr. Ct., Ginsburg)

Justice Clarence Thomas
Haley M.N. Proctor '12/14
(D.C. Cir., Griffith)
Rebekah Perry '10/13
(2d. Cir., Cabranes)
(S.D.N.Y., Sullivan)

David Morrell '10/12
(5th Cir., Jones)
Elbert Lin '03/10
(D. Mass., Keeton)
(11th Cir., Pryor)
Marah Stith '06/09
(9th Cir., O'Scannlain)
Brandt A. Leibe '05/06
(4th Cir., Luttig)
Jennifer Koester '00/04
(5th Cir., Garza)
John Eisenberg '01/03
(4th Cir., Luttig)
Matthew B. Berry '97/01
(D.C. Cir., Silberman)
Nicole Stelle Garnett '95/98
(8th Cir., Arnold)
Michael O'Neill '90/96
(D.C. Cir., Sentelle)
Caleb Nelson '93/94
(D.C. Cir., Williams)
Sai Krishna Prakash '93/94
(D.C. Cir., Silberman)
John Yoo '92/94
(4th Cir., Luttig)
Eric Nelson '92/93
(D.C. Cir., Silberman)
Dan Himmelfarb '91/92
(4th Cir., Luttig)
Arnon Siegel '88/91
(D.C. Cir., Thomas)
(S.D.N.Y., Sand)

Retired Justice Sandra Day O'Connor
Julia Malkina '11/13
(D.C. Cir., Kavanaugh)
Eric Citron '07/12
(D.D.C., Robertson)
(3rd Cir., Tatel)
Kristen Eichensehr '08/10
(D.C. Cir., Garland)
Amy Kapczynski '03/05
(2d. Cir., Calabresi)
Tali Farhadian '03/04
(5th Cir., Garland)
Cristina Rodriguez '00/02
(5th Cir., Garza)
Tamarra Matthews '98/00
(D.C. Cir., Rogers)
Leslie A. Hakala '97/99
(9th Cir., Kozinski)
Oona A. Hathaway '97/98
(D.C. Cir., Wald)
Justice David Souter
Arpit Garg '12/14
(S.D.N.Y., Cote)
(9th Cir., Reinhardt)
Anthony Vitarelli '09/12
(D.C. Cir., Griffith)
Thomas Pulham '04/09
(2d. Cir., Katzmann)
(S.D.N.Y., Cote)
Michael Gerber '05/08
(2d. Cir., Leval)
Boris Bershteyn '04/06
(2d. Cir., Cabranes)
Bryan Leach '05/06
(2d. Cir., Cabranes)
Jon Michaels '03/05
(2d. Cir., Calabresi)
Samuel Rascoff '01/03
(2d. Cir., Leval)

Sarah Levine '00/02
(D.C. Cir., Edwards)
Jesse Furman '98/02
(S.D.N.Y., Mukasey)
(2d. Cir., Cabranes)
Matthew Waxman '99/00
(7th Cir., Flaum)
Jay L. Koh '98/99
(1st Cir., Boudin)
Rebecca L. Tushnet '98/99
(3d Cir., Becker)
Kermit Roosevelt '97/99
(D.C. Cir., Williams)
Noah Feldman '97/98
(D.C. Cir., Edwards)
Catherine Sharkey '97/98
(2d. Cir., Calabresi)
Jonathan Cedarbaum '96/98
(D.C. Cir., Tatel)
William Hohengarten '94/96
(2d. Cir., Newman)
Ellen D. Katz '94/96
(D.C. Cir., Rogers)
Stuart Benjamin '91/95
(9th Cir., Canby)
Daniel Halberstam '93/94
(2d. Cir., Walter)
Riyaz Kanji '91/94
(9th Cir., B. Fletcher)
Michael Barr '92/93
(S.D.N.Y., Leval)
William Araiza '90/91
(9th Cir., Norris)
Jonathan Neuchterlein '90/91
(D.C. Cir., Williams)

Retired Justice John P. Stevens
Travis Crum '11/14
(D.C. Cir., Tatel)
(M.D.A.L., Thompson)
Aaron Zelinsky '10/13
(D.C. Cir., Griffith)
Dina Mishra '09/11
(1st Cir., Boudin)
David Pozen '07/09
(D.C. Cir., Garland)
Jessica Bulman-Pozen '07/08
(D.C. Cir., Garland)
Damian Williams '07/08
(D.C. Cir., Garland)
Chad I. Golder '05/06
(D.C. Cir., Garland)
Jamal K. Greene '05/06
(2d. Cir., Calabresi)
Leondra Kruger '01/03
(D.C. Cir., Tatel)
Eduardo Penalver '99/00
(2d. Cir., Calabresi)
Elizabeth Cavanagh '95/97
(D.D.C., Oberdorfer)
Jonathan Levitsky '95/96
(2d. Cir., Leval)
Pamela Harris '90/92
(D.C. Cir., Edwards)
Robert Schapiro '90/91
(S.D.N.Y., Leval)
Nancy S. Marder '87/90
(9th Cir., Norris)
Appendix C

2014-15
U.S. Supreme Court Clerks
YLS Clerks for the 2014-2015 Term at a Glance

**Chief Justice Roberts**  
Kathryn Cherry ’13 (Kavanaugh, D.C. Cir.)  
Christopher Michel ’13 (Kavanaugh, D.C. Cir.)

**Justice Kennedy**  
Caroline Van Zile ’12 (Kavanaugh, D.C. Cir.; Boasberg, DDC)

**Justice Thomas**  
Haley M.N. Proctor ’12 (Griffith, D.C. Cir.) (formerly Haley Nix)

**Justice Ginsburg**  
Ari Holtzblatt ’10 (Tatel, D.C. Cir.)  
Lauren Pardee ’10 (Rakoff, SDNY; Katzmann, 2d Cir.; Liu, CA Sup. Ct.)

**Justice Breyer**  
Ilana Gelfman ’09 (Woodlock, DMA; Katzmann, 2d Cir.)  
Michael Gervais ’11 (Kozinski, 9th Cir.)  
Aaron Scherzer ’10 (Reinhardt, 9th Cir.; Rakoff, SDNY)

**Justice Kagan**  
Daniel Hemel ’12 (Boudin, 1st Cir.; Srinivasan, D.C. Cir.)  
Elizabeth Wilkins ’13 (Garland, D.C. Cir.)

**Ret. Justice Stevens**  
Travis Crum ’11 (Thompson, MDAL; Tatel, D.C. Cir.)

**Ret. Justice Souter**  
Arpit Garg ’12 (Reinhardt, 9th Cir.; Cote, SDNY)
ROSTER OF SUPREME COURT CLERKS – OCTOBER TERM 2014
With Law Schools and Prior Clerkships
Source: U.S. Supreme Court Public Information Office

CHIEF JUSTICE ROBERTS:
Cherry, Kathryn M.
Yale Law School
Kavanaugh (D.C. Circuit) 2013-2014

Michel, Christopher G.
Yale Law School
Kavanaugh (D.C. Circuit) 2013-2014

Phillips, Graham E.
Harvard Law School
Griffith (D.C. Circuit) 2013-2014

Snyder, Gregory R.
Notre Dame Law School
Kethledge (Sixth Circuit) 2012-2013

JUSTICE SCALIA:
Eckman, Samuel E.
University of Chicago Law School
Kozinski (Ninth Circuit) 2013-2014

Flowers, Benjamin M.
University of Chicago Law School
Ikuta (Ninth Circuit) 2012-2013

Stone II, Judd E.
Northwestern University Law School
Jones (Fifth Circuit) 2011-2012

Suri, Vivek
Harvard Law School
Sutton (Sixth Circuit) 2013-2014

JUSTICE KENNEDY:
Bentz, Andrew J. M.
University of Virginia Law School
Kozinski (Ninth Circuit) 2012-2013

Crooks, James W.
Columbia Law School
Kozinski (Ninth Circuit) 2013-2014

Matz, Joshua A.
Harvard Law School
Reinhardt (Ninth Circuit) 2013-2014

Van Zile, Caroline S.
Yale Law School
Boasberg (DDC) 2013-2014
Kavanaugh (D.C. Circuit) 2012-2013

JUSTICE THOMAS:
Bandy, Jennifer M.
Duke Law School
Pryor (Eleventh Circuit) 2012-2013

Lucas, Gerald B.
University of Virginia Law School
Wilkinson (Fourth Circuit) 2011-2012

Proctor, Haley M. N.
Yale Law School
Griffith (D.C. Circuit) 2012-2013

Stander, Robert N.
Brigham Young University Law School
Sutton (Sixth Circuit) 2012-2013

JUSTICE GINSBURG:
Holtzblatt, Ari B. A.
Yale Law School
Tatel (D.C. Circuit) 2010-2011

Musico, Mark P.
Columbia Law School
Woodlock (DMA) 2012-2013

Pardee, Lauren P.
Yale Law School
Liu (California Supreme Court) 2012-2013
Katzmann (Second Circuit) 2011-2012
Rakoff (SDNY) 2010-2011

Reddy, Anitha K.
Stanford Law School
Leval (Second Circuit) 2010-2011
JUSTICE BREYER:
Gelfman, Ilana B.
Yale Law School
Katzmann (Second Circuit) 2012-2013
Woodlock (DMA) 2011-2012

Gervais, Michael K. N.
Yale Law School
Kozinski (Ninth Circuit) 2011-2012

Scherzer, Aaron W.
Yale Law School
Rakoff (SDNY) 2011-2012
Reinhardt (Ninth Circuit) 2010-2011

Turner, Kendall K. A.
Stanford Law School
Garland (D. C. Circuit) 2013-2014

JUSTICE ALITO:
Dillhoff, Megan M.
Notre Dame Law School
Sutton (Sixth Circuit) 2011-2012

Marra, William C.
Harvard Law School
Pryor (Eleventh Circuit) 2012-2013

McGinley, Michael H.
Harvard Law School
Gorsuch (Tenth Circuit) 2009-2010

Nielson, Aaron L.
Harvard Law School
Brown (D.C. Circuit) 2008-2009

JUSTICE SOTOMAYOR:
McCloud, Charles L.
Harvard Law School
Kavanaugh (D.C. Circuit) 2013-2014

Pollack, Michael C.
New York University Law School
Brown (D.C. Circuit) 2011-2012

Sigel, James R.
Harvard Law School
Tatel (D.C. Circuit) 2013-2014

Sokoler, Jennifer B.
Columbia Law School
Katzmann (Second Circuit) 2011-2012

JUSTICE KAGAN:
Dreher, William K.
Harvard Law School
Kavanaugh (D.C. Circuit) 2013-2014

Hemel, Daniel J.
Yale Law School
Srinivasan (D.C. Circuit) 2013-2014
Boudin (First Circuit) 2012-2013

Rice, Amanda K.
Harvard Law School
Tatel (D.C. Circuit) 2012-2013

Wilkins, Elizabeth W. C.
Yale Law School
Garland (D. C. Circuit) 2013-2014

RETIRED JUSTICE STEVENS:
Crum, Travis M.
Yale Law School
Tatel (D.C. Circuit) 2012-2013
Thompson (MDAL) 2011-2012

RETIRED JUSTICE O'CONNOR:
Savit, Eli N.
University of Michigan Law School
Tatel (D.C. Circuit) 2011-2012

RETIRED JUSTICE SOUTER:
Garg, Arpit K.
Yale Law School
Cote (SDNY) 2013-2014
Reinhardt (Ninth Circuit) 2012-2013
Appendix D

YLS Faculty Who Have Held U.S. Supreme Court Clerkships

Faculty list for the 2014-15 academic year, including Lecturers, Affiliated Members of the Faculty, and Faculty Emeriti in Residence. See www.law.yale.edu/faculty for more information.
<table>
<thead>
<tr>
<th>Faculty Member/Dean</th>
<th>Judge/Justice and Court</th>
<th>Year</th>
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<tbody>
<tr>
<td>Bruce Ackerman</td>
<td>Justice John M. Harlan</td>
<td>1968-69</td>
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<td>U.S. Supreme Court</td>
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<td>(2d. Cir., Friendly, 1967-68)</td>
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<td>John J. Buckley, Jr.</td>
<td>Justice Lewis F. Powell, Jr.</td>
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<td>Hon. Guido Calabresi</td>
<td>Justice Hugo L. Black</td>
<td>1958-59</td>
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<tr>
<td>Steven G. Calabresi</td>
<td>Justice Antonin Scalia</td>
<td>1987-88</td>
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<td>Visiting Professor of Law</td>
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<td>Jan G. Deutsch</td>
<td>Justice Potter Stewart</td>
<td>1962-64</td>
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<td>Steven B. Duke</td>
<td>Justice William O. Douglas</td>
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<td>Owen M. Fiss</td>
<td>Justice William J. Brennan</td>
<td>1965-66</td>
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<td>James Forman, Jr.</td>
<td>Justice Sandra Day O’Connor</td>
<td>1993-94</td>
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<td>Heather K. Gerken</td>
<td>Justice David H. Souter</td>
<td>1995-96</td>
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<td>Paul Gewirtz</td>
<td>Justice Thurgood Marshall</td>
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<td>Abbe Gluck</td>
<td>Justice Ruth Bader Ginsburg</td>
<td>2003-04</td>
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<td>Oona Hathaway</td>
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<td>Justice Antonin Scalia</td>
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<td>Paul W. Kahn</td>
<td>Justice Byron White</td>
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<td>Amy Kapczynski</td>
<td>Justice Sandra Day O'Connor</td>
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<td>Harold Hongju Koh</td>
<td>Justice Harry A. Blackmun</td>
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<td>Margaret H. Lemos</td>
<td>Justice John Paul Stevens</td>
<td>U.S. Supreme Court</td>
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<td>C.J. Mahoney</td>
<td>Justice Anthony M. Kennedy</td>
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<td>Hon. Jeffrey A. Meyer</td>
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<td>Cristina Rodriguez</td>
<td>Justice Sandra Day O'Connor</td>
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<td>Charles A. Rothfeld</td>
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<td>Kate Stith</td>
<td>Justice Byron R. White</td>
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<tr>
<td>Name</td>
<td>Title</td>
<td>Institution</td>
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Career Development Office

Akua Akyea  
Director

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Assistant Director, Administration

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