

Federal Law Clerk Hiring Plan Information

Administrative Office of the United States Courts

Provisions of the Federal Law Clerk Hiring Plan

- The Federal Law Clerk Hiring Plan (Hiring Plan) provides guidelines for hiring third-year law school applicants. Hiring Plan participation by judges and law schools is voluntary.
- The Hiring Plan does not cover law school graduate applicants. Judges may accept applications, interview, and hire law school graduates at any time.
- Law schools and law faculty members following the Hiring Plan will encourage potential law school applicants to submit applications to judges following the Hiring Plan (as indicated in their OSCAR profile) and honor the Hiring Plan application release date. The law schools will facilitate the release to Hiring Plan judges of official law school transcripts and will encourage faculty members to send letters of reference only on or after the Hiring Plan release date. The law schools will encourage faculty not to make calls to Hiring Plan judges on behalf of law school applicants before that date.
- Law schools are strongly encouraged to use OSCAR's electronic application process. However, if Hiring Plan judges request any paper applications, law schools will bundle applications (including cover letters, resumes, recommendations, transcripts, and writing samples) so that each applicant's materials arrive together and all applications from a particular school arrive at the same time in accordance with the Hiring Plan critical date.
- Rising third-year law school applicants are strongly encouraged to ensure that any paper applications and all related materials arrive in Hiring Plan judges' chambers in accordance with the Hiring Plan critical date.
- Judges may schedule and conduct interviews and make offers at any point after the Hiring Plan application release date. Generally, it is for the judge to determine the terms upon which an offer is extended. However, judges are encouraged not to require an applicant to accept an offer immediately without reasonable time to weigh it against other viable options that remain open to the applicant. This would not prohibit an applicant from accepting an offer on the spot.
- When setting up an interview with a clerkship applicant, a judge should make clear to the applicant his or her clerkship offer's policies or practices. For example, a judge may have a policy or practice of making offers and entirely filling his or her clerkship slots, even if more interviews are scheduled for that day. The applicant should be told this in a timely fashion, so that the applicant's decision to accept or decline the interview is appropriately informed. Applicants should also be informed if the judge will ask them to make a decision on the spot.
- Judges are encouraged to consider using video conferencing in lieu of in-person interviews.

Critical Date

Friday, June 28, 2013

(12:00 p.m. Noon EDT)

First date to receive applications from third-year law school applicants. Judges may schedule and conduct interviews and make clerkship offers on that date to third-year law school applicants.

For Additional Information

Please visit the Federal Law Clerk Hiring Plan website hosted on OSCAR (oscar.uscourts.gov) for the most up-to-date information on the Hiring Plan. If you have any questions or comments please contact the program manager of the OSCAR Program Office by phone at **(202) 502-1923** or by email at laura_simon@ao.uscourts.gov.

Frequently Asked Questions About the Law Clerk Hiring Plan

Q. Who is covered by the Federal Law Clerk Hiring Plan (Hiring Plan)?

A. The Hiring Plan is designed for all federal judges, including circuit judges, district judges, bankruptcy judges, and magistrate judges. The Hiring Plan does not involve Supreme Court Justices. The Hiring Plan is voluntary and sets out guidelines for judges, law schools, and third-year law school applicants, but does not cover law school graduate applicants.

Q. How do applicants know if a judge is following the Hiring Plan?

A. The OSCAR Working Group encourages judges to create a profile in OSCAR and indicate whether or not they follow the Hiring Plan.

Q. How can applicants determine whether a judge has a clerkship vacancy?

A. The Online System for Clerkship Application and Review (OSCAR) allows prospective law clerk applicants to search a national database of federal law clerk vacancies. All federal judges are encouraged to list their vacancies on the site and indicate if they do not have a vacancy and are not accepting applications. Users may obtain a list of OSCAR participating judges and their application methods.

Q. When is the law clerk hiring period?

A. The 2013 Hiring Plan sets one critical date for hiring third-year law school students. The OSCAR system releases third-year law school student electronic applications in accordance with the Hiring Plan critical date. Judges may schedule and conduct interviews and make clerkship offers after the critical date. Judges may hire law school graduates at any time of the year.

Q. May a judge following the Hiring Plan request or receive oral recommendations from law professors before the hiring season?

A. No. Faculty members should not send letters of reference or make calls on behalf of law school student clerkship applicants before the Hiring Plan critical date.

Q. May judges hire law school graduates for law clerk positions any time during the year.

A. Yes. The Hiring Plan does not cover law school graduate applicants.

Q. May judges hire third-year law students or law graduates for law clerk positions for years beyond the next immediate court term?

A. Yes. Judges can post future positions in OSCAR, and both third-year students and law graduates can apply to such positions.

Q. When can a judge make an offer to an applicant and how much time does an applicant have to respond to an offer?

A. Judges may offer positions at any time after the Hiring Plan application release date. Judges individually decide their clerkship offer's terms. However, judges are encouraged not to require an applicant to accept an offer immediately without reasonable time to weigh it against other viable options that remain open to the applicant. This does not prohibit an applicant from accepting an offer on the spot if she or he so chooses. In addition, law schools are encouraged to remind their students that they need not accept the first offer that they receive; rather, applicants should be counseled to weigh any offer against other viable options that remain open to them.

Q: Who determined the Hiring Plan critical date?

A: The OSCAR Working Group judges chose a date when the majority of law schools' grades for second-year students would be final. Click on the following link to view a list of the OSCAR Working Group judges.

Q: How do applicants know if a judge is not hiring law clerks this season?

A: The OSCAR Working Group encourages judges who are not hiring to maintain a profile in OSCAR to inform applicants and law schools of the judges' hiring status.