Letter from Dean James Rasband

Dear Student,

I hope you will consider the opportunity of a judicial clerkship. I believe it has several significant benefits.

First, it is engaging in a way that is hard to achieve during your early years of law practice. Working alongside a judge and making recommendations about issues of life, liberty, and property is a sobering and heady experience.

Second, the judge for whom you clerk will typically become a lifelong mentor to you. Judges want to see their clerks succeed. They will be eager to share wisdom and spend time guiding you. After you finish clerking, they are likely to be a source of counsel and friendship, as well as being a powerful reference.

Third, clerking is a tremendous learning experience. My year clerking on the Ninth Circuit was one of the great educational experiences of my life. When I began my clerkship, my first memo to my judge read like a law school exam answer. I dutifully spotted all of the issues and outlined the options on either side of the question. Reviewing my effort, the judge explained that what he wanted—and frankly what all clients want—was for me to exercise judgment. It was not enough to spot issues. I needed to propose a resolution and explain my reasons for the proposed resolution. I quickly learned that until I had to offer a rationale and justification, I hadn’t really thought hard about the problem. When I entered law practice after the clerkship, my sense was that the training in exercising judgment and explaining that judgment was very valuable. In truth, as an appellate court clerkship, it may be that I learned a bit less about practical lawyering than do clerks at the trial level where the training in procedure is intense and very valuable if you choose to litigate. Nevertheless, what I learned changed the way I viewed law and my responsibility to clients forever.

Fourth, working for a judge engrained in me a respect for our judiciary and the rule of law. To see the care and study with which judges made decisions and attempted to achieve a just result was a powerful example of the nobility of the law and the profession in which all of us are engaged. I came away more convinced that I had chosen a noble profession. To those of you who might be worried about the financial implications of doing a clerkship where you are typically paid much less than you would be in a law firm, I say don’t. The experience is worth the one year delay and besides you are usually at least able to tread water during the clerkship year. Frankly, when you are at the end of your career, I am convinced that you will not look back and think that one more year of earnings made a difference. Take the opportunity to live someplace different, to acquire a lifelong mentor and friend, and to learn and grow in the law.

I hope that if you have questions about clerkships you will talk to me or one of my faculty colleagues. I think you will hear a uniform opinion—a clerkship would be one of the highlights of both your education and your work in the law.

Good luck with your decision.
Dean James Rasband