Chapter 1. Introduction

§ 1-1. Function and Role of Law Clerks and Secretaries

HOW **CONVENIENT !**

FOR THE **GOLF COURSE**

HERE !!!! DO 9 **EVERYTHING** !

A GOOD CLERK IS A TEAM CLERK AND A TEAM CLERK **MEANS LESS WORK** FOR THE JUDGE

AND THIS IS BESTOWED **UPON A KID RIGHT OUT OF COLLEGE,** JUST LEARNED HOW TO DRIVE AND NOT A LAWYER OR A **GRADUATE OF ANY** LAW SCHOOL EITHER.

THE CLERKS AND SECREATARIES **RUN THE WHOLE** SHOW WHILE THE COURTHOUSES **POST PAINTINGS** OF JUDGES AND **PICTURES WITH QUALIFICATIONS OF** PEOPLE YOU RARELY SEE. HEAR OR Introduction **QUITE FRANKLY** ACCORDING TO WHAT **IS WRITTEN HERE** IN FEDERAL COURT MANUAL **DO ANYTHING AT ALL.... !**

The chambers staff assists with as many administrative and legal tasks as possible, leaving the judge more time for the nondelegable aspects of judging. Law clerks and secretaries have no statutorily defined duties; they carry out their judges' instructions. Because each judge decides cases in an individual manner and has developed work habits over the course of a professional career, no two judges use their staffs in precisely the same manner. Staff members must adjust to their judge's style and desires. Each member of the staff must work cooperatively with the other members so that, as a team, they effectively assist the **DO THE JUDGES** judge in fulfilling his or her judicial responsibilities.

In most chambers, law clerks concentrate on legal research and writing, while secretaries have primary responsibility for administrative matters. Typically, law clerks' broad range of duties include the following: conducting legal research, preparing bench memos, drafting orders and opinions, editing and proofreading the judge's orders and opinions, and verifying citations. Many judges discuss pending cases with their law clerks and confer with them about decisions. Frequently, law clerks also maintain the library, assemble documents, serve as courtroom crier, handle exhibits during trial, and run errands for the judge. District court law clerks often attend conferences in chambers with attorneys.

Secretaries also help maintain the library, assemble documents, serve as courtroom crier, and run errands for the judge. In general, most secretaries assist in the day-to-day conduct of court business. In addition to traditional secretarial duties, a judge's secretary often deals with lawyers and members of the public on behalf of the judge. Since the secretary is generally the first member of a judge's staff whom outsiders meet, a pleasant, cheerful manner, together with a sincere effort to help visitors (and other staff), sets the tone for good working relationships. Secretaries must also be sensitive to the many demands made on judges and should help to shield them from unnecessary encroach-

JOB FOR THEM....

DRAFTING **ORDERS AND OPINIONS !!!!! HOW CONVENIENT !!**

NOTE : TO MAKE MATTERS WORSE, THESE CLERKS ARE APPLYING FOR **EMPLOYMENT AND REQUESTING REFERENCES FROM THE SAME GOVERNMENT ENTITIES YOU ARE LITIGATING AGAINST....**

ments on their time. Specific aspects of this problem are discussed in several sections of this handbook.

Law clerks and secretaries for district court, bankruptcy court, and magistrate judges have substantially more contact with attorneys and witnesses than do their appellate court counterparts. The principal function of an appellate court law clerk is to research and write about the issues presented by an appeal, while law clerks for district, bankruptcy, and magistrate judges are involved in the many decisions made at every stage of each case. Chapter 5, "Chambers and Case Management," discusses in some detail the operations of district, bankruptcy, and appellate courts.

SO LETS SEE. YOU LITIGATE BEFORE A PICTURE OF A " JUDGE " YOU DONT **CASE YOU PAID FOR IS PAYING FOR THE CLERKS CONTINUING** LEGAL EDUCATION **IS INTENDED FOR** THAN YOUR JUSTICE. AS FAR AS YOU AND YOUR CASE, THE JUDGE IF SUCH PERSON EXISTS **SINCE 90 + % OF** LITIGANTS NEVER GET TO SEE THE THE KID WHOM **ISNT A LAWYER AND** CANT GIVE LEGAL ADVICE **IS HANDLING YOUR FEDERAL** CASE.... SOUND GOOD ?

A clerkship can be viewed as a continuation of one's legal education. The education gained as a law clerk is practical; clerks participate in real court activity and decisions. They learn about law from the judge, who was formerly an accomplished practitioner or educator, and by attending trials, conferences, or oral arguments. The education is not SEE AND THE FEDERAL limited to legal analysis: It includes exposure to the methods and customs of practitioners and the level of professional behavior expected of lawyers, as well as experience with the full range of legal styles and abilities presented in federal court. A clerkship provides direct insight AS STATED ABOVE AND^{into} the judicial process, a unique opportunity for those interested in litigation or teaching. Moreover, law clerks face significant contempo-THEIR PROFESSIONAL rary legal issues and have the opportunity to consider the social and DEVELOPMENT RATHER conomic implications of deciding cases that implicate those issues. Observing the challenging roles that judges and lawyers play in the resolution of controversies and contributing to that process add to the law clerk's professional development.

§ 1-2. History

For more than a century, chambers staff have aided federal judges in legal and administrative matters. Justice Horace Gray, appointed to the JUDGE FOR THEIR CASEsupreme Court of the United States in 1881, introduced to that Court IS AT THE GOLF COURSE practice (originally adopted while he was Chief Justice of the Su-**OR WHEREVER**, WHILE preme Judicial Court of Massachusetts) of employing, at his own expense, an honor graduate of Harvard Law School as his secretary. Gray's

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Chambers Handbook for Judges' Law Clerks and Secretaries

AN HONOR GRADUATE OF HARVARD LAW SCHOOL !!! AH HA !!! BIG DIFFERENCE BETWEEN A HARVARD LAW SCHOOL GRADUATE AND THESE FIRST AND SECOND YEAR LAW SCHOOL STUDENTS, ISNT IT !!!! I BET JUSTICE GRAY WASNT AT THE **GOLF COURSE EITHER.**