

ASSISTANCE FELLOWS CAN OFFER TO PARTICIPATING JUDGES¹

A. Do's and Don'ts

- a. Fellows should not usurp the judge's role to provide the guidance on these topics
- b. Fellows should limit their efforts to suggesting these topics and materials to the participating judge.

B. Planning phase after the match

- a. When planning for the first meeting with the mentoring judge, inquire whether the judge would like Fellows to provide the judge with a possible curriculum for the judge to use in mentoring the SJI.
- b. Possible topics include:
 - the role of the court
 - the role of interns, law clerks and staff.
- c. **Helpful Reading About The Role of Judicial Externs and Law Clerks**
 - Code of Conduct for Judicial Employees, <http://www.uscourts.gov/Viewer.aspx?doc=/uscourts/RulesAndPolicies/conduct/Vol02A-Ch03.pdf>
 - Nicholas Alexiou, To Clerk or Not To Clerk...It's Actually Not Much of a Question, (2018).
 - Above The Law. <https://abovethelaw.com/2018/06/to-clerk-or-not-to-clerk-its-actually-not-much-of-a-question/>

¹ Many of the ideas in this outline come from Ryann Peyton, Executive Director of the Denver Attorney Mentoring Project.

- Gregg Costa, Clerking to Excess: The case against second (and third and fourth) clerkships, (Fall/Winter 2018). Judicature.
https://judicialstudies.duke.edu/wp-content/uploads/2018/12/JUDICATURE102-3_Clerks.pdf

d. Helpful Video Clips:

- C-SPAN broadcast of Fourth Judicial Conference, June 25, 2011: A Conversation with Chief Justice John Roberts, (<http://www.c-spanvideo.org/program/300203-1>) (Regarding youth of law clerks, Minutes 17-24; Regarding Justices' interactions with law clerks, Minutes 36-38)
- Making the Most of Your Judicial Internship/Internship (ABA Law Student Division)
https://www.youtube.com/watch?v=jJO_xDgUU7c

e. Helpful Reading About Ethics, Law Clerks, and Judicial Staff

- Parker B. Potter, Jr., Law Clerks Gone Wild, 34 SEATTLE U. L. REV. 173 (2010).
(<https://digitalcommons.law.seattleu.edu/sulr/vol34/iss1/5/>)

f. Helpful Videos:

- C-SPAN broadcast of Fourth Judicial Conference, June 25, 2011: A Conversation with Chief Justice John Roberts, (<http://www.c-spanvideo.org/program/300203-1>)

spanvideo.org/program/300203-1) (Regarding social media and the court, Minutes 37-42)

- C-SPAN broadcast of Social Media and the Court, August 10, 2011 (<http://www.c-spanvideo.org/program/300990-1>) (Regarding judges, jurors, and the internet, Minutes 7-16, 16-2)

C. Judicial Decision-making

a. Discuss Judge's philosophy of decision-making

- Possible Reading for SJI's:
Berger, Linda L., "A Revised View of the Judicial Hunch" (2013).
Scholarly Works. Paper 808.
<https://scholars.law.unlv.edu/cgi/viewcontent.cgi?article=1831&context=facpub>

D. Possible Discussion Topics for Judge and SJI

1. General:

- Why did you select this internship experience?
- Do you have career ambitions within the courts?
- What do you hope to learn about pathways to clerkships or the bench through this experience?
- Whether the SJI should consider pursuing a clerkship?
- What are some of the professional benefits of clerking?

- What considerations go into being to clerk?
- What do the current clerks think?

2. **Ethics**

- Why judges should have a different code of ethics than lawyers?
- Have the law clerks been faced with an ethical dilemma?
- How do you navigate situations that present possible ethical issues?