Council for Racial and Ethnic Diversity in the Educational Pipeline and the Judicial Division

JUDICIAL CLERKSHIP PROGRAM

February 5 - 7, 2015
George R. Brown Convention Center
Grand Ballroom C, Level 3
Houston, Texas
February 2015

Welcome to the 15th Annual ABA Judicial Clerkship Program. The mission of the Judicial Division is to improve the American judicial system and to encourage all members of the judiciary, lawyers and others who share a strong interest in this goal to work toward this common objective. I think this program is a very important part of our mission.

On behalf of the Judicial Division, I thank everyone who has made the Program a success. I also want to extend special recognition and gratitude to LexisNexis® for its generous, enthusiastic, and ongoing support, which has been invaluable since the Program’s inception.

In just three days, the Judicial Clerkship Program will strengthen law students’ legal research, analysis, drafting, and editing skills. It will give them a rare opportunity to experience the judicial decision-making process and the working relationship between a judge and a law clerk. The Clerkship Program is an honorable addition to students’ résumés and qualifies them as priority applicants for the ABA Section of Litigation’s Judicial Intern Opportunity Program—a program that places minority and financially disadvantaged law students in courts across the United States.

This momentous occasion is attributable to the staff of the ABA Judicial Division and the ABA Council on Racial and Ethnic Diversity in the Educational Pipeline (formerly the Presidential Advisory Council on Diversity in the Profession). It flourishes thanks to Judicial Division judges and members of the Educational Pipeline who work with staff to plan exciting, challenging programs year after year. The Program’s benefits continue when Judicial Division judges maintain contact with, mentor, hire, and refer students. Numerous students have received clerkships as a result of the Program.

The Judicial Division looks forward to future programs that enhance the lives and careers of minority law students and to doing our part to diversify the profession. Please continue to help us with those programs.

With sincere thanks,

[Signature]

David J. Waxse
Chair, Judicial Division of the ABA
Greetings,

On behalf of the ABA Council for Racial and Ethnic Diversity in the Educational Pipeline welcome to the Judicial Clerkship Program! We are proud to serve as a joint sponsor with the ABA Judicial Division for this important educational opportunity.

For the next few days, you will have the opportunity to develop skills and interact with judges from around the country. In addition, you will be provided with invaluable networking experiences and learn about unique opportunities opened to those who take the steps towards becoming a judicial law clerk. We hope this experience will encourage you to pursue a judicial clerkship.

A special thanks to your law schools for having the insight and for bringing resources to provide you with a unique opportunity to broaden your horizons upon your graduation.

I look forward to meeting each of you at the ABA Judicial Clerkship Program.

Sincerely,

Orlando Lucero, Chair, ABA Council for Racial and Ethnic Diversity in the Educational Pipeline
THURSDAY, FEBRUARY 5

11:30am  JCP Registration

12:00 –1:30pm  Welcome and Introductions

**JCP Program Co-Chairs**
Hon. Toni E. Clarke, Associate Judge, Seventh Circuit Court Prince George’s County, Upper Marlboro, MD

Hon. Leo I. Brisbois, U.S. Magistrate Judge, U.S. District Court, District of Minnesota, Duluth, MN

**Introductions**
Hon. Toni E. Clarke, Associate Judge, Seventh Circuit Court Prince George’s County, Upper Marlboro, MD

**Entity Chairs**
Hon. David J. Waxse, Chair, ABA Judicial Division, Kansas City, KS

Orlando Lucero, Chair, ABA Council for Racial and Ethnic Diversity in the Educational Pipeline, Albuquerque, NM

**ABA Leadership**
Paulette Brown, President-Elect, American Bar Association, Morristown, NJ

Jack L. Rives, Executive Director and Chief Operating Officer, American Bar Association, Chicago, IL

Valeria J. Stokes, EdD, Chief Human Resources Officer and Chief Diversity Officer, American Bar Association, Chicago, IL
THURSDAY, FEBRUARY 5

Acknowledgement of LexisNexis Sponsor
Andrea King, Strategic Account Manager,
LexisNexis Federal Government Team,
Washington, DC

Closing Remarks & Law Student Introductions
Hon. Toni E. Clarke, Associate Judge, Seventh Circuit Court Prince George’s County, Upper Marlboro, MD

1:30 – 3:30 pm  Brief Remarks, ABA Leadership
William C. Hubbard, President, American Bar Association, Columbia, SC
And
Opening Panel
“What Do Judicial Clerks Do?”
The panel will discuss the differences and similarities of clerking for trial courts, intermediate appellate courts, and courts of last resort. A question and answer session will follow the presentation.

Moderator
Hon. Leo I. Brisbois, United States, Magistrate Judge, United States District Court, District of Minnesota, Duluth, MN

Panel
Hon. James G. Gilbert, Chief Administrative Law Judge, United States Postal Service Judicial Office, Arlington, VA

Hon. Michele D. Hotten, Judge, Maryland Court of Special Appeals, Upper Marlboro, MD
THURSDAY, FEBRUARY 5

Panel (continued)
Hon. Philip R. Martinez, Judge, U.S. Western District Court of Texas, El Paso, TX

Col. Linda Strite Murnane, Ret. Colonel, United States Air Force, Xenia, OH

Dalila Patton, Esq., Staff Attorney, Supreme Court of the Virgin Islands, Frederiksted, VI

Tremaine “Teddy” Reese, Esq., Director of Community Operations and Affairs for Georgia Appleseed Center for Law and Justice, Atlanta, GA

Hon. Ramona G. See, Judge, Los Angeles Superior Court, Los Angeles, CA

3:30 – 3:45 pm  Break

3:45 – 4:15 pm  Introduction to Research Exercise
Your judge is assigned to draft the court’s opinion on the constitutionality of a statute; the judge in turn asks his/her clerks to research the issue, discuss the research with the judge, and ultimately, prepare an outline of an opinion. The issue is characterized by conflicting opinions from lower courts. Law students (in the role of the clerks) will be divided up into small groups with several judges assigned to each group.

Introducing Research Exercise
Hon. William D. Missouri, Ret. Circuit Administrative Judge, 7th Judicial Circuit, (Calvert, Charles, Prince George's & St. Mary's Counties), Upper Marlboro, MD
## THURSDAY, FEBRUARY 5

<table>
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<tr>
<th>Time</th>
<th>Event</th>
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<tr>
<td>4:15 – 5:15 pm</td>
<td><strong>Judge/Law Student Research Assignment</strong></td>
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<td><strong>Small Group Session #1</strong></td>
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<td>The judges will discuss the research assignment with the clerks and</td>
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<td>instruct them to find and read each conflicting opinion of the lower</td>
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<td>courts.</td>
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<td>5:15 – 6:00 pm</td>
<td><strong>Research Exercise – Law Students</strong></td>
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<td>Clerks will begin the process of finding and reading opinions,</td>
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<td>utilizing computers provided by LexisNexis.</td>
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<td>6:00 – 7:30 pm</td>
<td><strong>Welcome Reception – Judicial Division</strong></td>
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<td>Mandatory, Ticketed Event</td>
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<td>Hilton Americas Houston, Level 2, Americas B</td>
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<td>See ABA Staff</td>
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FRIDAY, FEBRUARY 6

7:30 – 8:45am  Judicial Division Welcome Breakfast
Mandatory  Hilton Americas Houston, Lanier Grand
Ticketed Event  Ballroom E, Level 4
See ABA Staff

8:45 – 9:00am  Prep for Travel to the
Fourteenth Court of Appeals (301 Fannin)
Hon. Kem Thompson Frost
Return to Grand Ballroom C, Level 3. Note: all
courts require security check-in; bring a current
picture identification; place cell phones on
vibrate, and no laptops. Important: photos are not
to be taken in the courtroom.

10:30am  Oral Argument
Law students will observe oral arguments in
which experienced appellate advocates will argue
each side of the research assignment problem to a
panel of experienced appellate judges and
respond to the judges’ questions.  Experience
includes a box lunch (provided) and Q&A
session with Judges.

Return to George R. Brown Convention
Center

1:30 – 2:30 pm  Resume Review
Judges review and provide pointers on student
resumes.

2:30 – 2:45 pm  Break
FRIDAY, FEBRUARY 6

2:45 – 3:25 pm  Judge/Law Student Research Assignment  
Small Group Session #2  
The group will discuss the research methodology employed to find the cases (not the substance of the cases) and discuss additional research necessary before the substance of the issues. The judges will ask clerks to do further research (perhaps find the relevant decisions of the district courts and any law journal articles cited in the opinions); clerks should divide the reading among themselves.

3:25 – 4:25 pm  Research Exercise – Law Students

4:25 – 4:55 pm  Judge/Law Student Research Assignment  
Small Group Session #3  
Clerks and judges reconvene in their groups to discuss (perhaps debate) the substance of the problem. At the conclusion of the discussion, the judges will ask the clerks to develop an outline of an opinion resolving the issue. Outlines with different outcomes might be requested by judges in this group. This period is also available for judges to discuss other topics with the law students (clerks), e.g., principles of legal writing, drafting jury instructions, etc.

4:55 – 5:25pm  Group Picture: Judges and Law Students

5:25 – 7:00pm  Raymond Pace and Sadie Tanner Mossell Alexander Award Reception,  
Mandatory Event – No Ticket  
George R. Brown Convention Center,  
Required Room 330 A/B, Level 3
SATURDAY, FEBRUARY 7

8:00 – 9:00am  Collaborative Presentation by ABA Entities - Benefits of ABA Membership *(continental breakfast served)*

Mandatory

*Facilitator*
Tremaine “Teddy” Reese, Esq., Director of Community Operations and Affairs for Georgia Appleseed Center for Law and Justice, Atlanta, GA

9:00 – 9:45am  Research Exercise – Law Students
The clerks in their group will develop an outline of an opinion resolving the issue.

9:45 – 10:15am  Judge and Law Student Research Assignment Small Group Session #4
Clerks and judges will reconvene to discuss outlines.

10:15 – 11:15am  "Law Students Question the Judges"

*Moderator*
Hon. Frank Sullivan, Jr., Ret. Judge, State of Indiana Supreme Court, Indianapolis, IN

11:15 – 11:45 am  Presentation of Certificates to School Representative and Final Remarks

Noon - 2:00 pm  ABA Spirit of Excellence Awards Luncheon
Mandatory
Hilton Americas Hotel, Lanier Grand
Ticketed Event
Ballroom, Level 4

See ABA Staff
About the…

*American Bar Association* is the world’s largest voluntary professional organization, with nearly 400,000 members and more than 3,500 entities. It is committed serving our members, improving the legal profession, eliminating bias and enhancing diversity, and advancing the rule of law throughout the United States and around the world.

Founded in 1878, the ABA supports the legal profession with practical resources for legal professionals while improving the administration of justice, accrediting law schools, establishing model ethical codes, and more. Membership is open to lawyers, law students, and others interested in the law and the legal profession.

Our national headquarters are in Chicago, and we maintain a significant office in Washington D.C.
A special thanks…

ABA Council for Racial and Ethnic Diversity in the Educational Pipeline
For information about the Pipeline Council visit: www.americanbar.org/pipelinecouncil

ABA Judicial Division
For information about the Judicial Division visit: www.ambar.org/jdjcpen

LexisNexis®
For information about the LexisNexis visit: www.lexisnexis.com