

TYLA CLERKSHIP GUIDE



Judicial clerkships provide an opportunity for law school graduates to work inside a courtroom assisting judges in researching issues of law, drafting opinions and memoranda, and administering court duties. Clerkships can provide valuable opportunities for mentorship from judges, as well as experience in a variety of areas of the law.

Judicial clerkships should not be confused with judicial internships. Judicial internships are generally positions for current law students. Law students may apply for judicial internships that take place while still in law school, and often allow law students to earn class credit while gaining experience. Unlike judicial internships, judicial clerkships are full-time positions for candidates that have already earned a law degree.

Many different courts will hire judicial clerks: state and federal courts, trial and appellate courts, civil and criminal courts. Specialty judges, such as bankruptcy and probate judges, also hire clerks to assist with their docket. Many clerkships are considered “term” clerkships, which usually last one or two years. Sometimes, judges will hire “career clerks,” who will remain in a full-time clerking position long-term.

This guide is meant to provide a starting point for law students considering whether a term judicial clerkship makes sense for their career, but this resource is not comprehensive. At the end of this guide, we include additional resources to continue your research into judicial clerkships. Because TYLA is a Texas-based organization, the focus of this guide is clerking in Texas, but keep in mind many clerkship opportunities exist outside of the state as well.

What Do Judicial Clerks Do?

Judicial clerks work within courts, usually for specific judges, to assist with the disposition of court cases. Clerks will often conduct legal research and writing; draft orders and opinions on motions; edit, proofread, and prepare memorandums for judges with legal analysis; assist the judge in preparing for hearings and trial; and otherwise assist in administrative and legal functions within the court. Clerks may also represent the judge within the local community at various events and oversee court staff.

A clerk's functions will also depend on the type of court they are clerking for. For example, a clerk in an appellate court may assist their judge in preparing for oral arguments, whereas a clerk in a trial court will be involved in assisting their judge in preparing for trials. The specific responsibilities of a clerk will also vary by the judge they clerk for, as judges will have preferences for how a clerk might assist in the court's functions.

Benefits of a Judicial Clerkship:

Clerkships are coveted, and obtaining a clerkship is competitive. Because of the nature of this competition and the relatively few positions available, obtaining a clerkship is perceived by many as prestigious. Clerkships are also great resume builders, and many employers place value on former clerks, as the clerks will have experience and insight into the inner workings of a given court.

The most significant benefit of a legal clerkship is mentorship from a sitting judge. Judges will generally have a wealth of experience and knowledge about legal practice, legal writing, and the judiciary. Clerks will produce significant amounts of written work which will be reviewed by their judge and subject to comments—this is one of the best ways to improve writing. Additionally, a judge's experience in the legal field and community can provide immense benefit to a recently graduated law student learning to navigate the profession. Often, the relationship formed during a clerk's terms will continue beyond the term, and the judge can be a long-term professional mentor.

TYLA CLERKSHIP GUIDE



Courts see a wide variety of procedural and substantive issues. Judicial clerks gain exposure and experience to these issues and build foundational legal knowledge that will assist in their future legal career.

Judicial clerkships tend to provide more benefits to individuals interested in a litigation-related legal career as opposed to a transactional one. Additionally, many judges have clerkship alumni networks, and you may form relationships with former clerks of the same judge.

Types of Courts That Hire Clerks in Texas:

Below are some of the courts in Texas that hire judicial law clerks.

TEXAS SUPREME COURT:

Each of the nine Texas Supreme Court justices hires law clerks for positions that begin each September and end the following August. Generally, each justice hires two clerks for a term. The Texas Supreme Court has discretionary review and hears civil cases only. One of the major advantages to clerking for the Texas Supreme Court is that it is one of the few courts that allow clerks to sit in conference during its deliberations.

Instructions for applying to clerkships on the Texas Supreme Court can be found at the following link: <https://www.txcourts.gov/media/1460026/law-clerkships.pdf>

TEXAS COURT OF CRIMINAL APPEALS

The Texas Court of Criminal Appeals is state's highest court for criminal cases. Each of the nine justices hires one term clerk. Similar to the Texas Supreme Court, the Texas Court of Criminal Appeals has discretionary review and hears criminal cases only.

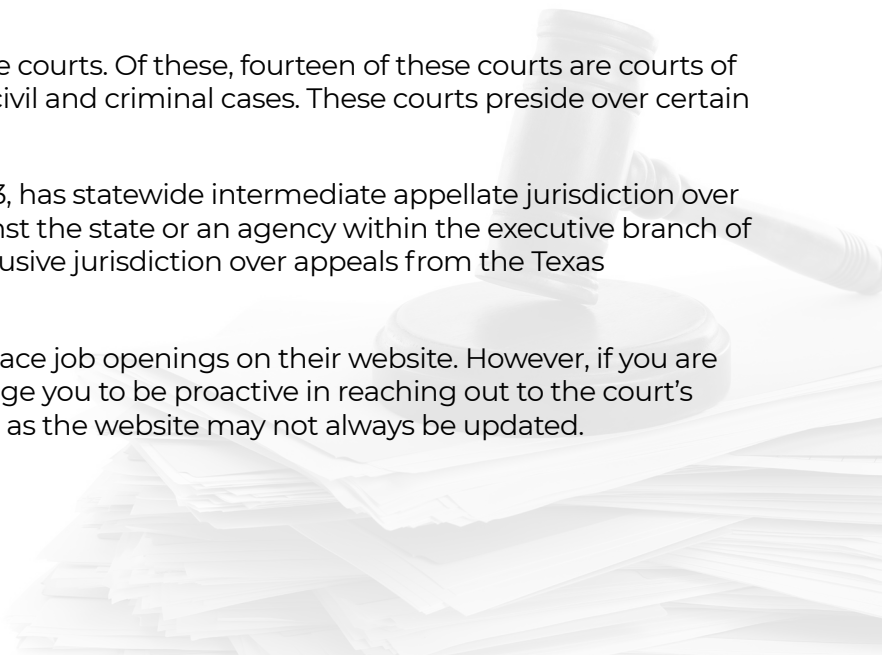
Instructions for applying to clerkships on the Texas Court of Criminal Appeals can be found on its website at the following link: <https://www.txcourts.gov/media/1459887/cca-clerkships-2025.pdf>

TEXAS INTERMEDIATE APPELLATE COURTS

Texas is home to fifteen intermediate appellate courts. Of these, fourteen of these courts are courts of general jurisdiction and hear appeals of both civil and criminal cases. These courts preside over certain geographic areas within Texas.

The Fifteenth Court of Appeals, created in 2023, has statewide intermediate appellate jurisdiction over matters related to appeals brought by or against the state or an agency within the executive branch of the Texas government. This court also has exclusive jurisdiction over appeals from the Texas Business Courts.

Each of these intermediate appellate courts place job openings on their website. However, if you are interested in this type of clerkship, we encourage you to be proactive in reaching out to the court's chambers to inquire about application timing, as the website may not always be updated.



TYLA CLERKSHIP GUIDE



FIFTH CIRCUIT COURT OF APPEALS

In addition to state courts offering clerkships, federal judges also hire clerks to assist with their functions. The Fifth Circuit Court of Appeals hears civil and criminal appeals from federal district courts in Texas, Louisiana, and Mississippi.

Fifth Circuit clerkships are competitive, and generally require stellar academic credentials. Justices on the Fifth Circuit Court of Appeals generally hire multiple term law clerks for one or two-year terms.

Like other federal courts, the Fifth Circuit Court of Appeals uses the Online System for Clerkship Application and Review ("OSCAR") for applications.

[Federal District Courts](#)

Texas is home to four divisions of federal district courts covering the Northern, Southern, Eastern, and Western regions of the state. Many federal district court judges will hire multiple term law clerks to assist in the court's functions. Federal district courts handle both civil and criminal proceedings, and a clerk's experience in the matters they work on will be highly dependent on the specific judge's preferences. For example, some district court judges do not allow their clerks to work on criminal matters. Some district court judges assign their clerks to certain case types, while others may expose their clerks to a wider variety of cases. Like other clerkships, the experience of a federal district court clerkship will vary by judge.

OTHERS

Other courts that hire clerks include Bankruptcy Courts, Magistrate Courts, and Probate Courts. Some of these courts are more specialized in subject matter, and may appeal to individuals intending to pursue a career in that subject matter following the clerkship.

Application Materials

Judges generally look for a variety of qualities in judicial clerk candidates, including academic performance, law school attended, moot court and journal participation, internships, externships, and other factors indicative of academic success. Certain judges may also favor organizational or political memberships, such as The Federalist Society or the American Constitution Society.

Clerkship application materials will include a resume, school transcripts, application forms, letters of recommendation, and a writing sample. If you are interested in a clerkship, we recommend developing relationships with law school faculty who can write strong letters of recommendation that are personalized to you as a candidate.

Because a large function of legal clerks is legal research and writing, it is important to submit a polished writing sample. This can come from one of your classes or from work product you have created through an internship or other legal job. If you do want to use a writing sample coming from an internship or other legal job, be sure to request permission from your employer prior to using the writing sample, as such documents can often contain privileged or confidential information.

TYLA CLERKSHIP GUIDE



Application Timing

Timing for applications depends entirely on the court you are applying to. The federal judiciary has a Federal Law Clerk Hiring Plan, where judges will not accept formal or informal clerkship applications until the summer following a law student's 2L year. However, not all federal judges choose to follow the hiring plan, and judges could hire earlier or later.

Similarly, application deadlines for state court clerkships vary. Some courts may accept applications as early as the Spring of 2L year, whereas other courts may not accept applications until well into 3L year. If you are interested in clerking, we recommend contacting the chambers of the judges you are interested in clerking for to learn more about the timing.

After receiving applications, judges will select candidates to interview. The interview process is just as important as the application materials. Many judges spend significant amounts of time with their clerks, and want to know that their clerks are not only smart, but also individuals they like. Your career services office can assist you with preparing for clerkship interviews.

Our Recommendations

If clerking sounds interesting to you, begin your journey by speaking with current and former law clerks to hear more about their experiences. A clerkship experience is highly dependent on the specific judge, and researching individual judges is important. At TYLA, we think clerkships can be a useful way to continue developing your legal mind after graduating law school, and provides valuable experience and mentorship to kickstart your career. However, clerking will not be for everyone.

Career Development Offices at law schools, as well as alumni networks, can provide resources and information on researching and applying to judicial clerkships. Many Career Development Offices will have someone assigned specifically to counsel judicial clerkship applicants.

We recommend starting the process early and being proactive in researching information on clerking and specific judges to determine if this is the right path for you.

Resources

Biographical Directory of Article III Judges, 1789-present: <https://www.fjc.gov/history/judges/>

Online System for Clerkship Application and Review: <https://oscar.uscourts.gov/>

Federal Judicial Center: Law Clerk Handbook:

https://www.ca9c.uscourts.gov/wp-content/uploads/HR/Forms/Law_Clerk_Handbook_Fourth_Edition-1.pdf

The Legal Accountability Project: <https://www.legalaccountabilityproject.org/clerkships-database>

